

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 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.

Jay H. Ward. (Wife) Seal  
 Marcus L. Lockwood (Wife) Seal

Two witnesses to execution by lessor:

Paul B. Macaughy,  
 Chester A. Cowper.

P. O. Muskogee, I. T.

P. O. Muskogee, I. T.

Two witnesses to execution by lessee:

Paul B. Macaughy,  
 Chester A. Cowper.

P. O. Muskogee, I. T.

P. O. Muskogee, I. T.

P. O.

P. O.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

ACKNOWLEDGMENT.

Western Judicial District, ss. On this 1st day of December, A. D. 1905, before me, a Notary Public within and for the Western Judicial District of the Indian Territory, appeared in person to be Jay H. Ward, to me personally well known, 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 the 1st day of December, A. D. 1905.  
 My commission expires Oct. 7, 1906. W. R. Allen Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

AFFIDAVIT OF WITNESSES.

Western Judicial District. Paul B. Macaughy of Muskogee, I. T. and Chester A. Cowper of Muskogee, I. T. witnesses to the attached mining lease executed by Jay H. Ward, 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 they understood the nature, contents and effect thereof, and approved the same, and that they signed the said lease as witnesses at the request of the said lessor.

Subscribed in my presence and sworn to before me this 1st day of December A. D. 1905.  
 My commission expires Oct. 7, 1906. W. R. Allen Notary Public.

UNITED STATES OF AMERICA, INDIAN TERRITORY,

Certificate of Officer Taking Acknowledgment

Western Judicial District. I, a Notary Public within and for the Western Judicial District of the Indian Territory, do hereby certify that I am personally acquainted with the said Paul B. Macaughy and Chester A. Cowper, a subscribing witnesses to the attached lease, executed by Jay H. Ward, and 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 1st day of December, 1905.  
 My commission expires Oct. 7, 1906. W. R. Allen Notary Public.

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

Muskogee, I. T. April 6, 1906. 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. Nelson U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C., March 15, 1906. Respectfully submitted to the Secretary of the Interior with recommendation that it be approved.  
 B. F. Lawrence, Acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C., June 14, 1907. Approved.  
 Jesse E. Wilson Secretary of the Interior.

Filed for record at Tulsa July 13, 1907 at 8 o'clock A. M. O. H. Lorton Deputy Clerk and Ex-Officio Recorder.