

-assign unto said second party his heirs and assigns, all the right and claim of damages against the said Creek Oil Company and others by the reason of the said unlawful extraction and conversion of the oil from said premises. Now, therefore, The said party of the first part for and in consideration of the sum of \$1.00 cash in hand paid the receipt of which is hereby acknowledged, and the addition of sum of money to be ascertained as hereinafter stated, and other valuable considerations, does hereby sell, transfer, convey, assign and set over unto said party of the second part his heirs and assigns forever all his right, title and interest in and to the said petroleum oil extracted from and land to this date and for claim of damages against the said Creek Oil Company, Charles E. Douglas, Joseph S. Elsted, William B. Morgan, Wright Henshaw, H. M. Arnold and the Prairie Oil and Gas Company and any other person, firm or corporations who may have converted any of said oil to their own use and benefit, or account of such conversion and appropriation to their own use and benefit. The said additional sum of money to be paid as a part of the consideration for this sale and assignment shall be a sum of money equal to the one fourth part of the amount of said damages recovered and collected by said party of the second part, and shall be paid to the said party of the first part, when said damages shall have been collected, or as collected from time to time of the entire amount thereof if not collected at one time, should said party of the second part be successful in collecting under a part and not all of said claim of damages. It is provided in that event he shall never be liable to pay unto said party of the first part more than the one fourth part of the entire amount collected. In the event none of said claim of damages is collected then said first party shall receive nothing further from said second party on account of this sale, and as assignment. Said party of the second part agrees to exercise all diligence in recovering said damages and to institute all necessary suits and employ all