

the appointment of commissioners, to make partition of the lands between the parties, which said paragraph is by the court overruled and set aside.

The Court being fully advised in the premises finds from the proof therein that Sakenna Fox, died intestate on the 15th, day of January 1902, leaving as her surviving heirs at law, her husband Chas. Fox and an uncle Fulsom Yellowhead, and that said Chas. Fox and Fulsom Yellowhead, the petitioners, have both joined in this petition to partition the estate as heirs of Sakenna Fox, deceased.

SECOND:

The Court further finds, that the petitioner, Chas. Fox, being the surviving husband of the said Sakenna Fox, deceased, is entitled under the Creek Law of decent and Distribution to an one half interest in the lands of Sakenna Fox, deceased, and that Fulsom Yellowhead, being the only surviving uncle and nearest relation to said Sakenna Fox, deceased, is entitled to the remaining one half interest in the said tract of land.

THIRD.

The Court further finds from the petition on file, and proof taken by the said Master in Chancery, that the said parties interested in the partition of the said lands agreed among themselves to partition the lands setting out in said petition and in the proof the tract of land which each has agreed to accept as his share or portion in the estate and allotment of Sakenna Fox, deceased.

FOURTH.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that Chas Fox, one of the petitioners, and husband of said Sakenna Fox, deceased, be and the same is hereby declared to be entitled to and is owner of one Half of the said tract of land and there is therefore set aside for said petitioner, Chas. Fox, as his share of the said lands :

The West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirteen (13) Township Sixteen (16) North, Range Thirteen (13) East, and he is decreed to be the owner in Fee Simple of the said tract of land.

FIFTH:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court, that Fulsom Yellowhead, the uncle and nearest relation to the said Sakenna Fox, deceased, be and is decreed to be the owner and entitled to the remaining Eighty (80) acres of the allotment of the said Sakenna Fox, deceased, and there is hereby set aside to him as his distributive share and part of the said estate, being the East Half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirteen (13), Township Sixteen (16) North, Range Thirteen (13) East, containing Eighty (80) acres, more or less.

IT IS FURTHER ADJUDGED AND DECREED BY THE COURT, that the costs of this action be divided equally between said petitioners, for which execution may be issued unless the same is paid to the Clerk of this Court.

Upon application by James J. Mars, of the firm of Mars & Mars, attorneys for the petitioners, a lien is given upon the lands hereinabove mentioned for their reasonable attorneys fees for services rendered by said attorneys, on behalf of the said petitioners in this cause.

L. M. Poe, Judge.

CERTIFICATE OR TRUE COPY.

STATE OF OKLAHOMA, TULSA COUNTY, SS.

I, W. W. Stuckey, Clerk of the District Court in and for the County and State aforesaid, do hereby certify that the instrument hereto attached is a full, true and correct