

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 1 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.

Lamine Clinton, (lessee)

Jesse R. Leonard (witness)

Two witnesses to execution by lessor:

James H. McBirney

P. O. *Tulsa, Ind. Ter.*

Samuel P. McBirney

P. O. *Tulsa, Ind. Ter.*

Two witnesses to execution by lessee:

Walter H. Abbo

P. O. *1004 Columbia Bank Building Pitts-*

P. O. *burg, Pa.*

Harry Heasley

P. O. *Emmorton, Pa.*

P. O.

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

ACKNOWLEDGMENT.

On this *26th* day of *April*, A. D. 190*5*, before me, a Notary Public within and for the *Western* Judicial District of the Indian Territory, appeared in person *Lamine Clinton*, 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 this *26th* day of *April*, A. D. 190*5*.
My commission expires *December 18, 1908*.
W. D. Abbott Notary Public.

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

AFFIDAVIT OF WITNESSES.

Proof of Lease by subscribing witnesses.
On this *26th* day of *April*, A. D. 190*5*, before me, a Notary Public, within and for the *Western* Judicial District of the Indian Territory, personally appeared *James H. McBirney* and *Samuel P. McBirney*, witnesses to the within and foregoing *Oil and Gas Mining Lease*, executed by *Lamine Clinton*, and being by me sworn, upon their oath, each for himself, that said lease was in their presence read and fully explained to the lessor, and that each, volitionally and without duress, understood the nature, contents and effect thereof and approved the same, and considered the same as his own deed.

W. D. Abbott Notary Public.

Subscribed in my presence and sworn to before me this *26th* day of *April*, A. D. 190*5*.
My commission expires on *18th day of December, 1908*.
W. D. Abbott Notary Public.

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

Certificate of Officer Taking Acknowledgment

I, _____ a Notary Public within and for the _____ District of the Indian Territory, do hereby certify that _____ of _____ and _____ of _____ witnesses to the attached lease, executed by _____ 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 _____ day of _____, 190*5*.
W. D. Abbott Notary Public.

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

Muskogee, I. T. *July 13*, 190*5*. The within lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be *approved*.
Dana H. Haley U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C. *June 27*, 190*5*. Respectfully submitted to the Secretary of the Interior with recommendation that it be *approved*.
C. F. Larrabee, acting Commissioner.

DEPARTMENT OF THE INTERIOR

Washington, D. C. *Aug 27*, 190*5*.
Thos Ryan, acting Secretary of the Interior.

Filed for record at Tulsa *Aug 7*, 190*5* at *2* o'clock *P*. M. *Chas. Lorton* Deputy Clerk and Ex-Officio Recorder.

*I, J. D. Smith, Justice of the Peace, do hereby certify that I am acquainted with the said James H. McBirney and Samuel P. McBirney, the witnesses to the above and foregoing Mining Lease, and that said witnesses are reputable persons and entitled to full faith and credit.