

in the premises, doth find:

That the allegations contained in the amended petition and each of them, are true,

And that the plaintiff, Mary C. Bassett, was married to Martin H. Bassett at Arcola, Illinois, in September 1891 and resided and co-habited with him as his wife until the time of his death; that the said Martin H. Bassett departed this life, intestate, at Tulsa, Oklahoma, July 27th 1909; that he left surviving him, Mary C. Bassett, plaintiff herein, his widow, and William H. Bassett, his son, as his only heirs at law; that just prior to his death on to-wit: the 13th day of April 1909, he had purchased from defendant John O. Mitchell an undivided one half interest in the following described real estate to-wit:

All of lot eight, and the East ten feet of Lot seven, in Block one hundred three, situate in the City of Tulsa, County of Tulsa, and State of Oklahoma, being more particularly described as follows; Commencing at the Northeast corner of said lot eight, thence in a westerly direction fifty feet and parallel with Second Street; thence in a Southerly direction one hundred fifty feet and parallel with Boulder Avenue; thence in an Easterly direction and parallel with Second Street to the alley, fifty feet; thence in a Northerly direction and parallel with said alley, one hundred fifty feet to the place of beginning, the title deed to which said property, the said Martin H. Bassett, took in his own hands and that at the time of his death, the said Martin H. Bassett, has paid upon said property the sum of forty eight hundred, eighty-seven dollars and 40/100 dollars (\$4887.40).

And that the said Martin H. Bassett, upon his arrival in Tulsa and taking up his residence therein the months of April and June 1909, deposited in The Union Trust Company of Tulsa, the sum of fourteen Thousand Five Hundred Thrity four dollars and Seventeen cents (\$14,534.17) and that of that amount, so deposited by him, the sum of Thirteen Thousand Two Hundred Seventy One dollars and eighty-seven cents (\$13,271.87) was the money and separate property of the plaintiff Mary C. Bassett, which she derived from the sale of a farm in Coles County, Illinois, made March 1st, 1909 and the sale of her home in Kankakee, Illinois, made a short time before that and that said property from which she derived said money, was her separate property with the title in her name and was the proceed of property which she inherited from her father's estate, Samuel B. Logan, deceased, of Douglas County, Illinois and that the said Martin H. Bassett, held said sum of money as hers and in trust for her for the purpose of investment in Tulsa and that out of said sum of money he paid the sum aforesaid upon the property which he purchased of John O. Mitchell, aforesaid and that he further paid out the sum of twenty eight hundred fifty dollars and sixty cents (\$2850.60) out of said funds towards building a home for him and the said Mary C. Bassett in the city of Tulsa, the title to which property was placed in her name and that this left a balance due her of her separate funds so deposited in the Union Trust