

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 approval of the application filed in connection herewith, furnish a satisfactory bond in accordance with the regulations of March 20, 1905, May 4, 1903 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.

(Corporate Seal) Attest: James D. Fleming  
Secretary

Samuel A. Foreman  
The Austin Oil Company  
By Augustus H. Foreman, President

Two witnesses to execution by lessor:

J. Truman Nixon  
Frank D. Keeler

P. O. Grafton, W. Va.  
P. O. Bartlesville, I. O.

Two witnesses to execution by lessee:

William Monahan  
Louis J. Nelson

P. O. 39 East Division Street Chicago Ill.  
P. O. 105 Washburn Ave Chicago Ill.  
P. O.  
P. O.

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

#### ACKNOWLEDGMENT.

On this 11th day of November, A. D. 1903, before me, a Notary Public within and for the Northern Judicial District of the Indian Territory, appeared in person acting as such Samuel A. Foreman, Guardian of the Estate of the said deceased, to me personally well 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 Judicial District of the Indian Territory on the 11th day of November, A. D. 1903.  
(Seal) Ramona, J. D. Morton  
My commission expires July 22, 1907 Notary Public.

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

#### AFFIDAVIT OF WITNESSES.

J. Truman Nixon of Grafton, W. Va.  
and Frank D. Keeler of Bartlesville, I. O. witnesses to the attached mining lease executed by Samuel A. Foreman, Guardian of the Estate of the said deceased, to The Austin Oil Company, 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) Ramona, J. D.

Subscribed in my presence and sworn to before me this 11th day of November, 1903.  
My commission expires July 22, 1907 A. D. Morton Notary Public.

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

#### Certificate of Officer Taking Acknowledgment

I, A. D. Morton, a Notary Public within and for the Northern District of the Indian Territory, do hereby certify that J. Truman Nixon of Grafton, W. Va. and Frank D. Keeler of Bartlesville, I. O. witnesses to the attached lease, executed by Samuel A. Foreman, Guardian of the Estate of the said deceased, to The Austin Oil Company, 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 11th day of November, 1903.  
(Seal) My commission expires July 22, 1907 A. D. Morton Notary Public.

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

Muskogee, I. T. Aug 31, 1904. The within lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be approved. See my report of even date.  
J. Blair Schoenfeldt U. S. Indian Agent.

#### DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C., Oct 12, 1904. Respectfully submitted to the Secretary of the Interior with recommendation that it be approved.  
A. C. Tanner Acting Commissioner.

#### DEPARTMENT OF THE INTERIOR.

Washington, D. C., Jan 11, 1905. Approved.  
Shos Byon acting Secretary of the Interior.

Filed for record at Tulsa June 29, 1907 at 8 o'clock A. M. Otis Fortson  
Deputy Clerk and Ex-Officio Recorder.