

If the lessee makes reasonable and bona fide effort to find and produce oil in paying quantity, as herein required of them, and such effort is unsuccessful, they may at any time thereafter, without approval of the Secretary of the Interior, surrender and wholly terminate this lease for the full payment and performance of all their then accrued and payable obligations hereunder. Provided, however, that approval of such surrender by the Secretary will be required only during the time his approval of the alienation of the land is required by law.

It is further expressly agreed that this lease is made with full knowledge of the fact that under the regulations prescribed by the Secretary of the Interior governing the leasing of lands in the Cherokee Nation, Indian Territory, lessees are prohibited from being directly or indirectly interested in leases, in their own names or in the names of their persons or as owners or holders of stock in corporations, or as members of associations, covering an aggregate of more than 4,500 acres of land in the Cherokee and Creek Nations, that the said prohibition is made a part and condition of this lease, and that the Secretary of the Interior reserves the right to cancel leases at any time during the period for which they are to run, after notice as herein mentioned, when he is satisfied that the terms of the lease or of the regulations heretofore or hereafter prescribed have been violated in any particular, and they further agree not to transfer, assign, or sublet, by working or drilling contract or otherwise, or allow the use of the land leased, or any oil or gas in or under it, without first obtaining the consent of the Secretary of the Interior, and that any violation of the lease or of the regulations heretofore or hereafter prescribed by the Secretary of the Interior, respecting oil and gas leases in the Cherokee Nation, shall under this lease subject to cancellation, after ten days from receipt of them of notice, in the discretion of the Secretary of the Interior, whose declaration of cancellation shall be effective without resorting to the court and without further proceedings, and that the lessor shall then be entitled to immediate possession of the lands.

If at any time, the Secretary of the Interior, after due notice to the persons or parties interested, determines that any person, partnership or corporation has, by means of stock ownership or otherwise, directly or indirectly, obtained and holds an interest in leases of oil and gas properties in said Territory, said leases covering in the aggregate, an area of more than 4,500 acres, and further finds that the property herein leased is part of said aggregate area, then the Secretary of the Interior may cancel this lease in the same manner as provided for in ^{the} case of any violation of the terms of said lease.

It is further agreed and understood that the approval of this lease shall be of no force or effect, unless the party of the second part furnishes, within sixty days from the date of approval of this application filed in connection herewith, a bond to the satisfaction of the Secretary of the Interior, in accordance with the regulations of March 20, 1905 prescribed by the Secretary of the Interior, which shall be duly posted and remain on file in the Indian Office during the life of this lease.

In witness whereof, the said parties have hereunto subscribed their names and affixed their seals on the day and year first above mentioned. All alterations, erasures, interlineations, additions or changes made before signing.

Attest:

Two witnesses to execution by lessor:

Elmer W. Murray, P.O., Bartlesville, D.T.

Low McDonald, P.O., Muskogee, D.T.

Two witnesses to execution by lessee:

Thomas B. Higgins, Bartlesville, D.T.

Ben U. Atkinson, Bartlesville, D.T.

Henry H. Argue, Buffalo, N.Y.

P.O., Olin T. Rich, Buffalo, N.Y.

William Hart

Fredrick W. Groves

James W. Stearns

Certificate of Officer Taking Acknowledgment

United States of America, Indian Territory, Western Judicial District, ss.

D. Rose W. Simpson, a Notary Public within and for the Western Judicial District of the