

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 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.

Eddie Wheatley (Waper)
The Jones Law Company (waper)
by Blank W. Baker, Pres.
attest: bearing true H. C. Cleveland, waper
Secretary

Two witnesses to execution by lessor:

Fannie M. Miles
Minnie E. Johnson

P. O. *Tulsa, I. T.*
P. O. *Tulsa, I. T.*

Two witnesses to execution by lessee:

John N. Day
Jonathan N. Carson

P. O. *Tulsa, I. T.*
P. O. *Tulsa, I. T.*

P. O.
P. O.

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

ACKNOWLEDGMENT.

On this *18th* day of *January*, A. D. 190*6*, before me, a Notary Public within and for the *Western* Judicial District of the Indian Territory, appeared in person *Eddie Wheatley*, 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 *Western* Judicial district of the Indian Territory on the *18th* day of *January*, A. D. 190*6*.
(Seal) Western Dist. I. T. *Claude F. Singley* Notary Public.
My commission expires *November 17, 1906*.

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

AFFIDAVIT OF WITNESSES.

Fannie M. Miles of *Tulsa, Ind. Ter.* and *Minnie E. Johnson* of *Tulsa, Ind. Ter.* witnesses to the attached mining lease executed by *Eddie Wheatley* being by me first duly sworn, upon their oath state, each for himself, That said *Eddie Wheatley* 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 said lease as witnesses or the request of said lessor, in their presence.

Subscribed in my presence and sworn to before me this *18th* day of *January*, A. D. 190*6*.
My commission expires *November 17, 1906*. *Claude F. Singley* Notary Public.

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

Certificate of Officer Taking Acknowledgment

I, *Claude F. Singley*, a Notary Public within and for the *Western* Judicial District of the Indian Territory, do hereby certify that I am personally well acquainted with *Eddie Wheatley* and *Minnie E. Johnson* a subscribing witnesses to the attached lease, executed by *Eddie Wheatley* and that said witnesses 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 *18th* day of *January*, 190*6*.
(Seal) Western Dist. I. T. *Claude F. Singley* Notary Public.
My commission expires *November 17, 1906*.

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

Muskogee, I. T. *Jun 4*, 190*7*. 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. Helvey U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C., *June 17*, 190*7*. Respectfully submitted to the Secretary of the Interior with recommendation that it be *approved*.
G. F. Larrabee, acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C., *Jun 19*, 190*7*.
Approved
Jesse E. Nelson, Assistant Secretary of the Interior.

Filed for record at Tulsa *July 13*, 190*7* at *11:25* o'clock *A. M.* *atty Corton*
Deputy Clerk and Ex-Officio Recorder.