

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 party 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:

Charles W. Eaton (Notary Seal)
Guardian of Samuel H. Eaton, minor
M. L. Lockwood (Notary Seal)

Two witnesses to execution by lessor:

Jesse L. Harnage
Eldred M. Latimer

P. O. Tulsa, I. T.

P. O. Tulsa, I. T.

Two witnesses to execution by lessee:

William O. Phillips
Earl Walker

P. O. Vinita, I. T.

P. O. Vinita, I. T.

P. O.

P. O.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern Judicial District, ss.

ACKNOWLEDGMENT.

On this 12th day of February, A. D. 1906, before me, a Notary Public within and for the Northern Judicial District of the Indian Territory, appeared in person Charles W. Eaton, duly commissioned and acting as such, Guardian of Samuel H. Eaton, 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 12 day of February, A. D. 1906.
(Seal) Northern Dist. I. T. My commission expires May 29, 09. Henry C. Walkley Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern Judicial District.

AFFIDAVIT OF WITNESSES.

Jesse L. Harnage of Tulsa, I. T. and Eldred M. Latimer of Tulsa, I. T. witnesses to the attached mining lease executed by Charles W. Eaton, guardian of Samuel H. Eaton, 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 effects thereof and approved the same.

(Seal) Northern Dist. I. T.

Jesse L. Harnage
Eldred M. Latimer

Subscribed in my presence and sworn to before me this 12 day of February, 1906.

My commission expires May 29, 09. Henry C. Walkley Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern Judicial District.

Certificate of Officer Taking Acknowledgment

I, Henry C. Walkley, a Notary Public within and for the Northern District of the Indian Territory, do hereby certify that Jesse L. Harnage of Tulsa, I. T. and Eldred M. Latimer of Tulsa, I. T. witnesses to the attached lease, executed by Charles W. Eaton, guardian of Samuel H. Eaton, 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 12 day of February, 1906.
(Seal) Northern Dist. I. T. My commission expires May 29, 09. Henry C. Walkley Notary Public.

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

Muskogee, I. T. Jan 16, 1907. The within lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be approved. See my report of even date.

Dana H. Kelsey U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C., Feb 12, 1907. Respectfully submitted to the Secretary of the Interior with recommendation that it be approved. C. F. Lammaker acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C., Mar 12, 1907. Approved. Jesse E. Wilson, Assistant Secretary of the Interior.

Filed for record at Tulsa April 25, 1907 at 8 o'clock A. M. Otto Larson Deputy Clerk and Ex-Officio Recorder.