

## MORTGAGE AND OIL LEASE RECORD.

Form 5-Continued

DOBSEY Printing Company Dallas Texas 4422

If the Lessee.....make it 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 ~~the several~~ <sup>the five civilized</sup> ~~Nations~~ <sup>Nation</sup>, 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 ~~Creek and Cherokee~~ <sup>Creek and Cherokee</sup> 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~~ <sup>it</sup> 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 ~~the several~~ <sup>the five civilized</sup> ~~Nations~~ <sup>Nation</sup>, shall render this Lease subject to cancellation, after ten days from the receipt by ~~it~~ <sup>it</sup> 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 part of the second part furnish 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 the 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:

ATTEST: *(con seal)* *Lydia Ler Swimmer* [SEAL]  
*Grace M. Snyder, Secretary* *mark*  
*Sackem Oil Company* [SEAL]

Two Witnesses to Execution by Lessor....

James D. Guinn  
James T. Coursey

Two Witnesses to Execution by Lessee.....

J. C. Hopkins  
Paul B. Hanks  
United States of America, Indian Territory,  
Northern Indian District.

P. O. Wellsville N. Y.  
P. O. Wellsville N. Y.  
} ss.

Best Rememored that on this day came before me the undersigned Notary Public within and for the Northern Judicial District of the Indian Territory aforesaid duly commissioned and acting as such, Lydia Swinimer to me personally well known as Lydia Swinimer the party heron in the within and foregoing lease and stated that she executed the same for the consideration and purposes therein mentioned and set forth, and I do hereby so certify.

Witness my hand and seal as such Notary Public on this  
23rd day of September, 1907,  
(seal) Sam. H. Nicholson  
my commission expires  
Nov. 20, 1910.  
Notary Public

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

MUSKOGEE, ~~INDIAN~~ TERRITORY.

Jan 18 1908

The within Lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be approved subject to regulation  
June 16/1907 as amended October 14/1907.  
 See my report of even date.

Lana H. Gray.  
U. S. Indian Agent.

Department of the Interior,  
OFFICE OF INDIAN AFFAIRS.

WASHINGTON, D. C.

Feb. 3, 1908

Respectfully submitted to the Secretary of the Interior, with recommendation that it be approved subject to regulations  
June 11, 1907, as amended October 14, 1907. 2-9 351

*A. F. Garrabito*  
Commissioner.

~~Department of the Interior.~~

WASHINGTON, D. C.

Feb 4 1908

approved subject to regulations of June 11/1907 as amended October 14/1907.

Jesse E. Wilson  
Assistant Secretary of the Interior.

FILED FOR RECORD The 8 day of May 1909 at 8 o'clock A M

By \_\_\_\_\_ Deputy, \_\_\_\_\_ (Seal) \_\_\_\_\_ Register of Deeds.

Duplicate

It is my intention to send you the regulations of the Bureau of the Interior in regard to the regulations prescribed for him, which will be the best of the regulations of the Bureau of the Interior.