

payment of the above mentioned indebtedness, such actions shall be necessary, then, in either event, the party of the second part, agent or attorney, are hereby authorized and empowered to take charge of said property and demands, without process of law, and sell and dispose of the same or so much as may be necessary, at public sale without appraisement, (the appraisement required by law being hereby expressly waived) at the place where located for cash in hand, after two weeks' notice in some newspaper published in the Western District, Indian Territory, or by written notices posted in five conspicuous places near the property, at which sale any of the parties hereto may purchase as other parties, and out of the proceeds of such sale the said party of the second part to retain therefrom due them as herein set forth, a reasonable attorney's fees and the cost of this trust and sale, rendering the over plus, if any, to the said parties of the first part their executors, administrators or assigns.

Given under hand and seal this 25th day of September 1906.

Witness H. K. Abby.

Banka Bros. (Seal)

J. P. Hanagan.

Rev. W. J. Banka (Seal)

Indian Territory, Western District, SS.

On this 25th day of September 1906, personally appeared before me, a Notary Public of the above named district Banka Bros (a co-partnership) by W. J. Banka one of the co-partners to me personally well known as the person named in the foregoing instrument, as the grantor, and acknowledged that he had subscribed and executed the same for and on behalf of the Co-partnership for the consideration and purposes therein mentioned and set forth as his free and voluntary act and deed.

Witness my hand and seal as Notary Public the day and year last above mentioned.

(Seal) Western District, Ind. Ter.

Geo. W. Davis

My commission expires September 18-1910.

Notary Public.

Filed for Record Sep. 29, 1906, at 6:00 P.M.

Olus Lorton

Deputy Clerk and Ex-officio Recorder.