

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 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 4 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:

Joseph Martin
Ewing Halsell

Seal (paper)
Seal (paper)
Seal

Two witnesses to execution by lessor:

John A. Thomason
Thomas M. Buffington

P. O. Vinita, I. T.

P. O. Vinita, I. T.

Two witnesses to execution by lessee:

Oscar Bagby
Earl Walker

P. O. Vinita, I. T.

P. O. Vinita, I. T.

P. O.

P. O.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

ACKNOWLEDGMENT

Northern Judicial District, ss. On this 8th day of December, A. D. 1905, before me, a Notary Public within and for the Northern Judicial District of the Indian Territory, appeared in person duly commissioned and acting as such Joseph Martin, 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 considerations 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 Judicial District of the Indian Territory on this 8 day of Dec. A. D. 1905.
(Seal) Northern Dist. I. T. Jan. 5, 1909 S. E. Smith Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

AFFIDAVIT OF WITNESSES.

Northern Judicial District. John A. Thomason of Vinita, Ind. Ter. and Thomas M. Buffington of Vinita, Ind. Ter. witnesses to the attached mining lease executed by Joseph Martin to Ewing Halsell, being by me first duly sworn, upon their oaths state, each for himself: That said lease was in their presence read and fully explained to the lessor, and that he understood the nature, contents and effect thereof and approved the same.

Seal Northern Dist. I. T.

Subscribed in my presence and sworn to before me this 8 day of December 1905

My commission expires Jan. 5, 1909 S. E. Smith Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

Certificate of Officer Taking Acknowledgment

Northern Judicial District. I, S. E. Smith, a Notary Public within and for the Northern District of the Indian Territory, do hereby certify that John A. Thomason of Vinita, Ind. Ter. and Thomas M. Buffington of Vinita, Ind. Ter. witnesses to the attached lease, executed by Joseph Martin to Ewing Halsell, 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 8 day of December 1905
(Seal) Northern Dist. I. T. Jan. 5, 1909 S. E. Smith Notary Public.

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

Muskogee, I. T. Apr. 8, 1907. 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. Apr. 22, 1907. Respectfully submitted to the Secretary of the Interior with recommendation that it be approved. O. F. Lanahan Acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C. Apr. 23, 1907. Approved Jesse F. Wilson Assistant Secretary of the Interior.

Filed for record at Tulsa June 5, 1907 at 8 o'clock A. M. O. S. Lorton Deputy Clerk and Ex-Officio Recorder.