

And the said party or the second part expressly agrees that should it, or its sublessees, heirs, executors, administrators, successors, or assigns, violate any of the covenants stipulations or provisions of this lease or fail for the prior or sixty days to pay the stipulated monthly royalty provided for herein, then the party or the first part shall be at liberty in his discretion, to avoid this indenture or lease and cause the same to be annulled, when all the rights, franchises, and privileges of the party or the second part its sublessees, heirs, executors, administrators, successors, or assigns, hereunder shall cease and end without further proceedings.

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, in any 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 existing obligations, 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 agreed and understood that this lease shall be of no force or effect unless the party or the second part shall, within sixty days from the date of approval of the application filed in connection herewith, furnish a satisfactory bond in accordance with the regulations of March 20, 1905, prescribed by the Secretary of the Interior, which shall be deposited and remain 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.

(CORP SEAL)

His

Joe x Bean,

Mark

Guardian of Evelyn Bean, a minor (SEAL)

Attest: William W. Whalen, Secy.

Two witnesses to execution

THE MIDLAND OIL AND GAS COMPANY.

By Lessor.

By Oliver H. Murray President. (SEAL)

F. B. Englehart, P.O. Vinita, Indian Territory.

Seymour Riddle, P.O. Vinita, Indian Territory.

Two witnesses to execution by lessee.

Frank G. Sahourin, P.O. Muskogee, I.T.

James H. Huckleberry, P.O. Muskogee, I.T.

United States of America, Indian Territory)

Northern Judicial District

} S.S.

BE IT REMEMBERED that on this day came before me, the undersigned a Notary Public within and for the Northern Judicial District of the Indian Territory aforesaid, duly commissioned and acting as such Joe Bean, guardian of Evelyn Bean, a minor, to me personally well known as the party lessor in the within and foregoing indenture of oil and gas mining lease, and stated that he had executed the same for the considerations and purposes therein mentioned and set forth and I do hereby so certify.

Witness my hand and seal as such Notary Public on this 20th day of February 1906.

(SEAL)

John W. Blue, Notary Public.

My commission expires March 3, 1909.

ATTEST: OF WITNESSES

United States of America, Indian Territory)

Northern Judicial District

} S.S. Seymour Riddle of Vinita,