

a practicing attorney at the bar of this court was on the 5th day of October, 1909, appointed guardian ad litem for said minor defendants, and that said guardian ad litem had on said 5th day of October, 1909, filed his answer to plaintiffs petition denying each and every allegation contained therein;

And it further appearing to the court that the above named defendant, T.K. Wallace, had been so served by notice of publication, and the above named defendant, W.T. Brady, had so disclaimed any interest in the subject matter of the suit, and the said T.K. Wallace had failed to appear to plead or answer in said cause, a default was entered against him after he was called three several times in open court.

And the cause coming on for trial on said petition of plaintiff and the answer of said guardian ad litem, and the cause was submitted to the court for trial without a jury and the court after hearing the evidence and being fully advised in the premises finds, as follows:

That on Henry C Calhoun and W.R. Wallace, deceased, were, prior to the decease of said W.R. Wallace, engaged in conducting a meat market and grocer business under the firm-name and style of W.R. Wallace & Company; that on the death of the said W.R. Wallace, he left the said Henry C Calhoun a surviving partner of said partnership; that said death occurred on the 20th day of January, 1906, that at the time of the death of said W.R. Wallace, the said partnership had assets consisting of a stock of groceries, meats, meat market fixtures, and also a lot and building, more specifically described as lot 17 block 89 of the original town of Tulsa, Indian Territory, now Tulsa, Oklahoma, and that the said partnership at that time owed debts aggregating a large sum of money; that Henry Calhoun the surviving partner, sold all the personal property belonging to the said partnership, but same was insufficient to pay the debts of said partnership, and that in order to pay said partnership indebtedness it was necessary for him to sell the said lot 17 block 89 city of Tulsa, Indian Territory, that said Henry C. Calhoun did on the 15th day of August, 1907, sell, as surviving partner of W.R. Wallace & Company, the said lot to the plaintiff, H.O. Cavert, and executed, acknowledged and delivered to the said H.O. Cavert, a warranty deed for said lot, for a consideration of Eight Thousand (\$8,000) dollars, which warranty deed was duly recorded in the office of the recorder of deeds of the 28th recording district of the Indian Territory, on the 24th day of September, 1907, at 1 o'clock P.M. in book 20 page 277, and that the said sum of Eight Thousand (\$8,000) dollars was a reasonable price for the said lot, and that the said H.O. Cavert is now the owner in fee simple of said lot.

The court further finds that the said W.R. Wallace, deceased, left a widow, the above named Ada Wallace, his father the said T.K. Wallace, two sisters, the said Mary Nelms and Arizona T. Thomas, and the above named minor defendants, James M. Pryor, Pearly Pryor, Lody Pryor, and Budd Pryor, children of the deceased sister, Missouri S. Pryor.

The court further finds that the said W.R. Wallace left no heirs or persons interested in his estate.

The court further finds that the above named defendant, W.T. Brady, is the duly appointed, qualified and acting administrator of the estate of W.R. Wallace, deceased?

It is therefore considered, ordered and adjudged that the title of the plaintiff in said lot 17 block 89 city of Tulsa, Tulsa County, Oklahoma, is a