

or sums which may have been laid out and expended by said third party for taxes on said property and for insurance on said edifices, and the remainder, if any, shall be paid to said first party or his legal representatives,

And, it is further stipulated and agreed by and between the parties hereto, that in case the said second party shall refuse to act, shall be absent from the Indian Territory, sick, dead, or from any cause incapable of acting in the execution of this trust, a successor may be appointed by said third party who shall discharge this trust, and exercise therein the same powers hereby conferred on the said second party and with like effect.

The foregoing covenants and conditions being kept and performed this conveyance to be void, and shall be released by said third party; (and in case of failure of the said third party to release this mortgage, all claims for statutory penalty or damages is hereby released) at the cost and expense of said first party, otherwise to remain in full force and virtue.

In Witness Whereof, the said first party have hereunto set their hands and seals, the day and year herein first above written.

Witness —

United States of America,

Indian Territory, Western District, ss.

Daniel B. Childers (seal)

Mildred Childers (seal)

On this 30th day of October, in the year of our Lord One Thousand Nine Hundred and Seven, before me, a Notary Public, duly commissioned and acting within and for the Western District and Territory aforesaid, appeared in person Daniel B. Childers to me personally known as the person whose name appears upon the within and foregoing deed of conveyance, as one of the parties, and stated, that he had executed the same for the consideration and purposes therein mentioned and set forth; and I do hereby so certify.

And I further certify, that on this day voluntarily appeared before me Mildred Childers, wife to the said Daniel B. Childers, to me well known as the person whose name appears upon the within and foregoing deed of conveyance, and in the absence of her said husband declared that she had, of her own free will signed the relinquishment of claim and homestead therein expressed, and had executed the