

lawfully prescribed by the Secretary of the Interior relative to oil and gas leases in the Cherokee Nation.

And the said party of 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 period of sixty days to pay the stipulated monthly royalty provided for herein, then the party of the first part shall be at liberty, in its discretion, to avoid this indenture of lease and cause the same to be annulled, when all the rights, franchises and privileges of the party of the second part its sublessees, heirs, executors, administrators, successors or assigns hereunder shall cease and end without further proceeding.

If the lessee makes reasonable and bona fide effort to find and produce oil in paying quantity as is 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 existing 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 agreed and understood that this lease shall be of no force or effect unless the party of the second part shall within sixty days from the date of the 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 on file in the India Office during the life of said lease.

IN WITNESS WHEREOF, the said parties have hereunto subscribed their names and affixed their seal, on the day and year first above mentioned.

attest: F. A. Wood, Sec'y.

Sylvester Summer

(WAVER SEAL)

Two witnesses to execution by lessor: Owasso Oil Company

(WAVER SEAL).

J. Garfield Buell, P. O. Muskogee, I. T. By J. R. Greenlee Pt.

P. M. Macoughtry, P. O. Muskogee, I. T.

Two witnesses to execution by lessee:

John W. Howard, P. O. Lawrence, Kans.

Lizzie Linder, P. O. Lawrence, Ks.

*Corporate Seal*

#### A C K N O W L E D G E M E N T.

UNITED STATES OF AMERICA, INDIAN TERRITORY, )

WESTERN JUDICIAL DISTRICT/ )

SS.

On this 20th, day of January A. D. 1906, before me, a Notary public, within and for the Western Judicial District of the Indian Territory, appeared in person Sylvester Summer, of Ft. Gibson, I. T., to me personally well known to be the person, who 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 hereby 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 20th, day of January A. D. 1906.

Chester A. Cooper, Notary Public.

(SEAL) My commission expires Dec. 16, 1909.