CONTRACT.

WHEREAS, on February 27th, 1909, suit was filed in the 21st, District of the Stateo of Oklahoma, at Tulsa, in Tulsa County, by James F. Makinney, et al., Plaintiff vs. Frank Haver, administrator of the estate of Mary Louise Makinney, deceased, and,

WHEREAS, said suit has as its purpose the setting aside of the will of Samuel Clinton Mackinney, deceased, wherein he devised and bequeathed of fhis estate to the aforesaid Mary Louise Makinney, deceased, and,

WHEREAS, we, the undersigned Mrs. Arabella Fleck, Mr. John V. Fleck, Mr. Albert W. Fleck, Mrs. Sarah E. Sommer, Mrs. Ellen M. Burrows, Mrs. Esther A. Benson, Mrs. Harriet N. Strock, are the mother, brothers and sisters of the said Mary L. Makinney, deceased, and her sole surviving heirs at law.

NOW THEREFORE, we hereby hire and retain the firm of Randolph & Haver to represent us and protect our interest in the above mentioned suit; and we hereby make, constitue and appoint them our attorneys:to do and perform for us all things in connection with said suit to the same extent and with the same effect as we ourselves might do; and we make this power of attorney irrevocable until the above mentioned suit shall have been settled by and with the consent and approval of the said Randolph & Haver.

In consideration of the above mentioned services we hereby agree to convey to the said Randolph & Haver an undivided one-third interest in and to Lot 7 Block 84 in the City of Tulsa, Oklahoma, or an undivided one third of such interest in and to said lot as shall hereafter by law be determined to belong to us. And we further agree that we will not sell or attempt to sell said lot or settle or attempt to settle the above mentioned law suit without the consent of the said Randolph & Haver.

IN WITNESS WHEREOF, we have hereunto set our hands the 16th, day of April 1909.

Witnesed by:

J. J. Fleck

Esther A. Benson.

Sarah E. Sommers

Albert W. Fleck

Ellen M. Burrows

Esther A. Benson '

Harriet N. Stock.

STATE OF COLORADO, COUNTY OF BOULDER.) SS:

Before me, the undersigned, a Notary Public, in and for said County and State, on this 16th, day of April 1909, personally appeared Esther A. Benson, to me known to be the identical person, who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

Charles W. Staples, Notary Public.

(SEAL) My commission expires Nov. 27th, 1912.

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Filed for record at Tulsa, Okla., Jun. 24, 1909, at 4.30 o'clock P. M.
H. C. Walkley, Register of Deeds (SEAL)

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