

appearing herein James H. McBirney, the bidder upon said land, in his own proper person and there being no objections made or exceptions filed to said return of sale; and it further appearing to the satisfaction of the court that due notice of this hearing has been given by posting notices thereof in three public places in Tulsa county at least ten days before the day for hearing as required by law and the order of the court; and it further appearing to the court that since said return of sale was filed herein, to-wit: on this 28th day of May 1910, certain other bids in writing for the land hereinafter described have been filed in this court raising and increasing the original bid for said land as reported in said return of sale under the provisions of the statute in such cases made and provided; and the court having examined said return of sale, and said additional bids filed as aforesaid, and having heard and considered the evidence of witnesses offered in support of said return, and being fully advised in the premises finds,

That in pursuance of an order of sale made and entered herein on the 26th day of April, 1910, said guardian advertised the property hereinafter described for sale for two weeks in the Tulsa Democrat, a newspaper published in Tulsa County, Oklahoma, and by posting notices of such sale in three public places in said county at least fifteen days before the day of sale, as required by law and said order of sale, and in accordance with said order and said notices, said guardian on the 14th day of May, 1910, at the time and place therein mentioned sold the real estate belonging to said minor described in said order and notices of sale as follows, to-wit:

The North One-half of the Southwest quarter of section Twenty-eight (28) in Township Twenty (20) North of Range Thirteen (13) East, and lying and being situate in Tulsa County, State of Oklahoma, at private sale to James H. McBirney, of Tulsa, Oklahoma, upon the following terms, to-wit:

For the sum of \$2400.00 payable as follows, Cash in hand upon confirmation of the sale by the court.

That said sale was made after due notices as prescribed by said order of sale; that said sum was the highest and best sum bid upon said day of sale; that on this date and prior to the time set for confirmation of said sale, one J. H. McBirney, of Tulsa, Oklahoma, filed in this court his bid for said land in writing offering therefor the sum of \$3600.00 which sum exceeds the original bid at least ten per cent exclusive of the costs of a new sale; that said bidder is a responsible person; that said increased bid so made by said J.H. McBirney should be accepted, and the sale confirmed to said increased bidder; that said sale was in all things been legally and fairly conducted; that said sum bid exceeds the appraised value thereof, and is not disproportionate to the value of the real estate sold; that said guardian has given an additional bond for the faithful performance of his duties relative to said sale and has in all things proceeded and conducted said sale as required by the statute in such case made and provided, and by the order of the court required and directed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that said sale upon said increased bid be and the same is hereby confirmed and approved, and declared valid, and said guardian is hereby ordered and directed to execute to said purchaser a proper and legal conveyance of said real estate.

N. J. Gubser, County judge.