

IN THE COUNTY COURT OF TULSA COUNTY, STATE OF OKLAHOMA,
IN THE MATTER OF THE GUARDIANSHIP OF EWELL AND SPENCER O. PHILLIPS, MINORS; FRANK PHILLIPS,
GUARDIAN.) PROBATE NO. 65

O R D E R.

Now, on this 22nd, day of September 1909, this matter came on to be heard upon the petition of Frank Phillips, guardian of the above named minors, for an order approving two waivers of filing new bonds by lessee in two oil and gas mining leases, and consent in writing by said Guardian to assignment of oil and gas mining lease covering the lands of said minors, and it appearing to the Court from the reading of the petition and from the statement of counsel that heretofore, oil and gas leases have been executed upon the forms prescribed by the Secretary of the Interior, by the Guardian of said minors, in favor of Richard T. Root of Denver, Colo., covering certain lands of said minors, which said leases have been approved by the Secretary of the Interior and are now in full force and effect. and,

That, in conformity with the terms of said oil and gas mining leases, the said lessee did file in connection therewith, satisfactory bonds running to the United States of America, in accordance with the regulations of March 20, 1905, prescribed by the Secretary of the Interior, which said bonds were deposited and now remain on file in the office of the United States Indian Superintendent, at Muskogee; and,

That it has been proposed to assign the above mentioned oil and gas mining leases from Richard T. Root to P. J. Berg and A. L. Smith; but the heretofore the restrictions formerly imposed by the United States Government upon the alienation of the lands of said minors, have been removed by act of Congress; and,

That in cases of this kind, the Department of the Interior will not consider assignment but that such leases, namely on lands from which restrictions have been removed, shall be removed from the supervision of the Indian Superintendent, as provided in Section 42 of the regulations of April 20, 1908; and that this may be accomplished by the lessee signing a waiver of the filing of a new bond running direct to the lessor, in which case when the waiver is approved by the Indian Superintendent, the matter of the Assignment of the leases is one that may be taken up by the parties in interest without reference to or approval by the department: and,

That the petitioner as guardian of said minors has signed two such waivers; one in connection with the oil and gas lease executed by Frank Phillips, guardian of Ewell Phillips, a minor, to Richard T. Root, and the other in connection with the lease executed by Frank Phillips, Guardian of Spencer O. Phillips, a minor, and same are submitted for approval of this Court; and,

It further appearing to the Court, that the assignment of said leases to P. J. Berg and A. L. Smith, will be for the best interests of the said minors, inasmuch as it will place the lands in the hands of active and experienced operators, who will open up the wells and put them to pumping and otherwise operate the said tracts; and the Court being fully advised in the premises:

BE IT ORDERED, that the two waivers of filing new bonds by the lessee under the said oil and gas leases, together with the written consents to the assignment of said oil and gas mining leases, Nos. 4443 and 4444, from Richard T. Root to P. J. Berg and A. L. Smith be and the same hereby are approved.

N. J. Gubser,

Judge of the County Court of Tulsa County,

State of Oklahoma.