

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
vs.		) No. 415 Civil
)
American National Bank of Sapulpa, Oklahoma,	Defendant.)

ORDER OF DISMISSAL

This matter coming on for hearing this 26th day of Augst, 1940, and the court being fully advised in the premises, finds that the defendant has paid the Treasurer of the United States the amount sued for and has paid to the Clerk of the Court the costs in this case.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this case be and the same is hereby dismissed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Aug 26 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,)
)
v.		) NO. 440 - CIVIL
)
WOLVERINE PETROLEUM CORPOATION, a corporation, and SHELL OIL COMPANY, INCORPORATED, a corporation,	Defendants.)

ORDER EXTENDING TIME TO PLEAD OR ANSWER

This matter coming on for hearing on defendants' application for an order allowing defendants thirty days' additional time within which to prepare and file their respective pleadings or answers herein, and the Court being fully advised is of the opinion that such an order should issue.

It is, therefore, ORDERED and DECREED that the time to plead or answer of defendants Wolverine Petroleum Corporation and Shell Oil Company, Incorporated, and each of them, be and the same is hereby extended until September 29, 1940.

DATED this 26th day of August, 1940.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Aug 26 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

SAMMONS-ROBERTSON COMPANY, a corporation,	Plaintiff,)	
)	
vs.		)	No. 443 Civil
)	
MASSMAN CONSTRUCTION COMPANY, a corporation, et al.	Defendants.)	

C O R D E R

Now, on this 26 day of August, 1940, the plaintiff herein, by its attorneys, having filed its request for withdrawal of an exhibit filed with the petition in this cause; and it appearing to the Court that said request should be granted,

IT IS HEREBY ORDERED that the plaintiff and its attorneys are authorized to withdraw Exhibits A, A-1, A-2 and A-3, filed with the petition herein.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 26 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
vs.)	
		)	NO. 448 CIVIL
One 1940 Model Buick Sedan Automobile, Motor No. 43,947,015; Thirty-nine Gallons of Taxpaid Intoxicating Liquors; Jack Monroe, and General Motors Acceptance Corporation,	Claimants.)	

ORDER FOR MONITION

Now on this 26th day of August, 1940, it appearing to the court that the said 1940 Model Buick Sedan automobile, Motor No. 43,947,015, together with approximately Thirty-nine gallons (39) of intoxicating taxpaid liquors containing more than four per centum (4%) of alcohol by volume, was seized at a Standard Filling Station at 301 East Commerce Street, in the town of Commerce, Ottawa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on July 11, 1940, by James V. Gaylor, Special Investigator of the Alcohol Tax Unit, Bureau of Internal Revenue of the United States, by virtue of authority of his said office, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Jack Monroe for transportation of said intoxicating liquor from Joplin, in the State of Missouri, and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Jack Monroe and General Motors Acceptance Corporation, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that

On this 3rd day of September, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

H. C. Hovenden, Plaintiff,)
vs.) No. 340 - Civil
City of Bristow, Oklahoma, a)
municipal corporation, Defendant.)

JOURNAL ENTRY

This matter coming on to be heard this 20th day of May, 1940, upon defendant's motion to dismiss, and the court having heard argument of counsel, and taking said matter under advisement;

And the defendant having filed his brief in said matter, and the plaintiff having filed his brief in said matter, and the court having examined same finds that said motion should be denied.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, on this 26th day of August, 1940, that said motion to dismiss be, and the same is hereby denied and overruled, and said defendant is hereby given twenty (20) days from this date in which to answer plaintiff's petition.

F. E. KENNAMER
U. S. District Judge

ENDORSED: Filed Sep 3 1940
H. P. Warfield, Clerk
U. S. District Court B

DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
vs.) No. 1280 Equity
L. C. Shimonek, et al, Defendants.)

O R D E R

Now on this 3rd day of September, 1940, this matter coming on before the Court on the application of the United States of America for an order directing the Receiver, O. A. Farrell, to pay ad valorem taxes and penalties for the year 1939 in the sum of \$138.96, and it appearing to the Court that said taxes and penalties should be paid to prevent the accrual of further penalties thereon;

IT IS THEREFORE ORDERED that O. A. Farrell, Receiver, be, and he hereby is ordered to pay to the County Treasurer of Osage County, Oklahoma, the sum of \$138.96, being taxes and penalties on the property involved herein for the year 1939, out of funds held by him as such Receiver.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 3 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to September 5, 1940

On this 5th day of September, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS -- ORDER APPOINTING PAUL N. HUMPHREYS, CONCILIATION COMMISSIONER.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA

In the matter of the Re-appointment of Conciliation Commissioners for the various Counties in the Northern District of Oklahoma.

Now on this 5th day of September, A. D. 1940, the Court's attention being called to the fact that the appointment of Paul N. Humphreys as Conciliation Commissioner of Osage County having expired on this date, it is therefore

ORDERED that Paul N. Humphreys be and he is hereby re-appointed Conciliation Commissioner of Osage County for a period of One (1) Year and that he make bond in the sum of Five Hundred (\$500.00) Dollars.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Sep 5 1940
H. P. Warfield, Clerk
U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Ada Littlehead Seber,	Plaintiff,)
)
-vs-		) No. 217 Civil
)
The Spring Oil Company,	Defendant.)

ORDER SUSTAINING DEFENDANT'S MOTION TO DISMISS

This cause came on to be heard on the 6th day of September, 1939, and was argued by respective counsel; and thereupon upon consideration thereof, it was ordered that counsel submit written briefs to the Court for consideration and the Court takes the matter under advisement until the 8th day of July, A. D., 1940, and thereupon upon said day upon consideration thereof, IT IS ORDERED, ADJUDGED AND DECREED, That the motion of the defendant to dismiss the petition of the plaintiff upon the ground that the petitioner shows on its fact that no claim has been stated against the defendant in which relief can be granted in favor of plaintiff be and the same is hereby sustained.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, That plaintiff's petition herein be and the same hereby is dismissed with prejudice with the costs to be taxed to the plaintiff.

Plaintiff excepts to the ruling and decision of the Court, which exception is by the Court allowed.

Dated this 8th day of July, A. D. 1940.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Sep 5 1940
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,	Petitioner,)
)
-vs-		) CIVIL NO. 329
		) Tract No. 2.
)
Peter Barehead, et al.,	Defendants.)

ORDER OVERRULING RESPONSE TO THE APPLICATION OF GEORGE SQUIRREL

NOW, on this 23rd day of August, 1940, there comes on to be heard, before me, the Application of George Squirrel for Disbursement of Funds together with the Response of the Grand River Dam Authority, the response, Grand River Dam Authority, appearing by and through its counsel of record, Gayle M. Pickens, and the applicant, George Squirrel, appearing by and through his counsel, S. R. Lewis, Tulsa, Oklahoma. The Court being fully advised in the premises, having heard the statements of and arguments of counsel, together with testimony of witnesses sworn and examined in open court, finds:

THAT in this cause the Grand River Dam Authority sought to condemn certain lands described in the Petition in Tract No. 2, and designated by it as Map No. 18, Tract No. GR-D 666; that prior to the institution of the said condemnation proceedings the defendant landowner of the above described tract had entered into a contract for the purchase and sale of the land with the Grand River Dam Authority. The Purchase Price of said land under said contract was \$1270.00.

THAT said condemnation proceedings were instituted by reason of the fact that the title to said property was in such condition that the Grand River Dam Authority could not procure a good and merchantable, indefeasible, fee simple title except through court procedure; that thereafter on the 3rd day of July, 1940, the Commissioners, appointed by the Court, returned their report, in writing, assessing as damages to the defendant landowners for the taking of the above designated tract, the sum of \$2700.00.

THAT the Response of the Grand River Dam Authority herein filed was to cause to be refunded it the difference between the Contract Price of \$1270.00, and the amount of the Commissioners' report in the sum of \$2700.00.

The Court further finds that said Contract for Purchase entered into by the defendant landowners and the Grand River Dam Authority, and attached as an Exhibit to the Response filed herein, was not properly approved by any officer authorized to do so, and is not binding upon the defendant landowners.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Response of the Grand River Dam Authority herein filed and the prayer therein made, be, and the same is hereby denied; said sum of \$2700.00. above mentioned to be disbursed on Order of this Court, after proper notice. To which ruling of the Court the respondent, Grand River Dam Authority excepted, which exceptions were by the Court allowed.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT
COURT IN AND FOR THE NORTHERN DISTRICT
OF OKLAHOMA.

ENDORSED: Filed Sep 5 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,)
Petitioner,)
) CIVIL NO. 329 Tract No. 8
-vs-)
Peter Barehead, et al.,)
Defendants.)

ORDER OVERRULING RESPONSE TO THE APPLICATION OF ALEX H.
HENDRICKS

NOW, on this 23rd day of August, 1940, there comes on to be heard, before me, the Application of Alex H. Hendricks for Disbursement of Funds together with the Response of the Grand River Dam Authority; the respondent, Grand River Dam Authority, appearing by and through its counsel of record, Gayle M. Pickett, and the applicant, Alex H. Hendricks, appearing by and through his counsel, S. R. Lewis, Tulsa, Oklahoma. The Court being fully advised in the premises, having

heard the statements and arguments of counsel, together with testimony of witnesses sworn and examined in open court, finds:

THAT in this cause the Grand River Dam Authority sought to condemn a part of certain lands described in the Petition in Tract No. 8, and designated by it as Map No. 50, Tract No. GE-O 754; that prior to the institution of the said condemnation proceedings the defendant landowner of the above described tract had entered into a contract for the purchase and sale of the land with the Grand River Dam Authority. The Purchase Price of said land under said contract was \$50.00.

THAT said condemnation proceedings were instituted by reason of the fact that the title to said property was in such condition that the Grand River Dam Authority could not procure a good and merchantable, indefeasible, fee simple title except through court procedure; that thereafter on the 3rd day of July, 1940, the Commissioners, appointed by the Court, returned their report, in writing, assessing as damages to the defendant landowners for the taking of the above designated tract, the sum of \$425.00.

THAT the response of the Grand River Dam Authority herein filed was to cause to be refunded it the difference between the Contract Price of \$50.00, and the amount of the Commissioners' report in the sum of \$425.00.

The Court further finds that said Contract for Purchase entered into by the defendant landowners and the Grand River Dam Authority, and attached as an Exhibit to the Response herein filed, was not properly approved by any officer authorized to do so, and is not binding upon the defendant landowners.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Response of the Grand River Dam Authority herein filed and the prayer therein made, be, and the same is hereby denied; that said sum of \$425.00, above mentioned to be disbursed an Order of this Court, after proper notice. To which ruling of the Court the respondent, Grand River Dam Authority, excepted, which exceptions were by the Court allowed.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT
COURT IN AND FOR THE NORTHERN DISTRICT
OF OKLAHOMA.

ENDORSED: Filed Sep 5 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,)
Petitioner,)
-vs-) CIVIL NO. 829 Tract No. 8.
Peter Barehead, et al.,)
Defendants.)

ORDER OVERRULING RESPONSE TO THE APPLICATION OF HENRY TINCUP

NOW, on this 23rd day of August, 1940, there comes on to be heard, before me, the Application of Henry Tincup for Disbursement of Funds together with the Response of the Grand River Dam Authority; the respondent, Grand River Dam Authority, appearing by and through its counsel of record, Gayle M. Pickens, and the applicant, Henry Tincup, appearing by and through his counsel,

S. R. Lewis, Tulsa, Oklahoma. The Court being fully advised in the premises, having heard the statements and arguments of counsel, together with testimony of witnesses sworn and examined in open court, finds:

THAT in this cause the Grand River Dam Authority sought to condemn a part of certain lands described in the Petition in Tract No. 8, and designated by it as Map No. 50, Tract No. GR-O 754-X; that prior to the institution of the said condemnation proceedings the defendant landowner of the above described tract had entered into a contract for the purchase and sale of the land with the Grand River Dam Authority. The Purchase Price of said land under said contract was \$60.00.

THAT said condemnation proceedings were instituted by reason of the fact that the title to said property was in such condition that the Grand River Dam Authority could not procure a good and merchantable, indefeasible, fee simple title except through court procedure; that there-after on the 3rd day of July, 1940, the Commissioners, appointed by the Court, returned their report in writing, assessing as damages to the defendant landowners for the taking of the above designated tract, the sum of \$425.00.

THAT the response of the Grand River Dam Authority herein filed was to cause to be refunded it the difference between the Contract Price of \$60.00, and the amount of the Commissioners' report in the sum of \$425.00.

The Court further finds that said Contract for Purchase entered into by the defendant landowners and the Grand River Dam Authority, and attached as an Exhibit to the Response herein filed, was not properly approved by any officer authorized to do so, and is not binding upon the defendant landowners.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Response of the Grand River Dam Authority herein filed and the prayer therein made be, and the same is hereby denied; that said sum of \$425.00, above mentioned to be disbursed on Order of this Court, after proper notice. To which ruling of the Court the respondent, Grand River Dam Authority, excepted, which exceptions were by the Court allowed.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT
COURT IN AND FOR THE NORTHERN DISTRICT
OF OKLAHOMA.

ENDORSED: Filed Sep 5 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to September 9, 1940

On this 9th day of September, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - RE: ADMISSION TO BAR.

Now on this 9th day of September, A. D. 1940, it is ordered by the Court, it being made satisfactorily to appear that Andrew J. Wolfe and Wayne S. Evans are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are duly qualified for admission to the Bar of the Court.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

C. J. LAURISCH, Trustee,	Plaintiff,)
		) No. 205 Civil
vs.)
)
C. T. THOMPSON, ET AL,	Defendants.)

ORDER APPROVING FINAL REPORT OF TRUSTEES AND DISCHARGING
TRUSTEES AND THEIR SURETIES

Now on this the 24th day of July, 1940, the same being a regular judicial day of the January 1940 Term of the above court, the above entitled cause came on for hearing upon the final report of the Trustees, the Plaintiff being present by his attorneys, Eugene O. Monnet, Frank Settle and Sam Clammer, the defendant, C. T. Thompson being present by his attorney, Henry L. Fist, and the intervening stockholders C. P. Olstad, et al, appearing by their attorney, R. B. McDermott, and the court being fully advised in the premises and finding that the final report of the trustee should be approved, the trustees should be directed to turn over all of the properties, assets, moneys, bank accounts, etc. of the Seminole Provident Trust to the Receiver, Noble C. Hood, and said trustees and their sureties should be discharged from all further liability; NOW, THEREFORE,

IT IS HEREBY ORDERED by the Court as follows:

1. That the Trustees' final report of Noble C. Hood and W. W. McClure, Trustees of Seminole Provident Trust, heretofore filed in this cause, be and the same is hereby approved.
2. That Noble C. Hood and W. W. McClure are hereby discharged as trustees of said Seminole Provident Trust, and they are hereby authorized and directed to turn over and deliver unto Noble C. Hood, Receiver heretofore appointed by this Court, all of the properties, assets, moneys, bank accounts, rights, interests, claims, etc., of any nature whatsoever, belonging to the Semonole Provident Trust, after first paying to said Trustees and their attorneys of record the fees this day allowed for their services.
3. That the sureties on the bond of Noble C. Hood and W. W. McClure, as Trustees of Sembnole Provident Trust, are hereby released and discharged from all further liability under and by virtue of said trustees' bond filed in this cause.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT COURT

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

C. J. LAURISCH, TRUSTEE,	Plaintiff,)	
)	
vs.		)	No. 205 Civil
)	
C. T. THOMPSON, et al,	Defendants.)	

O R D E R

Now on this 9th day of September, 1940, the same being a regular judicial day of the above court, the application of Noble C. Hood, Receiver of the Seminole Provident Trust, for authority to pay expenses incurred in the operation of the Seminole Provident Trust came on regularly for hearing, and the Court, being fully advised in the premises, finds that said application should be in all things allowed; NOW, THEREFORE

IT IS HEREBY ORDERED by the Court that the Receiver be and he is hereby authorized and directed to pay to the persons named the amounts hereinafter set opposite their names:

1. To E. W. Jones, Inc. -
 For operating expenses on Santa and Lucas Leases
 For month of June, 1940 \$232.73
 Delayed invoices on Ferguson lease 4.35 \$237.08
2. To the Blackwell Oil & Gas Company for operating
 expenses on Ferguson lease for June, 1940 225.53
3. To L. N. Ewing for office rent for July, 1940 35.00
4. To the Mills-Wolf Corporation for printing 12.56

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

C. J. LAURISCH, TRUSTEE,	Plaintiff,)	
)	
vs.		)	No. 205 Civil
)	
C. T. THOMPSON, ET AL,	DEFENDANTS.)	

O R D E R

Now on this 9th day of September, 1940, the same being a regular judicial day of the above court, the application of Noble C. Hoof, Receiver of the Seminole Provident Trust, for authority to pay expenses incurred in the operation of the Seminole Provident Trust came on regularly for hearing, and the Court, being fully advised in the premises, finds that said application should be in all things allowed; NOW, THEREFORE,

IT IS HEREBY ORDERED by the Court that the Receiver be and he is hereby authorized and directed to pay to the persons named the amounts hereinafter set opposite their names:

- 1. To E. W. Jones - for operation of Santa and Lucas leases for month of July, 1940 \$199.87
- 2. To the Blackwell Oil & Gas Co. for operating expenses on Ferguson lease for July, 1940 218.04
- 3. To Ewing, Britton & Hood - office rent for August 35.00
- 4. To Ferne Fulton - for stenographic work 10.00

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

M. P. PERRY, TRUSTEE,	Plaintiff,)
)
vs		) No. C-285
)
ASSOCIATED PROPERTIES, a Trust Estate;)
PROVIDENT TRUST, a Trust estate;)
E. R. PERRY and S. L. DEDMAN,	Defendants.)

ORDER TO MAKE DISTRIBUTION

NOW, on this 9th day of September, 1940, this matter coming on before me,

IT IS ORDERED that the receiver, Joseph R. McGraw, be, and he is hereby authorized and directed to pay a distribution of 25¢ per unit to all unit holders of Associated Petroleum properties and Provident Trust, each a Trust estate.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

the defendant herein be allowed to stand and operate as an answer to such amended complaint.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court B

DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Wade V. Purdin, Guardian of Albert)
E. Fulks, Incompetent, Plaintiff,)
vs.) No. 421 Civil
United States of America, Defendant.)

O R D E R

Now on this 9th day of September, 1940, this matter coming on before the Court, and it appearing that the defendant in the above mentioned cause, the United States of America, does not have the necessary information with which to file its answer herein, and that an extension of time for said defendant to plead in this cause is necessary;

IT IS THEREFORE THE ORDER of the Court that the United States of America be, and hereby is granted an extension of 30 days from September 11, 1940, within which to file its answer in this cause of action.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

Sammons-Robertson Company, a corporation,)
Plaintiff,)
-vs-)
Massman Construction Company, a corporation,) CIVIL ACTION NO. 443
Defendants.)

ORDER ENLARGING TIME FOR CERTAIN DEFENDANTS TO PLEAD

On application of the defendants hereinafter named for an extension or an enlargement of time within which to plead herein, and for good cause shown it is hereby ordered and adjudged that the following named defendants, to-wit: Grand River Dam Authority, a public corporation;

Holway & Neuffer, co-partners; George W. Schaefer; Owen L. Butler; Guy Crouse; H. A. Eibhenberger, and Olin Perkins, be, and they are hereby, granted an extension of twenty (20) days from September 9, 1940, within which to plead in the cause entitled and numbered as above.

dated this 9th day of September, 1940.

F. E. KENNAMER
Judge, United States District Court
for the Northern District of
Oklahoma

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court G

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

SAMMONS-ROBERTSON COMPANY, a)
corporation,) Plaintiff,)
)
Vs)) No. 443 Civil
))
MASSMAN CONSTRUCTION COMPANY, a)
Corporation, GRAND RIVER DAM AUTHORITY,)
a Corporation, et al.,) Defendants.)

ORDER GRANTING EXTENSION OF TIME TO PLEAD

Now, on this 9th day of September, 1940, application having been made by the defendant, Massman Construction Company, a Corporation, for an extension of time in which to plead, the Court being well and sufficiently advised in the premises, and for good cause shown, finds that said application should be sustained.

IT IS THEREFORE ORDERED, that said defendant, Massman Construction Company, a Corporation, be given an extension of Twenty days' time from September 9th, 1940, in which to plead to said bill of complaint.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court G

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

SAMMONS-ROBERTSON COMPANY, a Corporation,	Plaintiff,)	
)	
vs		)	No. 443 Civil
)	
MASSMAN CONSTRUCTION COMPANY, a Corporation, GRAND RIVER DAM AUTHORITY, a Corporation, et al.,	Defendants.)	

ORDER GRANTING EXTENSION OF TIME TO PLEAD

Now, on this 9th day of September, 1940, application having been made by the defendants, Fidelity and Deposit Company of Maryland, United States Fidelity and Guaranty Company, Maryland Casualty Company, Standard Accident Insurance Company, New Amsterdam Casualty Company, National Surety Corporation, The Fidelity and Casualty Company, of New York, The American Surety Company of New York, Hartford Accident and Indemnity Company, the Aetna Casualty and Surety Company, Firemans Fund Indemnity Company, Standard Surety & Casualty Company of New York, Massachusetts Bonding and Insurance Company, Great American Indemnity Company, the Century Indemnity Company, Columbia Casualty Company, Continental Casualty Company, and Central Surety and Insurance Corporation, for an extension of time in which to plead, the Court being well and sufficiently advised in the premises, and for good cause shown, finds that said application should be sustained.

IT IS THEREFORE ORDERED, that said defendants above named be given an extension of Twenty days time from September 9th, 1940, in which to plead to said bill of complaint.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court G

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
v.)	
		)	No. 456 CIVIL
One 1940 Model Chevrolet Sedan Automobile, Motor No. 3,132,173, and approximately 7 gallons of taxpaid intoxicating liquors seized therein; Archie Jones and the First National Bank of Vinita, Oklahoma,	Claimants.)	

ORDER FOR MONITION

Now on this 9th day of September, 1940, it appearing to the court that the said 1940 Model Chevrolet Sedan Automobile, Motor No. 3,132,173, with approximately Seven (7) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point on United States Highway No. 66, near the town of Afton, in Ottawa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on July 26, 1940, by James V. Gaylor, Special Investigator of the Alcohol Tax Unit, Bureau of Internal Revenue of the United States, by virtue of authority of his said office, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Archie Jones for transportation of such intoxicating liquors from Joplin, in the State of Missouri, into the State of Oklahoma

and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Archie Jones and the First National Bank of Vinita, Oklahoma and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Archie Jones and the First National Bank of Vinita, Oklahoma, unless notice thereof be waived, and any other person that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said court on or before Twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U. S. Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

IT IS FURTHER ORDERED, that the United States Marshal for the Northern District of Oklahoma be so directed to detain the above described automobile in his possession until further order of this court and to make his return herein as provided by law.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

HOWARD GRAY, as Executor of the Estate)
of Julia S. Pearman, deceased, Plaintiff,)
vs.)
EXCHANGE NATIONAL COMPANY, a corporation,)
et al, Defendants.)

No. 877 Equity

ORDER AUTHORIZING SUCCESSOR TRUSTEE TO PAY LIQUIDATING DIVIDEND
OF THREE PER CENT (3%) TO THE HOLDERS AND OWNERS OF GUARANTEED
FIRST LIEN PARTICIPATION CERTIFICATES

On this 9th day of September, 1940, upon the application of J. H. McBirney, Successor Trustee of all of the notes, bonds, mortgages, liens, obligations and property held as security for the payment of first lien participation certificates issued by the Exchange National Company under a trust agreement of July 19, 1928, between said Exchange National Company and the Exchange National Bank of Tulsa, Oklahoma, for authority to pay a three per cent (3%) liquidating dividend to the holders and owners of guaranteed first lien participation certificates, and it appearing that the said Trustee has the approximate sum of One Hundred Four Thousand Two Hundred Forty Six & 28/100 Dollars (\$104,246.28) in cash, and that most of said sum is available for the payment of a liquidating dividend; and it further appearing that the holders of said guaranteed first lien participation certificates have heretofore received seventy-five per cent (75%) liquidating dividends, and that an additional dividend should be paid them, and that said liquidating dividend should be paid to the holders of said certificates in proportion to the amounts of said certificates and the unpaid interest to May 1, 1933, upon said certificates, as heretofore provided in orders entered herein for the payment of liquidating dividends; and it further appearing that the said Trustee has a sufficient amount of cash in order to pay said dividend; and it further appearing that the members of the Advisory Committee have been notified of said application and action of said Trustee in the payment of said dividend, and that the

payment of said dividend has the approval of the Advisory Committee appointed to counsel and advise with said Trustee, and upon said Trustee's application, recommendation and request, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to pay a three per cent (3%) liquidating dividend to the owners and holders of the guaranteed first lien participation certificates, said three per cent (3%) liquidating dividend to be three per cent (3%) of the principal or face amount of said certificates, plus three per cent (3%) of the unpaid interest to May 1, 1933, upon said certificates.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, incur the incidental expense necessary for the payment of said three per cent (3%) liquidating dividend, and that said Trustee require the delivery of said certificates before making payment, in order that said payments may be entered thereon.

IT IS FURTHER ORDERED that said Trustee forthwith disburse said liquidating dividend, to said holders of said certificates, as hereinabove ordered.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

I. E. NELSON, TRUSTEE, ET AL.,

vs.

}
} In Equity No. 1266.
}

SAPULPA GAS COMPANY, ET AL.,

O R D E R

Now on this 9th day of September, 1940, comes on for hearing the application of M. Bird Weimer and Etta C. Weimer, praying for an order to the Clerk of this Court to pay them for certain bonds belonging to them, and the court having examined said application and being fully advised in the premises.

It is the order of this Court that the Clerk hereof pay out of the Registry of said Court to the order of M. Bird Weimer the sum of Two Hundred Fifty Seven and 50/100 (\$257.50) Dollars the pro-rata 5 1/2% of Bond No. 194 First Mortgage 5% Gold Bond of Sapulpa Gas Company, less 1% impounding fee, and pay to the order of Etta C. Weimer the sum of Seven Hundred Seventy Two and 50/100 (\$772.50) Dollars the pro-rata 5 1/2% of Bonds Numbered 241, 242 and 243 First Mortgage 5% Gold Bonds of Sapulpa Gas Company, less 1% impounding fee, Said bonds being in the principal sum of \$2,000.00 shall be marked "Paid and cancelled" all in accordance with the former order of this court.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

I. E. NELSON, ET AL.,	Plaintiff,)
		) In Equity
-versus-		) No. 1,266
)
SAPULPA GAS COMPANY, et al.,	Defendants.)

O R D E R

Now on this 9th day of September, comes on for hearing the application of Henry Homer Stoll, executor of the estate of Anna L. Stoll, joined therein by William Arthur Stoll, Administrator with will annexed of William Stoll, deceased and Henry Homer Stoll and William Arthur Stoll, individually, duly verified, praying for an order to the Clerk of this Court, to pay to Henry Homer Stoll as such executor for certain bonds belonging to said estate in accordance with a former order of this court, in liquidation of bonds of Sapulpa Gas Company, and the Court having examined said verified application and being fully advised in the premises,

It is the order of this Court that the Clerk hereof pay to the order of Henry Homer Stoll, executor of the Estate of Anna L. Stoll, deceased, in accordance with the former order of this Court, Fifty-one and one-half (.51½) cents on the dollar, less one per cent impounding fee, for the following described FIRST MORTGAGE 5% GOLD BONDS issued by SAPULPA GAS COMPANY, dated Oct. 1, 1932, due October 1, 1952, each in the principal sum of \$500.00, with interest coupons numbered 10 and upwards attached, said bonds being numbered: 327, 328, 329, 330, and 331, and 544, aggregating a principal sum of \$3,000.00 and mark said bonds "paid and cancelled", all in accordance with the former order of this court.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT
COURT IN AND FOR THE NORTHERN DISTRICT
OF OKLAHOMA

ENDORSED: Filed Sep 9 1940
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OKLAHOMA

I. E. NELSON, et al.,	PLAINTIFFS,)
)
VS.		) NO. 1266 IN EQUITY
)
SAPULPA GAS COMPANY, et al.,	DEFENDANTS.)

O R D E R

Now, on this 9th day of September, 1940, the above entitled action comes on for hearing upon application of W. P. Sullivan and War Brooks, partners doing business under the firm name and style of Sullivan-Brooks Company, for an order for disbursement of the prorata share allowed on certain bonds, to-wit: first mortgage bonds of the Sapulpa Gas Company, being numbered 530C in the face value of \$53 and 533E of the face value of \$50.

And the court, having considered said application and being duly advised in the premises, finds that said order should be and the same is hereby granted and the clerk of this court, the Hon. H. P. Warfield, is hereby ordered and directed to remit to W. P. Sullivan and War Brooks,

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT
OF OKLAHOMA

Elmer Tiller and S. L. Bass,	Plaintiffs,)
)
v.		) No. 331 Civil.
)
Champlin Refining Company, a corporation,	Defendants.)
et al,)

O R D E R

On this 13th day of September, 1940, upon the dismissal filed herein by plaintiffs,
it is

ORDERED that the petition in this case be, and it is hereby, dismissed with pre-
judice as to all defendants.

F. E. KENNAMER
District Judge

ENDORSED: Filed Sep 13 1940
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)
)
v.		) No. 461 CIVIL
)
One 1940 Buick Sedan Automobile, Motor No.)
44,013,926, and approximately 16 gallons)
of assorted taxpaid intoxicating liquors)
seized therein; Tom J. Cole, Don K. Lankard,)
and General Motors Acceptance Corporation of)
Tulsa, Oklahoma,	Claimants.)

ORDER FOR MONITION

Now on this 13th day of September, 1940, it appearing to the Court that the said 1940 model Buick Sedan Automobile, Motor No. 44,013,926, with approximately Sixteen (16) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point just inside the city limits of the City of Miami, in Ottawa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on August 15, 1940, by Lawrence E. Thompson and William F. Wolverton, Investigators of the Alcohol Tax Unit, Bureau of Internal Revenue of the United States, by virtue of authority of their said offices, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Tom J. Cole for transportation of such intoxicating liquors from Joplin, in the State of Missouri, into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Tom J. Cole, Don K. Lankard and the General Motors Acceptance Corporation and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Tom J. Cole, Don K. Larkard and the General Motors Acceptance Corporation, unless notice thereof be waived, and any other persons that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said court on or before Twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U. S. Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

IT IS FURTHER ORDERED, that the United States Marshal for the Northern District of Oklahoma be so directed to detain the above described automobile in his possession until further order of this court and to make his return herein as provided by law.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 13 1940
H. P. Warfield, Clerk
U. S. District Court G

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)
)
v.)
		) No. 462 CIVIL
One 1940 Model Ford Business Coupe)
Automobile, Motor No. 18-5,294,799, and)
approximately 12 gallons of assorted tax-)
paid intoxicating liquors seized therein;)
Harry H. Miller, D. W. Clemans, and the)
Universal Credit Company,	Claimants.)

ORDER FOR MONITION

Now on this 13th day of September, 1940, it appearing to the court that the said 1940 model Ford Business Coupe Automobile, Motor No. 18-5,294,799, and with approximately Twelve (12) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point on United States Highway No. 66, about Six (6) miles Southwest of the town of Vinita, in Craig County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on July 19, 1940, by Buck Seran and Milo Beck, State Investigators, Bureau of Public Safety for the State of Oklahoma, by virtue of authority of their said offices, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Harry H. Miller and D. W. Clemans for transportation of such intoxicating liquors from Joplin, in the State of Missouri, into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Harry H. Miller, D. W. Clemans and the Universal Credit Company and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Harry H. Miller, D. W. Clemans and the Universal Credit Company, unless notice thereof be waived, and any other person that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said court on or before Twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors

in this cause, and are by the Court found to be in default.

The Court further finds that on September 20, 1919, for value received, the defendants, C. W. Chandler and Cynthia Chandler made, executed and delivered to the Exchange Trust Company a corporation, their certain real estate mortgage bond in the principal amount of \$600.00, to mature November 1, 1929, with interest after maturity at the rate of 10% per annum until paid. That in addition thereto said defendants, C. W. Chandler and Cynthia Chandler, on said date, executed and delivered to said Exchange Trust Company their twenty certain coupon notes, one for the sum of \$22.00 and nineteen for the sum of \$18.00 each, to bear interest at the rate of 6% per annum, payable semi-annually. That as a part of the same transaction, and at the same time and place as the execution of said real estate mortgage bond and coupon notes the said defendants, C. W. Chandler and Cynthia Chandler, the then owners in fee of said real estate therein described, for the purpose of securing payment of said indebtedness, with interest, executed and delivered to the Exchange Trust Company, a corporation, their certain real estate mortgage in writing, covering the following described land, to-wit:

Southwest Quarter of Southeast Quarter of Section Ten (10),
Township Eighteen (18) North, Range Eight (8) East,
Creek County, Oklahoma.

The Court further finds that said mortgage was duly filed of record in the office of the County Clerk of Creek County, Oklahoma, and recorded in Book 192, at Page 614. That the mortgage tax thereon was duly paid to the County Treasurer of Creek County, Oklahoma. The Court further finds that said mortgage contains a provision that in the event of foreclosure appraisement may be waived at the option of the mortgagee, its successors or assigns, and that plaintiff has elected to have said real estate sold without appraisement.

The Court further finds that on March 31, 1926, the above described mortgage bond and notes were sold and endorsed by the Exchange Trust Company, a corporation, to the Exchange Trust Company, Trustee for Mollie Davis, nee Jones. That thereafter, and on March 23, 1934, in a case entitled Mollie Davis, nee Jones, plaintiff, vs. Exchange Trust Company, a corporation, et al, defendants, United States of America, intervener, No. 926 Equity, in the United States District Court for the Northern District of Oklahoma, a judgment was entered declaring Mollie Davis, nee Jones, to be the owner of the hereinabove mentioned real estate mortgage bond, notes and mortgage, and that at the time of the institution of this action said mortgage bond, notes and mortgage were held by plaintiff under and by virtue of the judgment in the above mentioned cause of action.

The Court further finds that on November 29, 1927, the sum of \$100.00 was paid on said principal, leaving a balance due on the principal in the sum of \$500.00. That on November 23, 1929, the defendants, and each of them, entered into an agreement for an extension of said loan with the Exchange Trust Company, Trustee for Mollie Davis, nee Jones, that for an in consideration of said extension agreement, signed by Cynthia Chandler, widow, Clay Chandler, a single man, Pauline Glisson, nee Chandler, Hubert Glisson, her husband, Hazel Huff, nee Chandler, Neiley Huff, her husband, and Cynthia Chandler, as guardian for Vernie Chandler, Opal Chandler and Beatrice Chandler, minors, wherein they agreed to pay the sum of \$500.00 on or before November 1, 1934, said sum to bear interest at the rate of 6% per annum, payable annually.

The Court further finds that on November 1, 1935, there was a payment made of \$69.00 on the interest due on said loan, and on January 3, 1936, the sum of \$100.00 was paid on the principal of said loan.

The Court further finds that on May 1, 1936, the defendants, and each of them, entered into an extension agreement with Mollie Davis, nee Jones, that for and in consideration of said extension agreement the defendants and each of them agreed to pay the sum of \$400.00 on said principal, as follows: \$100.00 due November 1, 1936; \$300.00 due November 1, 1937, and to pay interest on said sum from November 1, 1935, at the rate of 6% per annum to date of maturity, payable annually, said note to bear interest at the rate of 10% per annum after maturity, until paid.

The Court further finds that the said Mollie Davis, nee Jones, was, before her death, and at the time of the institution of this action, the owner of said real estate mortgage bond notes and mortgage, and that she acquired same before maturity.

The Court further finds that default has been made in the terms and conditions of said mortgage contract and extension agreement above referred to, in that said defendants have failed to pay the principal amount due on said note and mortgage. That said defendants have failed to pay taxes as assessed against said real estate for a number of years, and that plaintiff is entitled to a foreclosure of said mortgage, and the sale of the property hereinbefore described, to satisfy said indebtedness.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff and intervener recover judgment against the defendants, and each of them, in the sum of \$400.00, with interest at the rate of 10% per annum from November 1, 1937, until paid, and the further sum of \$22.50 abstract fees, and a further judgment foreclosing the mortgage herein, and if said indebtedness is not paid at the expiration of six months from the date of this judgment an order of sale issue out of this court to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, without appraisalment, the following described property, to-wit:

Southwest Quarter of Southeast Quarter of Section Ten (10),
Township Eighteen (18) North, Range Eight (8) East, Creek
County, Oklahoma,

the proceeds of said sale to be apolled as follows:

- First - To payment of costs of sale and this suit.
- Second - Payment to plaintiff the sum of \$400.00, with interest at the rate of 10% from November 1, 1937, until paid.
- Third - Payment to plaintiff the sum of \$22.50 with abstract fees.
- Fourth - The residue, if any there be, to be paid into this court to await the further orders of the Court,

and that after the sale of said property the defendants, Cynthia Chandler, Clay Chandler, Pauline Glisson, nee Chandler, Hubert Glission, Hazel Huff, nee Chandler, N. Wiley Huff, Vernie Chandler, Olita Chandler, Opal Tibbetts, nee Chandler, J. C. Tibbetts, Bernice Chandler, and the unknown heirs, executors, administrators, assigns, trustees, creditors and claimants, known or unknown, of C. W. Chandler, deceased, and all persons claiming by, through or under them since the commencement of this suit, be, and they are forever barred from claiming or asserting any right, title, interest, equity or estate in or to the property hereinabove described, or any part thereof.

IT IS THE FURTHER ORDER of the Court that plaintiff recover its costs herein.

IT IS THE FURTHER ORDER of the Court that the real estate mortgage bond, notes and mortgage herein be canceled in this judgment.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

GRAND RIVER DAM AUTHORITY,
a public corporation,

Petitioner,

CIVIL 329

vs.

Tracts Nos. 2 and 8

Peter Barehead, et al.,

Defendants.

JOURNAL ENTRY

This cause coming on regularly for trial before this Court without a jury, and having been submitted for decision and judgment on the pleadings and agreed statement of facts, and the petitioner, the GRAND RIVER DAM AUTHORITY, a public corporation appearing by its attorney, GAYLE M. PICKENS and the HONORABLE JOE BROWN, United States Probate Attorney, appearing for the Superintendent for the Five Civilized Tribes, and S. R. LEWIS, appearing for the applicants Henry Tincup, Alex H. Hendricks, and George Squirrel, et al., defendants herein, and the court having heard the argument of the attorneys for the respective parties and having duly considered said pleadings and agreed statement of facts, finds as follows, to-wit:

That Henry Tincup, defendant herein, is the owner in fee simple of all that certain tract of land situated in Ottawa County, Oklahoma, designated as follows, to-wit:

The South One-half of the North 8.50 acres of Lot 3,
Sec. 3, T 27 N - R 23 E of the Indian Base and Meridian
Cherokee Survey, containing 4.25 acres more or less;

that commissioners were appointed by this court to inspect and appraise said tract of land, and did appraise the same at the sum of \$425.00, as full consideration for the fee simple title to said tract; that said sum has been paid to the Clerk of this court and is now in the hands of said Clerk and is subject to disbursement; and that said Alex H. Hendricks is the owner of the fee simple title to all that certain tract of land situated in Ottawa County, State of Oklahoma, described as follows, to-wit:

The North One-Half of the North 8.50 acres of Lot 3, Sec. 3,
T 27 N, R 23 E, of the Indian Base and Meridian, Cherokee
Survey, containing 4.25 acres, more or less;

that commissioners have been appointed by this Court to inspect and appraise said tract of land, and have appraised the same at \$425.00 as full consideration for the fee simple title to the said tract of land, and the petitioner has paid said award to the Clerk of this Court, and the same is now in the hands of this Clerk subject to disbursal.

The court further finds that both of the above described tracts of land were allotted and conveyed, by allotment, deed to Susan Hendricks, nee Daniels, Fullblood Cherokee Indian Roll No. 27,712; that the said Susan Hendricks, nee Daniels, died intestate on or about the 30th day of August, 1913, in Washington County, Oklahoma, leaving as her sole and only heirs at law the said Alex H. Hendricks, her son, defendant herein, and her husband, Charles Hendricks; that said Charles Hendricks was duly enrolled as a fullblood Cherokee Indian, enrolled opposite Roll No. 17,078 of the records of the Dawes Commission and that he died intestate on or about the 31st day of January, 1939, and left as his sole and only heir his son, the defendant, Alex H. Hendricks.

The court further finds that the said Alex H. Hendricks is the sole and only heir to the North 8.50 acres of Lot 3, Section 3, Township 27 North, Range 23 East of the Indian Base and Meridian, and that as such heir of the said Susan Hendricks, nee Daniels and Charles Hendricks, both deceased, he took and inherited the entire fee simple title to said tract of land; that on or about the 3rd day of October, 1938, the said Alex H. Hendricks, for a valuable consideration sold and conveyed

to Henry Tincup, defendant herein, the South Half of 8.50 acres of Lot 3, Section 3, Township 27 North, Range 23 East of the Indian Base and Meridian, containing 4.25 acres more or less, and being the identical land above described as belonging to Henry Tincup, defendant herein.

The court further finds that the deed from Alex H. Hendricks to the said Henry Tincup, defendant herein, has been duly approved by the County Court of Washington County, Oklahoma, being the court having jurisdiction over the settlement of the estate of the said Susan Hendricks, nee Daniels, deceased, as provided by law, that said deed conveys a valid and legal title to said tract of land.

The court further finds that the lands allotted and conveyed by allotment deed to Susan Hendricks, nee Daniels, deceased full-blood Cherokee Indian Roll No. 27712, and being the lands described herein as belonging to Henry Tincup and Alex H. Hendricks, defendants, are and were exempt from taxation by Federal Laws to 1939, so long as held by said Alex H. Hendricks, fullblood Cherokee Indian; that all ad valorem taxes erroneously assessed and levied against said lands for the year 1938 and prior years should be stricken and held for naught.

The court further finds that the land allotted to Jack Squirrel, deceased, Full-blood Cherokee Indian, enrolled opposite Roll No. _____ of the records of the Dawes Commission, died intestate on or about the ___ day of _____, 19__ in Delaware County, Oklahoma; that his heirs at law inherited the fee simple title to the lands described in Petitioners complaint and being the land designated as Tract #2 (Map #13 tract GRD 666) to-wit: the North Half of the Northeast Quarter of the Southwest Quarter of Section 12, containing 20 acres more or less, and part of the South Half of the Southeast Quarter of the Northwest Quarter and the South Half of the Southwest Quarter of the Northwest Quarter, all in Township 25 North, Range 22 East of the Indian Base and Meridian, the whole tract containing 39.2 acres more or less.

The court further finds that the following persons are the sole and only heirs of the said Jack Squirrel, deceased, who took and inherited the lands above described, to-wit: George Squirrel, Pete Squirrel, Joe Squirrel, Jess Squirrel and Alex Squirrel, his sons; Nancy Thomas, nee Squirrel and Oncle Squirrel, his daughters who inherited a one-eighth interest each and his son Willie Squirrel, deceased, who left as his sole and only heirs, Ruby Squirrel Hasson, his wife--and a son Billie Lee Squirrel, who took and inherited a One-sixteenth (1/16th) interest, each, being the share inherited by Willie Squirrel, deceased.

The court further finds that the commissioners appointed by this court to inspect and appraise said lands in the sum of \$2,700.00; that your petitioner has paid said sum to the Clerk of this Court and that said sum is now in the hands of the Clerk of this court subject to disbursement.

The court further finds that the heirs of said Jack Squirrel deceased, are restricted indians and that said sum of money paid by the petitioner for the fee simple title to said land should be remitted and paid to the Superintendent for the Five Civilized Tribes, for the use and benefit of the said heirs subject to the rules and regulations of the Secretary of the Interior as to disbursement and payment to said restricted indians the heirs to said estate.

The court further finds that S. R. Lewis, attorney at law, represented said defendants professionally before this court as to the payment of said funds to the Clerk of this court by the petitioner, and as to the validity of certain optional contracts alleged by petitioner with and against the said defendants, and further as to the disbursement of said funds; and that said S. R. Lewis, attorney at law, should be allowed and paid a reasonable attorney fee out of the sum of \$2,700.00 now in the hands of the Clerk of this court paid by the petitioner as full compensation for said tracts of land, that said payment for professional service be approved and allowed and paid by the Superintendent of the Five Civilized Tribes as to the heirs of the said Jack Squirrel, restricted Cherokee Indians, to S. R. Lewis, attorney.

The court further finds that said optional contracts alleged and set out by the petitioner with and against the said defendants, and each of them, are illegal and void not having been approved by any court of competent jurisdiction.

The court further finds that the awards made by the commissioners appointed, by this court, to inspect and appraise the lands belonging to Henry Tincup and Alex H. Hendricks defendants herein, and now in the hands of the Court Clerk of this Court are subject to disbursement and should be disbursed to said defendants the owners of said tracts of land; that said sum of \$425.00 should be paid to Henry Tincup, defendant, personally without any restriction; that the sum of \$425.00 now in the hands of the Court Clerk of this court belonging to Alex H. Hendricks be paid as follows: \$212.50 to be paid directly to said Alex H. Hendricks, by said Clerk, and \$212.50 to be disbursed and remitted to the Superintendent for the Five Civilized Tribes, at Muskogee, for the use and benefit of said Alex H. Hendricks to be paid by and said Superintendent according to the rules and regulations of said department.

The court further finds that the awards made by said Commissioner appointed to inspect and appraise said tracts of land in now subject to disbursement, and should be disbursed to the owners of said lands according to their respective interests.

IT IS, THEREFORE, ORDERED, Adjudged and decreed, by the court that the award made by the Commissioners appointed by this court to inspect and appraise the South Half of the North 8.50 acres of Lot 3, Section 3, Township 27 North, Range 23 East, of the Indian Base and Meridian, Cherokee Survey, containing 4.25 acres, more or less, in the sum of \$425.00 as full consideration for said tract of land paid to the court of this court, is hereby disbursed to Henry Tincup, personally without restrictions.

It is further ordered, adjudged and decreed, by the court, that Henry Tincup, the defendant, pay the advalorem taxes assessed against said tract of land for the year 1939 and all other taxes now due and payable.

It is further ordered, adjudged and decreed, by the court, that the award made by the commissioners appointed by this court to inspect and appraise the North Half of the North 8.50 acres of Lot 3, Sec. 3, Township 27 North, Range 23 East, of the Indian Base and Meridian, Cherokee Survey, containing 4.25 acres, more or less, in the sum of \$425.00, and being full consideration for said tract of land, paid by the petitioner to the Clerk of this Court, by disbursed to Alex H. Hendricks, defendant, as follows:

That the sum of \$425.00 now in the hands of the Clerk of this Court belonging to Alex H. Hendricks to be paid as follows: \$212.50 to be paid directly to said Alex H. Hendricks, by said Clerk and \$212.50 be disbursed and remitted to the Superintendent of the Five Civilized Tribes at Muskogee, Oklahoma, for the use and benefit of the said Alex H. Hendricks to be paid by said Superintendent of the Five Civilized Tribes according to the rules and regulations of said department.

It is further ordered, adjudged and decreed, by the court, that the award made by the Commissioners appointed by this court to inspect and appraise the lands allotted to Jack Squirrel deceased Fullblood Cherokee Indian, enrolled opposite Roll No. _____, and being designated as Tract 2, Map 13, Tract GRD 666, to wit: The North Half of the Northeast Quarter of the Southwest Quarter of Sec. 12, containing 20 acres, more or less, and part of the South Half of the Southeast Quarter of the Northwest Quarter, and the South Half of the Southwest Quarter of the Northwest Quarter all in Township 25 North, Range 22 East, of the Indian Base and Meridian, Cherokee Survey, the whole tract containing 39.2 acres more or less, paid by the petitioner to the Court Clerk of this court in the sum of \$2,700.00, being the full compensation for said tracts of land, be hereby disbursed to the heirs of the said Jack Squirrel, deceased, as named and set out herein, subject to the supervision and control of the Superintendent for the Five Civilized Tribes at Muskogee, Oklahoma.

It is further ordered, adjudged and decreed, by the court, that the optional contracts alleged and set up by said petitioner, with and against the said defendants and each of them, are illegal and void and of no force and effect.

It is further ordered, adjudged and decreed, by the court, that Henry Tincup defendant herein, pay to S. R. Lewis, a reasonable attorney fee out of the funds disbursed by the Clerk of this court, for professional services rendered to defendant by said attorney.

It is further ordered, adjudged and decreed, by the court, that said S. R. Lewis, should be paid a fair and reasonable attorneys fee out of the proceeds of the award paid to the Clerk of this court, to the heirs of Jack Squirrel, deceased, and Alex Hendricks defendants, for professional services rendered and that the Superintendent of the Five Civilized Tribes fix said compensation according to the value of the services rendered by said S.R. Lewis to said defendants.

F. E. KENNAMER
JUDGE.

O.K. JOE BROWN, Probate Atty.
O.K. S. R. LEWIS, Atty. for Defendants.

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

THE CITY OF MIAMI, OKLAHOMA, a municipal)
corporation, ex rel., W. J. MEREDITH,)
Plaintiff,) CIVIL ACTION NO. 361
vs.)
LAURA A. WILSON, ET AL.,)
Defendants.)

O R D E R

NOW, on this day comes on for hearing the motion of the City of Miami, Oklahoma, ex rel., W. J. Meredith, for an order permitting the filing of the Second Amendments to the Complaint in this action joining as parties hereto William Kempf and the Phoenix Federal Savings & Loan Association; and

The court having considered said motion and the pleadings in this cause and being duly advised, finds that said motion should be sustained.

It is, therefore, CONSIDERED, ORDERED, ADJUDGED and DECREED that plaintiff may file Second Amendments to the Complaint in this cause joining as parties defendant William Kempf and the Phoenix Federal Savings & Loan Association.

It is further ordered that Horace M. Rider be directed to make service of the summons, Complaint and all amendments thereto upon said additional parties defendant and to make due and proper return thereof.

DONE at Tulsa, Oklahoma, this 17 day of Sept., A. D. 1940.

F. E. KENNAMER
United States District Judge

APPROVED: A. G. CRONINGER
JUSTUS H. FUGATE
Attorneys for Plaintiff and Relator.

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

THE CITY OF MIAMI, OKLAHOMA, a
municipal corporation, ex rel.,
W. J. MEREDITH,

Plaintiff,

CIVIL ACTION NO. 364

vs.

C. W. TURNER, ET AL.,

Defendants.

O R D E R

NOW, on this day comes on for hearing the motion of the City of Miami, Oklahoma, ex rel., W. J. MEREDITH, for an order permitting the filing of the Second Amendments to the Complaint in this action joining as parties hereto C. W. Bartlett, William Kempf and the Phoenix Federal Savings & Loan Association; and

The court having considered said motion and the pleadings in this cause and being duly advised, finds that said motion should be sustained.

It is, therefore, CONSIDERED, ORDERED, ADJUDGED and DECREED that plaintiff may file Second Amendments to the Complaint in this cause joining as parties defendant C. W. Bartlett, William Kempf and the Phoenix Federal Savings & Loan Association.

It is further ordered that Horace M. Rider be directed to make service of the summons, Complaint and all amendments thereto upon said additional parties defendant and to make due and proper return thereof.

DONE at Tulsa, Oklahoma, this 17 day of Sept., A. D. 1940.

F. E. KENNAMER
United States District Judge

APPROVED: A. G. CRONINGER
JUSTUS H. FUGATE
Attorneys for Plaintiff and Relator

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 400GIVIL

H. C. DIXON, R. A. THORNBURG and
D. B. COVERT,

Defendants.

ORDER OF DISMISSAL

NOW, on this 17th day of September, 1940, this matter coming on before the court on application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the court being advised in the premises finds that the principal and interest herein have been paid to the Treasurer of the United States, the costs have been paid and said cause

DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF
OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 432 CIVIL.
)	
John Bridges, J. T. Bridges and J. L. Carter,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 17th day of September, 1940, this cause came on to be heard before Honorable F. E. Kennamer, Judge presiding, on the complaint of the plaintiff and the default of the defendants, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendants, John Bridges and J. T. Bridges have been regularly served with summons in this cause more than 20 days prior to this date, and that said defendants and each of them have failed to answer, demur or otherwise plead herein, the Court finds that they are in default, and that plaintiff is entitled to judgment against said defendants prayed in its complaint, herein. It being further shown to the Court that the defendant, J. L. Carter, is deceased, the Court finds that said cause should be dismissed as to said defendant.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf, and in behalf of Herbert Brokey, Jr., unallotted Osage Indian, have and recover judgment against the defendants, John Bridges and J. T. Bridges, and each of them, in the sum of \$225.00, with interest at the rate of 6% per annum on \$75.00 from January 1, 1935, and on \$150.00 from June 1, 1935, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that this cause be, and the same hereby is dismissed as to the defendant, J. L. Carter.

F. E. KENNAMER
JUDGE

O.K. WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 433 CIVIL
)	
J. T. Bridges, C. A. Wilkins and Edmund Gates,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 17th day of September, 1940, this cause came on to be heard before

Southeast Quarter of Northeast Quarter of Southeast Quarter;
East Half of Southeast Quarter of Southeast Quarter of Section
Nine (9), Township Twenty (20) North, Range Fifteen (15)
East, Rogers County, Oklahoma,

is restricted Indian land belonging to Margaret Humanstriker, Cherokee allottee No. 20453.

The Court further finds that the defendants, W. P. Johnston, Earl Kimblern, W. A. Shoemaker and Mrs. W. A. Shoemaker are interfering with the possession of said land without right or authority, and that a temporary order should issue from this Court restraining said defendants from interfering with the possession and control of said land.

The Court further finds that certain improvements have been placed upon said land, and that same have become a part of said real estate and are now the property of Margaret Humanstriker, Cherokee Allottee No. 20453.

IT IS THEREFORE THE ORDER of the Court that the defendants, W. P. Johnston, Earl Kimblern, W. A. Shoemaker and Mrs. W. A. Shoemaker are hereby restrained from interfering with the possession and control of said land, pending further order of this Court.

IT IS THE FURTHER ORDER of the Court that said defendants, last above named, and each of them, are restrained from removing any of the improvements located on said land, pending the further order of the Court.

IT IS THE FURTHER ORDER of the Court that said defendants be allowed a period of 60 days to remove the corn planted on said land, and that plaintiff recover its costs herein against the defendants, W. P. Johnston, Earl Kimblern, W. A. Shoemaker and Mrs. W. A. Shoemaker.

IT IS THE FURTHER ORDER of the Court that this cause be, and the same hereby is dismissed as to the defendants, J. C. Hudson and Bill Flippin.

F. E. KENWAMER
JUDGE

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,

vs

One 1936 Ford Coupe Automobile, Motor No.
18-2,737,416; approximately sixty-six
gallons of assorted tax-paid intoxicating liquors;
Jack Burgess and Walter Jack Souter, and Morris
Plan Company of Oklahoma, Claimants.

NO. 464 CIVIL

ORDER FOR MONITION

Now on this 17th day of September, 1940, it appearing to the court that the said 1936 Model Ford Coupe automobile, Motor No. 18-2,737,416, together with approximately sixty-six gallons of assorted intoxicating taxpaid liquors containing more than four per centum (4%) of alcohol

and to each of said summons shall be attached that portion of the complaint relating to said respective defendant.

F. E. KENNAMER
U. S. DISTRICT JUDGE.

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

UNITED STATES OF AMERICA, TRUSTEE OF)
THE ESTATE OF WOSEY JOHN, NOW DEERE,)
DECEASED, ET AL,) Plaintiffs,)

NO. 2694 - Law

v.

SHELL OIL COMPANY, INCORPORATED)
(FORMERLY SHELL PETROLEUM CORPORATION))
a corporation; ET AL.,) Defendants.)

JUDGMENT

Now on this 17th day of September, 1940, this cause coming on regularly to be heard by agreement of the parties, before the undersigned Judge, who having examined the service and appearances and pleadings herein finds that all named parties were properly served or have entered appearances herein and that the United States of America by appropriate petition has intervened herein on behalf of plaintiff, and it being made to appear that the parties hereto have agreed upon the amount of damages, if any, which have been sustained or will be sustained by the plaintiffs, as owners of:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-eight
(28), Township Fourteen (14) North, Range Seven (7)
East, Creek County, Oklahoma,

and that said damage totals Five Hundred Dollars (\$500.00), the court finds that the plaintiffs are entitled to judgment against the defendants in said amount.

IT IS THEREFORE BY THE COURT ORDERED AND ADJUDGED that the plaintiffs, as owners of said land, recover from the defendants, Shell Oil Company, Incorporated (formerly Shell Petroleum Corporation), a corporation, Gypsy Oil Company, a corporation, Gulf Oil Corporation, a corporation, Amerada Petroleum Corporation, a corporation, Wolverine Petroleum Corporation, a corporation, The Bovaird Supply Company, a corporation, Phillips Petroleum Company, a corporation, Magnolia Petroleum Company, a corporation, Sun Oil Company, a corporation, The Pure Oil Company, a corporation, Stanolind Oil and Gas Company, a corporation, Sinclair Prairie Oil Company, a corporation, The Texas Company, a corporation, and I. Nadel, and each of them jointly, the sum of Five Hundred Dollars (\$500.00) and the costs of this action, taxed at \$63.39, said judgment being in full of all damages, both past and prospective, sustained by plaintiffs to their land, trees, vegetation, crops, wells, water, both surface and subterranean, stock, and other property rights, growing out of the wrongs complained of in the second amended complaint filed herein.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U.S. District Court ME

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

In the matter of)	
I. E. Nelson, Trustee, et al,	Plaintiffs,)
	)	Equity No. 1266.
vs)	
)	
Sapulpa Gas Company, et al,	Defendants.)

O R D E R

At Tulsa, in said district, on this the 17th day of September, 1940, before the Honorable F. E. Kennamer, Judge of said Court;

It appearing to the Court that B. E. Dozier has made application for payment of his pro rata part of the moneys deposited in the Registry of the Court in the above entitled matter, and has tendered to the Clerk of said Court, Sapulpa Gas Company First Mortgage Five Percent Gold Bonds, as follows, to wit:

No. 231	\$500.00
319-C	70.00
467	500.00
469	500.00
478-K	<u>25.00</u>
TOTAL.....	\$1595.00

dated October 1, 1932, and due October 1, 1952, with five percent interest coupons attached and payable semi-annually, interest coupons numbered from 10 to 40.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Clerk pay B. E. Dozier his pro rata part of the moneys held in the Registry of the Court in the amount of 51 1/3% of \$1595.00 or the sum of \$821.42, less an impounding fee of 1%.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 17 1940
H. P. Warfield, Clerk
U. S. District Court ME.

Court adjourned to September 19, 1940

On this 19th day of September, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - OATH OF PAUL N. HUMPHREYS, CONCILIATION COMMISSIONER.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
NORTHERN DISTRICT OF OKLAHOMA

OATH OF OFFICE

I, Paul N. Humphrey, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Conciliation Commissioner, according to the best of my ability and understanding, agreeably to the Constitution and laws of the United States;

SO HELP ME GOD.

PAUL N. HUMPHREY,

Subscribed and sworn to before me this 17th day of Sept., 1940.

HANNAH WORTEN
Notary Public

(SEAL)

ENDORSED: Filed Sep 19 1940
H. P. Warfield, Clerk
U. S. District Court

BOND OF PAUL N. HUMPHREYS, CONCILIATION COMMISSIONER.

FORM NO. 69

BOND OF CONCILIATION COMMISSIONER

Know all men by these presents: That we Paul N. Humphrey of Pawhuska, Osage County, Oklahoma as principal, and John Kennedy and W. O. Dildine of Pawhuska, Osage County, Okla., as sureties, are held and firmly bound to the United States of America in the sum of FIVE HUNDRED (\$500.00) DOLLARS, lawful money of the United States, to be paid to the said United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, by these presents:

Signed and sealed this 17 day of Sept., A. D. 1940.

The condition of this obligation is such that whereas the said Paul N. Humphrey, has been on the 5th day of Sept., A. D. 1940, re-appointed by the Honorable F. E. Kennamer, Judge, of the District Court of the United States for the Northern District of Oklahoma, a conciliation commissioner under Section 75 of the Bankruptcy Act, in and for the County of Osage in said District;

Now, therefore, if the said Paul N. Humphrey, shall well and faithfully discharge and perform all the duties pertaining to the said office of conciliation commissioner, then this obligation to be void; otherwise to remain in full force and virtue.

Signed and sealed in the presence of

PAUL N. HUMPHREY (L.S.)
JOHN KENNEDY (L.S.)
W. C. DILDINE (L.S.)

Approved this 19 day of Sept., 1940.

F. E. KENNAMER
DISTRICT JUDGE.

endorsed; Filed Sep 19 1940
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to September 24, 1940

On this 24th day of September, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

In the Matter of the Estate of
Wosey Thomas, nee John,

In the Matter of the Estate of
Wosey Thomas, nee John, Creek #8546,

Osharsha John, now Evelyn Seber, an
adult person, et al.,

Plaintiffs,

-vs-

Jimmie Powesheik, a minor, et al.,

Defendants.

No. 35 Civil

O R D E R

This cause coming on for hearing upon the application of Glenn O. Young, Norman Barker and N. E. McNeill and Milford Thorns to dismiss the following applications, to-wit:

1. Their joint application filed in this court in the above entitled proceedings on the 17th day of February, 1940, to have the court ratify and approve their attorneys contract or, in lieu thereof, to have the court to fix and determine a fair and reasonable fee to be allowed said attorneys in representing Milford Thomas in the above proceedings;
2. The application of Milford Thomas by Glenn C. Young, Norman Barker and N. E. McNeill, his attorneys, filed in the above entitled cause on the 21st day of March, 1940, for a restraining order and a mandatory injunction to carry the judgment herein in full force and effect.

Said applicants appeared as above set forth and the United States by Whit Y. Mauzy, United States District Attorney for the Northern District of the State of Oklahoma and the court, being fully advised in said premises, finds that said application to dismiss should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the joint application filed in the above entitled proceedings on the 17th day of February, 1940 to have the court ratify and approve the attorneys' contract be, and the same is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the application of Milford Thomas filed on the 21st day of March, 1940 for a restraining order and mandatory injunction be and the same is hereby dismissed.

IT IS FURTHER ORDERED THAT the Dismissal be at the cost of the applicants.

Dated this 23rd day of September, 1940.

F. E. KENNAMER
U. S. DISTRICT JUDGE.

APPROVED: GLENN O. YOUNG
NORMAN BARKER
N. E. McNEILL
Attorneys for Applicant

ENDORSED: Filed Sep 24 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

HOWARD GRAY, as Executor of the Estate)	
of Julia S. Pearman, deceased,)	
)	
Plaintiff,)	
)	
vs.	)	No. 877 Equity
)	
EXCHANGE NATIONAL COMPANY, a)	
corporation, et al,)	
)	
Defendants.)	

ORDER AUTHORIZING TRUSTEE TO RELEASE JUDGMENT AS TO SPECIFIC
REAL ESTATE

On this 23rd day of September, 1940, upon the application of J. H. McBirney, Successor, Trustee, in Equity No. 877, for authority to release a judgment as to specific real estate;

and it appearing that the said trustee obtained a judgment on the 20th day of June, 1936, against Lucille Miller, for the sum of Six Thousand Five Hundred Eighty Five & 16/100 Dollars (\$6,585.16), together with interest from the 1st day of March, 1932, to the date of the judgment, in the amount of Two Thousand Six Hundred Sixty Eight & 40/100 Dollars (\$2,668.40), plus the sum of Four Hundred Sixty Seven & 45/100 Dollars (\$467.45), the amount advanced by said trustee for the payment of taxes, and the further sum of Nine Hundred Fifty Dollars (\$950.00), as attorney fees, together with the costs of the action, which judgment is subject to a credit of Six Thousand Dollars (\$6,000.00) the amount bid by said trustee for the purchase of said real estate, and the further sum of Four Hundred Eighty Four & 28/100 Dollars (\$484.28), the amount paid to said trustee by the receiver of said real estate; and it further appearing that Lucille Miller was the owner of

Lot Nineteen (19), Block Two (2), North Denver Addition to the City of Tulsa, Oklahoma,

which said real estate is in addition to the real estate securing the note, and which was sold at said foreclosure sale; that said real estate above described was sold for taxes to Tulsa County, Oklahoma, and was subsequently sold by Tulsa County, to J. R. Jones and associates; and it further appearing that the value of said lot is approximately Three Hundred Dollars (\$300.00), and the said real estate is subject to paying taxes in the amount of One Hundred Thirty Dollars (\$130.00), and that the present owners of said lot are desirous of obtaining a release of the said judgment against Lucille Miller, insofar as it affects this real estate, in order to clear the title to said lot; and it further appearing that the said J. R. Jones has offered to pay said trustee the sum of Twenty Five Dollars (\$25.00) for a release of said judgment insofar as it affects the above described real estate; and it further appearing that the said trustee cannot reach said lot for the satisfaction of said judgment, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to release judgment entered in cause No. 61,041, District Court of Tulsa County, Oklahoma, on the 20th day of June, 1936, against Lucille Miller, for the sum of Six Thousand Five Hundred Eighty Five & 16/100 Dollars (\$6,585.16), together with interest from the 1st day of March, 1932, to the date of the judgment, in the amount of Two Thousand Six Hundred Sixty Eight & 40/100 Dollars (\$2,668.40), plus the sum of Four Hundred Sixty Seven & 45/100 Dollars (\$467.45), the amount advanced by said trustee for the payment of taxes, and the further sum of Nine Hundred Fifty Dollars (\$950.00) as attorney fees, together with the costs of the action, which judgment is subject to a credit of Six Thousand Dollars (\$6,000.00) the amount bid by said trustee for the purchase of said real estate, and the further sum of Four Hundred Eighty Four & 28/100 Dollars (\$484.28), the amount paid to said trustee by the receiver of said real estate, insofar as it covers and affects the following described real estate, to-wit:

Lot Nineteen (19), Block Two (2), North Denver Addition to the City of Tulsa, Tulsa County, Oklahoma,

upon payment to him by J.R. Jones of the sum of Twenty Five Dollars (\$25.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be authorized to execute and deliver said partial release of judgment, upon payment to him by J. R. Jones, of said sum of Twenty Five Dollars (\$25.00).

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 24 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

HOWARD GRAY, as Executor of the Estate of Julia S. Pearman, deceased,)	
)	
vs.	)	No. 877 Equity
)	
EXCHANGE NATIONAL COMPANY, a corporation, et al,)	
)	
	)	Defendants.

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 23rd day of September, 1940, upon the application of J. H. McBirney, Successor or Trustee herein, for authority to sell real estate; and it appearing that among the assets coming into the hands of said trustee were notes executed by Exchange Trust Company, Trustee under the last will and testament of A. D. Mahoney, deceased, for the total principal sum of Three Thousand Eight Hundred Dollars (\$3,800.00), as well as a first real estate mortgage, securing said notes, and covering the following described real estate, to-wit:

The Northerly Ninety (90) feet of the
Easterly One Hundred (100) feet of Lot
One (1) in Block Thirty Three (33),
Original Town, now city of Tulsa, Tulsa
County, State of Oklahoma, according
to the recorded plat thereof;

that because of the inability of said trustee to collect said notes, he instituted cause No. 59959 in the District Court of Tulsa County, Oklahoma, for the recovery of judgment upon said notes and for the foreclosure of said real estate mortgage; that a decree was entered in said cause on March 5, 1936, granting said trustee, as plaintiff in said action, a judgment in rem for the principal sum of Three Thousand Eight Hundred Dollars (\$3,800.00), together with interest thereon to the 1st day of March, 1936, in the amount of One Thousand One Hundred Twelve & 35/100 Dollars (\$1,112.35), and the further sum of Eight Hundred Ninety Seven & 37/100 Dollars (\$897.37) advanced by said trustee in payment of taxes, less a credit in the amount of Three Hundred Sixty Two & 24/100 Dollars (\$362.24) which said trustee had received as rentals from said property; that upon said judgment and decree becoming final, said real estate was sold to the Sheriff of Tulsa County pursuant to appropriate proceedings therefor, and J. H. McBirney, Successor Trustee, purchased the said real estate and is now the owner of legal title thereto; and it further appearing that the said real estate is improved with a two-story brick apartment building, 32' x 50', which contains four 4-room apartments, and is further improved with a small 5-room frame house; that the said frame house is in a fair condition of repair; that the exterior of said brick apartment building is in good condition, but the inside thereof is in need of plastering and decorating; and it further appearing that the books and records of said trust estate disclose an investment in said real estate, by said trust, in the total sum of Five Thousand Two Hundred Ninety One & 12/100 Dollars (\$5,291.12), and the rental now received from said property is Sixty Two & 50/100 Dollars (\$62.50) per month; and it further appearing that the said trustee has an offer from Lloyd Miller for the purchase of said real estate and improvements for the sum of Four Thousand Dollars (\$4,000.00) cash; and it further appearing that the sum offered approximates the appraised value of said real estate and improvements; and it further appearing that the members of the Advisory Committee, appointed by this Court, upon whom notice shall be given of proposed sales of real estate of said trust, have been duly notified of the offer referred to here and have considered the same, and have recommended that the trustee sell said real estate for said cash consideration; and it further appearing that the said trust estate is in liquidation; that the trustee has not had a higher or better offer for said real estate and improvements and that the trustee has recommended that said real estate and improvements be sold for said consideration, as for the best interest and advantage of said trust estate and its beneficiaries; and it further appearing that one A. C. Reynolds, a real estate broker, arranged the sale of said real estate above described, and is entitled to compensation for his said services, and that five per cent (5%) of the consideration is reasonable compensation for said service, and said real estate broker should be paid said sum therefor, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell the real estate above described, to Lloyd Miller, for the sum of Four Thousand Dollars (\$4,000.00) in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver to Lloyd Miller a trustee's special warranty deed, transferring and conveying said real estate above described, to said Lloyd Miller, upon payment to him of the sum of Four Thousand Dollars (\$4,000.00).

IT IS FURTHER ORDERED that the sale of the real estate above described, by J. H. McBirney, Successor Trustee, to Lloyd Miller, for the sum of Four Thousand Dollars (\$4,000.00) be and the same is hereby ratified, confirmed and approved.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to pay to A. C. Reynolds the sum of Two Hundred Dollars (\$200.00) as compensation in full for his services as real estate broker in said transaction.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Sep 24 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

HOWARD GRAY, as Executor of the Estate)
of Julia S. Pearman, deceased, Plaintiff,)

vs.)

No. 877 Equity

EXCHANGE NATIONAL COMPANY, a)
corporation, et al, Defendants.)

O R D E R

On this 30th day of August, 1940, upon the application of J. H. McBirney, Successor Trustee, in Equity No. 877, for authority to release a judgment as to specific real estate; and it appearing that the said Trustee obtained a judgment on the 16th day of October, 1937, against John Swartz, Minnie Swartz, Leni L. Wyatt, Edwin L. Wyatt and Mabel Wyatt, and each of them, for the sum of Two Thousand Five Hundred Sixty Two & 22/100 Dollars (\$2,562.22), together with interest from the 1st day of June, 1932, to the date of judgment, in the amount of One Thousand Three Hundred Seventy Seven & 86/100 Dollars (\$1,377.86), plus the sum of Eight Hundred Ninety Nine & 07/100 Dollars (\$899.07) advanced for insurance premiums, taxes, et cetera, and the further sum of Two Hundred Sixty Dollars (\$260.00) as attorney fees, together with the costs, which judgment is subject to a credit of Two Thousand Dollars (\$2,000.00) bid by said Trustee for the purchase of the real estate foreclosed therein; and it further appearing that John A. Swartz is the owner of the following described real estate, to-wit:

Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 26, Township 22 North, Range 12 East, Tulsa County, Oklahoma;

that said real estate is subject to an oil and gas lease, and that the owners of said land receive approximately Fifteen Dollars (\$15.00) per month royalty therefrom; that taxes on the property above described are delinquent since 1930, and that said real estate was sold by the County Treasurer for taxes, and that the approximate sum of One Thousand Dollars (\$1,000.00) will be required to redeem the said property; and it further appearing that the said trustee cannot levy execution against said property by reason of the unpaid taxes, and the sale of said real estate for non-payment of taxes; and it further appearing that the said John A. Swartz has offered to pay the said Trustee the sum of One Hundred Dollars (\$100.00) for a release of said judgment insofar as it affects the above described real estate; and it further appearing that the members of the Advisory Committee, appointed and designated by this court, upon whom notice of transactions involving said trust shall be given, have been notified of said offer referred to herein, and have considered the same, and a majority of said members have approved said offer, and recommended to said trustee that he release said judgment insofar as it affects said property specifically described; and it further appearing that the Trustee has recommended the acceptance of the sum of One Hundred Dollars (\$100.00) for said release, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to release judgment entered in cause No. 59878, District Court of Tulsa County, Oklahoma, on the 16th day of October, 1937, against John Swartz, Minnie Swartz, Leni L. Wyatt, Edwin L. Wyatt, and Mabel Wyatt, and each of them, for the sum of Two Thousand Five Hundred Sixty Two & 22/100 Dollars (\$2,562.22), together with interest from the 1st day of June, 1932, to the date of the judgment, in the amount of One Thousand Three Hundred Seventy Seven & 86/100 Dollars (\$1,377.86), plus the sum of Eight Hundred Ninety Nine & 07/100 Dollars (\$899.07), advanced for insurance premiums, taxes, et cetera, and the further sum of Two Hundred Sixty Dollars (\$260.00) as attorney fees, together with the costs of said action, insofar as it covers and affects the following described real estate, to-wit:

Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 26, Township 22 North, Range 12 East, Tulsa County, Oklahoma,

upon payment to him by John A. Swartz of the sum of One Hundred Dollars (\$100.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be authorized to execute and deliver said partial release of judgment, upon payment to him by John A. Swartz of said sum of One Hundred Dollars (\$100.00).

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 24 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to September 27, 1940

SW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ^{NW $\frac{1}{4}$} of Section 34,
Township 16 North, Range 21 East, Cherokee County, *NE*
Oklahoma,

and to make, execute and deliver to said purchaser a quit claim deed conveying said property to said purchaser, and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the application of T. P. Farmer, as receiver of the Exchange National Company, for authority to sell the above described premises, be and the same is hereby sustained, and the said T. P. Farmer, as receiver of the Exchange National Company, be and he is hereby directed, authorized and empowered to sell the above described premises to Luther White for the sum of \$70.00, and upon the payment to him of said sum of \$70.00 to deliver to said purchaser a quit claim deed covering said property, and is further authorized, directed and empowered to do all other things necessary and proper in order effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 27 1940
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to September 30, 1940

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 30, 1940

On this 30th day of September, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had
to-wit:

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 30th day of September, A. D. 1940, it being made satisfactorily to appear that Charles Donald Stinchecum is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar.

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation,)
Petitioner,)

-vs-

Civil No. 226 Tract No. 11

Joseph S. Owsley, A. N. Roberts, et al.
Defendants.)

J U D G M E N T

Now on this 23rd day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel, R. L. Davidson and Gayle M. Pickens, and the defendants, A. N. Roberts, and others, appearing in person and by their counsel of record, Smith & Walker and Jack Rorschach; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 11 (20 GR-D 1019
25 GR-D 1355)

A tract of land all in the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E. 38 rods of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, described more particularly as follows:

Beginning at the SW corner of E. 38 rods of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence Easterly along the South boundary of E. 38 rods of W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the SE corner of E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence Northerly along the East boundary of said E $\frac{1}{2}$ to a point 460.4 feet South of the NE corner thereof; thence N. 73° 28.5' W. 27.0 feet; thence N. 88° 46' W. 132.4 feet; thence S. 9° 45' W. 124.2 feet; thence S. 18° 35' E. 202.4 feet; thence S. 26° 52' W. 275.7 feet; thence N. 49° 22.5' W. 431.7 feet; thence N. 48° 17.5' W. 403.7 feet; thence N. 40° 34.5' W. 302.7 feet; thence N. 25° 37' W. 263.1 feet to a point in the North boundary of E. 38 rods of W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence Westerly along said North boundary to the NW corner of said E. 38 rods of W $\frac{1}{2}$; thence Southerly along the West boundary of said E. 38 rods of the W $\frac{1}{2}$ to the point of beginning, containing 23.2 acres, more or less,

AND

All the following described land situated in Delaware County, Oklahoma, to-wit:

The North 23.47 acres of Lot 8 of Sec. 22, and that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, particularly described as follows, to-wit:

Beginning at the NE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence Westerly along the North boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to a point 371.0 feet East of the NW corner thereof; thence S. 33° 08' E. 104.6 feet; thence S. 40° 27.5' W. 119.7 feet; thence N. 71° 26' W. 268.6 feet; thence S. 14° 16' W. 377.1 feet to a point in the West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence Southerly along said West boundary to the SW corner thereof; thence Easterly along the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the SE corner thereof; thence Northerly along the East boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning, containing 38.38 acres, more or less;

All in T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, the whole tract containing in all 61.85 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 11 containing a total of 85.05 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Dan Bishop, Ed Soph, and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 28th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders therein, and said above named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein

may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 7th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$3,520.00 to the owners of said lands for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 25th day of November, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$3,520.00, for the use of the owners of said land; and that the defendants did, on the 4th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 22nd day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"WE, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$10,000.00 DOLLARS."

which verdict was returned on the 23rd day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use the construction, operation and maintenance of the Grand River Dam Authority to the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 11 (20 GR-D 1019
25 GR-D 1355)

A tract of land all in the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E. 38 rods of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, described more particularly as follows:

Beginning at the SW corner of E. 38 rods of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ thence Easterly along the South boundary of E. 38 rods of W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the SE corner of E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ thence Northerly along the East boundary of the said E $\frac{1}{2}$ to a point 460.4 feet South of the NE corner thereof; thence N. 78° 28.5' W. 27.0 feet; thence N. 88° 46' W. 132.4 feet; thence S. 9° 45' W. 124.2 feet; thence S. 18° 35' E. 202.4 feet; thence S. 26° 52' W. 275.7 feet; thence N. 49° 22.5' W. 431.7 feet; thence N. 48° 17.5' W. 403.7 feet; thence N. 40° 34.5' W. 302.7 feet; thence N. 25° 37' W. 263.1 feet to a point in the North boundary of E. 38 rods of W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ thence Westerly along said North boundary of the NW corner of said E. 38 rods of W $\frac{1}{2}$; thence Southerly along the West boundary of said E. 38 rods of the W $\frac{1}{2}$ to the point of beginning, containing 23.2 acres, more or less,

AND

All the following described land situated in Delaware County, Oklahoma, to-wit:

The North 23.47 acres of Lot 8 of Sec. 22, and that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, particularly described as follows, to-wit:

Beginning at the NE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence Westerly along the North boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to a point 371.0 feet East of the NW corner thereof; thence S. 33° 08' E. 104.6 feet; thence S. 40° 27.5' W. 119.7 feet; thence N. 71° 26' W. 268.6 feet; thence S. 14° 16' W. 377.1 feet to a point in the West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence Southerly along said West boundary to the SW corner thereof; thence Easterly along the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the SE corner thereof; thence Northerly along the East boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning, containing 32.38 acres, more or less;

All in T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, the whole tract containing in all 61.85 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 11 containing a total of 85.05 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damage sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$10,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$6,480.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$6,480.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$10,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$3,520.00 which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be votted with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER
Judge of the United States District Court
in and for the Northern District of
Oklahoma

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation,)
Petitioner,)

-vs-

Civil No. 232 Tract No. 3.

Lawford L. Browning, A. W. McDonald, et al.,)
Defendants.)

J U D G M E N T

Now, on this 12th day of March, 1940, the above entitled cause coming on for trial and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, A. W. McDonald, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts Petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 3 (23 GR-D 1125)

A tract of land all lying in Lot 1, Lot 2, Lot 3, S. 20 acres of Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the Ne corner of the S. 20 acres of Lot 4, thence S. 89° 46' W. along the North boundary of South 20 acres of Lot 4 a distance of 765.4 feet; thence S. 38° 44' E. 137.8 feet; thence S. 37° 27' E. 397.2 feet; thence S. 4° 20' E. 475.0 feet; thence S. 2° 32' E. 469.8 feet; thence N. 32° 27' E. 60.0 feet; thence N. 34° 43' E. 250.9 feet; thence N. 43° 38' E. 205.6 feet; thence N. 64° 20' E. 166.4 feet; thence N. 86° 42' E. 303.2 feet; thence S. 72° 07' E. 427.3 feet; thence S. 73° 21' E. 576.7 feet; thence S. 72° 18' E. 594.1 feet; thence S. 72° 15' E. 446.3 feet; thence S. 23° 29' W. 249.1 feet; thence N. 77° 29' E. 253.0 feet; thence S. 6° 45' E. 150.0 feet; thence N. 44° 20' E. 135.4 feet; thence N. 71° 23' E. 228.6 feet; thence S. 62° 35' E. 222.0 feet; thence N. 59° 57' E. 429.8 feet; to a point in the East boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence N. 0° 30' E. along said East boundary a distance of 172.9 feet to the NE corner thereof; thence Westerly

along the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence Northerly along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the NE corner thereof; thence Easterly along the South boundary of Lot 1 to the SE corner thereof; thence N. 0° 31' E. along the East boundary of Lot 1 a distance of 1314.1 feet; thence S. 54° 37' W. 24.2 feet; thence N. 42° 13' W. 282.9 feet; thence N. 10° 22' E. 31.7 feet to a point in the North boundary of Lot land 206.3 feet West of the NE corner thereof; thence S. 89° 55' W. along said North boundary a distance of 430.0 feet; thence S. 13° 05' E. 30.8 feet; thence S. 1° 07' W. 522.8 feet; thence S. 63° 33' W. 79.6 feet; thence N. 65° 14' W. 145.7 feet; thence N. 65° 59' W. 202.3 feet; thence N. 32° 28' W. 220.8 feet; thence N. 81° 07' W. 25.8 feet; thence N. 45° 20' W. 303.7 feet; thence N. 57° 36' W. 308.3 feet; thence N. 0° 56' E. 31.1 feet to a point in the North boundary of Lot 2 and 1747.7 feet West of the NE corner of Section 1; thence S. 89° 55' W. along the North boundary of Lot 2 and Lot 3 to the NW corner of Lot 3; thence Southerly along the West boundary of Lot 3 to the point of beginning, less 6.93 acres Arkansas & Oklahoma R. R. right-of-way, containing 185.67 acres, more or less; and any and all reversionary interest in and to said right-of-way of the Arkansas & Oklahoma Railroad;

Said Tract No. 2 containing a total of 185.67 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other and uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Dan Bishop, Ed Soper, and Hugh Ratcliff, and that thereafter and on the 26th day of September, 1939 this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 29th day of September, 1939, Henry Hoffman, was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders herein, and said above named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand

River Dam Project, and thereafter did, on the 25th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$12,590.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 6th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$12,590.00, for the use of the owners of said land; and that the Grand River Dam Authority, a public corporation, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury, and that the defendants did, on the 20th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 11th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths assess damages at \$11,000.00 DOLLARS."

which verdict was returned on the 12th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right, and authority, and that it is necessary, and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 3 (23 GR-D 1125)

A tract of land all lying in Lot 1, Lot 2, Lot 3, S. 20 acres of Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NE corner of the S. 20 acres of Lot 4, thence S. 89° 46' W. along the North boundary of South 20 acres of Lot 4 a distance of 765.4 feet; thence S. 38° 44' E. 137.8 feet; thence S. 37° 27' E. 397.2 feet; thence S. 4° 20' E. 475.0 feet; thence S. 2° 32' E. 469.8 feet; thence N. 32° 27' E. 60.0 feet; thence N. 34° 43' E. 250.9 feet; thence N. 43° 38' E. 205.6 feet; thence N. 64° 20' E. 166.4 feet; thence N. 86° 42' E. 203.2 feet; thence S. 72° 07' E. 427.3 feet; thence S. 73° 21' E. 576.7 feet; thence S. 72° 18' E. 594.1 feet; thence S. 72° 15' E. 446.3 feet; thence S. 23° 29' W. 249.1 feet; thence N. 77° 29' E. 253.0 feet; thence S. 6° 45' E. 150.0 feet; thence N. 44° 20' E. 185.4 feet; thence N. 71° 23' E. 228.6 feet; thence S. 62° 35' E. 222.0 feet; thence N. 59° 57' E. 429.8 feet to a point in the East boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence N. 0° 30' E. along said East boundary a distance of 172.9 feet to the NE corner thereof; thence Westerly along the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the NW corner thereof; thence Northerly along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the NE corner thereof; thence Easterly along the South boundary of Lot 1 to the SE corner thereof; thence N. 0° 31' E. along the East boundary of Lot 1 a distance of

1314.1 feet; thence S. 54° 37' W. 24.2 feet; thence N. 42° 13' W. 282.9 feet; thence N. 10° 22' E. 31.7 feet to a point in the North boundary of Lot 1 and 206.3 feet West of the NE corner thereof; thence S. 39° 55' W. along said North boundary a distance of 430.0 feet; thence S. 13° 05' E. 30.8 feet; thence S. 1° 07' W. 522.8 feet; thence S. 63° 33' W. 79.6 feet; thence N. 65° 14' W. 145.7 feet; thence N. 65° 59' W. 202.3 feet; thence N. 82° 28' W. 220.8 feet; thence N. 81° 07' W. 25.8 feet; thence N. 45° 20' W. 303.7 feet; thence N. 57° 36' W. 308.3 feet; thence N. 0° 56' E. 31.1 feet to a point in the North boundary of Lot 2 and 1747.7 feet West of the NE corner of Section 1; thence S. 89° 55' W. along the North boundary of Lot 2 and Lot 3 to the NW corner of Lot 3; thence Southerly along the West boundary of Lot 3 to the point of beginning, less 6.83 acres Arkansas & Oklahoma R. R. right-of-way, containing 185.67 acres, more or less; and any and all reversionary interest in and to said right-of-way of the Arkansas & Oklahoma Railroad;

Said Tract No. 3 containing a total of 185.67 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$11,000.00.

And it is further considered, ordered, and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, shall be, and it is hereby, vested with the absolute entire, and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

It is further considered, ordered, and adjudged by the Court that as the report of the commissioners filed herein was in the sum of \$12,590.00 and as the verdict of the jury returned herein was in the sum of \$11,000.00 the petitioner, Grand River Dam Authority, a public corporation, shall have, and it is hereby granted, a judgment against the defendant, A. W. McDonald, in the sum of \$1,590.00, said amount of \$1,590.00 being the difference between the commissioners' award and the verdict above mentioned, for which said sum of \$1,590.00 execution shall issue in the manner prescribed by law in the event the sum deposited in the hands of the Clerk of the United States District Court in and for the Northern District of Oklahoma, representing the amount of the commissioners' award, has been distributed by said Clerk to the defendant land owners.

It is further ordered and adjudged that in the event of the sum deposited in the hands of the Clerk of this Court, representing the amount of the commissioners' award, had not been distributed to the defendant land owners then the said Clerk of this Court be, and he is hereby, authorized and directed to pay into the hands of the Grand River Dam Authority, a public corporation, the sum of \$1,590.00.

It is further ordered and adjudged by the Court that the costs herein accruing subsequent to the report of the commissioners herein, filed herein as above stated, be, and the same are hereby, assessed against the defendant, A. W. McDonald.

F. E. KENNAMER
Judge of the United States District Court
in and for the Northern District of Oklahoma.

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation

Petitioner,

Civil No. 244 Tract No. 1

-vs-

E. E. Hinds, et al.,

Defendants.

J U D G M E N T

Now, on this 13th day of March, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, E. E. Hinds, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 1 (3 GR-D 74)

All the following described land situated in Delaware County, Oklahoma, to-wit:

The $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 7, containing 80.0 acres, more or less; and that part of the $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 7 particularly described as follows, to-wit:

Beginning at the SW corner of said $\frac{1}{2}$ SE $\frac{1}{4}$, thence Northerly along the West boundary of said $\frac{1}{2}$ SE $\frac{1}{4}$ to the NW corner thereof; thence Easterly along the North boundary of said $\frac{1}{2}$ SE $\frac{1}{4}$ to the NE corner thereof; thence Southerly along the East boundary of said $\frac{1}{2}$ SE $\frac{1}{4}$ to the SE corner thereof; thence S. 89° 54' W. along the South boundary of said $\frac{1}{2}$ SE $\frac{1}{4}$ a distance of 538.7 feet; thence N. 9° 00' E. 317.1 feet; thence N. 0° 55' E. 260.3 feet; thence N. 36° 20' W. 152.1 feet; thence N. 83° 28' W. 146.9 feet; thence S. 56° 34' W. 233.6 feet; thence S. 34° 06' W. 223.6 feet; thence S. 39° 55' W. 214.2 feet; thence S. 12° 03' E. 232.5 feet to a point in the South boundary of said $\frac{1}{2}$ SE $\frac{1}{4}$ and 1135.9 feet West of the SE corner thereof; thence S. 89° 54' W. 1496.3 feet to the point of beginning, containing 71.3 acres, more or less;

All in T 23 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 151.3 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam project, and thereafter did, on the 2nd day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$9,595.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 23rd day of January, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$9,595.00, for the use of the owners of said land, and that the petitioner, Grand River Dam Authority, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury, and that the defendants did, on the 21st day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 13th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 8,000.00 DOLLARS,"

which verdict was returned on the 13th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 1 (3 GR-D 74)

All the following described land situated in Delaware County Oklahoma, to-wit:

The $S\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 7, containing 80.0 acres, more or less; and that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 7 particularly described as follows, to-wit:

Beginning at the SW corner of said N $\frac{1}{2}$ SE $\frac{1}{4}$, thence Northerly along the West boundary of said S $\frac{1}{2}$ SE $\frac{1}{4}$ to the NW corner thereof; thence Easterly along the North boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ to the NE corner thereof; thence Southerly along the East boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ to the SE corner thereof; thence S. 89° 54' W. along the South boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ a distance of 538.7 feet; thence N. 9° 00' E. 317.1 feet; thence N. 0° 55' E. 260.3 feet; thence N. 36° 20' W. 152.1 feet; thence N. 83° 28' W. 146.9 feet; thence S. 56° 34' W. 233.6 feet; thence S. 34° 06' W. 233.6 feet; thence S. 39° 55' W. 214.2 feet; thence S. 12° 03' E. 232.5 feet to a point in the South boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ and 1135.9 feet West of the SE corner thereof; thence S. 89° 54' W. 1496.3 feet to the point of beginning, containing 71.3 acres, more or less;

All in T 23 N - R 22 E of the Indian Base and Meridian; the whole tract containing is all 151.3 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$8,000.00.

And it is further considered, ordered, and adjudged by the Court that the petition Grand River Dam Authority, a public corporation, shall be, and it is hereby, vested with the absolute, entire, and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

It is further considered, ordered, and adjudged by the Court that as the report of the commissioners filed herein was in the sum of \$9,595.00 and as the verdict of the jury returned herein was in the sum of \$8,000.00 the petitioner, Grand River Dam Authority, a public corporation, shall have, and it is hereby granted, a joint and several judgment against the defendants, E. E. Hinds, Laura J. Hinds, Ralph E. Hinds, and Frank Hinds, in the sum of \$1,595.00, said amount of \$1,595.00 being the difference between the commissioners' award and the verdict above mentioned, for which said sum of \$1,595.00 execution shall issue in the manner prescribed by law in the event the sum deposited in the hands of the Clerk of the United States District Court in and for the Northern District of Oklahoma, representing the amount of the commissioners' award, has been distributed by said Clerk to the defendant land owners.

It is further ordered and adjudged that in the event the sum deposited in the hands of the Clerk of this Court, representing the amount of the commissioners' award, has not been distributed to the defendant land owners then the said Clerk of this Court be, and he is hereby, authorized and directed to pay into the hands of the Grand River Dam Authority, a public corporation, the sum of \$1,595.00.

It is further ordered and adjudged by the Court that the costs herein accruing subsequent to the report of the commissioners herein, filed herein as above stated, be, and the same are hereby, assessed against the defendants, E. E. Hinds, Laura J. Hinds, Ralph H. Hinds and Frank Hinds.

F. E. KENNAMER
Judge of the United States District Court
in and for the Northern District of
Oklahoma.

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H.

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority,)
a public corporation,) Petitioner,)
-vs-) Civil No. 244 Tract No. 6
E. E. Hinds, Maude Gibson, et al,) Defendants.

J U D G M E N T

Now, on this 15th day of March, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Maude Gibson, and others, appearing in person and by their counsel of record, Hubert Gibson; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the rights, powers, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 6 (27 GR-D 1449)

All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 18, T,
24 N - R 24 E of the Indian Base and Meridian, in Delaware County,
Oklahoma, particularly described as follows, to-wit:

TRACT A:

Beginning at the SE corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$; thence Northerly along

the East boundary of the $N\frac{1}{2}$ $NE\frac{1}{4}$ to the NE corner thereof; thence Westerly along the North boundary of said $N\frac{1}{2}$ $NE\frac{1}{4}$ to the NE corner of the $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$; thence Southerly along the East boundary of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ to the SE corner thereof; thence Westerly along the South boundary of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ to the NW corner thereof; thence Westerly along the North boundary of said $N\frac{1}{2}$ $NE\frac{1}{4}$ and said $E\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said $E\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ to the SW corner thereof; thence Easterly along the South boundary of said $E\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ a distance of 245.0 feet to a point 416.8 feet West of the SE corner thereof; thence N. 16° $06'$ E. 4.4 feet; thence N. 10° $49'$ E. 186.9 feet; thence N. 27° $32'$ E. 141.1 feet; thence N. 57° $53'$ E. 112.8 feet; thence N. 80° $27'$ E. 156.1 feet; thence S. 84° $20'$ E. 174.9 feet; thence S. 69° $57'$ E. 142.0 feet; thence S. 55° $32'$ E. 157.1 feet; thence S. 41° $09'$ E. 97.9 feet; thence S. 24° $21'$ E. 90.7 feet; thence S. 2° $33'$ E. 77.0 feet to a point in the South boundary of the $N\frac{1}{2}$ $NE\frac{1}{4}$ and 476.6 feet East of the SW corner thereof; thence Easterly along said South boundary a distance of 298.3 feet; thence N. 17° $15'$ E. 105.3 feet; thence N. 55° $29'$ E. 162.3 feet; thence N. 82° $12'$ E. 161.0 feet; thence S. 64° $59'$ E. 170.0 feet; thence N. 23° $10'$ E. 97.4 feet; thence N. 87° $31'$ E. 97.4 feet; thence S. 78° $02'$ E. 98.9 feet; thence S. 70° $34'$ E. 149.3 feet; thence S. 61° $31'$ E. 292.2 feet; thence S. 37° $55'$ E. 17.0 feet; to a point in the South boundary of the $N\frac{1}{2}$ $NE\frac{1}{4}$ and 1893.8 feet East of the SW corner thereof; thence N. 89° $19'$ E. along said South boundary a distance of 753.2 feet to the point of beginning containing 79.1 acres, more or less,

TRACT B:

All that part of the $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 18, T 24 N - R 24 E, Delaware County, Oklahoma, lying South of Honey Creek and described as follows, to-wit:

Beginning at the Southwest corner of the said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$; thence in a Northerly direction along the West boundary of the said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ to the meander line of Honey Creek; thence Southeasterly to a point in the East boundary line of the said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$; thence in a Southerly direction along the East boundary line of the said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ to the Southeast corner thereof; thence in a Westerly direction along the South boundary line of the said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ to the point of beginning, containing 7.0 acres, more or less;

The two tracts containing in all 86.1 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by person service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the

defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 8th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 2nd day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$6,975.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority, did, on the 14th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$6,975.00, for the use of the owners of said land, and that the petitioner, Grand River Dam Authority, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 14th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 5500.00 DOLLARS,

which verdict was returned on the 15th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 6 (27 GR-D 1446)

All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 18, T 24 N - R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

Beginning at the SE corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$; thence Northerly along the East boundary of the N $\frac{1}{2}$ NE $\frac{1}{4}$ to the NE corner thereof; thence Westerly along the North boundary of said N $\frac{1}{2}$ NE $\frac{1}{4}$ to the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence Southerly along the East boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the SE corner thereof; thence Westerly along the South boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the SW corner thereof;

thence Northerly along the West boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence Westerly along the North boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ and said E $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the SW corner thereof; thence Easterly along the South boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 345.0 feet to a point 416.8 feet West of the SE corner thereof; thence N. 16° 06' E. 4.4. feet; thence N. 10° 49' E. 186.9 feet; thence N. 27° 32' E. 141.1 feet; thence N. 57° 53' E. 112.8 feet; thence N. 80° 27' E. 156.1 feet; thence S. 84° 20' E. 174.9 feet; thence S. 69° 57' E. 142.0 feet; thence S. 55° 33' E. 157.1 feet; thence S. 41° 09' E. 97.9 feet; thence S. 24° 21' E. 90.7 feet; thence S. 2° 33' E. 77.0 feet to a point in the South boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 476.6 feet East of the SW corner thereof; thence Easterly along said South boundary a distance of 298.3 feet; thence N. 17° 15' E. 105.3 feet; thence N. 55° 29' E. 162.3 feet; thence N. 82° 12' E. 161.0 feet; thence S. 64° 59' E. 170.0 feet; thence N. 23° 10' E. 97.4 feet; thence N. 87° 31' E. 97.4 feet; thence S. 78° 02' E. 98.9 feet; thence S. 70° 34' E. 149.3 feet; thence S. 61° 31' E. 292.2 feet; thence S. 37° 55' E. 17.0 feet; to a point in the South boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1893.8 feet East of the SW corner thereof; thence N. 89° 19' E. along said South boundary a distance of 753.2 feet to the point of beginning, containing 79.1 acres, more or less,

TRACT B:

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18, T 24 N - R 24 E, Delaware County, Oklahoma, lying South of Honey Creek and described as follows, to-wit:

Beginning at the Southwest corner of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence in a Northerly direction along the West boundary of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the meander line of Honey Creek; thence Southeasterly to a point in the East boundary line of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence in a Southerly direction along the East boundary line of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the Southeast corner thereof; thence in a Westerly direction along the South boundary line of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the point of beginning, containing 7.0 acres, more or less,

The two tracts containing in all 86.1 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$5,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, shall be, and it is hereby, vested with the absolute, entire, and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

It is further considered, ordered and adjudged by the Court that as the report of the commissioners filed herein was in the sum of \$6,975.00 and as the verdict of the jury returned herein was in the sum of \$5,500.00 the petitioner, Grand River Dam Authority, a public corporation,

shall have, and it is hereby granted, a joint and several judgment against the defendants, Maude Gibson and A. H. Gibson, in the sum of \$1,475.00, said amount of \$1,475.00 being the difference between the commissioners' award and the verdict above mentioned, for which said sum of \$1,475.00 execution shall issue in the manner prescribed by law in the event of the sum deposited in the hands of the Clerk of the United States District Court in and for the Northern District of Oklahoma, representing the amount of the commissioners' award, has been distributed by said Clerk to the defendant land owners.

It is further ordered and adjudged that in the event the sum deposited in the hand of the Clerk of this Court, representing the amount of the commissioners' award, has not been distributed to the defendant land owners then the said Clerk of this Court be, and he is hereby, authorized and directed to pay into the hands of the Grand River Dam Authority, a public corporation, the sum of \$1,475.00.

It is further ordered and adjudged by the Court that the costs herein accruing subsequent to the report of the commissioners herein, filed herein as above stated, be, and the same are hereby, assessed against the defendants, Maude Gibson and A. H. Gibson.

F. E. KENNAMER
Judge of the United States District Court
in and for the Northern District of
Oklahoma.

ENDORSED: Filed Sep 30 1940
H. P. Worfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority,
a public corporation,)
Petitioner,)
-vs-)
William T. Sheldon, Henry Killion, et al.,)
Defendants.)

Civil No. 245 Tract No. 5.

J U D G M E N T

Now, on this 19th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Henry Killion, and others, appearing by person and by their counsel of record, L. L. Roberts; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 5 (22 GR-D 1094)

A tract of land, all lying the NE $\frac{1}{4}$, the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, thence N. 89° 30' E. along the North boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ a distance of 1740.8 feet; thence S. 60° 38' W. 230.5 feet; thence S. 25° 20' E. 69.3 feet; thence S. 41° 40' E. 159.5 feet; thence S. 61° 37' E. 55.7 feet; thence S. 81° 14' E. 108.3 feet; thence N. 88° 25' E. 204.3 feet; thence S. 81° 10' E. 151.1 feet; thence S. 86° 45' E. 241.5 feet; thence S. 76° 46' E. 139.2 feet; thence N. 88° 39' E. 129.2 feet; thence N. 77° 35' E. 197.8 feet; thence N. 98° 08' E. 180.9 feet; thence N. 60° 38' E. 61.6 feet; thence N. 15° 47' E. 115.8 feet; thence N. 3° 52' W. 140.1 feet; thence S. 34° 56' E. 150.6 feet; thence S. 4° 50' E. 145.4 feet; thence S. 27° 58' E. 107.2 feet; to a point in the East boundary of the NE $\frac{1}{4}$ and 435.2 feet South of the NW corner thereof; thence S. 0° 13' E. along the East boundary of the NE $\frac{1}{4}$ to the SE corner thereof; thence S. 89° 46' W. along the South boundary of the NE $\frac{1}{4}$ a distance of 150.8 feet; thence N. 50° 27' W. 45.1 feet; thence N. 4° 01' E. 189.1 feet; thence N. 32° 52' W. 122.2 feet; thence N. 58° 38' E. 92.0 feet; thence N. 21° 56' E. 171.5 feet; thence N. 0° 16' W. 278.5 feet; thence N. 27° 09' W. 60.0 feet; thence N. 5° 55' W. 183.6 feet; thence N. 45° 46' W. 160.0 feet; thence N. 49° 26' W. 114.0 feet; thence N. 68° 42' W. 152.5 feet; thence N. 80° 22' W. 285.0 feet; thence N. 77° 00' W. 204.5 feet; thence S. 38° 12' W. 90.0 feet; thence S. 11° 31' W. 320.7 feet; thence N. 24° 10' W. 72.0 feet; thence N. 14° 57' W. 287.0 feet; thence S. 37° 26' W. 343.7 feet; thence N. 7° 03' W. 316.0 feet; thence N. 89° 45' W. 106.8 feet; thence S. 67° 47' W. 81.9 feet; thence S. 29° 54' W. 278.9 feet; thence E. 6° 07' W. 274.0 feet; thence N. 80° 41' W. 262.0 feet; thence N. 86° 44' W. 160.5 feet; thence S. 42° 30' W. 154.0 feet; thence N. 6° 27' W. 213.7 feet; thence N. 88° 48' W. 91.0 feet; thence S. 55° 34' W. 252.4 feet; thence S. 45° 52' W. 136.9 feet; thence S. 25° 42' W. 512.1 feet; thence N. 3° 26' E. 365.9 feet; thence N. 20° 22' E. 161.0 feet; thence N. 11° 01' W. 91.0 feet; thence N. 56° 34' W. 214.1 feet; thence N. 52° 39' E. 174.0 feet; thence N. 34° 03' E. 85.0 feet; thence N. 85° 37' W. 149.0 feet; thence N. 33° 04' E. 140.9 feet; thence N. 31° 23' W. 71.0 feet; thence N. 47° 06' W. 159.5 feet; thence S. 65° 08' W. 200.7 feet to a point in the West boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence N. 0° 12' W. along said West boundary a distance of 697.1 feet to the point of beginning, containing 87.6 acres, more or less,

Said tract No. 5 containing a total of 87.6 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940 make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$5,316.00 to the owners of said lands for the appropriation and taking of the same; and the Grand River Dam Authority did, on the 24th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$5,316.00 for the use of the owners of said land, and that the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 19th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 6,150.00 DOLLARS,"

which verdict was returned on the 19th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 5 (22 GR-D 1094)

A tract of land, all lying in the NE $\frac{1}{4}$, the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence N. 89° 50' E. along the North boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ a distance of 1740.8 feet; thence S. 60° 38' W. 230.5 feet; thence S. 25° 20' E. 69.3 feet; thence S. 41° 41' E. 159.5 feet; thence S. 61° 37' E. 55.7 feet; thence S. 81° 14' E. 108.3 feet; thence N. 88° 25' E. 204.3 feet; thence S. 81° 10' E. 151.1 feet; thence

S. 86° 45' E. 241.5 feet; thence S. 76° 46' E. 139.2 feet; thence N. 88° 39' E. 129.2 feet; thence N. 77° 35' E. 197.8 feet; thence N. 88° 08' E. 180.9 feet; thence N. 60° 38' E. 61.6 feet; thence N. 15° 47' E. 115.8 feet; thence N. 3° 52' W. 140.1 feet; thence S. 34° 56' E. 150.6 feet; thence S. 4° 50' E. 145.4 feet; thence S. 26° 58' E. 107.2 feet to a point in the East boundary of the NE $\frac{1}{4}$ and 435.2 feet South of the NE corner thereof; thence S. 0° 13' E. along the East boundary of the NE $\frac{1}{4}$ to the SE corner thereof; thence S. 89° 46' W. along the South boundary of the NE $\frac{1}{4}$ a distance of 150.8 feet; thence N. 50° 27' W. 45.1 feet; thence N. 4° 01' E. 189.1 feet; thence N. 32° 52' W. 122.2 feet; thence N. 58° 38' E. 92.0 feet; thence N. 21° 56' E. 171.5 feet; thence N. 0° 16' W. 278.5 feet; thence N. 27° 09' W. 60.0 feet; thence N. 5° 55' W. 183.6 feet; thence N. 45° 46' W. 160.0 feet; thence N. 49° 26' W. 114.0 feet; thence N. 68° 42' W. 152.5 feet; thence N. 80° 22' W. 285.0 feet; thence N. 77° 00' W. 204.5 feet; thence S. 38° 12' W. 90.0 feet; thence S. 11° 31' W. 320.7 feet; thence N. 24° 10' W. 72.0 feet; thence N. 14° 57' W. 287.0 feet; thence S. 37° 26' W. 343.7 feet; thence N. 7° 03' W. 316.0 feet; thence N. 89° 45' W. 106.8 feet; thence S. 67° 47' W. 81.9 feet; thence S. 29° 54' W. 278.9 feet; thence N. 6° 07' W. 274.0 feet; thence N. 80° 41' W. 262.0 feet; thence N. 86° 44' W. 160.5 feet; thence S. 42° 30' W. 154.0 feet; thence N. 6° 27' W. 213.7 feet; thence N. 88° 48' W. 91.0 feet; thence S. 55° 34' W. 252.4 feet; thence S. 45° 52' W. 136.9 feet; thence S. 25° 42' W. 512.1 feet; thence N. 3° 26' E. 365.9 feet; thence N. 20° 22' E. 161.0 feet; thence N. 11° 01' W. 91.0 feet; thence N. 56° 34' W. 214.1 feet; thence N. 52° 39' E. 174.0 feet; thence N. 34° 03' E. 85.0 feet; thence N. 85° 37' W. 149.0 feet; thence N. 33° 04' E. 140.9 feet; thence N. 31° 23' W. 71.0 feet; thence N. 47° 06' W. 159.5 feet; thence S. 65° 08' W. 200.7 feet; to a point in the West boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence N. 0° 12' W. along said West boundary a distance of 697.1 feet to the point of beginning, containing 87.6 acres, more or less,

Said Tract No. 5 containing a total of 87.6 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$6150.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$834.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$834.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$6,150.00, and the amount awarded the owners of said land by the commissioners in the sum of \$5,316.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court
in and for the Northern District of Oklahoma

ENDORSED: Filed Sep 30 1940

H. P. Warfield, Clerk, U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation,

Petitioner,

-vs-

H. H. Thompson, Maude E. Gayman, et al.,

Defendants.

Civil No. 246 Tract No. 2.

J U D G M E N T

Now, on this 4th day of April, 1940, the above entitled cause coming on for trial and the petitioner, Grand River Dam Authority, a public corporation, appearing by counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Maude E. Gayman, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 2 (5 GR-D 170
9 GR-D 371)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 4 of Sec. 21, containing 8.90 acres, more or less, and the NW 4.60 acres of Lot 1, of Sec. 28, T 24 N - R 22 E of the Indian Base and Meridian, containing 13.50 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

All the following described land, situated in Delaware County, Oklahoma, to-wit:

Lot 3, Lot 4, Lot 7, Lot 8, Lot 9, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27, containing 225.37 acres, more or less; and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27, particularly described as follows:

Beginning at the NE corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence Westerly along the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence S. 0° 50' W. along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 88.4 feet to a point 566.6 feet North of the SW corner thereof; thence S. 83° 22' E. 9.8 feet; thence S. 80° 35' E. 229.0 feet; thence S. 66° 07' E. 181.0 feet; thence S. 76° 08' E. 248.5 feet; thence S. 35° 10' E. 22.4 feet to a point in the East boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 384.2 feet North of the SE corner thereof; thence N. 0° 51' E. along said East boundary a distance of 270.7 feet to the point of beginning, containing 3.00 acres, more or less;

All in T 24 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 228.37 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

Said Tract No. 2 containing a total of 241.87 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jurylist of names, Ed Soph, Dan Bishop, and Henry Huffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 16th day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$16,925.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 28th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$16,925.00, for the use of the owners of said land, and that the defendants did, on the 10th day of January, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury, and that the Grand River Dam Authority, did,

"We, the jury in the above entitled cause, duly impaneled and sworn, upon our oaths assess damages at 15,000.00 DOLLARS,"

which verdict was returned on the 4th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (5 GR-D 170
9 GR-D 371)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 4 of Sec. 21, containing 8.90 acres, more or less, and the NW 4.60 acres of Lot 1 of Sec. 28, T 24 N - R 22 E of the Indian Base and Meridian, containing 13.50 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

All the following described land, situated in Delaware County, Oklahoma, to-wit:

Lot 3, Lot 5, Lot 7, Lot 8, Lot 9, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27, containing 225.37 acres, more or less; and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27 particularly described as follows:

Beginning at the NE corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence Westerly along the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence S. 0° 50' W. along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 88.4 feet to a point 566.6 feet North of the SW corner thereof; thence S. 83° 22' E. 9.8 feet; thence S. 80° 35' E. 229.0 feet; thence S. 66° 07' E. 181.0 feet; thence S. 76° 08' E. 248.5 feet; thence S. 35° 10' E. 22.4 feet to a point in the East boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 384.2 feet North of the SE corner thereof; thence N. 0° 51' E. along said East boundary a distance of 270.7 feet to the point of beginning, containing 3.00 acres, more or less;

All in T 24 N - R 22 E of the Indian Base and Meridian, the whole tract containing in all 228.37 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

Said Tract No. 2 containing a total of 241.87 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described, by the Grand River Dam Authority, a public corporation, are assessed at \$15,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, shall be, and it is hereby, vested with the absolute, entire, and unencumbered fee simple title to the land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

It is further considered, ordered and adjudged by the Court that as the report of the commissioners filed herein was in the sum of \$16,925.00 and as the verdict of the jury returned herein was in the sum of \$15,000.00 the petitioner, Grand River Dam Authority, a public corporation, shall have, and it is hereby granted, a joint and several judgment against the defendants, Maude E. Gayman and M. W. Gayman, in the sum of \$1,925.00, said amount of \$1,925.00 being the difference between the commissioners' award and the verdict above mentioned, for which said sum of \$1,925.00 execution shall issue in the manner prescribed by law in the event the sum deposited in the hands of the Clerk of the United States District Court in and for the Northern District of Oklahoma, representing the amount of the commissioners' award, has been distributed by said Clerk to the defendant land owners.

It is further ordered and adjudged that in the event the sum deposited in the hands of the Clerk of this Court, representing the amount of the commissioners' award, has not been distributed to the defendant land owners then the said Clerk of this Court be, and he is hereby, authorized and directed to pay into the hands of the Grand River Dam Authority, a public corporation, the sum of \$1,925.00.

It is further ordered and adjudged by the Court that the costs herein accruing subsequent to the report of the commissioners herein, filed herein as above stated, be, and the same are hereby, assessed against the defendants, Maude E. Gayman and M. W. Gayman.

F. E. KENNAMER
Judge of the United States District Court
in and for the Northern District of Oklahoma.

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,)
Petitioner,)
) CIVIL NO. 263
-vs-)
)
A. O. Kephart, et al,)
Defendants.)

O R D E R

NOW, on this 30th day of September, 1940, there coming on for hearing the Motion of the United States of America to dismiss; the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma, appearing specially on behalf of the United States, and the petitioner appearing by Q. B. Boydston, Assistant Counsel, and Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; and the Court being fully advised in the premises and having heard the statements of counsel, finds; that the petitioner is seeking to acquire the fee simple title to the lands described in its original petition as 10 (ER-D 495 in Tract No. 2, and that this land is owned by restricted Indians, who are members of the Cherokee Tribe, and that said owners are minors and petitioner could not secure the consent of the owners for the purchase of said land on account thereof, and said minors could neither give their consent or refuse to give their consent for the petitioner

to purchase said lands, pursuant to the provisions of an Act of Congress approved June 11, 1940.

The Court further finds that the petitioner, on July 30th, 1940, secured the consent of the Secretary of the Interior of the United States for the maintenance of this action, and finds that the petitioner should amend its petition by making the United States of America a party defendant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Motion to Dismiss of the United States of America, be, and it is hereby stricken from this assignment, and that the petitioner be, and it is hereby allowed to file an amendment to its petition within ten (10) days from this date, making the United States of America a party defendant to this action, and that service be obtained upon the United States of America according to law.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF
OKLAHOMA

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT
OF OKLAHOMA

Grand River Dam Authority, a public corporation,)
Petitioner,)
Civil No. 263 Tract No. 8
-vs-)
A. O. Kephart, F. M. Post, et al.,)
Defendants.)

J U D G M E N T

Now, on this 15th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, F. M. Post, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 8 (20 GR-D 1011)

Two (2) tracts of land, all lying the $W\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21,
T 25 N - R 23 E, Delaware County, Oklahoma, more particularly
described as follows:

TRACT A:

Beginning at the SW corner of the $W\frac{1}{2}$ SW $\frac{1}{4}$, thence N.
0° 13' E. along the West boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$ a distance
of 2573.6 feet to a point 62.4 feet South of the NW corner
thereof; thence S. 67° 20' E. 280.0 feet; thence S. 24° 46'
E. 338.8 feet; thence S. 4° 34' E. 541.0 feet; thence S. 11°
14' W. 510.0 feet; thence S. 0° 16' E. 94.0 feet; thence S.
12° 46' E. 157.4 feet; thence S. 55° 19' E. 73.8 feet; thence
S. 75° 55' E. 422.0 feet; thence S. 19° 43' E. 262.1 feet;
thence S. 25° 23' E. 342.5 feet; thence S. 71° 39' E. 245.8
feet to a point in the East boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$ and 2529.4
feet South of the NE corner thereof; thence S. 0° 10' W. along
said East boundary a distance of 101.9 feet to the SE corner
thereof; thence Westerly along the South boundary of the $W\frac{1}{2}$
SW $\frac{1}{4}$ to the point of beginning, containing 33.9 acres, more or
less,

TRACT B:

Beginning at a point in the East boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$
and 466.2 feet South of the NE corner thereof; thence S. 0° 10'
W. along said East boundary a distance of 1201.0 feet to a
point 964.0 feet North of the SE corner thereof; thence N. 30° 11'
W. 167.7 feet; thence N. 8° 20' E. 340.5 feet; thence N. 9° 14'
W. 581.0 feet; thence N. 40° 56' E. 193.0 feet to the point of
beginning, containing 1.8 acres, more or less,

Aggregate acreage to be acquired: 35.7 acres, more or less,

Said Tract No. 8 containing 35.7 acres, more or less, to be used as a basin and
reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be
authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public
corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute
fee simple title to the land hereinabove described, and that the only manner in which the said
Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law has
been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the
defendants have been duly served with notice, either by personal service or publication, of the
condemnation and appropriation of said land, for the length of time required by law, and that all
of the defendants herein have had due and sufficient notice of this action and of the appointment
of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this
Court, after considering the petition and application of the petitioner, made and entered an order
finding and determining that the petitioner, Grand River Dam Authority, had the authority and right
to acquire said land, and finding and determining that the only manner in which the petitioner could

acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$3,990.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 21st day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$3,990.00, for the use of the owners of said land, and that the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written demand for trial by jury.

And, on the 15th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths assess damages at \$3,625.00 DOLLARS,"

which verdict was returned on the 15th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 8 (20 GR-D 1011)

Two (2) tracts of land, all lying in the $W\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

TRACT A:

Beginning at the SW corner of the $W\frac{1}{2}$ SW $\frac{1}{4}$, thence N. 0° 13' E. along the West boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 2573.6 feet to a point 62.4 feet South of the NW corner thereof; thence S. 67° 30' E. 280.0 feet; thence S. 24° 46' E. 338.8 feet; thence S. 4° 34' E. 541.0 feet; thence S. 11° 14' W. 510.0 feet; thence S. 0° 16' E. 94.0 feet; thence S. 12° 46' E. 157.4 feet; thence S. 55° 19' E. 73.8 feet; thence S. 75° 55' E. 422.0 feet; thence S. 19° 43' E. 262.1 feet; thence S. 25° 23' E. 342.5 feet; thence S. 71° 39' E. 245.8 feet to a point in the East boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$ and 2529.4 feet South of the NE corner thereof; thence S. 0° 10' W. along said East boundary a distance of 101.9 feet to the SE corner thereof; thence Westward along the South boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$ to the point of beginning, containing 33.9 acres, more or less,

TRACT B:

Beginning at a point in the East boundary of the $W\frac{1}{2}$ SW $\frac{1}{4}$ and 466.2 feet South of the NE corner thereof; thence S. $0^{\circ} 10'$ W. along said East boundary a distance of 1201.1 feet to a point 964.0 feet North of the SE corner thereof; thence N. $30^{\circ} 11'$ W. 167.7 feet; thence N. $8^{\circ} 20'$ E. 340.5 feet; thence N. $9^{\circ} 14'$ W. 581.0 feet; thence N. $40^{\circ} 56'$ E. 193.0 feet to the point of beginning, containing 1.8 acres, more or less,

Aggregate acreage to be acquired: 35.7 acres, more or less,

Said Tract No. 8 containing 35.7 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$3,625.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, shall be, and it is hereby, vested with the absolute entire, free and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

It is further considered, ordered and adjudged by the Court that as the report of the commissioners filed herein was in the sum of \$3,990.00 and as the verdict of the jury returned herein was in the sum of \$3,625.00 the petitioner, Grand River Dam Authority, a public corporation shall have, and it is hereby granted, a judgment against the defendant, F. M. Post, in the sum of \$365.00, said amount of \$365.00 being the difference between the commissioners' award and the verdict above mentioned, for which said sum of \$365.00 execution shall issue in the manner prescribed by law in the event the sum deposited in the hands of the Clerk of the United States District Court in and for the Northern District of Oklahoma, representing the amount of the commissioners' award, has been distributed by said Clerk to the defendant land owners.

It is further ordered and adjudged that in the event the sum deposited in the hands of the Clerk of this Court, representing the amount of the commissioners' award, has not been distributed to the defendant land owners then the said Clerk of this Court be, and he is hereby, authorized and directed to pay into the hands of the Grand River Dam Authority, a public corporation, the sum of \$365.00.

It is further ordered and adjudged by the Court that the costs herein accruing subsequent to the report of the commissioners herein, filed herein as above stated, be, and the same are hereby, assessed against the defendant, F. M. Post.

F. E. KENNAMER
Judge of the United States District Court
in and for the Northern District of Oklahoma

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court

Said Tract No. 2 containing a total of 91.15 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered, and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 4th day of December, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 27th day of January 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$6,880.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 10th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$6,880.00, for the use of the owners of said land, and that the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the ___ day of April, 1940, this cause coming on for trial, in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 6,800.00 DOLLARS,"

which verdict was returned on the 19th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (4 GR-D 15
4 GR-D 16)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW 10.0 acres of Lot 11 of Sec. 5, T 23 N - R 22 E of the Indian Base and Meridian, containing ten (10) acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 7, Lot 12, less the SE 10.0 acres, and Lot 11, less the SW 10 acres, of Sec. 5, T 23 N - R 22 E of the Indian Base and Meridian, containing eighty-one and fifteen hundredths (81.15) acres, more or less,

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 2 containing a total of 91.15 acres, more or less,

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$6,800.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, shall be, and it is hereby, vested with the absolute, entire, and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

It is further considered, ordered and adjudged by the Court that as the report of the commissioners filed herein was in the sum of \$6,880.00 and the verdict of the jury returned herein was in the sum of \$6,800.00 the petitioner, Grand River Dam Authority, a public corporation, shall have, and it is hereby granted, a judgment against the defendant, D. P. Bell, in the sum of \$80.00, said amount of \$80.00 being the difference between the commissioners' award and the verdict above mentioned, for which said sum of \$80.00 execution shall issue in the manner prescribed by law in the event the sum deposited in the hands of the Clerk of the United States District Court in and for the Northern District of Oklahoma, representing the amount of the commissioners' award, has been distributed by said Clerk of this Court to the defendant land owners.

It is further ordered and adjudged that in the event the sum deposited in the hands of the Clerk of this Court, representing the amount of the commissioners' award, has not been distributed to the defendant Land owners then the said Clerk of this Court be, and he is hereby, authorized and directed to pay into the hands of the Grand River Dam Authority, a public corporation, the sum of \$80.00.

It is further ordered and adjudged by the Court that the costs herein accruing subsequent to the report of the commissioners herein, filed herein as above stated, be, and the same are hereby, assessed against the defendant, D. P. Bell.

F. E. KENNAMER

Judge of the United States District Court
in and for the Northern District of Oklahoma.

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF THE STATE OF
OKLAHOMA

MALNOR STACY,	Plaintiff,)	
)	
vs.		)	No. 357 Civil
)	
JAMES R. DUNAWAY, a sole trader, doing business as DUNAWAY RIG AND LUMBER COMPANY,	Defendant.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 30th day of September, 1940, same being a regular judicial day of this court, this cause comes regularly on for hearing and trial upon its merits pursuant to assignment before the undersigned United States District Judge sitting in and for the Northern District of the State of Oklahoma, sitting at Tulsa, Tulsa County, State of Oklahoma, in said district; plaintiff, Malnor Stacy appearing in person and by her attorneys of record, Wash E. Hudson and Robert D. Hudson, and the defendant, James R. Dunaway, doing business as Dunaway Rig and Lumber Company, appearing by his attorneys of record, George F. Short and Welcome D. Pierson.

Whereupon, all parties being present in court and by their respective counsel it is stipulated and agreed by the parties that defendant has been properly served with process in this cause and the general appearance of all parties in this cause are entered in said cause for all purposes.

Thereupon, all parties in court and by their respective counsel waive notice the setting of this case for trial and do consent and agree that this cause may be tried on this date and all parties do specifically waive trial by jury in this cause and do specifically agree and consent that this cause shall be tried to the court without a jury with the same force and effect as if tried to a jury.

Thereupon the court orders said cause to proceed to trial and plaintiff introduces her evidence, proof and testimony and the defendant introduces his evidence, proof and testimony and the introduction of testimony having been concluded by all parties and all parties having rested their cause, the evidence is declared closed by the court.

Whereupon the court, having heard and considered the evidence, testimony of witnesses and being fully advised in the premises and upon consideration thereof finds:

That the complaint of the plaintiff in this cause states a good and sufficient cause of action against the defendant above named; that on or about the 14th day of June, 1939, at approximately the hour of 3:30 P.M. plaintiff was riding in a Terraplane automobile, driver by her husband, Green Stacy, traveling east on Highway 50 approximately one-half mile west of the city of Salem in the State of Illinois, that at said time and place a collision occurred between said Terraplane automobile in which plaintiff was riding and an oil field truck owned and operated by the defendant and driven by one Ross Donley, an employee of the defendant, causing several personal injuries to the head, body, neck and limbs of the plaintiff and damages to the personal property of the plaintiff as more specifically set forth in her petition filed herein.

The court finds the issues in favor of the plaintiff and against the defendant and finds that plaintiff is entitled to recover in this action, of and from the defendant the sum of Five Thousand and 00/100 (\$5000.00) Dollars which this Court finds to fairly and reasonably compensate the plaintiff Malnor Stacy for any and all damages for personal injuries, doctor bills, hospital bills, medical expenses and damages to personal property which the plaintiff, Malnor Stacy, sustained, now has, ever had, or may have, as a result of an accident which occurred and in which plaintiff was injured on or about the 14th day of June, 1939 when a collision occurred between a Terraplane automobile in which she was riding and an oil field truck owned and operated by the defendant, said collision

having occurred at a point on Highway 50, approximately one-half mile west of the city of Salem in the State of Illinois.

The court further finds, having observed the plaintiff, Malnor Stacy, in open court, and on the witness stand that said plaintiff is of sound mind and mentality, understands the nature of these court proceedings and is mentally competent to execute any and all legal papers and documents which it is necessary to execute in connection with this litigation and the disposition of this claim.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the plaintiff Malnor Stacy, have and recover judgment against the defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company for the sum of Five Thousand and 00/100 (\$5000.00) Dollars, together with the costs of this action which sum of money this court finds to fairly and reasonably compensate the plaintiff for any and all claims for personal injuries, or property damage, doctor bills, hospital bills, or medical expenses which said plaintiff sustained, now has, ever had, or may have as a result of an automobile collision between the automobile in which plaintiff was riding and an oil field truck owned and operated by the defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company, on or about the 14th day of June, 1939, at or near a point on Highway 50 approximately one-half mile west of the city of Sales, Illinois in the State of Illinois.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the court and the court finds that the plaintiff, Malnor Stacy, is of sound mind and mentality, knows the nature of court transactions, is fully competent to testify in this action and is fully competent to execute any and all legal documents necessary in bringing about the disposition of this litigation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the defendant herein James R. Dunaway, a sole trader, doing business as Dunaway Rig and Lumber Company may satisfy said judgment entered in favor of the plaintiff in the sum of Five Thousand and 00/100 Dollars (\$5000.00) by paying the said sum of money to the plaintiff and her attorneys, Hudson and Hudson, and by paying to the court clerk of this court all court costs which have accrued at the present time and upon the payment of said amount to said parties, said defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company be, and he is hereby released and discharged from further liability herein.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA

The City of Miami, Oklahoma, a municipal Corporation,)
ex rel., W. J. Meredith, Plaintiff,) Civil Action No. 361
vs.)
Laura A. Wilson, et al., Defendants.)

ORDER OVERRULING MOTION TO QUASH SUMMONS

Now, on this 30th day of September, 1940, the above matter came on for hearing before the Court on the motion of Floyd A. Hicks, one of the defendants herein, to quash the service of summons by publication in this action. And the Court being fully advised in the premises finds that said motion should be overruled.

It is, therefore, ordered, adjudged and decreed that said motion to quash the summons by publication be, and the same is, hereby overruled and said defendant, Floyd A. Hicks is allowed an exception thereto.

It is further ordered that the said defendant be, and he hereby is, given thirty days from this date in which to plead herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 30 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

The City of Miami, Oklahoma, a municipal)
corporation, ex rel., W. J. Meredith,)
Plaintiff,) Civil Action No. 364
vs.)
C. W. Turner, et al.,)
Defendants.)

ORDER OVERRULING MOTION TO QUASH SUMMONS

Now, on this 30th day of September, 1940, the above matter came on for hearing before the Court on the motion of Floyd A. Hicks, one of the defendants herein, to quash the service of summons by publication in this action. And the Court being fully advised in the premises finds that said motion should be overruled.

It is, therefore, ordered, adjudged and decreed that said motion to quash the summons by publication be, and the same is, hereby overruled and said defendant, Floyd A. Hicks, is allowed an exception thereto.

It is further ordered that the said defendant be, and he hereby is, given thirty days from this date in which to plead herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 30 1940
H. P. Warfield, Clerk
U. S. District Court B

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Alfred A. Drummond,	Plaintiff,)	
)	
vs.		)	No. 395 - Civil
)	
National Livestock Credit Corporation, a corporation,	Defendant.)	

STIPULATION

It is hereby stipulated and agreed between attorney for plaintiff and attorney for defendant that the defendant may, with the consent of the Court, have an extension of 30 days from the 26th day of September, 1940, within which to file an Amended Complaint in this cause.

Dated this 18th day of Sept., 1940.

HENRY R. DUNCAN
Attorney for Plaintiff

WM. T. DAVISSON
Attorney for Defendant

The foregoing Stipulation is hereby approved, and it is ordered that the plaintiff be given an extension of 30 days from the 26th day of September, 1940, in which to file his Amended Complaint.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Y. K. MEEHAN,	Plaintiff,)	
)	
vs.		)	No. 396 Civil
)	
J. A. FRATES, JR.,	Defendant.)	

JOURNAL ENTRY

On this 30th day of September, 1940, this cause came on for hearing upon the motion of the defendant for more definite statement in the complaint of the plaintiff and there appeared the plaintiff by her attorneys, H. L. Smith and C. A. Kothe, and the defendant by his attorney, Everett Petry, and after hearing the argument of counsel and being fully advised in the premises the court finds that said motion should be, and the same hereby is, sustained as the grounds No. 1, 2 and 3 of said Motion and overruled as to paragraph 4 of said motion, to which action and ruling of the court the plaintiff excepted and her exceptions are allowed.

The plaintiff is granted fifteen (15) days from this date within which to file an amended complaint and the defendant is granted ten (10) days after the service of said amended

complaint to plead or answer.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 2 1940
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

GERALD FITZ-GERALD, Adr. of estate of Clyde Owens Lamons, dec.,	Plaintiff,)	
)	
vs		)	No. 429 Civil
)	
COMMUNITY ICE & PRODUCE CO., a corp and YORK ICE MACHINERY CORP, a corp,	Defendants.)	

ORDER REMANDING CAUSE TO DISTRICT COURT OF CREEK
COUNTY, OKLAHOMA

NOW on this 30th day of September, 1940 this cause comes on for hearing on the motion of the plaintiff to remand, Plaintiff appeared by Green and Farmer, his attorneys, and the fendant, Community Ice & Produce Company appeared by Welcome Pierson, its attorney; and, the Court being fully advised and having heard argument of counsel finds that said cause above named should be remanded to the District Court within and for Creek County, State of Oklahoma.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said cause above named, be and the same is hereby remanded to the District Court within and for Creek County, State of Oklahoma for further proceedings in said cause.

F. E. KENNAMER
District Judge

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court G

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	NO. 440 - CIVIL
)	
WOLVERINE PETROLEUM CORPORATION, a corporation, and SHELL OIL COMPANY, INCORPORATED, a Corporation,	Defendants.)	

ORDER EXTENDING TIME TO PLEAD OR ANSWER

This matter coming on for hearing on defendants' application for an order allowing defendants thirty (30) days additional time within which to prepare and file their respective pleadings

IT IS FURTHER ORDERED that defendant shall have 10 days from the date thereof within which to answer in this cause.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Ocy 2 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

United States of America,	Plaintiff,)	
)	
vs.		)	No. 359 Civil
)	
Mrs. Dave Hardin,	Defendant,)	

ORDER OF DISMISSAL

Now on this 30th day of September, 1940, this cause coming on for hearing on complaint of the Plaintiff for a temporary injunction enjoining the defendant Mrs. Dave Hardin from interfering with the possession, management and control of the land described in Plaintiff's application for temporary injunction filed herein, and the Plaintiff, the United States of America appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Wm. Knight Powell, Assistant United States Attorney for said District, and the defendant, Mrs. Dave Hardin, appearing in person, and the court having examined the verified complaint of Plaintiff's application for temporary injunction, and having heard statements of counsel and the statement of the defendant, Mrs. Dave Hardin, finds that said defendant has prior hereto vacated and quitted said premises, and that she now asserts no claim or right to possession of the same, and that she has been prevented from quitting and removing from said premises prior to the date of this said hearing by reason of the serious illness and ultimate death of a member of her family.

IT IS, THEREFORE, THE ORDER OF THE COURT that said temporary injunction be denied and that said cause be dismissed without cost to the defendant herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 3 1940
H. P. Warfield, Clerk
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF THE STATE OF
OKLAHOMA

GREENE STACY,	Plaintiff,)	
)	
vs.		)	No. 468 CIVIL
)	
JAMES R. DUNAWAY, a sole trader, doing business)	
as DUNAWAY RIG AND LUMBER COMPANY,	Defendant.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 30th day of September, 1940, same being a regular judicial day of this Court, this cause comes regularly on for hearing and trial upon its merits pursuant to assignement before the undersigned United States District Judge sitting in and for the Northern District of the State of Oklahoma, sitting At Tulsa, Tulsa County, State of Oklahoma, in said district; plaintiff, Green Stacy appearing in person and by his attorneys of record, Wash E. Hudson, and Robert D. Hudson and the defendant, James R. Dunaway, doing business as Dunaway Rig and Lumber Company appearing by his attorneys of record, George S. Short and Welcome D. Pierson.

Thereupon all parties being present in court and by their respective counsel said parties do stipulate and agree that this court has full and complete jurisdiction over the parties to this action and the subject matter of this litigation, and said defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company does specifically waive the issuance and servan of summons upon him, does enter his general appearance in this cause for all purposes. Said defendant does further specifically waive any misjoinder or cause of action in plaintiff's complaint or petition and does specifically agree that all claims set forth in plaintiff's petition or complaint may be presented in this cause in one petition or complaint.

Thereupon, all parties being in court and by their respective counsel waive notice of the setting of this case for trial and do consent and agree that this cause may be tried on this date and all parties do specifically waive trial by jury in this cause and do specifically agree and consent that this cause shall be tried to the court without jury with the same force and effect as if tried to a jury.

Thereupon the court orders said cause to proceed to trial and plaintiff introduces his evidence, proof and testimony and the defendat introduces his evidence, proof and testimony and the introduction of testimony having been concluded by all parties and all parties having rested their cause, the evidence is declared closed by the court.

Whereupon the court, having heard and considered the evidence, testimony of witnesses and being fully advised in the premises and upon consideration thereof finds:

That the complaint or petition of the plaintiff in this cause stated a good and sufficient cause of action against the defendant above named; that on or about the 14th day of June, 1939, at approximately the hour of 3:30 P.M. on said day the plaintiff was driving a Terraplane automobile on highway 50 in the State of Illinois and that at a point on said highway approximately one-half mile west of Salem, Illinois, in the State of Illinois, on said date, a collision occurred between the automobile driven by the plaintiff and an oil field truck owned and operated by the defendant and drive by one Ross Donley, an employee of the defendant; that riding as a passenger in the automobile driven by the plaintiff at the time of said collision was Malmor Stacy, the wife of the plaintiff, that as a result of said collision, the Terraplane automobile of the plaintiff was almost entirely demolished and both the plaintiff, Greene Stacy, and his wife, Malmor Stacy, sustained severe personal injuries to the head, body, neck and limbs, for which personal injuries and damages plaintiff seeks recovery from th defendant in his petition.

The court further finds the issues in favor of the plaintiff and against the defendant and finds that plaintiff is entitled to recover in this action of and from the defendant, the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars which sum of money this court finds to fairly and

reasonably compensate the plaintiff, Greene Stacy, for any and all damages which the plaintiff, Greene Stacy, sustained, now has, ever had, or may have including damages for personal injuries to himself, damages because of any loss of services he may have sustained, because of personal injuries to his wife, Malnor Stacy, damages by reason of damage to his property or automobile, damages because of doctor bills, hospital bills, and medical bills, necessarily incurred by reason of the personal injuries sustained by both the plaintiff and his wife, Malnor Stacy, as a result of a collision between the Terraplane automobile driven by the plaintiff, Greene Stacy and an oil field truck owned and operated by the defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company, at a point on Highway 50 approximately one-half mile west of the city of Salem, Illinois, on or about the 14th day of June, 1939.

The Court further finds, having observed the plaintiff, Greene Stacy, in open court and on the witness stand that said plaintiff is of sound mind and mentality, understands the nature of these court proceedings and is mentally competent to execute any and all legal papers and documents which it is necessary to execute in connection with this litigation and the disposition of this claim.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the plaintiff, Greene Stacy, have and recover judgment against the defendant, James B. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company for the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars together with the costs of this action, which sum of money this court finds to fairly and reasonably compensate the plaintiff, Greene Stacy, for any and all damages which the plaintiff Greene Stacy, sustained, now has, ever had, or may have, including damages for personal injuries to himself, damages because of any loss of services he may have sustained, because of personal injuries to his wife, Malnor Stacy, damages by reason of damage to his property or automobile, damages because of doctor bills, hospital bills and medical bills, necessarily incurred by reason of the personal injuries sustained by the plaintiff and his wife, Malnor Stacy, as a result of a collision between the Terraplane automobile driven by the plaintiff, Greene Stacy, and an oil field truck owned and operated by the defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company, at a point on Highway 50 approximately one-half mile west of the city of Salem, Illinois, on or about the 14th day of June, 1949.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court and the court finds that the plaintiff, Greene Stacy, is of sound mind and mentality, knows the nature of court transactions, is fully competent to testify in this action and is fully competent to execute any and all legal documents necessary in bringing about the disposition of this litigation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the defendant herein, James R. Dunaway, a sole trader, doing business as Dunaway Rig and Lumber Company may satisfy said judgment entered in favor of the plaintiff in the said sum of Ten Thousand and 00/100 (\$10,000.00) Dollars by paying said sum of money to the plaintiff and his attorneys, Hudson and Hudson, and by paying to the court clerk of this court all court costs which have accrued at the present time and upon the payment of said amount to said parties, said defendant, James R. Dunaway, a sole trader doing business as Dunaway Rig and Lumber Company be, and he is hereby released and discharged from further liability herein.

F. E. KENNAMER
District Judge

ENDORSED: Filed Sep 30 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 1, 1940

On this 1st day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA
TENTH CIRCUIT

In my judgment the public interest requires the designation and assignment of a District Judge to hold a District Court of the United States in the Northern District of Oklahoma.

I do, therefore, by these presents designate and assign the Honorable Alfred P. Murrah, a Circuit Judge of the Tenth Judicial Circuit, to hold or assist in holding a District Court of the United States for the Northern District of Oklahoma from September 27, A. D. 1940, until December 31, A. D. 1940, both inclusive.

Witness my hand this 27th day of September, A. D. 1940.

ORIE L. PHILLIPS
Senior Circuit Judge

ENDORSED: Filed Oct 1 1940
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to October 2, 1940

On this 2nd day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F.E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES, FOR THE NORTHERN
DISTRICT OF OKLAHOMA

M. P. PERRY, TRUSTEE,

Plaintiff,)

-vs-

ASSOCIATED PETROLEUM PROPERTIES, a
Trust Estate; PROVIDENT TRUST, a
Trust Estate; E. R. PERRY and S. L.
DEIDMAN,

Defendants.)

No. C-285

ORDER TO MAKE DISTRIBUTION

Now, on this 2nd day of October, 1940, this matter coming on before me;

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby, authorized and directed to pay a distribution of 25¢ per unit to all unit-holders of Associated Petroleum Properties and Provident Trust, each a Trust Estate.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 2 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES, FOR THE NORTHERN
DISTRICT OF OKLAHOMA

M. P. PERRY, TRUSTEE,

Plaintiff,)

-vs-

ASSOCIATED PETROLEUM PROPERTIES, a Trust
Estate; PROVIDENT TRUST, a Trust Estate;
E. R. PERRY and S. L. DEIDMAN,

Defendants.)

No. C-285

ORDER TO FILE CLAIMS

On this 2nd day of October, 1940, this matter coming on before me, the undersigned Judge of this Court, upon the application of the Receiver paying for an order upon creditors to file their claims and fixing the time, method and manner in which said claims should be filed, and for an order providing that all claims not filed in the time so fixed be barred; and the Court having heard the argument of counsel, and being sufficiently advised in the premises;

NOW, upon motion of Henry L. Fist, attorney for the Receiver,

IT IS ORDERED:

1. That all creditors of Associated Petroleum Properties, Provident Trust, are hereby required to file their claims in this cause within thirty (30) days from the date hereof.

2. It is further ordered that the Receiver shall give notice of this order by publication in the Tulsa Daily Legal News for five (5) insertions, the last of said insertions to be at least ten (10) days prior to the date upon which claims shall be barred.

3. It is further ordered that all claims against this estate not filed within thirty (30) days from the date of this order shall be forever barred.

F. E. KENNAMER
JUDGE OF THIS COURT

ENDORSED: Filed Oct 2 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to October 3, 1940

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

THURSDAY, OCTOBER 3, 1940

On this 3rd day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

COMMISSION OF ROYCE H. SAVAGE AS DISTRICT JUDGE.

FRANKLIN D. ROOSEVELT
PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING:

KNOW YE, that reposing special trust and confidence in the Wisdom, Uprightness, and Learning of Royce H. Savage, of Oklahoma, I have nominated, and, by and with the advice and consent of the Senate, do appoint him United States District Judge, Northern District of Oklahoma, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Royce H. Savage, during his good behavior.

IN TESTIMONY WHEREOF, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

(SEAL)

Done at the City of Washington this first day of October, in the year of our Lord one thousand nine hundred and forty, and of the Independence of the United States of America the one hundred and sixty-fifth.

By the President:

FRANKLIN D. ROOSEVELT

Robert H. Jackson
Attorney General

ENDORSED: Filed Oct 3 1940
H. P. Warfield, Clerk
U. S. District Court

OATH OF ROYCE H. SAVAGE, DISTRICT JUDGE.

OATH OF OFFICE FOR UNITED STATES JUDGES

I, Royce H. Savage, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as U. S. District Judge, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

ROYCE H. SAVAGE

Subscribed and sworn to before me, this 3rd day of October, 1940.

ALFRED P. MURRAH
U. S. CIRCUIT JUDGE TENTH CIRCUIT

Official residence - Tulsa, Okla.
Date of birth - March 31, 1904
Date of entry on duty - October 3, 1940

ENDORSED: Filed Oct 3 1940
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to October 5, 1940

On this 5th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment,

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public-proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

WILLIE SUTTON MILLER,
vs.

Plaintiff,)

HARRISON SMITH,

Defendant.)

No. 406 Civil

ORDER OF DISMISSAL

This cause coming on to be heard on this the 30th day of September, 1940, on the motion docket of this court, having been regularly set for hearing on this day, and plaintiff being present one of her counsel, T. Austin Gavin, and defendant being present by Ben Allen Ames, thereupon

in open court counsel for plaintiff announced that defendant has by special appearance and motion to quash raised the question as to the venue of this action, and that said special appearance and motion to quash was well taken, and should be confessed, and said cause should be dismissed without prejudice, at complainant's costs.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the above entitled cause be and the same is hereby dismissed by complainant without prejudice at her costs herein expended.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Oct 5 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 7, 1940

On this 7th day of October, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

COMMISSION OF BOWER BROADDUS, DISTRICT JUDGE.

FRANKLIN D. ROOSEVELT

President of the United States of America,

To all who shall see these presents, Greeting:

Know Ye, that reposing special trust and confidence in the Wisdom, Uprightness, and Learning of Bower Broaddus, of Oklahoma, I have nominated, and, by and with the advice and consent of the Senate, do appoint him U. S. District Judge, Eastern, Northern, and Western Districts of Oklahoma and to authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him, the said Bower Broaddus, during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

(Seal of the Department
of Justice).

Done at the City of Washington this first day of October, in the year of our Lord, one thousand nine hundred and forty, and of the Independence of the United States of America the one hundred and sixty-fifth.

By the President:

HOMER H. JACKSON, Attorney General

FRANKLIN E. ROOSEVELT

ATTEST: A true copy of above order, W. V. McCLURE, Clerk

ENDORSED: Filed Oct 7 1940

H. P. Warfield, Clerk, U. S. District Court

OATH OF BOWER BROADDUS, DISTRICT JUDGE.

OATH OF OFFICE FOR UNITED STATES JUDGES

I, Bower Broaddus, do solemnly swear that I will administer justice without respect to persons, and to equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as U. S. District Judge for Eastern Northern and Western Districts of Oklahoma, according to the best of my abilities and understanding; agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the Office on which I am about to enter. SO HELP ME GOD.

BOWER BROADDUS

Subscribed and sworn to before me, this 4th day of October, 1940.

ROBERT L. WILLIAMS
Judge, U. S. Circuit Court of Appeals,
Tenth Circuit

Official residence - Muskogee, Oklahoma
Date of birth - May 30, 1888
Date of entry of duty - October 4, 1940

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - RE: UNCLAIMED MONEYS.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

It having been made to appear to me by the Clerk that there are now on depot in the Registry of the Court certain undistributed balances which have remained on deposit for more than five years, IT IS ORDERED that said balances as shown by itemized list attached hereto, amounting in the aggregate to \$160.03 be, and the same is hereby transferred and deposited to the credit of the United States Treasury less the statutory fee one per cent (1%) impounding fee.

Dated this 7th day of October, A. D. 1940.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

ITEMIZED LIST of balances attached to original.

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation,

Petitioner,)

) Civil No. 322

-vs-

William H. Kneeland, et al,

Defendants.)

O R D E R

NOW, on this 30th day of September, 1940, there coming on for hearing the Motion to Dismiss of the United States of America; the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma, appearing specially on behalf of the United States the petitioner appearing by Q. B. Boydstun, Assistant Counsel, and Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; and the Court being fully advised in the premises and having heard the statements of counsel, finds: that the petitioner is seeking to acquire the fee simple title to the lands described in its original petition, and that all of said lands were allotted to restricted members of the Cherokee Tribe of Indians, and that the allottees of these lands are now deceased, and there has been no judicial determination of the heirs of such deceased allottees, and the petitioner has been unable to determine the heirs of said allottees, who are entitled to inherit said lands and has been unable to determine who are the owners of said lands - and that said petitioner could not secure the consent of the owners of said lands, or the refusal of their consent, pursuant to the provisions of the Act of Congress, approved June 11, 1940.

The Court further finds that the petitioner, on July 30th, 1940, secured the consent of the Secretary of the Interior of the United States for the maintenance of this action, and finds that the petitioner should amend its petition by making the United States of America a party defendant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Motion to Dismiss of the United States of America, be, and it is hereby stricken from this assignment, and that the petitioner be, and it is hereby allowed to file an amendment to its petition within ten (10) days from this date, making the United States of America a party defendant to this action, and that service be obtained upon the United States of America according to law.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF
OKLAHOMA

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

Grand River Dam Authority, a
corporation,

Plaintiff,)

vs.)

No. 324 Civil)

James W. Elliott, et al,

Defendants.)

O R D E R

Now on this 7th day of October, 1940, this matter coming on before the Court, and it appearing that the United States of America has been directed to file a brief in this cause of action pertaining to the ownership of a part of the land involved herein, and it further appearing to the court that additional time should be granted to the United States to file said brief,

IT IS, THEREFORE, THE ORDER OF THE COURT that the United States of America be and it is hereby granted thirty (30) days from this date within which to file its brief in this cause of action.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation,

Plaintiff,)

-vs-

CIVIL NO. 329)

Peter Barehead, et al.,

Defendants.)

O R D E R

NOW, on this 30th day of September, 1940, there coming on for hearing the Motion to Dismiss of the United States of America; the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma, appearing specially on behalf of the United States, the petitioner appearing by Q. B. Boydston, Assistant Counsel, and Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; and the Court being fully advised in the premises and having heard the statements of counsel, finds: that the petitioner is seeking to acquire the fee simple title to the lands described in its original petition, except Tract No. 1 (8 GR-D 324), petitioner having dismissed as to this tract; that all of said lands were allotted to restricted members of the Cherokee Tribe of Indians, and that the allottees of these lands are now deceased, and there has been no judicial determination of the heirs of such deceased allottees, and the petitioner has been unable to determine the heirs of said allottees, who are entitled to inherit said lands and has been unable to determine who are the owners of said land and that said petitioner could not secure the consent of the owners of said lands, or the refusal of their consent, pursuant to the provisions of the Act of Congress, approved June 11, 1940.

The Court further finds that the petitioner, on July 30th, 1940, secured the consent of the Secretary of the Interior of the United States for the maintenance of this action, and finds that the petitioner should amend its petition by making the United States of America a party defendant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Motion to Dismiss of the United States of America, be, and it is hereby stricken from this assignment and that the petitioner be, and it is hereby allowed to file an amendment to its petition within ten (10) days from this date, making the United States of America a party defendant to this action, and that service be obtained upon the United States of America, according to law.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF
OKLAHOMA

ENDORSED: Filed Oct 7 1940
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a
public corporation,)
Petitioner,)
) No. 332 Civil
-vs-)
)
Charlotte J. Landrum, et al.,)
Defendants.)

O R D E R

NOW, on this 30th day of September, 1940, there coming on for hearing the Motion to Dismiss of the United States of America; the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma, appearing specially on behalf of the United States the petitioner appearing by Q. B. Boydston, Assistant Counsel, and Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; and the Court being fully advised in the premises and having heard the statements of counsel, finds: that the petitioner is seeking to acquire the fee simple title to the lands described in its original petition, and that the lands described therein as Tract No. 1 (11 GR-D 548) were allotted to a restricted member of the Cherokee Tribe of Indians, who is now deceased, and there has been no judicial determination of the heirs of said allottee, and the owners of said lands are unknown - and the petitioner has been unable to secure the consent of the owners thereof; that the lands described in Tract No. 2 (22 GR-D 1052) were allotted to a restricted member of the Cherokee Tribe of Indians, and same appear to have been conveyed without the removal of restrictions, and these lands were included in these condemnation proceedings at the request of the claimants to the tract, and that the provisions of the Act of Congress, approved June 11, 1940, do not apply.

The Court further finds that the petitioner, on July 30th, 1940, secured the consent of the Secretary of the Interior of the United States for the maintenance of this action, and finds that the petitioner should amend its petition by making the United States of America a party defendant herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Motion to Dismiss of the United States of America, be, and it is hereby stricken from this assignment, and that the petitioner, be, and it is hereby allowed to file an amendment to its petition within ten (10) days from

