

(Seal) Maude C. Elliott, Court Clerk.

By R. N. Whittlesey, Deputy.

IN THE COUNTY COURT OF CREEK COUNTY, STATE OF
OKLAHOMA.

In the matter of the Guardianship of James)
Marshall, a minor *Timmie Fife Guardian* } Number 1713.

ORDER.

Now, on this 28th day of July, 1923, comes on for hearing the petition of Timmie Fife, guardian of James Marshall, a minor, for the approval of a certain contract made and entered into on the 25th day of July, 1923, between the said Timmie Fife, as guardian and O. K. Eysenbach, Huldah C. Cook and Bessie C. Eysenbach. and the court after hearing evidence submitted finds that the said James Marshall, a minor, is an heir at law of Charles Marshall, deceased a full blood Creek Indian, entitled opposite Number 3 229, and to whom was allotted, among other lands, the northeast quarter of northeast quarter of section 13, township 17 north, range 12 east, situated in Tulsa County, Oklahoma, and that the said James Marshall, a minor, inherited an undivided onethird interest in and to the above described land.

The court further finds that on the 10th day of February, 1912, the said guardian made, executed and delivered an oil and gas mining lease covering the above described real estate to J. H. Winemiller, which said lease was fully approved by the County Court of Creek County, on the said 10th day of February, and that the said O. K. Eysenbach Huldah C. Cook and Bessie C. Eysenbach, by means conveyances are not the owners of said oil and gas mining leases and all rights thereunder.

The court further finds that under an order of sale heretofore entered, said Guardian was authorized to sell the interest of said minor in and to said real estate to the highest and best bidder for cash and that O. K. Eysenbach was and is the highest and best bidder for said land and that said sale was on the 25th day of July, 1923, duly confirmed by this court and that said guardian has made, executed and delivered his said deed conveying to the said O. K. Eysenbach all the right, title and interest of said minor in and to the above described real estate.

The court further finds that under the decisions of the Supreme Court of the State of Oklahoma and the United States Circuit Court of appeals for the Eighth Circuit, that the said oil and gas mining lease heretofore made by the said guardian and approved by this court is valid and binding.

The court further finds that the said O. K. Eysenbach and associates have, by virtue of said agreement, offered to pay said minor an additional consideration of \$25.00 at the time to settle all damages by virtue of the development of said land for oil and gas purposes that have heretofore accrued to said minor, if any, and in full for any cause of action that may hereafter accrue to said minor.

The court further finds that it is manifestly to the best interest of said minor that said guardian execute said contract and accept the said sum of \$25.00 for the use and benefit of said minor.

Now, therefore, it is ordered, adjudged and decreed by the court, that the said contract heretofore entered into on the 25th day of July, 1923, by and between Timmie Fife, as guardian of James Marshall, a minor, as party of the first part, and O. K. Eysenbach and associates as parties of the second part, be and the same is hereby approved.

Done on open court this 28 day of July, 1923.