

and dispose of the same for the benefit of the cestui que trusts, Elizabeth A. Fitz Patrick and Mary B. Whitney, share and share alike in the manner and subject to the stipulations herein contained, to-wit:

First: It is the intention of the parties hereto to create a real trust and not a partnership. All property of the Company is the property of the Trustee and he is its master.

Second: The Trustee, in his official capacity, shall be designated as "Trustee for the use and benefit of Elizabeth A. Fitz Patrick and Mary B. Whitney", and under that name shall, so far as practicable, conduct all business and execute all instruments in writing in the performance of his trust.

Third: The Trustee herein named shall be the sole and only Trustee and shall hold his office for the life or duration of the trust. In the event of the death, resignation or inability to serve of the Trustee, he shall have the power to appoint his successor either by will or by an instrument in writing.

Fourth: The Trustee shall hold the legal title to all property at any time belonging to this trust, and shall have and exercise the exclusive management and control of the same. He shall assume all contracts for an obligations and liabilities in connection with or growing out of the property, rights or things of value assigned to him as Trustee, and the management of the same as before specified, to the extent of the value of such rights, property and business, but not personally. He shall hold the cestui que trusts harmless and indemnified from and against any loss, cost, expense or liability by reason of or in connection with any such contract, obligation or liability. He may adopt and use a common seal; he may collect, issue, have, receipt and receive all moneys at any time coming due to said trust; he shall retain an employ counsel and attorneys at law, He may borrow money for purposes incidental to the proper management and conduct of said trust, and may pledge the property of said trust in such manner as he may deem best to secure said loan. He may buy, sell, hold, exchange, mortgage or convey real property, leases or equities therein, where ever situate.

The Trustee shall maintain and principal office at Tulsa, Oklahoma, and may rent suitable offices for the transaction of the business of the trust, and may appoint, remove and reappoint such agents and officers as he may think best, define their duties and fix their compensation.

The Trustee shall receive a compensation of One Hundred dollars per month. He shall also receive from the trust or be reimbursed by the trust for all living expenses and expenses of any nature incidental to the management and welfare of the trust. The Trustee shall be the sole judge of the fitness of any expenses which he may incur. He shall also have the power to join any clubs, societies or associations; memberships in which he deems will be advantageous to the business of the trust.

The Trustee may warrant the title to land or to any estate or interest in land sold by him; he may accept, receive and convey title in and under such designation or name, and he may execute and sign deeds, leases, assignments, mortgages, releases and any and all other instruments or conveyances, executing the same in his official capacity.

He may mine, drill for and otherwise undertake the discovery and production of petroleum, natural gas and other volatile mineral substances, if, when and as it may appear to him to be necessary in order to preserve and conserve the interests of the trust estate; he may buy, sell, prepare for market, market, refine, transport, store and deal generally in the same, either in the crude or refined condition, together with the by-products thereof; he may buy, sell, own and hold oil and gas mining lands, oil and gas mining leases.