

MORTGAGE AND OIL LEASE RECORD.

Form 6-Continued

MORTGAGE Printing Company, Dallas, Texas-41625

If the Lessee...makes reasonable and bona fide effort to find and produce oil in paying quantity, as herein required of it and such effort is unsuccessful, it may at any time thereafter, with the approval of the Secretary of the Interior, surrender and wholly terminate this Lease upon the full payment and performance of all its 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 the 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 other persons, or as owners or holders of stock in corporations, or as members of associations, covering an aggregate of more than 4800 acres, of land in the Greek and Cherokee 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 the regulations heretofore or hereafter prescribed have been violated in any particular, and it further agree not to transfer, assign, or sub-let, 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 render this Lease subject to cancellation, after ten days from the receipt by it 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 land.

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 interests in leases of oil and gas properties in said Territory, said leases covering, in the aggregate, an area of more than 4800 acres, and further finds that the property herein leased is a 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 furnished, within sixty days from the date of approval of the 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 deposited 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.

ATTEST:

*Cor. seals**W. J. Spear*

Two Witnesses to Execution by Lessor....

*Mullette F. Abys**William F. Tucker*

Two Witnesses to Execution by Lessee....

*E. W. Johns**Mary Neely*P. O. *Tulsa, I. T.*P. O. *Tulsa, I. T.*P. O. *Partlowville, I. T.*P. O. *Partlowville, I. T.*

John M. Wheatley [SEAL]
Legal Guardian of *Claude M. Wheatley*, minor

Wheatley Oil Company [SEAL]

by Francis B. Bell [SEAL]
President

acknowledgment
On this 24th day of November, A.D. 1906, before me, a Notary Public within and for the Western Judicial District of the Indian Territory, appeared in person *John M. Wheatley*, Guardian of *Claude M. Wheatley*, a minor, to me personally well known to be the person whose name appears upon the within and foregoing oil and gas mining lease, as the party Lessor, and stated that he had executed the same for the consideration and purposes therein mentioned and set forth, and I duly so certify. In testimony whereof, I have hereunto set my hand and affixed my seal as such Notary Public, in the Western District of the Indian Territory, on this 24th day of November, A.D. 1906. *Geo. W. David*, Notary Public, [SEAL]

my commission expires September 18, 1910.

no. 220 Received Dec. 15, 1906.

office of U.S. Indian Agent, Muskogee, Ind. Terr.

no. 269 Received

Apr. 23, 1907, office of U.S. Indian Agent, Muskogee, Ind. Terr.

Department of the Interior
Received Mar. 19, 1907 Enc. No. 5 of no. 9666
Indian Territory Division
25109 Indian Office near 18,
Incl no 3 1907

Department of the Interior,
U. S. INDIAN SERVICE,
UNION AGENCY.

MUSKOGEE, INDIAN TERRITORY, *Mar. 24, 1907* 1907

The within Lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be *approved*

See my report of even date.

Dana M. McKey
U. S. Indian Agent.

Department of the Interior,
OFFICE OF INDIAN AFFAIRS.

WASHINGTON, D. C., *Mar. 18, 1907* 1907

Respectfully submitted to the Secretary of the Interior, with recommendation that it be *approved*

C. F. Lavaboe
acting Commissioner.

Department of the Interior.

WASHINGTON, D. C., *Apr. 15, 1907* 1907

approved

Chas. Jesse C. Wilson
Assistant Secretary of the Interior.

FILED FOR RECORD The *24* day of *Apr* 1907 at *8* o'clock *A*.M.

By *[Signature]* Deputy.

[Signature] Register of Deeds.