

hearing upon said return of sale by posting notices in form and manner as required by law; and the Court further finds that on the 9th day of October, 1909 Jim Ge Caesar as the guardian of the estate of the said Bennie McIntosh, filed herein a petition praying for a sale and an order of sale of lands of said Bennie McIntosh, said lands being described as follows.

All of Southeast quarter of section 9 in Township 19 North, Range 14 East, of Indian Base and Meridian, and containing 160 acres more or less as per the United States survey thereof, and located in Tulsa County, State of Oklahoma, and being known as the allotment of lands to the said Bennie McIntosh.

That said Bennie McIntosh is an enrolled citizen of the Creek (Muskogee) Nation of Oklahoma, and is enrolled as a Freedman Citizen without Indian Blood according to the records of the Commissioner to the Five Civilized Tribes, at Muskogee, Oklahoma; that on the 12th day of November, 1909 said petition to sell land as aforesaid, came on for hearing before this court the hearing of said petition having been duly and regularly continued from the 10th day of November, 1909 after this court did find that due and legal notice had been given of the hearing of said petition to sell lands of said minor, prior, to November 10th, 1909, and that a true copy of the order entered herein setting said petition to sell land for hearing was published on one and the same day each week for four successive <sup>and consecutive</sup> weeks in the Times Democrat, of Muskogee, Oklahoma, a daily newspaper published in and of general circulation in the County of Muskogee, State of Oklahoma prior to the said 10th. day of November, 1909, said newspaper having been regularly published for more than 52 weeks prior to the first publication of said notices and order setting said petition to sell land for hearing as aforesaid, the first publication of said order appearing in the issue of said paper bearing date of the 9th. day of October, 1909, and the last publication appearing in the issue of said newspaper bearing date of the 30th day of October, 1909, and that a true copy of said order setting said petition to sell lands for hearing being personally served on all of the next of kin of said minor, and all persons and parties interested in the estate of said minor had due and legal notice of the hearing of said petition to sell lands of said minor filed herein as aforesaid; and that on the 12th day of November 1909 aforesaid, no one appearing to protest or object or contest the sale of lands of said minor and his interest therein, this court entered an order of sale ordering and directing Jim Caesar as guardian of Bennie McIntosh a minor, to sell according to the terms and conditions of said order of sale and the statutes in such cases made and provided the lands above described of said minor at private sale, subject to the confirmation and order of this court, the sale of said lands being necessary for reasons appearing good and sufficient to the court, as said reasons were stated in said order of sale and in the petition to sell lands aforesaid and that said minor needed funds for his actual support, maintenance and education, said minor being in destitute circumstances and unable to provide for himself the necessities of life, and said minor owned no other real or personal property except the land offered for sale, and said land being mostly raw, uncultivated and unimproved, a part of said lands could not be sold in order to improve the balance but it is for the best interest of said minor that all of said lands be sold and such money and funds as were not used