

If the lessee makes reasonable and bona fide effort to find and produce oil in paying quantity as is herein required of him and such effort is unsuccessful, he 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 his 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 part of 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 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, to his mark
Luce Fox

Carthony

his mark

(Waper)

Clarence O. Russell

(Waper)

Two witnesses to execution by lessor:

Willie Fox

P. O. Bixby, I. T.

Robert C. Kinnaird

P. O. Sapulpa, I. T.

Two witnesses to execution by lessee:

Edward J. Franks

P. O. Oklahoma City, O. T.

Felix Lowry

P. O. Oklahoma City, O. T.

P. O.

P. O.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Western Judicial District,

ACKNOWLEDGMENT.

On this 18th day of February, A. D. 1904, before me, a Notary Public within and for the Western Judicial District of the Indian Territory, appeared in person Carthony, J. Bixby, I. T. known as 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 hereby so certify.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal as such Notary Public, in the Western Judicial district of the Indian Territory on this 18th day of February, A. D. 1904.
(Seal) Western District of I. T.
My commission expires July 11, A. D. 1906 J. L. Mars Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Western Judicial District,

Proof of Lease by Subscribing Witnesses.
AFFIDAVIT OF WITNESSES.

On this 18th day of February, A. D. 1904, before me, a Notary Public within and for the Western District of the Indian Territory, personally appeared Willie Fox of Bixby Indian Territory, and Robert C. Kinnaird of Sapulpa, Indian Territory, who being first witnesses to the attached mining lease, executed by Carthony, J. Bixby, I. T. and myself, as lessor, and explained to me the contents of the same, and being by me first duly sworn, upon their oath, each for himself, That said lease was in their presence read and fully explained to the lessor, and that they understood the nature, contents and effect thereof and approved the same. Willie Fox and Robert C. Kinnaird, the subscribing witnesses to the above and foregoing Mining Lease, and that said witnesses are reputable persons, entitled to full faith and credit.
Subscribed in my presence and sworn to before me this 18th day of February, A. D. 1904.
(Seal) Western District of I. T.
My commission expires 11 day of July, A. D. 1906 J. L. Mars Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Western Judicial District,

Certificate of Officer Taking Acknowledgment

I, _____ a Notary Public within and for the _____ District of the Indian Territory, do hereby certify that _____ of _____ and _____ of _____ witnesses to the attached lease, executed by _____ to _____ signed the same in my presence at the request of lessor; that they are personally well known to me, that I know of my own knowledge that they are reputable persons and entitled to full faith and credit.

Witness my hand and seal as such Notary Public this _____ day of _____ 190____.
(Seal) My commission expires _____ Notary Public.

DEPARTMENT OF THE INTERIOR, U. S. Indian Service, Union Agency.

Muskogee, I. T. April 25, 1906, 190____. The within lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be Approved. See my report of even date.
Donna H. Kelsey U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C. May 11, 1906, 190____. Respectfully submitted to the Secretary of the Interior with recommendation that it be Approved. C. F. Larrabee acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C. July 13, 1906, 190____. Approved. Jesse C. Wilson Assistant Secretary of the Interior.

Filed for record at Tulsa Jan. 21, 1907 at 4:30 o'clock P. M. O. J. Torton Deputy Clerk and Ex-Officio Recorder.