

And it further appearing to the Court that said guardian has executed to said Duquesne Oil & Gas Company an oil and gas mining lease upon the terms hereinbefore set forth for a term expiring with the minority of said ward, and that the lease so executed is the best obtainable by said guardian.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the sale of said land for oil and gas mining purposes as aforesaid and the lease executed thereunder to the said Duquesne Oil & Gas Company, be and the same are hereby confirmed and approved

Certificate of True Copy .

State of Oklahoma, Tulsa County . SS

N.J. Gubser
County Judge

I, G.W. Davis Clerk of the County Court in and for the County and State aforesaid, do hereby certify that the instrument hereto attached is a full true and correct copy of an order of Court confirming lease as the same now appears of record in this office.

Witness my hand and the seal of said Court at Tulsa Oklahoma, this 21st day of Sept 1908 .

COURT SEAL.

G. W. Davis
Clerk of the County Court .

Filed for record Sep 23 1908 . at 8 A.M.

H.C. Walkley Reg of Deeds (SEAL)

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-----: COAL MINING LEASE :-----

THIS INDENTURE OF LEASE : Made and entered into in duplicate on this 11th day of September 1908 by and between Sonny Smith , guardian of the estate of Thomas Smith, a minor of Dawson Oklahoma, ~~xxxxxx~~ party of the first part, and the Cherokee Company, a corporation existing under the laws in force in the State of Oklahoma, of Tulsa Oklahoma, party of the second part, under and in pursuance of an order of the County Court for Tulsa County , State of Oklahoma , this day made, witnesseth :-

That the party of the first part for and in consideration of the royalties , covenants, stipulations and conditions hereinafter contained , and hereby agreed to be paid, observed and performed by the party of the second part, its successors or assigns, does hereby demise, grant and let unto the party of the second part, its successor or assigns, the following described tract of land lying and being situated in Tulsa County , State of Oklahoma, to-wit :-

South one -half of the North-west quarter of Section Twenty-eight (28) Township Twenty (20) North Range Thirteen (13) East , containing eighty acres more or less, for a term of years expiring November 25th 1915 from the date hereof, for the sole purpose of prospecting for and mining coal . The party of the second part occupies so much only of the surface of said lands as ^{be} may reasonably necessary to carry on the work of prospecting for, mining, storing and removing such coal .

In consideration of the premises the party of the second part hereby agrees and binds itself, its successors or assigns, to pay or cause to be paid to the party of the first part as royalty the sums of money as follows :-to-wit :

On the production of all coal mined under this lease the sum of eight cents per ton of 2000 lbs, on mine run or coal as it is taken from the mines, including what is commonly called slack .

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