

Virginia A. Kistell
CLERK

Defendants in the above captioned case, plaintiffs, hereby are jointly and severally admitted in default, and that this cause proceed to be

This case coming on further to be heard by the Court,
The following named defendants, if living, if
appears their names in the list of defendants, the person
also known as FRANKLYN E. LANIER and as F. E. LANIER,
MRS. J. B. LANIER, also known as ETHEL B. LANIER, (all) defendants,
ALBERT W. SHARPLESS, G. G. BRYAN, W. I. EAGAN, HENRY
GREENWOOD, W. W. BRADSHAW, EDWARD BRADSHAW, EARL
O. LINGER, H. B. STROUP, JOHN FULTZ, JENNIE COLTRANE,
also known as JENNIE COLTRANE, S. C. ROBBINS, JAMES
LAWSON SWAIN, ROLAND EDGAR SWAIN, ESTELLE SWAIN
CRAWFORD, ALMA BRADFORD SWAIN, EDWARD KIRKMAN HARRISON
SWAIN, JACK C. BELL, ROSS BOHANNON, SAM DAY, TROY
F. SHELLEY, MURIEL SHELLEY, LAURENCE SHELLEY, AIDA
SHELLEY, IRA C. SHELLEY, ETHELYNE SHELLEY, CARL
FIELDS, HARRY SUSAN FIELDS, ILL FIELDS, PARABEE, JOHN
A. PARABEE, J. O. FIELDS, ESSIE FIELDS HEDGECOCK,
OCEAN FIELDS, GEORGE WAGGON, CLARENCE FIELDS, HAZEL
VIRGINIA FIELDS, ETHEL WINFREE, C. J. WINFREE, HAZEL
HUNTER, EDNA STALAY, ETHEL FIELDS LOVELL, GEORGE C.
LOVELL, JAMES L. SHELLEY,
heard, and having examined the files in the case, and being fully

The unknown heirs of the following named deceased persons: IRMA BLITZKIE, also known as CLAUDE V. BLITZKIE and as CLAUDE B. BLITZKIE, MARTHA BLITZKIE, HERMAN HASSELMAN, also known as H. HASSELMAN, ELIZA FIELDS, MARY SHELLEY, also known as MARY SHELLEY;)
)

THE AZTEC ORCHARDS INVESTMENT COMPANY, a defunct corporation; THE AZTEC IRRIGATION COMPANY OF COLORADO, a defunct corporation; those made in plaintiff's American Complaint are true ones; AND ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLANE 278 held Mexican Complaint as their

deceased persons named therein are true and correct. Defendants.

JUDGMENT

This cause came on to be heard by the Court upon plaintiffs' motion for order of default and final decree as against ^{that} ~~that~~ plaintiffs have made diligent search and inquiry all of the defendants herein; and

It appearing to the Court that the defendants herein and each and all of them, except L. R. Lumsford, George B. Robbins and J. R. Robbins, are the attorney for military defendants, have

and in violation of the laws of New York, et al. to wit:

defaulted and have failed to appear or answer, and that the Clerk of this Court has issued a Certificate of Non-Appearance against the defendants, and each of them.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that each and all of the defendants, except those defendants heretofore noted, and they hereby are jointly and severally adjudged in default, and that this cause proceed to be heard as against all of said defaulting defendants.

That the said cause be heard by the Court, upon the evidence introduced by the plaintiffs, and upon the Motion of the plaintiffs for final judgment herein against all defendants, including those in default, and the plaintiffs being present and represented by their attorney, Clement Koogler, and each of the defaulting defendants as are now in the military service of the Township Twenty-nine (29) North of Range Eleven United States being present by their duly appointed and acting attorney, Laver Burnham, and the defendants, George B. Robbins and J. R. Robbins being present by their attorney, E. K. Roseborough, and the Court having fully considered the evidence heard, and having examined the files in the case, and being fully advised in the premises, FINDS AS FOLLOWS:

The Southwest Quarter (24) of Section Eight (8), Township Twenty-nine (29) North of Range Eleven (Thad), except as to the ownership of the defendants

George B. Robbins and J. R. Robbins, the allegations and each of them made in plaintiffs' amended Complaint are true and correct and the persons named in said amended Complaint as heirs of the deceased persons named therein are true, and it is determined that said heirs at law of said deceased persons are the sole and only heirs at law of said deceased persons, and are alleged to be their next of kin, and that plaintiffs have made diligent search and inquiry to ascertain the residence and whereabouts of each and all of the defaulting defendants as stated in plaintiffs' complaint, and that said defaulting defendants, and each of them, have been served with process in compliance with the rules of this Court and the statutes of the State of New Mexico, all as is more

particularly shown by the verified Amended Complaint, the proof of publication of summons and notice of suit pending, and the Clerk's Certificate of non-appearance, all of which are now on file in this cause, and that this Court has jurisdiction of the parties and of the subject matter of this suit and has the power to enter its Decree herein as against each and all of the defendants.

III.
That the defendant, GEORGE P. ROBBINS, is the owner of an undivided one-sixtieth of the oil, gas and other minerals in and under and that may be produced from the following described lands, situated in San Juan County, New Mexico, being four (4) mineral acres:

The Southwest Quarter (SW¹) of Section Eight (8), Township Twenty-nine (29) North of Range Eleven (11) West, N.M.P.M.

That the defendant, J. R. ROBBINS, is the owner of an undivided one-one hundred and sixtieth of the oil, gas and other minerals in and under and that may be produced from the following described lands, situated in San Juan County, New Mexico, being one (1) mineral acre:

The Southwest Quarter (SW¹) of Section Eight (8), Township Twenty-nine (29) North of Range Eleven (11) West, N.M.P.M.

That all other defendants and each of them make some claim adverse to the respective estates of the above-named defendants and the plaintiffs herein, but such claims are subject to and inferior to the estates of the plaintiffs and are without foundation; that each person who is alleged to be deceased, and whose unknown heirs are made defendants, during their respective lifetimes made some claim adverse to the estate of the plaintiffs, but that said claims were and are subject to and inferior to the estates of the plaintiffs and were and are without foundation; that such corporations which are alleged to

be defunct, during the term of their operation made some claim adverse to the estates of the plaintiffs, but that said claims were and are subject to and inferior to the estates of plaintiffs and were and are without foundation.

And now the Court having made the above and foregoing findings of fact concludes as a matter of law that, excepting ~~the interest of the defendants George B. Robbins and J. R. Robbins~~ shown above, plaintiffs are entitled to a decree quieting their title to the real estate hereinafter described, as against each and all of the defendants to this cause, including those in military service, those appearing and those in default, and that judgment should be entered.

IT IS, THEREFORE, FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, CLAUDE SMITH, is the owner in fee simple, free and clear of all liens and encumbrances, all of that certain land and real estate lying and situated in San Juan County, New Mexico, more particularly described as follows:

AN UNDIVIDED ONE-HALF OF SURFACE RIGHTS ONLY IN AND TO:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Eight (8), Township Twenty-nine (29) North, Range Eleven (11) West, N.M.P.M.

AN UNDIVIDED SEVENTY-FIVE-ONE HUNDRED AND SIXTIETH (75/160) of the oil, gas and other minerals in and under and that may be produced from the following described lands, being 75 mineral acres:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Eight (8), Township Twenty-nine (29) North, Range Eleven (11) West, N.M.P.M.

IT IS, THEREFORE, FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiffs, MARGARET HASSELMAN JONES, JULIA HASSELMAN KELLER, JENNIE HASSELMAN HILL and MAY HASSELMAN KOUNS, as heirs at law of HERMAN HASSELMAN, deceased, are the owners in fee simple of the following described real property situated in San Juan County, New Mexico:

AN UNDIVIDED ONE-HALF OF:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Eight (8), Township Twenty-nine (29) North, Range Eleven (11) West, N.M.P.M.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the title of plaintiffs in and to said described real estate, in their respective estates, be and the same is hereby quieted and set at rest against all claims and demands of said defendants, all and either of them, and said defendants, and each and all of them, and all persons claiming or to claim by, through, or under them, are hereby forever barred and estopped from having, claiming or setting up any lien upon, or right, title interest or demand in or to said real estate, or any part thereof, adverse to the title thereto now vested in the plaintiffs.

BY THE COURT.

C. C. McCall
DISTRICT JUDGE

La. W. W. Brinkman
Attorney for Military Defendants

W. H. Bell
Attorney for George B. Robbins and
J. R. Robbins

STATE OF NEW MEXICO) ss.
COUNTY OF SAN JUAN)

I hereby certify that the above and foregoing Judgment is a true and perfect copy of the original on file in my said office.

Virginia A. Kittell
Clerk of District Court