

Before me, the undersigned, a Notary Public, in and for said County and State, on this 6th day of May 1909, personally appeared G. N. Wright, Jr., W. T. Brady, P. C. Jones, M. A. DeVinna and Mrs. A. C. Archer, Trustees of the Tigert Memorial Methodist Episcopal Church South of Tulsa, Okla. who subscribed the name of the maker thereof to the foregoing instrument as its Trustees, to me known to be the identical persons and the Trustees of said above church, who executed the foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

Notary Public.

H. C. Walkley, Register of Deeds (SEAL)

WHEREAS, on the 25th, day of November, 1908, Catherine Kennedy as plaintiff filed her petition in the District Court of Tulsa County, State of Oklahoma against Marcella M. Kennedy Willard C. Kennedy and Hope M. Kennedy, defendants, alleging that she together with the defendant were joint owners of the Northeast Quarter of the Northeast Quarter of Section Number nine, in Township number Eighteen North, of Range Fourteen East, Tulsa County, State of Oklahoma. Said land being devised and bequeathed to the said plaintiff and defendant by Mathew H. Kennedy, deceased, which will had been properly probated in the County Court of Payne County, State of Oklahoma, and the estate finally settled and Executrix discharged; that by the terms of said will one-third of said real estate was bequeathed the plaintiff as the widow of said Mathew H. Kennedy, deceased; and the remainder of said estate to the defendant, Marcella M. Kennedy, Willard C. Kennedy and Hope M. Kennedy, minor children of said Mathew H. Kennedy and the plaintiff, giving to each of said children the balance of said real estate, share and share alike, and,

Whereas, the Court found that the defendant in this action had been duly and legally served with summons in said action. And on March 23rd 1909, the plaintiff filed her motion showing to the court that the defendants were all minors of tender years and under the age of fourteen years, and moved the court to appoint some suitable and proper person as guardian ad litem, to represent and protect the rights of said defendant. And on the 23rd, day of March 1909 the Hon. L. M. Poe, Judge of the District Court, upon hearing said motion, and being fully satisfied in the premises, sustained said motion and appointed James McCann, an attorney of this Court, be appointed as Guardian ad litem, to protect and defend the rights of said defendants. And the said Guardian on April 7th, 1909, filed ^{his} her answer as guardian for and in behalf of said minor defendants to the petition of the plaintiff, denying each and every material allegation in said petition contained, prejudicial to the rights of said defendants, and requesting that that the plaintiff be required to prove each and every allegation in said petition contained. And on said 7th, day of April 1909, the Court after hearing the evidence and being fully advised in the premises, found that the allegations contained in said petition were true, and appointed as Commissioners, to divide said real estate, Tom Higgins, H. L. Hollingsworth and E. L. Yates, with instructions that upon qualifying as by law required they