

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

Roland L. Taylor, Trustee, Plaintiff,)
vs.) NO. 1277 - E.
GILMORT OIL COMPANY, a corporation, Defendant.)

O R D E R

This matter coming on to be heard before the undersigned Judge of the District Court of the United States, for the Northern District of Oklahoma, upon this 27th day of March, 1940, upon the application of Walter Davis, Byron L. Covey, J. M. Covey and W. M. Covey, for permission to make the Gilmort Oil Company, a corporation, a defendant in an action in the District Court of Tulsa County, Oklahoma, and it appearing from said application that such permission should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that said parties be and they hereby are given permission to bring an action against the Gilmort Oil Company for the purpose of quieting title to the following described property, to-wit:

West Half (W $\frac{1}{2}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section Thirteen (13), Township Eighteen (18) North (18N), Range Twelve East (12E).

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

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

Court adjourned to March 29, 1940

REGULAR JANUARY 1940 TERM
TULSA, OKLAHOMA
FRIDAY, MARCH 29, 1940

On this 29th day of March, 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

INSURANCE COMPANY OF NORTH AMERICA, Plaintiff,)
v.) No. 135 - Civil
CRUDE OIL CONTRACTING COMPANY and)
NATIONAL SURETY CORPORATION, Defendants.)

No. 135 Civil - Continued.

ORDER STAYING EXECUTION

This matter coming on to be heard upon this 29th day of March, 1940, before the Honorable Franklin E. Kennamer, Judge of the United States Court within and for the Northern District of Oklahoma, upon the motion of the defendants above named, praying the Court to stay execution of the judgment heretofore rendered herein in favor of the plaintiff, pending the disposition of motion for new trial filed and served herein by said defendants, and the applicant appearing by John E. Curran and Morris L. Bradford, and the Court being fully advised in the premises, finds that said motion for new trial and application to stay execution has been duly filed and served in the time required, and said application submitted within ten (10) days from the date of rendition of said judgment, and that said application to stay execution should be granted, and that the rights of the plaintiff will not be thereby prejudiced.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that execution of and all proceedings to enforce the judgment heretofore rendered herein in behalf of the plaintiff be stayed pending the disposition of the motion for new trial filed herein by the defendants.

F. EL KENNAMER
JUDGE

ENDORSED: Filed Mar 29 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, de-
ceased,

Plaintiff,

No. 877 Equity

vs.

EXCHANGE NATIONAL COMPANY, a
corporation, et al,

Defendants.

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE
AND TO SUBSTITUTE PURCHASER FOR SALE
OF REAL ESTATE HERETOFORE AUTHORIZED

On this 29th day of March, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate, and to substitute a purchaser for real estate heretofore authorized and sold; and it appearing that J. H. McBirney, Successor Trustee, has heretofore filed in this cause his application for authority to sell real estate to Bowers Realty Corporation, a copy of which application being annexed to the application presented for hearing; and that pursuant to said application and order was entered herein on the 22nd day of September, 1939, authorizing the said trustee to sell said real estate to Bowers Realty Corporation for the total sum of Seven Thousand Five Hundred Dollars (\$7,500.00); and it further appearing that the said purchaser, Bowers Realty Corporation paid, in accordance with said transaction, the sum of One Thousand Dollars (\$1,000.00) to J. H. McBirney, Successor Trustee, but that the said Bowers Realty Corporation and Charles B. Peters, its president, have failed and refused to pay any other sums required to be paid under said authorized sale, and have failed and refused to execute and deliver notes evidencing the unpaid

purchase price and the mortgage securing the same, but have demanded a return of the said sum of One Thousand Dollars (\$1,000.00); and it further appearing that the said trustee was refused to return the said sum of One Thousand Dollars (\$1,000.00) to Bowers Realty Corporation and Charles B. Peters, and said trustee has not delivered a deed to said real estate; and it further appearing that J. R. Whayne, an associate of Charles B. Peters, has offered to purchase said real estate referred to and described in said application, for the said sum of Seven Thousand Five Hundred Dollars (\$7,500.00), payable as follows:

One Thousand Dollars (\$1,000.00) heretofore paid by Charles B. Peters, credit for which is to be assigned and transferred by Charles B. Peters and Bowers Realty Corporation to J. R. Whayne;

Seven Hundred Fifty Dollars (\$750.00) on or before September 1, 1940,

Two Thousand Eight Hundred Seventy Five Dollars (\$2,875.00) on or before December 15, 1940,

Two Thousand Eight Hundred Seventy Five Dollars (\$2,875.00) on or before December 15, 1941;

and it further appearing that the said J. R. Whayne is to pay the ad valorem taxes levied and assessed against said real estate for the year 1939, but that the said J. R. Whayne is to receive a credit for royalties received by said trustee from said real estate for the year 1939; and it further appearing that the said deferred payments are to be evidenced by promissory notes executed by J. R. Whayne, and are to bear interest at the rate of five per cent (5%) per annum, and are to be secured by a first and prior real estate mortgage covering said real estate, said mortgage to provide for partial releases thereof for specific and particular lots, upon payment of the following sums for the partial release of said mortgage insofar as it covers and affects said lots upon which said payments are made, as follows:

One Hundred Dollars (\$100.00) per lot for all lots located upon Mohawk Boulevard and West of Hartford Avenue;

One Hundred Dollars (\$100.00) per lot for all lots located upon Apache Street and West of Hartford Avenue;

Seventy-five Dollars (\$75.00) per lot on all lots located upon 26th Place North;

Fifty Dollars (\$50.00) per lot on all lots located upon 27th Place North; and,

Thirty Dollars (\$30.00) per lot on any and all other lots in said Addition;

and it further appearing that the Advisory Committee, appointed by this court, upon whom notice shall be given of proposed sales of real estate, have been notified of the offer of J. R. Whayne, and have also been notified of the refusal of Bowers Realty Corporation and Charles B. Peters to carry out said transaction heretofore authorized and after considering the same have recommended that said trustee sell said real estate to J. R. Whayne upon the terms hereinabove set forth and that J. R. Whayne be substituted for Bowers Realty Corporation and Charles B. Peters as the purchaser of said real estate as heretofore authorized, but as herein modified and altered; and it further appearing that the said trustee, J. H. McBirney, has recommended the sale of said real estate to J. R. Whayne for the consideration and upon the terms herein set out; and it further appearing that said trust is in liquidation, and that it is to the best interest of said trust and its beneficiaries that said real estate be sold for the consideration and upon said terms and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby

authorized and empowered to sell to J. R. Whayne the following described real estate, to-wit:

Lots one (1) to Twenty-Seven (27) both inclusive, Block One (1)
Devonshire Place Addition to the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Nine (9), both inclusive, Block Two (2), Devonshire Place
Addition to the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Five (5), both inclusive,
Block Three (3), Devonshire Place Addition
to the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Fifteen (15), both inclusive,
Block Four (4), Devonshire Place Addition to
the City of Tulsa, Tulsa County, Oklahoma,,

Lots One (1) to Three (3), both inclusive,
Block Five (5), Devonshire Place Addition to
the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Eighteen (18), both inclusive,
Block Six (6), Devonshire Place Addition
to the City of Tulsa, Tulsa County, Oklahoma,

Lots Two (2) to Nineteen (19), both inclusive,
Block Seven (7), Devonshire Place Addition to
the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Twenty-Four (24), both inclusive,
Block Eight (8), Devonshire Place Addition
to the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Twenty-Four (24), both inclusive,
Block Nine (9), Devonshire Place Addition to the
City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Twenty-Five (25), both inclusive,
Block Ten (10), Devonshire Place Addition
to the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Twenty-One (21), both inclusive,
Block Eleven (11), Devonshire Place Addition to
the City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Seventeen (17), both inclusive,
and lot twenty (20), Block Twelve (12), Devonshire
Place Addition to the City of Tulsa, Tulsa
County, Oklahoma,

Lot One (1) and Lots Four (4), to Eighteen (18)
both inclusive, and Lots Twenty (20) and Twenty One
(21), Block Thirteen (13), Devonshire Place
Addition to the City of Tulsa, Tulsa County,
Oklahoma.

for the sum of Seven Thousand Five Hundred Dollars (\$7,500.00), payable as follows, to-wit:

One Thousand Dollars (\$1,000.00) heretofore paid by Charles B. Peters, which credit is to be transferred and assigned to J. R. Whyne,

Seven Hundred Fifty Dollars (\$750.00) on or before September 1, 1940,

Two Thousand Eight Hundred Seventy Five Dollars (\$2,875.00) on or before December 15, 1940,

Two Thousand Eight Hundred Seventy Five Dollars (\$2,875.00) on or before December 15, 1941.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver a trustee's special warranty deed, transferring and conveying the above described real estate to J. R. Whyne, upon transfer of credit by Charles B. Peters and Bowers Realty Corporation of the sum of One Thousand Dollars (\$1,000.00) heretofore paid by said Charles B. Peters to J. H. McBirney, Successor Trustee, and execution and delivery by J. R. Whyne of notes as follows:

Seven Hundred Fifty Dollars (\$750.00) to be due on or before September 1, 1940,

Two Thousand Eight Hundred Seventy Five Dollars (\$2,875.00) to be due on or before December 15, 1940,

Two Thousand Eight Hundred Seventy Five Dollars (\$2,875.00) to be due on or before December 15, 1941,

said notes to bear interest at the rate of five per cent (5%) per annum, and to be secured by a first and prior real estate mortgage covering the lands above described, said J. R. Whyne to have the privileges of paying the entire obligation at any time, and to have the privilege of obtaining the release of said mortgage insofar as the same covers lots above described, upon payment of the following sums, to-wit:

One Hundred Dollars (\$100.00) per lot for all lots located upon Mohawk Boulevard and West of Hartford Avenue;

One Hundred Dollars (\$100.00) per lot for all lots located upon Apache Street and West of Hartford Avenue;

Seventy Five Dollars (\$75.00) per lot on all lots located upon 26th Place North;

Fifty Dollars (\$50.00) per lot on all lots located upon 27th Place North; and,

Thirty Dollars (\$30.00) per lot on any and all other lots in said Addition,

said payments to be credited upon the indebtedness evidenced by said notes, until the said indebtedness is fully paid and discharged, and that said trustee execute and deliver a quit-claim deed, transferring and quitclaiming all of the right, interest and ownership of the said trustee and the said trust estate in and to the lands described in said mortgage, by metes and bounds, less all lots theretofore conveyed and released from said mortgage.

IT IS FURTHER ORDERED that the sale of said lots and lands above described, by J. H. McBirney, Successor Trustee, to J. R. Whyne for the consideration above described, be and the same is hereby ratified and approved.

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

REGULAR JANUARY 1940 TERM

FRIDAY, MARCH 29, 1940

IT IS FURTHER ORDERED that the said J. R. Whayne be and he is hereby substituted as purchaser for said real estate in lieu and in place of Bowers Realty Corporation and Charles B. Peters.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Mar 29 1940
H. P. Warfield, Clerk
U. S. District Court E

Court adjourned to March 30, 1940

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

SATURDAY, MARCH 30, 1940.

On this 30th day of March, 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

City of Fairfax, Oklahoma, ex rel.,
Almeda Durgee, Complainant,)
vs.) No. 311 - Civil
Mrs. Jessie McInrory, et al., Defendants.)

JOURNAL ENTRY

Now on this 29th day of February, 1940, this matter comes regularly for hearing upon motion of D. E. Foley and Ione Foley to Dismiss causes of Action No. 10 and 11; and objections of complainant to Interrogatories propounded by Respondent, S. S. Mathis and D. E. Foley and Ione Foley, appearing by their counsel, Hamilton & Kane; S. S. Mathis appearing by his counsel, Johnson & Johnson; and complainant appearing by her counsel, Holden & Holtzendorff, and after examination of the pleadings, hearing argument of counsel, the court finds:

That complainant should be required to answer Interrogatories Nos. 1, 2, 3 and 7 propounded by respondent, S. S. Mathis, within fifteen (15) days from this date; that the motion of D. E. Foley and Ione Foley, defendants, and other matters herein should be continued for hearing at trial to be fixed by the court after said answers to interrogatories have been filed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complainant, Almeda Durgee, be and she is hereby required to answer Interrogatories Nos. 1, 2, 3 and 7 propounded by defendant, S. S. Mathis, within fifteen (15) days from this date.

IT IS FURTHER ORDERED by the court that the motion of D. E. Foley and Ione Foley, and others matters herein be and the same are hereby continued for pre-trial of this cause at a time and date to be fixed by the court after answer to said interrogatories aforementioned are filed.

F. E. KENNAMER
JUDGE

O.K. HOLDEN & HOLTZENDORFF
Holden & Holtzendorff
706 Braniff Building, Oklahoma City, Okla.
Attorneys for Complainant.

O.K. JOHNSON & JOHNSON
Johnson & Johnson
Wainfax, Oklahoma.
Attorneys for S. S. Mathis, et ux.

O.K. HAMILTON & KANE
Hamilton & Kane
503 Commerce Building,
Pawhuska, Oklahoma,
Attorneys for D. E. Foley and Ione Foley, et ux.

R. B. Holtzendorff, attorney for the complainant herein, affirms that a true and correct copy of the within and foregoing Journal Entry of judgment has been served upon each of the above named attorneys in person.

R. B. HOLTZENDORFF

ENDORSED: Filed Mar 29 1940
H. P. Warfield, Clerk
U. S. District Court E

Court adjourned to April 1, 1940

On this 1st day of April, 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

MALEESE BLACK,

PLAINTIFF,)

Vs)

No. 312 CIVIL)

LEEWAY MOTOR FREIGHT CORPORATION, a corporation,
and COMMERCIAL STANDARD INSURANCE COMPANY, a
corporation,)
DEPENDANT.)

ORDER REMANDING CAUSE

BE IT REMEMBERED, That on this the 29th day of January, 1940, the above styled and numbered cause comes on for hearing upon the motion of plaintiff to remand said cause to the District Court of Creek County, State of Oklahoma, and the court after hearing argument of counsel and being well and sufficiently advised in the premises finds that said motion should be, and the same is hereby, sustained.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED that the above styled and numbered cause be, and the same is hereby, remanded to the District Court of Creek County, State of Oklahoma, from whence it came.

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

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

Court adjourned to April 5, 1940

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

TUESDAY, APRIL 2, 1940

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

H. P. Warfield, Clerk, U. S. District Court
John B. Logan, United States Marshal

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

MISCELLANEOUS - ORDER EMPANELING ADDITIONAL PETIT JURORS.

On this 2nd day of April, A. D. 1940, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular March 1940 Term of Court at Vinita, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

A. Harvey	F. T. Smith
H. W. Harrison	Pres Nail
Ben F. Horton	Howard Phillips
John Heltzell	John Hobbs
J. Berry King	J. F. Viles
T.A. Hunt	C. J. Howard
Homer Smith	Walter E. Hurst

J. D. Pennington

Thereupon the Court examines said Jurors as to their qualifications, and for good cause shown

Pres Nail
John Hobbs
J. D. Pennington

are excused from service as Jurors.

And thereupon, it is ordered by the Court that the following names of those who were served but not reporting
H. W. Harrison

be, and they are, hereby stricken from the jury roll.

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular March 1940 Term of Court.

ENDORSED: Filed In Open Court
Apr 2 1940
H. P. Warfield, Clerk
U. S. District Court

VERDICT

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

GRAND RIVER DAM AUTHORITY, Plaintiff,)
vs.) Case No. 226 Civil
TRACT NO. 4, MRS. J. W. HUSS, Defendant.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$4750.00 DOLLARS.

C. W. RICHARDS
Foreman.

FILED In Open Court
Apr 2 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. 286
Claudy W. Frazier, et al, Defendants.)

O R D E R

Now, on this the 2nd day of April, 1940, coming on for hearing the Motion of the defendant, Claudy W. Frazier, praying that this Court vacate, set aside, and hold for naught a certain Order herein made and entered by this Court on the 21st day of March, 1940, setting aside the award made by the commissioners appointed by this Court determining the damages due said defendant from the petitioner for the appropriation of the lands described as Tract No. 1(40 GR-O 99); the defendant appearing by his attorney, Frank Nesbitt, and the petitioner appearing by its Assistant Counsel, Q. B. Boydston; the Court having heard the statement of course finds that said Motion should be granted and that the report of the commissioners be reinstated as

originally filed covering the entire tract of land known as Lot 7, in Section 32, Township 26 North, Range 24 East. The Court finds that three acres were reserved out of Lot 7, in Section 32, Township 26 North, Range 24 East, by the Cherokee Nation when Lot 7 was allotted to Claudy W. Frazier, and that thereafter the Cherokee Nation sold as unallotted lands to J. M. Chappell a part of said Lot 7 described as a tract of land being 3.165 chains by 6.33 chains, containing two acres, and that Claudy W. Frazier has had the possession of all of Lot 7 since on or about the 24th day of December, 1911, the date of the Unallotted Land Deed to J. M. Chappell; and, it further appearing that the Superintendent of the Five Civilized Tribes, Department of Interior, is claiming for and on behalf of the Cherokee Nation approximately one (1) acre of the three (3) acres reserved out of Lot 7, and it appearing that notice has not been given J. M. Chappell, or his heirs, the purchaser of a part of the reserved three (3) acres out of Lot 7, and that A. M. Landman, Superintendent of the Five Civilized Tribes, has not been served with notice of this condemnation proceeding;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the report filed herein on the 17th day of February, 1940, and vacated and set aside by this Court on the 21st day of March, 1940, be reinstated as to Tract No. 1 (40 GR-6(99)), and that the petitioner cause proper notice to be served upon A. M. Landman, Superintendent of the Five Civilized Tribes Department of Interior, in order that he may assert any claim that the Cherokee Nation may have in and to the three (3) acres reserved out of Lot 7, in Section 32, Township 26 North, Range 24 East, and that said notice be returnable on April 22, 1940.

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

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

 Court adjourned to April 3, 1940

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

H. P. Warfield, Clerk, U. S. District Court
 John P. Logan, United States Marshal

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

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 226 Civil
)	
TRACT 7: G. W. SHARP,	Defendant,)	

We, the jury in the above entitled case, duly impaneled and sworn, upon our

480

oaths assess damages at \$9500.00 DOLLARS.

C. L. LANDRUM
Foreman

FILED In Open Court
 Apr 3 1940
 H. P. Warfield, Clerk
 U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN
 DISTRICT OF OKLAHOMA, SITTING AT TULSA, OKLAHOMA

Grand River Dam Authority, a corporation,	Plaintiff,)	
		)	No. 226
vs)	
)	
J. S. Owsley, et al,	Defendants,)	

JOURNAL ENTRY OF JUDGMENT

This cause came on for trial as to tract number two in said above styled cause on the 8th day of March, 1940. Plaintiff being represented by Gail Pickens and R. L. Davidson, its counsel; the defendants, C. F. Tucker and Elsie Tucker being present in person and represented by their attorneys, Beauchamp & Beauchamp, both sides announce ready for trial, a jury was duly sworn and impaneled and testimony was submitted by witnesses under oath and said cause was argued by counsel to the jury.

Thereafter the jury was duly charged by the court as to the law. Thereupon the jury retired under the custody of a sworn bailiff and returned into court the following verdict

In the District Court of the United States of the Northern
 District of Oklahoma.

Grand River Dam Authority, a corporation	Plaintiff	
		No. 226
vs		
J. S. Owsley, et al,	Defendants	

We the jury, in the above entitled case, duly impaneled and sworn upon our oath, assess C. F. Tucker and Elsie Tucker, as damages at \$3700.00.

C. L. LANDRUM
Foreman

Filed March 11th, 1940
 H. P. Warfield, Clerk

Attest true copy
 H. P. Warfield,
 By B. E. Hamilton Deputy

Now on this 2nd day of April, 1940, the plaintiff presented in open court its motion for new trial in the above styled cause, the same is by the court over-ruled and the plaintiff is allowed an exception.

Thereupon it is ordered, adjudged and decreed by the court that the defendants, C. F. Tucker and Elsie Tucker have and recover of and from the plaintiff, Grand River Dam Authority, a corporation, the sum of \$3700.00; \$3510.00 of which has heretofore been paid and ordered disbursed by this court; there remaining due and unpaid the sum of \$190.00, the same having been deposited with the Clerk of this court, as provided by law.

IT IS THEREFORE ordered, adjudged and decreed that the Clerk of this court be and is hereby directed to pay to the defendants, C. F. Tucker and Elsie Tucker, the sum of \$190.00.

F. E. KENNAMER
District Judge

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

Court adjourned to April 4, 1940

REGULAR MARCH 1940 TERM THURSDAY, APRIL 4, 1940
VINITA, OKLAHOMA

On this 4th day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Virgil B. Stanley, Deputy United States Marshal

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

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 246 Civil
)	
Tract 2: MAUDE E. GAYMAN, M. W. GAYMAN,	Defendants.)	

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at 15000.00 DOLLARS.

J. A. HEIDEBRECHT
Foreman.

FILED In Open Court
Apr 4 1940
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to April 5, 1940

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

REGULAR MARCH 1940 TERM

FRIDAY, APRIL 5, 1940

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

H. P. Warfield, Clerk, U. S. District Court
Virgil B. Stanley, Deputy 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

Grand River Dam Authority, a public corporation,	Plaintiff,)	
)	
vs		)	No. 211 Civil
)	
J. L. Goings, et al,	Defendants.)	

ORDER OF DISBURSEMENT

Now this 5th day of April, 1940 this cause comes on for hearing on the application of Ross Seabolt and his wife Lottie Seabolt for disbursement of funds. The applicant and plaintiff herein appear by their respective attorneys of record; the court finds that the award of the Commissioners here in for lands taken by plaintiff described as Tract No. 2 (Map No. 17, GR-D 733) was in the amount of \$14,755.00 and that amount has heretofore been paid to said defendants. That the verdict of the jury and the judgment of the court thereon was fixed in the amount of \$16,000.00; that plaintiff has paid the difference in the sum of \$1245.00 into the office of the clerk of this court for the benefit of said defendants; that there are no other claimants against said sum of \$1245.00 other than these defendants.

IT IS THEREFORE ORDERED that the clerk of this court do disburse and pay said sum of \$1245.00 to the defendants Ross Seabolt and Lottie Seabolt and their attorneys Frank Nesbitt and L. Keith Smith.

F. E. KENNAMER
JUDGE

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

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

Grand River Dam Authority, a public corporation,	Plaintiff,)	
)	
vs.		)	No. 221 Civil
)	
J. L. Going, et al,	Defendants.)	

O R D E R

Now on this 5th day of April, 1940, the defendants, J. L. Going and Maleta Going, his wife, having through their attorneys of record, Harve Langley and L. Keith Smith, made application for an order of this court directing the Clerk to pay to said defendants the amount of money in excess of award of commissioners herein given said defendants by the verdict of the jury, the court finds:

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

FRIDAY, APRIL 5, 1940

That the defendants are the owners of the lands described in Tract No. 1 of the Plaintiff's petition; that heretofore said land was duly and regularly appraised by commissioners appointed herein at and for the sum of \$12,025.00, and that after due and regular notice to all parties interested in said land, said sum was paid to the defendants herein and to other parties interested; that thereafter on the 6th day of March, 1940, pursuant to a demand by the parties, a jury trial was had and that after due deliberation, the jury returned into court their verdict, which omitting the caption, is in words and figures as follows:

Tract No. 1 Map No. 10 GR-D 489 and Map No. 17 GR-D 768

We, the jury in the above entitled case, duly impanelled and sworn upon their oaths, assess damages at \$15,750.00.

FOREMAN

The court further finds that the amount of \$3,725.00, the same being the difference between the award and the verdict of the jury, has been paid into this court for said defendants, and that said defendants, J. L. Going and Maleta Going, are entitled thereto.

IT IS THEREFORE ORDERED that the Clerk of this Court do pay the sum of \$3,725.00 to the defendants, J. L. Going and Maleta Going.

F. E. KENNAMER
JUDGE

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

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

Grand River Dam Authority, a public corporation,)
Plaintiff,)
vs) No. 226 Civil
Joseph A. Owsley, et al,)
Defendants.)

ORDER OF DISBURSEMENT

Now this 5th day of April, 1940 this cause comes on for hearing on the application of the defendant, Joseph S. Owsley for disbursement of funds. The applicant and plaintiff herein appear by their respective attorneys of record; the court finds that the award of the commissioners herein for lands taken by plaintiff described as Tract No. 1 (Map No. 25, GR-D 1370) was in the amount of \$5805.00 and that amount has heretofore been paid to said defendant; that the verdict of the jury and the judgment of the court thereon was \$7000.00 and that plaintiff has paid the difference in the sum of \$1195.00 into the office of the Clerk of this court for the benefit of said defendant; that there are no other claimants against said fund of \$1195.00 other than this defendant.

IT IS THEREFORE ORDERED that the clerk of this court do disburse and pay said sum of \$1195.00 to the defendant, Joseph S. Owsley and his attorneys Frank Nesbitt and L. Keith Smith.

F. E. KENNAMER
Judge

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

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

Grand River Dam Authority, a
public corporation,)
Plaintiff,)
vs) No. 232 Civil
Lawford L. Browning, et al,)
Defendants.)

ORDER OF DISBURSEMENT

Now this 5th day of April, 1940, this cause comes on for hearing on the application of Lawford L. Browning for disbursement of funds. The applicant and Plaintiff herein appear by their respective attorneys of record; the court finds that the award of the commissioners herein for lands taken by plaintiff described as Tract No. 1 (18 GR-D 842) and (23 GR-D 1151) was in the amount of \$4950.00 and that amount has heretofore been paid to said defendant; that the verdict of the jury and the judgment of the court thereon was fixed in the amount of \$6700.00; that plaintiff has paid the difference in the sum of \$1750.00 into the office of the Clerk of this court for the benefit of said defendant; that there are no claimants against said sum of \$1750.00 other than this defendant.

IT IS THEREFORE ORDERED that the clerk of this court do disburse and pay said sum of \$1750.00 to the defendant, Lawford L. Browning and his attorneys Frank Nesbitt and L. Keith Smith.

F. E. KENNAMER
JUDGE

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

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

Grand River Dam Authority, a
public corporation,)
Plaintiff,)
-vs-) No. 232 Civil
Lawford L. Browning, et al,)
Defendants.)

ORDER OF DISBURSEMENT

Now this 5th day of April, 1940 this cause comes on for hearing on the application of Joel E. Herod and Josie Herod his wife, for disbursement of funds. The applicant and the plaintiff herein appear by their respective attorneys of record; the court finds that the award of the commissioners herein for lands taken by plaintiff described as Tract No. 2 (25 GR-D 1363) was in the amount of \$8000.00 and that amount has heretofore been paid to said defendant; that the verdict of the jury and the judgment of the court thereon was fixed in the amount of \$5500.00 and plaintiff has paid the difference in the sum of \$500.00 into the office of the Clerk of this court for the benefit of said defendants; that there are no claimants against said sum of \$500.00 other than these defendants.

IT IS THEREFORE ORDERED that the clerk of this court do disburse and pay said sum of \$500.00 to the defendants Joel E. Herod and Josie Herod and their attorneys Frank Nesbitt and L. Keith Smith.

F. E. KENNAMER
Judge

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

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

FRIDAY, APRIL 5, 1940

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 246 Civil
)	
TRACT 3: LEWIS DUBOIS	Defendant.)	

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, assess damages at \$30180.00 DOLLARS.

C. J. HOWARD
Foreman

FILED In Open Court
Apr 5 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,	Plaintiff,)	
		)	No. 246 Civil
vs.)	
)	
H. H. Thompson, et al,	Defendants.)	

ORDER OF DISBURSEMENT

Now this 5th day of April, 1940, this cause comes on for hearing on the application of the defendant, H. H. Thompson for disbursement of funds. The applicant and plaintiff herein appear by their respective attorneys of record; the court finds that the award of the commissioners herein for lands taken by plaintiff described as Tract No. 1 (18 GR-D 843) and (19 GR-D 960 E & W) was in the amount of \$16,830.00 and that amount has heretofore been paid to said defendants and the verdict of the jury and the judgment of the court thereon was fixed in the amount of \$23,500.00; that plaintiff has paid the difference in the sum of \$6670.00 into the office of the clerk of this court for the benefit of said defendant; that there are no claimants against said sum of \$6670.00 other than this defendant.

IT IS THEREFORE ORDERED that the clerk of this court disburse and pay said sum of \$6670.00 to the defendant, H. H. Thompson and his attorneys, Frank Nesbitt and L. Keith Smith.

F. E. KENAMER
JUDGE

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

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,	Ⓢ
		Ⓢ
vs.		Ⓢ Case No. 264 Civil
		Ⓢ
TRACT 1: C. M. COPELAND, ET AL,	Defendant.	Ⓢ

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, assess damages at 6,000.00 DOLLARS.

A. HARVEY Foreman

FILED In Open Court
Apr 5 1940
H. P. Warfield, Clerk
U. S. District Court E

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

Grand River Dam Authority, a public corporation,	Plaintiff,)
)
vs.		) No. 264 Civil
)
C. M. Copeland, et al,	Defendants.)

ORDER OF DISBURSEMENT

Now this 5th day of April, 1940, same being a day of the regular March 1940 term of said court sitting in the city of Vinita, within said judicial district, this matter comes on for hearing pursuant to notice served on all parties in interest on the application of the defendants E. B. Wensell and Susie Wensell for the disbursement of funds; the plaintiff, the defendants E. B. Wensell, Susie Wensell, Leroy Lang, Bell Thompson, The Federal Land Bank of Wichita, Wichita, Kansas and the Federal Farm Mortgage Corporation all appear by their respective attorneys of record, whereupon said application is presented to and considered by the court and on due consideration thereof finds:

Defendants, E. B. Wensell and his wife Susie Wensell heretofore were the legal owners and in actual possession of those certain lands described in the petition herein as Tract No. 2 (17 GR-D 834) and (18 GR-D 880), and (18 GR-D 876), all of which land has been appropriated by plaintiff pursuant to its delegated power of eminent domain; that the damages occasioned by the taking of said lands by plaintiff have been determined by the Commissioners appointed by this court in the sum of \$18,000.00 and the amount of said award has been paid into the office of the Clerk of the court for the benefit of said defendants; that plaintiff has taken actual possession of said lands and the defendants are entitled to have said moneys disbursed and paid to them.

The court finds that defendants Leroy Lang and Bell Thompson are the sole and legal heirs at law of one Annie Ragsdale, deceased, the original patentee of said lands; that said defendants have sold all right, title and interest they have in the lands so appropriated to the defendants E. B. Wensell and Susie Wensell, according to stipulation on file, for the sum of \$800.00, which sum should be paid and disbursed to them.

The court finds that Wm. Herman has a mortgage on said lands or a portion thereof securing a mortgage debt in the sum of \$1035.00 including interest to this date;

REGULAR MARCH 1940 TERM

WICHITA, OKLAHOMA

FRIDAY, APRIL 5, 1940

The court finds that the Federal Land Bank of Wichita, Wichita, Kansas has a mortgage on a portion of said lands, securing a mortgage debt in the sum of \$1048.44 including interest to this date against which applicants are entitled to a credit of \$55.00 on the surrender of stock receipt No. 4104 which has been duly endorsed by applicants, leaving a balance due of \$993.44;

The court finds that the Federal Farm Mortgage Corporation of Wichita, Kansas has a mortgage on a portion of said lands, securing a mortgage debt in the sum of \$568.67 including interest to this date;

The court further finds that taxes for the years of 1939 and prior years are fully paid as evidenced by a certificate of the County Treasurer of Delaware County, Oklahoma duly introduced in evidence herein.

IT IS THEREFORE ADJUDGED AND DECREED that the sole and legal heirs at law of Annie Ragsdale, deceased are Leroy Lang and Bell Thompson and none other and that the title of defendants E. B. Wensell and Susie Wensell is forever quieted against said Leroy Lang and Bell Thompson as to the NE¹/₄-SE¹/₄ and S¹/₂-SE¹/₄-NE¹/₄ and NE¹/₄-SE¹/₄-NE¹/₄ of Sec. 8, Twp. 24, North, Range 23 East of the Indian Meridian, Delaware County, Oklahoma;

IT IS FURTHER ADJUDGED AND DECREED that the fund of \$18,020.00 in the hands of the clerk of this court shall be paid and disbursed by him as follows:

1. To William Herman in the sum of \$1035.00 upon the surrender to the clerk of this Court of the note, the mortgage securing same, a properly executed release of said mortgage and the abstract and papers belonging to this defendant's appertaining to said lands;
2. To the Federal Land Bank of Wichita, Wichita, Kansas in the sum of \$993.44, and upon the payment thereof said defendant is directed to surrender to the clerk of this court the note, the mortgage securing the same, a properly executed release of said mortgage, the abstract and all other papers incident thereunto;
3. To the Federal Farm Mortgage Corporation, Wichita, Kansas in the sum of \$568.67, and upon the payment thereof said defendant is directed to surrender to the Clerk of this court the note, the mortgage securing the same, a properly executed release of said mortgage, the abstract and all other papers incident thereunto;
4. To Leroy Lang and Bell Thompson the sum of \$800.00;
5. To E. B. Wensell and Susie Wensell the sum of \$14,622.89.

F. E. KENAMER
JUDGE

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

Court adjourned to April 8, 1940

On this 5th day of April, 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. Alfred P. Murrah, Judge, present and presiding.

M. M. Ewing, Deputy 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 - ADMISSION TO BAR.

Now on this 5th day of April, A. D. 1940, it being made satisfactorily to appear that Dan Odell is duly qualified for admission to the Bar of this Court, the oath required by law is administered and said attorney is declared admitted to the bar of this Court. (A.P.M. J)

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

J. D. SIMMS, Trustee,	Plaintiff,)	
)	
vs.		)	No. 79 Civil
)	
LOUIS P. ANDREWS, et al.,	Defendants.)	

ORDER EXPENDING TIME TO FILE TRANSCRIPT OF RECORD

For good cause shown, and upon motion of Harold E. Rorschach, attorney for the plaintiff herein, it is ordered that the time in which to file the transcript of record in the above styled and numbered cause on appeal in the United States Circuit Court of Appeals for the Tenth Circuit be and the same is hereby enlarged for a period ending May 21, 1940.

Dated at Tulsa, Oklahoma, this 5th day of April, 1940.

ALFRED P. MURRAH
United States District Judge

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

On this 6th day of April, 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

Ada Littlehead Seber,	Plaintiff,)
)
vs.		) # 217 - Civil
)
Spring Oil Company,	Defendant.)

ORDER OVERRULING MOTION TO REMAND TO
STATE COURT

This cause came on for decision at this term, the Court having heretofore heard the arguments of counsel; thereupon, upon consideration thereof, IT IS ORDERED, ADJUDGED AND DECREED that the motion of the plaintiff to remand this cause to the District Court of the State of Oklahoma for the County of Creek be, and the same is hereby denied.

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

The parties hereto are further ordered to submit memorandum briefs upon the motion of defendant to dismiss.

Dated this 9th day of January, 1940.

F. E. KENNAMER
United States District Judge

SUBMITTED BY:
BANKS O'BRIEN & McVEY
Attorneys for Defendant

ENDORSED: Filed Apr 6 1940
H. P. Warfield, Clerk
U. S. District Court B

On this 8th day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, 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

Grand River Dam Authority, a public corporation,)	
)	
vs	)	No. 232 Civil
)	
Lawford L. Browning, et al.,	)	Defendants.

ORDER FOR DISBURSEMENT OF FUNDS

This matter coming on to be heard on this 8th day of April, 1940, upon the application of the defendant, O. W. Smithpeter, for disbursement of funds and the court having been well and truly advised in the premises finds that said funds should be disbursed and that there are not now any taxes due and payable upon the land involved herein described in petitioner's petition as tract No. 7 (24 GR-D 1236 24 D 1270). The court finds that there is now due and owing the defendant, O. W. Smithpeter, the total sum of \$5,365.00.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the sum of \$5,365.00 be disbursed by voucher by the clerk of this Court to the defendant, O. W. Smithpeter.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed Apr 8 1940
 H. P. Warfield, Clerk
 U. S. District Court ME

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

MONDAY, APRIL 8, 1940

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

Grand River Dam Authority, a
public corporation,

Plaintiff,

No. 245

vs.

William T. Sheldon, et al.,

Defendants.

ORDER OF DISBURSEMENT

Now this 8th day of April, 1940, this cause comes on for hearing on the application of J. T. Shellman, for the disbursement of funds; it being made to appear that to the court that notice of this hearing has been duly given; that prior to the appropriation thereof by plaintiff herein the defendant, J. T. Shellman was the owner of that certain tract of land described in the petition herein as Tract No. 3 (31 GR-D 1637) and (31 GR-D 1643) and was in the actual and exclusive possession thereof; that the damages for the appropriation of said lands have been determined by the Commissioners appointed by this court in the sum of \$5325.00; that plaintiff has paid that amount of money into the office of the Clerk of this court in payment of said award and the plaintiff has taken possession of said lands the court finds the defendant, J. T. Shellman is entitled to have said fund disbursed to him.

It was next shown to the court by the certificate of the County Treasurer of Delaware County, Oklahoma where said lands are situated, that taxes for the year of 1939 and all prior years against said lands are fully paid; the court finds that the Federal Land Bank of Wichita, Wichita, Kansas has a mortgage on the lands taken, the amount due on which, with interest calculated to this date is \$406.44 as evidenced by the statement of said bank introduced in evidence. The court finds that there are no other liens on said lands nor claimants against said fund.

IT IS THEREFORE ORDERED that the Clerk of this Court do disburse and pay said money in the sum of \$5325.00 to the persons and/or corporations in the amounts as follows:

- (a). To the Federal Land Bank of Wichita, Wichita, Kansas the sum of \$406.44; and
- (b). To J. T. Shellman the sum of \$4918.56.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 8 1940
H. P. Warfield, Clerk
U. S. District Court ME

VERDICT

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

GRAND RIVER DAM AUTHORITY,

Plaintiff,

Case No. 246 Civil

vs.

TRACT 6; G. C. RAY and MATTIE E. RAY,

Defendants.

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$7,000 DOLLARS.

FILED In Open Court Apr 8 1940
U. S. District Court

H. P. Warfield, Clerk

A. A. SMITH, Foreman

Court adjourned to April 9, 1940

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

REGULAR MARCH 1940 TERM TUESDAY, APRIL 9, 1940

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

H. P. Warfield, Clerk, U. S. District Court
 John P. Logan, United States Marshal

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

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 245 Civil
)	
TRACT 2: THE HEIRS OF JACOB DuBOIS,)	
DECEASED,	Defendants.)	

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, assess damages at \$8000.00 DOLLARS.

CLYDE FRYE, Foreman

FILED In Open Court
 Apr 9 1940
 H. P. Warfield, Clerk
 U. S. District Court H

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 246 Civil Tract No. 7
)	
SARAH WOOD,	Defendant.)	

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$9,900.00 DOLLARS.

C. J. FRANK,
 Foreman

FILED In Open Court
 Apr 9 1940
 H. P. Warfield, Clerk
 U. S. District Court

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

REGULAR MARCH 1940 TERM

THURSDAY, APRIL 11, 1940

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

Grand River Dam Authority, a
corporation,

Plaintiff,

vs.

Ben F. Squibbs, et al,

Defendant.

No. 245 (Tract No. 6)

O R D E R

Now on this 11th day of April, 1940, at Vinita, Oklahoma, this matter came on for hearing, the defendant, Ben F. Squibbs appeared by his attorneys, Rollie C. Clark and T. A. Chandler, and the plaintiff herein was represented by their attorney of record, and it appearing to the court that all parties interested herein have had due notice in this matter, and that their matter is ready for final disposition, and it further appearing that the Federal Land Bank of Wichita, Kansas has a mortgage herein amounting to \$371.02, as of April 11th, 1940, on which there will be 3½ cents due per day each day there-after, and it further appearing that this matter as between the plaintiff and the defendant, Ben F. Squibbs has been settled and agreed by a stipulated judgment, and that the money in condemnation has been paid into this court, and it further appearing that the outstanding taxes and liens have been paid in full, and that there are no parties entitled to said money paid into court, other than the Federal Land Bank of Wichita, Kansas and Ben F. Squibbs.

IT IS THEREFORE the order, judgment and decree of this court that the Clerk of this Court pay to the Federal Land Bank the amount of their mortgage, as set out herein, and that the balance of the funds in condemnation remaining herein be paid to the defendant, Ben F. Squibbs.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Apr 11 1940
Apr 11 1940
H. P. Warfield, Clerk
U. S. District Court

VERDICT

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

GRAND RIVER DAM AUTHORITY,

Plaintiff,

vs.

TRACT NO. 4: C. M. Copeland, et al,

Defendants.

Case No. 264 Civil

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$6250.00 DOLLARS.

MARSHALL D. HOUGH, Foreman

ENDORSED: Filed In Open Court
Apr 11 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 12, 1940

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

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

FRIDAY, APRIL 12, 1940

On this 12th day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, 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 IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,	Petitioner,)	
		)	Civil No. 245
		)	Tract No. 2
-vs-)	
William T. Sheldon, et al.,	Defendants.)	

ORDER FOR THE DISBURSEMENT OF CONDEMNATION MONEY

Now on this, the 12th of April, 1940, at Vinita, Oklahoma, this cause came on for hearing upon the application of Mavry J. DuBois, administrator of the estate of Jacob DuBois, deceased, and one of the defendant in this action, for the disbursement of money held in condemnation proceedings, she appearing by her attorney, Ad V. Coppedge, he also appearing for Loretta Bain, and the plaintiff herein being represented by its attorney at record, and the other defendants, Watie Lee DuBois, James C. DuBois, Roy Lee DuBois, Jacob Marion DuBois, and Susie Jordan, being represented by their attorney, E. H. Beauchamp, and it appearing to the court that all the parties interested herein have had notice of the hearing of this application. The court finds:

That the plaintiff in this action has heretofore paid to the clerk of this court the sum of \$7,450.00, being the amount of damages fixed by appraisers appointed by this court to appraise tract number Two (2), as listed in this action.

That the record title to the land described under the designation of tract number Two (2) in this action, stands in the name of Jacob DuBois, deceased, who died on or about May 12, 1939, leaving as his sole surviving heirs at law, the following persons and noen others to-wit:

Mavry DuBois, surviving wife, Watie Lee DuBois, Roy Lee Du Bois,
James C. DuBois, and Jacob Marion Du Bois, surviving sons, Susie Jordan,
surviving daughter, and Loretta Bain, grand daughter.

That Mavry J. DuBois, is the duly qualified and acting administrator of the estate of Jacob DuBois, deceased, and the administration is pending in the county court of Delaware County, Oklahoma. That this case was tried before a jury in this court and said jury returned averdict in favor of the owners of this land in the sum of \$8,000.00, which is not yet paid into court.

That no other person has any interest in the condemnation money except the parties hereinabove named as the heirs of Jacob DuBois, deceased, and there are no liens of any kind or character against said land, except taxes due in the sum of \$58.22.

That all the heirs of Jacob DuBois, deceased, are represented in court by attorneys and all approve the application for the disbursement of funds to Mavry J. DuBois, as administrator to be paid out to the several persons entitled to receive the same, under the supervision of the County Court, of Delaware County, Oklahoma.

It is therefore ordered, adjudged and decreed by the court that the clerk of this court pay to John Curtis, the county treasurer of Delaware County, Oklahoma, the sum of \$58.22, that being the amount of taxes due as shown by the certificate of the county treasurer, attached to and made a part of the application for the disbursement of funds and that the balance of \$7,391.78 be paid to Mavry J. DuBois, administrator of the estate of Jacob DuBois, deceased, forthwith.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court E

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

Grand River Dam Authority, a
public corporation,)
Plaintiff,)
) No. 286 Civil
vs.)
)
Claudy W. Frazier, et al,)
Defendants.)

O R D E R

Now on this 12th day of April, 1940, same being a judicial day of the March 1940 Term of said court, sitting in the city of Vinita within said Judicial district, plaintiff appears by its attorney Q. B. Boydston and the defendants George S. Allen and Margia Allen appear by their attorney, Frank Nesbitt. It was thereupon made to appear that said defendants are the owners of that certain tract of land described in the petition herein as Tract No. 2 (40 GR-O 105); that heretofore Commissioners were appointed by this court to inspect said property and determine the damage suffered by said defendants by reason of the taking of said lands; that said Commissioners did inspect said property and determined the damages in the sum of \$9515.00; that service of notice was not made on one Maud Plaster the assignee of a mortgage covering said lands and to enable the plaintiff to procure service on said Maud Plaster this court did, on the 21st day of March, 1940, vacate said award and directed the plaintiff to procure proper service of notice on the said Maud Plaster; that said Maud Plaster has filed herein her general appearance as of the date the order of condemnation was herein made and entered so as to validate the award of the Commissioners insofar as service of notice upon her is concerned, and the court finds that by reason thereof the said Maud Plaster has made a general appearance effective as of the date of the order of condemnation and that the order of this court made on March 21, 1940 vacating said award should be set aside and the report of the Commissioners re-instated.

IT IS THEREFORE ORDERED that the order of this court herein made and entered on March 21, 1940, vacating the award of the Commissioners as to the above tract of land in the sum of \$9515.00, be and the same is hereby set aside and the award of the Commissioners as to said tract of land be and the same is hereby reinstated and placed in full force and effect.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court E

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. 304	
))		
A. M. Jarvis, et al,	)	Defendants,)		

ORDER SETTING ASIDE REPORT OF COMMISSIONERS AND ORDERING
A NEW APPRAISEMENT AS TO A PART OF TRACT NO. 3
(9 GR-D 420-422 and 9 GR-D 420-A - 429 - 442)

NOW, on this 12th day of April, 1940, therecoming on for hearing the motion of the petitioner to set aside the report of commissioners filed herein as to Tract No. 3, and for a new appraisement as to a part of Tract No. 3; and the Court being fully advised in the premises, finds that the petitioner has acquired by purchase all of the lands owned by Mary Ethel Anderson described in said Tract No. 3, and that the petitioner and the defendant, Mary Ethel Anderson, have filed a stipulation and agreement in this Court setting forth the settlement between the petitioner and the defendant, Mary Ethel Anderson; and the Court further finds that all of the lands described in Tract No. 3 were appraised together and one report covering the entire tract made by the commissioners; that that part of Tract No. 3, known as Map No. 9, Tract No. GR-D 442 is owned by the defendant, Ralph H. Poole; and that that part of Tract No. 3, described as follows, to-wit:

An undivided one-half (1/2) interest in and to -
NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T 24 N - R 22 E of the Indian
Base and Meridian, Delaware County, Oklahoma,

the same being a part of Map No. 9, Tract No. GR-D 420-422, is owned by Belle Duffield; and that the report of the commissioners heretofore filed should be set aside and held for naught, and that said commissioners should make a new appraisement and appraise the tract owned by the defendant, Ralph H. Poole, and the tract owned by the defendant, Belle Duffield separately.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the report of commissioners heretofore filed be, and it is hereby set aside as to Tract No. 3; and the commissioners herein are ordered and directed to make a new appraisement as to that part of Tract No. 3, more particularly described as follows, to-wit:

(Map No. 9, Tract No. GR-D 442):

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 25,
T 24 N - R 22 E of the Indian Base and Meridian in Delaware
County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the West boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
and 114.2 feet South of the NW corner thereof; thence S. 1°
02' W. along the West boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance
of 299.0 feet to a point 244.5 feet North of the SW corner
thereof; thence S. 25° 36' E. 85.0 feet; thence N. 1; 52' E.
165.5 feet; thence N. 84° 05' E. 186.0 feet; thence S. 83° 01'
E. 220.0 feet; thence S. 29° 21' E. 117.0 feet; thence S. 87°
27' E. 99.1 feet; thence S. 10° 57' E. 73.7 feet; thence S.
34° 40' E. 148.1 feet; thence N. 15° 22' W. 181.0 feet; thence
N. 37° 48' E. 244.0 feet; thence S. 74° 28' W. 259.7 feet;
thence N. 34° 26' W. 146.1 feet; thence S. 74° 06' W. 81.1
feet; thence N. 71° 12' W. 168.0 feet; thence N. 8° 01' E.
113.3 feet; thence S. 44° 48' W. 128.6 feet; thence N. 72° 40'
W. 159.0 feet; to the point of beginning, containing 2.6 acres,
more or less;

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Part of Map No. 9, Tract No. GR-D 420-422):

An undivided one-half (1/2) interest in and to-

NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T 24 N - R 22 E of the Indian Base and Meridian, Delaware County, Oklahoma.

said tracts hereinabove described to be appraised, separately.

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

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court E

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.)

ORDER DENYING MOTION IN PART AND ALLOWING PETITIONER TO
MAKE THE UNITED STATES OF AMERICA A PARTY DEFENDANT

NOW, on this 12th day of April, 1940, there coming on for hearing the motion of the United States of America for the dismissal of the proceedings herein; the United States of America appearing specially by the Honorable Whit Y. Mauzy, United States District Attorney, and Honorable Chester A. Brewer, Assistant United States Attorney, Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; the petitioner, Grand River Dam Authority, a public corporation, appearing by Q. B. Boydston, Assistant Counsel; and the Court having been fully advised in the premises, and having heard the statements of counsel, finds:

That petitioner filed condemnation proceedings herein to acquire the fee simple title to the lands described in its petition; that restricted members of the Cherokee Tribe of Indians in Oklahoma claim some right, title or interest in and to said tracts of land and that proper notice has been served upon the Superintendent of the Five Civilized Tribes of the filing of these proceedings; that all of the lands which the petitioner is seeking to acquire are lands in which restricted members of the Cherokee Tribe of Indians in Oklahoma claim some right, title or interest by reason of inheritance, and there has been no judicial determination of the heirs of the original allottees of said tracts of land; that the petitioner could not acquire said lands by purchase for the reason that the interest of the various defendants have not been determined, and by reason thereof, proper orders for the removal of restrictions could not be made;

That the United States of America was not made a party to this action and the consent of the Secretary of the Interior of the United States was not obtained for the filing of these condemnation proceedings, but that it is not necessary for the petitioner to secure the consent of the Secretary of the Interior for the filing of condemnation proceedings to acquire lands that have been allotted in severalty to members of the Cherokee Tribe of Indians in Oklahoma.

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

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the petitioner be, and it is hereby ordered and directed to make the United States of America a party defendant in and to this action, and cause proper notice to be served upon the United States District Attorney in and for the Northern District of Oklahoma; and that said motion filed herein be denied in that it is not necessary for the petitioner to secure the consent of the Secretary of Interior of the United States for the filing of this action.

IT IS FURTHER ORDERED that the application of the petitioner for the appointment of commissioners to appraise said lands be granted.

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

ENDORSED: Filed Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court DC

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

-vs-

Peter Barehead, et al.,

Defendants.)

ORDER DENYING MOTION IN PART AND ALLOWING PETITIONER TO
MAKE THE UNITED STATES OF AMERICA A PARTY DEFENDANT

NOW, on this 12th day of April, 1940, there coming on for hearing the motion of the United States of America for the dismissal of the proceedings herein; the United States of America appearing specially by the Honorable Whit Y. Mauzy, United States District Attorney, and Honorable Chester A. Brewer, Assistant United States District Attorney; Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; the petitioner, Grand River Dam Authority, a public corporation, appearing by Q. B. Boydston, Assistant Counsel; and the Court having been fully advised in the premises and having heard the statement of counsel, finds:

That petitioner filed condemnation proceedings herein to acquire the fee simple title to the lands described in its petition; that restricted members of the Cherokee Tribe of Indians in Oklahoma claim some right, title or interest in and to said tracts of land and that proper notice has been served upon the Superintendent of the Five Civilized Tribes of the filing of those proceedings; that all of the lands which the petitioner is seeking to acquire are lands in which restricted members of the Cherokee Tribe of Indians in Oklahoma claim some right, title or interest by reason of inheritance, and there has been no judicial determination of the heirs of the original allottees of said tracts of land; that the petitioner could not acquire said land by purchase for the reason that the interest of the various defendants have not been determined, and that by reason thereof, proper orders for the removal of restrictions could not be made;

That the United States of America was not made a party to this action and to consent of the Secretary of the Interior of the United States was not obtained for the filing of these condemnation proceedings, but that it is not necessary for the petitioner to secure the consent of the Secretary of Interior for the filing of condemnation proceedings to acquire lands that have been allotted in severalty to members of the Cherokee Tribe of Indians in Oklahoma.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the petition be, and it is hereby ordered and directed to make the United States of America a party defendant in and to this action, and cause proper notice to be served upon the United States District Attorney in and for the Northern District of Oklahoma; and that said motion filed herein be denied in that it is not necessary for the petitioner to secure the consent of the Secretary of Interior of the United States for the filing of this action.

IT IS FURTHER ORDERED that the application of the petitioner for the appointment of commissioners to appraise said lands be granted.

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

ENDORSED: Filed Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court DC

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

Grand River Dam Authority, a public corporation,)
Petitioner,)
CIVIL NO. 332
-vs-)
Charlotte J. Landrum, et all, Defendants.)

ORDER DENYING MOTION IN PART AND ALLOWING PETITION TO
MAKE THE UNITED STATES OF AMERICA A PARTY DEFENDANT

NOW, on this 12th day of April, 1940, there coming on for hearing the motion of the United States of America for the dismissal of the proceedings herein; the United States of America appearing specially by the Honorable Whit Y. Mauzy, United States District Attorney, and Honorable Chester A. Brewer, Assistant United States District Attorney; Joe Brown, United States Probate Attorney, appearing for and on behalf of the individual restricted Indian defendants; the petitioner, Grand River Dam Authority, a public corporation, appearing by Q. B. Boydston, Assistant Counsel; and the Court having been fully advised in the premises, and having heard the statements of counsel finds:

That petitioner filed condemnation proceedings herein to acquire the fee simple title to the lands described in its petition; that restricted members of the Cherokee Tribe of Indians in Oklahoma claim some right, title or interest in and to said tracts of land and that proper notice has been served upon the Superintendent of the Five Civilized Tribes of the filing of these proceedings; that all of the lands which the petitioner is seeking to acquire are lands in which restricted members of the Cherokee Tribe of Indians in Oklahoma claim some right, title or interest by reason of inheritance, and there has been no judicial determination of the heirs of the original allottees of said tracts of land; that the petitioner could not acquire said lands by purchase for the reason that the interest of the various defendants have not been determined, and by reason thereof, proper orders for the removal of restrictions could not be made; except as to Tract No. 2 (Map No. 22, Tract No. GR-D 1052), which is not inherited lands, but that said tract was included in these condemnation proceedings at the request of the Superintendent of the Five Civilized Tribes;

That the United States of America was not made a party to this action and the

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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consent of the Secretary of the Interior of the United States was not obtained for the filing of these condemnation proceedings, but that it is not necessary for the petitioner to secure the consent of the Secretary of the Interior for the filing of condemnation proceedings to acquire lands that have been allotted in severalty to members of the Cherokee Tribe of Indians in Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the petitioner be, and it is hereby ordered and directed to make the United States of America a party defendant in and to this action, and cause proper notice to be served upon the United States District Attorney in and for the Northern District of Oklahoma; and that said motion filed herein be denied in that it is not necessary for the petitioner to secure the consent of the Secretary of Interior of the United States for filing of this action.

IT IS FURTHER ORDERED that the application of the petitioner for the appointment of commissioners to appraise said lands be granted.

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

ENDORSED: Filed Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court DC

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

THE CITY OF MIAMI, OKLAHOMA, a municipal cor-)
poration, ex rel. W. J. MEREDITH, Plaintiff,) Civil Action No. 360
vs.)
MRS. FRANK RICHARDSON, et al., Defendants.)

O R D E R

NOW on this 12th day of April, 1940, this matter comes on for hearing upon the verified motion of the relator, W. J. Meredith, for an order appointing Horace M. Rider, an officer of the court, to make service of summons accompanied by the complaint upon the defendants to this cause residing in Ottawa County, Oklahoma, and the court, being fully advised in the premises, finds that Horace M. Rider, is a competent and proper person to make such service and that substantial savings of travel fees will result if some person be specially appointed by the court to serve the summons and copies of the complaint upon the defendants who reside in Ottawa County, Oklahoma and that said motion should be granted.

It is, therefore CONSIDERED, ORDERED, ADJUDGED and DECREED by the court that Horace M. Rider be appointed the officer of this court specially for the purpose of making service of summons accompanied by the complaint upon the following named defendants in this cause who reside in Ottawa County, Oklahoma;

Truman Harsha	Miami, Ottawa County, Oklahoma
Ruth Harsha	" " " "
Lucie B. Mabon	" " " "
S. M. Galloway	" " " "

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Nancy Galloway	Miami, Ottawa County, Oklahoma
Laura A. Wilson	" " "
J. J. Smith	" " "
Mrs. J. J. Smith	" " "
First National Bank of Miami	" " "
Gladys Hargrove	" " "
A. L. Commons	" " "
Jack E. Pinnell	" " "
Laura Gilstrap	" " "
A. U. Fisher	" " "
C. W. Turner	" " "
Walter Jones	" " "
R. W. Skinner	" " "
Commerce Mining and Royalty Company	" " "
Russell Doss	" " "
W. C. Glenn	" " "
County of Ottawa	" " "

It is further CONSIDERED, ORDERED, ADJUDGED and decreed by the court that the said Horace M. Rider shall make due and lawful service of the summons accompanied by the complaint as by law provided, and that, having made such service, he shall make due and lawful return thereof.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court E

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,)
)
vs.)
)
LAURA A. WILSON, et all,	Defendants.)

Civil Action No. 361

O R D E R

NOW on this 12th day of April, 1940, this matter comes on for hearing upon the verified motion of the relator, W. J. Meredith, for an order appointing Horace M. Rider, an officer of the court, to make service of summons accompanied by the complaint upon the defendants to this cause residing in Ottawa County, Oklahoma, and the court, being fully advised in the premises, finds that Horace M. Rider is a competent and proper person to make such service and that substantial savings of travel fees will result if some person be specially appointed by the court to serve the summons and copies of the complaint upon the defendants who reside in Ottawa County, Oklahoma and that said motion should be granted.

It is, therefore, CONSIDERED, ORDERED, ADJUDGED and DECREED by the court that Horace M. Rider be appointed the officer of this court specially for the purpose of making service of summons accompanied by the complaint upon the following named defendants in this cause who reside in Ottawa County, Oklahoma:

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NORTHERN DISTRICT OF OKLAHOMA
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Laura A. Wilson	Miami, Ottawa County, Oklahoma
Charles M. Baum	" " "
Frank R. Burns	" " "
C. M. Bartlett	" " "
J. H. Taylor	" " "
Frances C. Johnson	" " "
Elbert E. Bedell	" " "
Daisy Bedell	" " "
W. O. Kemp	" " "
J. B. Pinnell	" " "
Charles L. Hale	" " "
F. R. Kittridge	" " "
Fred Evans	" " "
Russell Doss	" " "
W. C. Glenn	" " "
County of Ottawa	
Mildred Phillips	Cardin, Ottawa County, Oklahoma
Fred Victor	Wyandotte, Ottawa County, Oklahoma

It is further CONSIDERED ORDERED, ADJUDGED and DECREED by the court that the said Horace M. Rider shall make due and lawful service of the summons accompanied by the complaint as by law provided, and that, having made such service, he shall make due and lawful return thereof.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court E

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,)	
)	
v.		)	Civil Action No. 362
)	
J. J. SMITH, et al.,	Defendants.)	

O R D E R

NOW on this 12th day of April, 1940, this matter comes on for hearing upon the verified motion of the relator, W. J. Meredith, for an order appointing Horace M. Rider, an officer of the court, to make service of summons accompanied by the complaint upon the defendants to this cause residing in Ottawa County, Oklahoma, and the court, being fully advised in the premises, finds that Horace M. Rider is a competent and proper person to make such service and that substantial savings of travel fees will result if some person be specially appointed by the court to serve the summons and copies of the complaint upon the defendants who reside in Ottawa County, Oklahoma and that said motion should be granted.

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

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C. W. Turner	Miami, Ottawa County, Oklahoma
John Joseph Chandler	" " "
Hubert W. Goodwin	" " "
John Nidiffer	" " "
Ethel Nidiffer	" " "
George E. Bomford	" " "
Lucille Wormington	" " "
Oscar Murphy	" " "
W.W. Dobson	" " "
Lida H. Einsel	" " "
W. L. Watson	" " "
City of Miami, Oklahoma	" " "
Emma J. Sullivan	" " "
Lloyd E. Sullivan	" " "
Cecil F. Sullivan	" " "
C. V. Carselowey	" " "
Frank Nesbitt	" " "
Nelle Nesbitt	" " "
Effie E. DeTar	" " "
Reuben M. Hale	" " "
J. B. Pinnell	" " "
Sam Fields	" " "
Lucille Fields	" " "
David A. Dodd	" " "
Stella Dodd	" " "
Nancy Rader	" " "
Cora Isabell Warrington	" " "
S. G. Fullerton	" " "
J. T. Hampton	" " "
Sora Hampton	" " "
Rella Harnar	" " "
James J. Harnar	" " "
Daisy Harnar	" " "
Juanita Spicer	" " "
Eula Harnar	" " "
Bert Payton	" " "
Martha Payton	" " "
W. C. Kemp	" " "
J. H. Taylor	" " "
Frances C. Johnson	" " "
Ethel Brown	" " "
Homer E. Kemper	" " "
Robert Kemper	" " "
Mabel R. Payton	" " "
Reba Mae Payton	" " "
Mrs. George T. Webster	" " "
Alta Lee	" " "
Arthur Wagoner	" " "
Jessie Wagoner	" " "
Security Bank and Trust Company	" " "
M. R. Brents	" " "
Russell Doss	" " "
W. C. Glenn	" " "
County of Ottawa	" " "
Mildred Phillips	Cardin, Ottawa County, Oklahoma
Okey Louise Ratherford	Commerce, Ottawa County, Oklahoma
Davey Harnar	Commerce, Ottawa County, Oklahoma

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

REGULAR MARCH 1940 TERM

MINITA, OKLAHOMA

FRIDAY, APRIL 12, 1940

It is further CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court that H. W. Barrick be appointed the officer of this Court especially for the purpose of making service of summons accompanied by the complaint upon the following named defendants in this cause who reside in Cimarron County, Oklahoma:

Dink Harnar	Boise City,	Oklahoma
Curtis Harnar	" "	"
Beulah Brown	" "	"

It is further CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court that the said HORACE M. RIDER and H. W. BARRICK shall make due and lawful service of the summons accompanied by the complaint as by law provided and that, having made such service, they shall each make due and lawful return thereof.

F. E. KENNAMER
United States District Judge

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

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court E

Court adjourned to April 15, 1940

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 12, 1940

On this 12th day of April, 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

JAMES T. SPENCER, Administrator of the
Estate of Jackson Barnett, Deceased, Plaintiff,)

vs

GYPSY OIL COMPANY, et al, Defendants.)

NO. 39 CIVIL

O R D E R

For good cause shown,

IT IS ORDERED, ADJUDGED AND DECREED, that Benjamin F. Pollock be and he hereby is authorized to procure all depositions filed in connection with the case of Jackson Barnett,

Incompetent, by Elmer S. Bailey, prochein ami, vs. Equitable Trust Company, et al, No. E-31--91, filed in the District Court of the United States for the Southern District of New York.

AND IT IS SO ORDERED.

ALFRED P. MURRAH
JUDGE

ENDORSED: Filed Apr 12 1940
H. P. Warfield, Clerk
U. S. District Court. ME

Court adjourned to April 13, 1940

On this 13th day of April, 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:

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 204 Civil
Fred Kennedy, J. P. Kennedy and Earl Smith, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of April, 1940, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the complaint of plaintiff and the default of the defendants, Fred Kennedy and J. P. Kennedy; 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, Fred Kennedy and J. P. Kennedy have each been served with summons in this cause more than 20 days prior to this date, and that each of said defendants has failed to answer, demur or otherwise plead herein, they are by the Court declared to be in default. And it further appearing to the Court that the defendant, Earl Smith, is now deceased, and that this cause should be dismissed as to said defendant, the Court finds that plaintiff is entitled to judgment against the defendants, Fred Kennedy and J. P. Kennedy, for the amount sought to be recovered herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Daniel West, restricted Osage Allottee No. 77, have and recover of and from the defendants, Fred Kennedy and J. P. Kennedy, and each of them, the sum of \$200.00, with interest thereon at the rate of 6% per annum from November 1, 1938, until paid, and for all costs of this action.

IT IS THE FURTHER ORDER of the Court that this cause be, and the same hereby is dismissed as to the defendant, Earl Smith, deceased.

F. E. KENNAMER
JUDGE

O.K. WHIT Y. MAUZY, United States Attorney

CHESTER A. BREWER, Assistant United States Attorney

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

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

Grand River Dam Authority, a
public corporation,

Plaintiff,

No. 263 Civil

vs

E. V. Allen, et al,

Defendants.

ORDER OF DISBURSEMENT

Now this 13th day of April, 1940, same being a judicial day of said court this matter comes on for hearing on the application of E. V. Allen and the heirs of Charles E. Barnes, deceased for an order disbursing funds. The parties interested appear by their respective attorneys and was shown to the court that notice of the hearing on this application has been duly given, thereupon, it was shown to the Court that defendant E. V. Allen is the record owner of Tract No. 6 (4 GR-D 28) and (4 GR-D 3); that said lands have been appropriated by plaintiff herein by virtue of its power of eminent domain and the plaintiff has taken possession thereof; that damages for the taking of said lands have been determined by the Commissioners appointed by this court in the sum of \$8960.00 and the plaintiff has paid that sum into the office of the Clerk of this court in satisfaction of said award.

The court finds from the certificate of the County Treasurer of Delaware County, Oklahoma attached to the application herein that taxes in the sum of \$65.25 is due on said lands; that through The First Mortgage Investment Company of 1016 Baltimore Avenue, Kansas City, Mo. the defendant, E. V. Allen made and executed a note and mortgage securing the same in the amount of \$2300.00 to Charles E. Barnes of St. Louis, Mo. on which there is due at this date the total sum of \$2091.93; that said Charles E. Barnes died since May, 1936 and the above amount is due to the executor, administrator and/or heirs of the estate of the said Charles E. Barnes. That there are no other claimants or lienors against said lands or said fund.

IT IS THEREFORE ORDERED that the Clerk of this court do disburse and pay said award in the sum of \$8960.00 to the persons and/or corporations in the amounts as follows, to-wit:

1. To the County Treasurer of Delaware County, Jay, Okla. the sum of \$65.25;
2. To the administrator of the estate or the heirs at law of Charles E. Barnes, deceased, the sum of \$2091.93

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

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

SATURDAY, APRIL 13, 1940

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

Grand River Dam Authority, a
public corporation,

Plaintiff,

vs.

Stella Williamson, et al,

Defendants.

No. 294 Civil

ORDER OF DISBURSEMENT

Now this 12th day of April, 1940, same being a day of the regular March, 1940 Term of said court, sitting in the city of Vinita within said Judicial District, this cause comes on for hearing on the application Lena Meister et al for the determination of the heirship of Arthur M. Meister, deceased, and for the disbursement of funds. The petitioners appear by their attorney, there being no objections or exceptions filed and none being made in open court it was then shown to the court that notice of this hearing has been duly given at least five days prior hereunto, whereupon the court directed the hearing to proceed.

Thereupon witnesses were sworn, testimony was introduced, and being well advised in the premises the court finds that those certain lands described in the petition herein as Tract No. 2 (40 GR-C 92), (40 GR-C 106) and (40 GR-C 120); that said Arthur M. Meister died intestate in Ottawa County, Oklahoma while being a resident thereof and leaving estate therein on March 14, 1936; that more than three years have expired since the death of said Arthur M. Meister and no probate proceeding has been had or filed on his estate and his heirship has never been determined by any court of competent jurisdiction; the court finds that said Arthur M. Meister, deceased, left surviving him as his sole and legal heirs at law his widow, towit, Lena Meister, and his children, towit Leo Meister, Victor Meister, Elsie Schmeling, Adolph Meister, Verna Roschwitz, Adelene Schnackenberg, Dora Schnackenberg, Lucille Meister, Esther Meister, and Beulah Meister and none other. The court finds that said heirs inherited all of the estate of said Arthur M. Meister, deceased, including the aforesaid land under and by virtue of the laws of descent and distribution of the State of Oklahoma, and that they are now the sole and legal owners of said lands.

The court finds that the plaintiff has taken and appropriated the above described lands by virtue of its delegated power of eminent domain and have taken possession thereof; that the Commissioners appointed by this court have determined the damages suffered by said owners by reason of the taking of said lands in the sum of \$11,940.00; that the Plaintiff has paid the full amount of said award into court for the benefit of the lawful owners of said lands and all persons having a claim against the same and said persons are entitled to the distribution thereof.

The court finds that there is \$39.89 due the County Treasurer of Ottawa County Oklahoma for taxes against said lands for the years of 1938 and 1939; that there is due to J. R. Schad a mortgage debt in the sum of \$2372.00 and on another mortgage debt in the sum of \$315.00 including interest calculated to this date and secured by a mortgage on said lands; that there is due plaintiff herein the sum of \$940.00 for improvements on said lands repurchased by defendant land owners, and that all of said claims should be paid from said award.

IT IS THEREFORE ADJUDGED AND DECREED that the sole and legal heirs at law of Arthur M. Meister deceased are the following: his widow, Lena Meister, and his children, Leo Meister, Victor Meister, Elsie Schmeling, Adolph Meister, Verna Roschwitz, Adelene Schnackenberg, Dora Schnackenberg, Lucille Meister, Esther Meister, and Beulah Meister and none other; that said heirs so determined and adjudged are the sole and lawful owners of the real estate first hereinbefore described.

IT IS ORDERED that the Clerk of this court do disburse and pay the moneys in his hands in the sum of \$11,940.00 to the persons and/or corporations in the amounts as follows, towit:

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

REGULAR JANUARY 1940 TERM

WILSA, OKLAHOMA

SATURDAY, APRIL 13, 1940

1. County Treasurer, Ottawa County, Jay, Oklahoma, the sum of \$39.89;
2. J. R. Schad, the sum of \$2372.00; and the further sum of \$315.00;
3. Grand River Dam Authority the sum of \$940.00;
4. To Lena Meister, Leo Meister, Victor Meister, Elsie Schmeling, Adolph Meister, Verna Roschwitz, Adelene Schnackenberg, Dora Schnackenberg, Lucille Meister, and Victor Meister as Guardian of the person and estate of Esther Meister and Beulah Meister, minors the sum of \$8273.11.

F. E. KENNAMER
JUDGE

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) No. 337 Civil
)
JOHN HOBBS,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of April, 1940, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the complaint of the plaintiff, and the default of the defendant; 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 said defendant, John Hobbs, has been regularly served with summons in this cause more then 20 days prior to this date, and that said defendant has failed to answer, demur or otherwise plead herein, the Court finds that he is in default, and that plaintiff is entitled to judgment as prayed in its complaint herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf, and in behalf of the heirs of Elmer Pryor, restricted Osage Indian, deceased, have and recover judgment against the defendant, John Hobbs, in the sum of \$200.00, with interest thereon at the rate of 6% per annum from January 1, 1939, until paid, and for all costs of this action, for which let execution issue.

F. E. KENNAMER
JUDGE

OK WHIT Y. MAUZY, United States Attorney
CHESTER A. BREWER, Assistant United States Attorney

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

as to Tract No. 2 (10 GR-D 498 - 10 GR-D 495); the petitioner appearing by Q. B. Boydston, Assistant Counsel; Honorable Whit Y. Mauzy, United States District Attorney in and for the Northern District of Oklahoma, appearing specially on behalf of the United States; 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 statement of counsel, finds -- that the application of the petitioner should be granted, and that the commissioners heretofore appointed should be directed to appraise the lands described as Tract No. 2 (10 GR-D 498-10 GR-D 495) herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Commissioners be, and they are hereby directed to proceed immediately to inspect the lands described as Tract No. 2 (10 GR-D 498 and 10 GR-D 495) and to make their report covering said tract, fixing the damages to the owners by reason of the appropriation of said lands by the petitioner.

IT IS FURTHER ORDERED AND DIRECTED that the petitioner, Grand River Dam Authority, a public corporation, make the United States of America, a party defendant to these proceedings, and that notice be served upon the Honorable Whit Y. Mauzy, United States District Attorney in and for the Northern District of Oklahoma, by serving a copy of this order.

F. E. KENNAMER

ENDORSED: Filed Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court DC

VERDICT

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

GRAND RIVER DAM AUTHORITY, Plaintiff,)
vs.) Case No. 263 Civil
TRACT 7: HEIRS OF JOHN D. BUCHANAN,)
Deceased, Defendants.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, assess damages at \$9375.00 DOLLARS.

GRIF GRAHAM
Foreman.

FILED In Open Court
Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court H

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

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

MONDAY, APRIL 15, 1940

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 263 Civil
)	
TRACT 8: F. M. POST,	Defendant.)	

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

GEORGE L. GRANT
Foreman.

FILED In Open Court
Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court H

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

GRAND RIVER DAM AUTHORITY, a public corporation,	Petitioner,)	
		)	No. Civil 304
vs.)	
)	
A. M. Jarvis, et al.,	Defendants.)	

ORDER FOR DISBURSEMENT OF FUNDS

Now on this 15th day of April, 1940, the above matter comes on to be heard on the application of the defendants, A. M. Jarvis and Catherine Robinson, Roy T. Wills, John A. Robinson and C. E. Youse, Trustees of the Estate of James F. Robinson, deceased, for disbursement of funds on the real estate described in plaintiff's petition in said cause as Tract No. 1 (44 GR-C 290, 44 GR-C 322) which was condemned in said action and for which the sum of \$5895.00 was paid into court on the 2nd day of April, 1940 and it appearing that the said defendant A. M. Jarvis is the owner in fee of said real estate described in plaintiff's petition as Tract No. 1, and that the defendants Catherine Robinson, Roy T. Wills, John A. Robinson and C. E. Youse, Trustees of the Estate of James F. Robinson deceased, are the owners and holders of one certain real estate mortgage on said real estate as described and that there is due and unpaid on said real estate mortgage at this time the sum of \$1120.00 including interest, and that the said defendants Catherine Robinson, Roy T. Wills, John A. Robinson, and C. E. Youse, Trustees of the Estate of James F. Robinson, deceased, as mortgagees are entitled to receive said \$1120.00, and that there are taxes due against said property so described in the sum of \$11.98 and Russell Doss, County Treasurer of Ottawa County, Oklahoma is entitled to receive said \$11.98, and that A. M. Jarvis the owner of said property in fee is entitled to receive \$4763.02 the balance of said sum of \$5895.00;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the clerk of said court issue his voucher to A. M. Jarvis, one of the defendants herein for the sum of \$4763.02, and also issue his voucher to defendants Catherine Robinson, Roy T. Wills, John A. Robinson and C. E. Youse, Trustees of the Estate of James F. Robinson, deceased, mortgagees, for the sum of \$1120.00 and also

issue his voucher to Russell Doss, County Treasurer of Ottawa County, Oklahoma for \$11.98; said vouchers to be issued against the funds so deposited with the Clerk of said Court for the real estate described in plaintiff's petition as Tract No. 1 (44 GR-O 290, 44 GR-O 322).

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

OK Q. B. BOYDSTUN, Atty G. R. D. A.

ENDORSED: Filed Apr 15 1940
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to April 16, 1940

On this 16th day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
A. R. Cottle, Deputy United States Marshal

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

VERDICT

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

GRAND RIVER DAM AUTHORITY, Plaintiff,)
vs.) Case No. 264 Civil
TRACT 2: E. B. WENSEL and SUSIE)
WENSEL, Defendants.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$18,750.00 DOLLARS.

CLYDE FRYE
Foreman

FILED In Open Court
Apr 16 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 17, 1940

On this 17th day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
John P. Logan, United States Marshal

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

VERDICT

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

GRAND RIVER DAM AUTHORITY, Plaintiff,)
vs.) Case No. 264 Civil
TRACT 3: GOLDIE NEWBURN, Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$16,500.00 DOLLARS.

WILLIAM A. AUSBUM
Foreman

FILED In Open Court
Apr 17 1940
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 18, 1940

On this 18th day of April, A. D. 1940, the District Court of the United States of the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

Grand River Dam Authority, a
public corporation, Petitioner,)
vs.) CIVIL NO. 322
William D. Kneeland, et al., Defendants.)

ORDER APPOINTING COMMISSIONERS

Now on this 18th day of April, 1940, comes on for hearing petitioners application as embodied in its petition for condemnation, for an order appointing commissioners to ascertain the injury and assess the damages sustained by the above named defendants by the appropriation of their lands for the uses and purposes set out and described in said petition.

The Court having examined the files in said cause and being well and sufficiently advised in the premises, finds:

THAT notice of hearing said application has been given in the manner and form for the length of time, and in all respects as required by law,

THAT petitioner is a public corporation organized under the laws of the State of Oklahoma for the use and purposes and to perform the duties and functions as alleged in its petition and it is necessary that it acquire, and it has the right to acquire, the absolute, unencumbered, entire fee simple title to the real estate described in said petition for the purposes therein stated.

THAT the real estate to be appropriated the fee simple title to which petitioner must acquire in this action, is the follows, situated in Delaware County, Oklahoma, to-wit:

TRACT No. 1 (Map No. 6, Tract No. GR-D 234)

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, T 24 N - R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence N. 0° 05' W. along the East boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 279.0 feet to a point 1042.6 feet South of the NE corner thereof; thence S. 59° 51' W. 423.2 feet; thence S. 75° 38' W. 186.7 feet; thence S. 82° 06' W. 142.6 feet to a point in the South boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 638.6 feet East of the SW corner of thereof; thence N. 89° 56' E. along said South boundary a distance of 688.4 feet to the point of beginning, containing 1.6 acres, more or less.

TRACT No. 2 (Map No. 17, Tract No. GR-D 757)

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17, T 24 N - R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the North boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 359.9 feet East of the NW corner thereof; thence S. 23° 56' E. 229.3 feet; thence N. 40° 31' E. 253.3 feet; thence N. 89° 27' E. 41.1 feet to a point in the East boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 644.2 feet North of the SE corner thereof; thence N. 0° 32' E. along said East boundary a distance of 14.6 feet to the NE corner thereof; thence N. 89° 37' W. along the North boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 298.7 feet to the point of beginning, containing 0.6 acres, more or less.

TRACT No. 3 (Map No. 10, Tract No. GR-D 492A)

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

The S. 20.00 acres of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13, T 24 N - R 22 E of the Indian Base and Meridian.

TRACT No. 4 (Map No. 10, Tract No. GR-D 497)

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

The E $\frac{1}{3}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, T 24 N - R. 22 E of the Indian Base and Meridian, containing 30.0 acres, more or less.

Tract No. 5 (Map No. 22, Tract No. GR-D 1050A)

A tract of land, all lying in the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T 24 N - R 23 E Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence Easterly along the North boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ to the NE corner thereof; thence S. 0° 07' E. along the East boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 432.5 feet to a point 887.9 feet North of the SE corner thereof; thence S. 22° 39' W. 170.5 feet; thence S. 5° 03' E. 147.1 feet; thence S. 22° 03' E. 71.6 feet; thence S. 1° 28' W. 297.5 feet; thence S. 24° 42' E. a distance of 121.5 feet to a point in the East boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence S. 0° 07' E. along said East boundary a distance of 117.6 feet to the SE corner thereof; thence S. 89° 29' W. along the South boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 374.1 feet to a point 287.0 feet East of the SE corner thereof; thence N. 24° 24' W. 32.3 feet; thence N. 19° 07' W. 152.6 feet; thence N. 83° 13' W. 117.3 feet; thence S. 73° 13' W. 105.4 feet; thence S. 65° 56' W. 6.4 feet to a point in the West boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 158.8 feet North of the SW corner thereof; thence N. 0° 07' W. along said west boundary, a distance of 1161.7 feet to the point of beginning, containing 18.0 acres, more or less.

THAT the facts and conditions of title alleged and plead in petitioner's petition are tantamount, so far as affects petition and its necessities to a refusal on defendant's part to grant and convey said real estate.

AND THAT such commissioners ought to be appointed.

IT IS THEREFORE, ORDERED THAT Edward Soph, Dan Bishop and Henry E. Hoffman, they being disinterested freeholders by me from the regular jury list for the Northern District of Oklahoma, and not interested in any like question, be, and they are, appointed as commissioners to be sworn to perform their duties, justly and impartially, according to law, to inspect each tract of land separately, and consider the injury which the owner or owners of each separate tract of real estate above described may sustain by reason the taking and appropriation and acquisition by petitioner of the absolute, active and unencumbered fee simple title to each of said tracts of real estate, and assess the damages which said owner or owners will sustain, directly or indirectly, by such appropriation and acquisition of his, or their, land irrespective of any improvements proposed.

REGULAR MARCH 1940 TERM

TRACT NO. 1 (Map No. 8, Tract No. GR-D 423)

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

The $N\frac{1}{2}$ $SE\frac{1}{4}$ $SD\frac{1}{2}$ of Sec. 34, containing 20.0 acres, more or less; and the $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ and the $SE\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35, containing 30.0 acres, more or less; and that part of the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 34, and the $SW\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35 particularly described as follows, to-wit:

Beginning at the SE corner of said $S\frac{1}{2}$ $NE\frac{1}{4}$ $SD\frac{1}{2}$ of Sec. 34; thence Westerly along the South boundary of said $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of said $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ a distance of 187.7 feet to a point 470.2 feet South of the NW corner thereof; thence N. $71^{\circ} 24'$ E. 294.8 feet; thence N. $78^{\circ} 32'$ E. 296.5 feet; thence N. $83^{\circ} 19'$ E. 276.5 feet; thence N. $83^{\circ} 26'$ E. 277.0 feet; thence S. $81^{\circ} 09'$ E. 90.8 feet; thence N. $74^{\circ} 00'$ E. 44.1 feet; thence S. $44^{\circ} 32'$ E. 59.0 feet; thence S. $72^{\circ} 17'$ E. 22.9 feet to a point in the East boundary of said $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ and 293.1 feet South of the NE corner thereof; thence S. $72^{\circ} 16'$ E. 223.9 feet; thence S. $79^{\circ} 12'$ E. 185.0 feet; thence S. $88^{\circ} 47'$ E. 244.5 feet; thence N. $78^{\circ} 32'$ E. 19.6 feet to a point in the East boundary of said $SW\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35 and 387.2 feet South of the NE corner thereof; thence Southerly along said East boundary a distance of 270.0 feet to the SE corner thereof; thence Westerly along the South boundary of said $SW\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ to the point of beginning, containing 15.1 acres, more or less;

All in T 24 N - R 22 E of the Indian Base and Meridian, the whole tract containing in all 65.1 acres, more or less.

TRACT NO. 2 (Map No. 13, Tract No. GR-D 666)

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

The $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 12, containing 20.0 acres, more or less; and that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and the $S\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 12, particularly described as follows, to-wit:

Beginning at the SW corner of said $S\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, thence Easterly along the South boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ and $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ to the SE corner of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$; thence Northerly along the East boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ a distance of 418.0 feet; to a point 239.5 feet South of the NE corner thereof; thence N. $59^{\circ} 30'$ W. 29.0 feet; thence N. $87^{\circ} 03'$ W. 291.5 feet; thence S. $81^{\circ} 50'$ W. 419.5 feet; thence S. $74^{\circ} 28'$ W. 429.3 feet; thence S. $87^{\circ} 56'$ W. 372.6 feet; thence N. $85^{\circ} 31'$ W. 476.1 feet; thence S. $87^{\circ} 24'$ W. 140.1 feet; thence N. $47^{\circ} 35'$ W. 196.2 feet; thence N. $74^{\circ} 13'$ W. 399.7 feet to a point in the West boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$; thence Southerly along said West boundary a distance of 409.5 feet to the point of beginning, containing 19.2 acres, more or less;

All in T 25 N - R 22 E of the Indian Base and Meridian, the whole tract containing 39.2 acres, more or less.

TRACT NO. 3 (Map No. 7, Tract No. GR-D 283)

All that part of the $NE\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 10, T 23 N - R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the North boundary of said $NE\frac{1}{4}$ $NW\frac{1}{4}$ and 146.3 feet East of the NW corner thereof, thence S. $89^{\circ} 52'$ E. along said North boundary a distance of 338.1 feet to a point 826.2 feet West of the NE corner thereof; thence S. $20^{\circ} 34'$ E. 591.9 feet; thence N. $37^{\circ} 41'$ W. 496.0 feet; thence N. $56^{\circ} 13'$ W. 292.2 feet to the point of beginning, containing 1.6 acres, more or less.

TRACT NO. 4 (Map No. 19, Tract No. GR-D 916-A)

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

The $N\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T 25 N - R 23 E of the Indian Base and Meridian, containing 30.0 acres, more or less.

TRACT NO. 5 (Map No. 27, Tract No. GR-D 14864)

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

The $S\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 21, T 24 N - R 24 E of the Indian Base and Meridian, containing 5.0 acres, more or less.

TRACT NO. 6 (Map No. 4, Tract No. GR-D 1-A)

All that part of the $S\frac{1}{2}$ of the W. 14.22 acres of Lot 5, Sec. 6, T 23 N - R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning the SW corner of said Lot 5, thence S. 89° 02' E. along the South boundary of said $S\frac{1}{2}$ of W. 14.22 acres of Lot 5 a distance of 251.2 feet to a point 217.7 feet West of the SE corner thereof; thence N. 4° 03' W. 119.2 feet; thence N. 2° 26' W. 125.7 feet; thence N. 40° 30' E. 153.7 feet; thence N. 57° 44' E. 163.2 feet to a point in the East boundary of said $S\frac{1}{2}$ of W. 14.22 acres of Lot 5 and 452.2 feet North of the SE corner thereof; thence N. 1° 19' E. along said East boundary a distance of 16.6 feet to a point 190.3 feet South of the NE corner thereof; thence N. 61° 11' W. 89.4 feet; thence N. 36° 01' W. 48.9 feet; thence S. 39° 14' W. 56.3 feet; thence S. 61° 56' W. 188.2 feet; thence N. 42° 02' W. 193.0 feet; thence N. 21° 49' W. 61.5 feet to a point in the West boundary of said $S\frac{1}{2}$ of W. 14.22 acres of Lot 5 and 48.4 feet South of the NW corner thereof; thence S. 1° 46' W. along said West boundary a distance of 611.6 feet to the point of beginning, containing 3.4 acres, more or less.

TRACT NO. 7 (Map No. 3, Tract No. GR-D 90)

All that part of the $S\frac{1}{2}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 23 N - R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence Westerly along the South boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ and $S\frac{1}{2}$ NW $\frac{1}{4}$ to the NW corner of said $S\frac{1}{2}$ NW $\frac{1}{4}$, thence S. 89° 58' E. along the North boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ a distance of 1713.2 feet to a point 928.3 feet West of the NE corner thereof; thence S. 43° 06' W. 198.0 feet; thence S. 17° 26' W. 162.0 feet; thence S. 56° 33' E. 209.5 feet; thence N. 44° 51' E. 185.9 feet; thence S. 20° 21' W. 345.9 feet; thence S. 47° 02' E. 345.9 feet; thence N. 76° 49' W. 394.8 feet; thence N. 71° 34' W. 189.4 feet; thence S. 51° 56' W. 198.8 feet; thence S. 0° 32' E. 264.4 feet; thence N. 47° 42' W. 262.2 feet; thence N. 50° 54' W. 141.6 feet; thence S. 68° 34' W. 171.0 feet; thence S. 41° 34' W. 424.9 feet; thence S. 4° 54' W. 138.9 feet; thence S. 53° 46' E. 134.3 feet; thence S. 21° 23' W. 61.8 feet; thence S. 46° 34' E. 137.7 feet; thence N. 69° 57' E. 175.9 feet; thence S. 11° 04' W. 145.1 feet; thence S. 40° 41' E. 110.1 feet; thence S. 70° 31' E. 246.5 feet; thence N. 87° 24' E. 110.3 feet; thence S. 2° 16' W. 210.0 feet; thence S. 10° 03' E. 112.3 feet; thence S. 41° 16' W. 172.0 feet; thence S. 23° 38' E. 199.8 feet; thence S. 75° 24' E. 94.1 feet to a point in the East boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 1144.1 feet South of the NE corner thereof; thence S. 0° 29' W. along the said East boundary a distance of 175.6 feet to the point of beginning, containing 72.4 acres, more or less.

TRACT NO. 8 (Map No. 56, Tract No. GR-O 754
Map No. 56, Tract No. GR-O 754 "X")

All that certain tract of land situated in Ottawa County, Oklahoma, described as follows, to-wit:
The North 4.25 acres 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.

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

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

THURSDAY, APRIL 18, 1940

REGULAR MARCH 1940 TERM.

The South one-half of the North 3.49 acres of Lot 3, Sec. 8, T 27 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, containing 4.25 acres, more or less;

Said two tracts containing a total of 8.90 acres, more or less;

And including 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.

THAT the facts and conditions of title alleged and plead in petitioner's petition are tantamount, so far as effects petition and its necessities, to a refusal on defendant's part to grant and convey said real estate.

AND THAT such commissioners ought to be appointed.

IT IS THEREFORE ORDERED THAT Edward Soph, Dan Bishop and Henry E. Hoffman, they being disinterested freeholders selected by me from the regular jury list for the Northern District of Oklahoma, and not interested in any like question, be, and they are, appointed as commissioners to be sworn to perform their duties justly and impartially, according to law, to inspect each tract of said real estate separately, and consider the injury which the owner or owners of each separate tract of real estate above described may sustain by reason of the taking and appropriation and acquisition by petitioner of the absolute, entire and unencumbered fee simple title to each of said tracts of real estate, and assess the damages which said owner or owners will sustain, directly or indirectly, by such appropriation and acquisition of his, or their land, irrespective of any improvements proposed.

Said commissioners will forthwith file their report in writing with the Clerk of this Court, setting for the quantities and value of each of the above tracts of land, separately and individually, and assess the injury and damages to be sustained, directly or indirectly, by the owner or owners thereof, as above directed.

Before commencing their duties, each of said Commissioners will take and subscribe to an oath before the Clerk of this Court to perform their duties justly and impartially.

IT IS FURTHER ORDERED that the Marshal of the Northern District of Oklahoma immediately summon said commissioners to the performance of their duties by reporting to the Clerk of this Court on the 16th day of April, 1940, taking the oath, and receiving instructions, each summons to be made by delivering to each of them a certified copy of this order.

WITNESS my hand and the seal of this Court this 12th day of April, 1940.

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

ENDORSED: Filed Apr 18 1940
H. P. Warfield, Clerk
U. S. District Court ME

REGULAR MARCH 1940 TERM

THURSDAY, APRIL 18, 1940

500.8 feet North of the SW corner thereof, thence N. 0° 07' W. along the West boundary of the E $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 574.1 feet; thence S. 58° 25' E. 479.9 feet; thence S. 72° 51' E. 133.7 feet; thence S. 59° 56' E. 383.3 feet; thence S. 86° 10' E. 373.7 feet; thence N. 86° 55' E. 293.0 feet; thence S. 72° 28' W. 180.9 feet; thence S. 62° 14' W. 394.3 feet; thence S. 49° 19' W. 79.5 feet; thence S. 0° 26' W. 113.3 feet; thence S. 4° 17' E. 157.1 feet; thence S. 6° 12' E. 151.1 feet; thence N. 21° 51' W. 117.1 feet; thence N. 52° 55' W. 96.3 feet; thence N. 76° 11' W. 117.3 feet; thence N. 18° 16' W. 219.2 feet; thence N. 57° 08' W. 101.9 feet; thence S. 86° 56' W. 153.1 feet; thence N. 72° 07' W. 338.0 feet; thence N. 70° 40' W. 30.7 feet to the point of beginning, containing 12.0 acre, more or less.

That the facts and conditions of title alleged and plead in petitioner's petition are tantamount, so far as affects petition and its necessities, to a refusal on defendant's part to grant and convey said real estate.

AND THAT such commissioners ought to be appointed.

IT IS THEREFORE, ORDERED that Edward Soph, Dan Bishop and Henry E. Hoffman, they being disinterested freeholders selected by me from the regular jury list for the Northern District of Oklahoma, and not interested in any like question, be, and they are, appointed as commissioners to be sworn to perform their duties justly and impartially, according to law, to inspect each tract of said real estate separately, and consider the injury which the owner or owners of each separate tract of real estate above described may sustain by reason of the taking and appropriation and acquisition by petitioner of the absolute, entire and unencumbered fee simple title to each of said tracts of real estate, and assess the damages which said owner or owners will sustain, directly or indirectly, by such appropriation and acquisition of his, or their land, irrespective of any improvements proposed.

Said commissioners will forthwith file their report in writing with the Clerk of this Court, setting forth the quantities and value of each of the said tracts of land, separate and individually, and assess the injury and damages to be sustained, directly or indirectly, by the owner or owners thereof, as above directed.

Before commencing their duties, each of said Commissioners will take and subscribe to an oath before the Clerk of this Court to perform their duties justly and impartially.

IT IS FURTHER ORDERED that the Marshal of the Northern District of Oklahoma immediately summon said commissioners to the performance of their duties by reporting to the Clerk of this Court on the 16th day of April, 1940, taking the oath, and receiving instructions, each summons to be made by delivering to each of them a certified copy of this order.

WITNESS my hand and the seal of this Court this 12th day of April, 1940.

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

ENDORSED: Filed Apr 18 1940
H. P. Warfield, Clerk
U. S. District Court

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

State of Oklahoma, ex rel Robert H. Neptune,)
County Attorney, Washington County,)
Plaintiff,) Civil No. 366
vs.)
United States Defendant.)

ORDER GRANTING WRIT OF HABEAS CORPUS AD TESTIFICANDUM

On reading and considering the petition of the County Attorney of Washington County, State of Oklahoma, filed herein, whereby it appears that one Myrl Porter is a defendant in a certain cause of action pending in the Justice of Peace Court of E. E. Heyl in Bartlesville, Oklahoma, which is set for hearing on April 18, 1940, at 2 o'clock P.M., and it further appearing that one J. J. Pappan is a Federal prisoner and confined in the Tulsa County Jail at Tulsa, Oklahoma, and is under the control and in the charge and custody of the United States Marshal in and for the Northern District of Oklahoma at Tulsa, Oklahoma, and it appearing that a writ of habeas corpus ad testificandum ought to issue.

IT IS HEREBY ORDERED, that a writ of habeas corpus ad testificandum issue out of and under the seal of this court, directed to the United States Marshal in and for the Northern District of Oklahoma, commanding him to deliver the body of said J. J. Pappan to the County Attorney in and for Washington County, Oklahoma, upon said County Attorney's delivery to said Marshal of said writ, and that said United States Marshal shall have the body of the said J. J. Pappan before the Justice of the peace at Bartlesville, Oklahoma, on the 18th day of April, 1940, to testify as a witness for the State of Oklahoma in a certain cause wherein the State of Oklahoma is plaintiff and one Myrl Porter is defendant, same being numbered 412 in said court,

IT IS THE FURTHER ORDER OF THE COURT that all expenses incurred in the execution of this writ shall be paid by the County Attorney of Washington County, State of Oklahoma, and the United States Government shall be put to no expense herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 18 1940
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to April 19, 1940

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 18, 1940

On this 18th day of April, 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, present and presiding,

M. M. Ewing, Deputy Clerk, U. S. District Court
Whit Y. Maury, United States Attorney
A. R. Cottle, Deputy 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 IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

REGULAR JANUARY 1940 TERM

THURSDAY, APRIL 18, 1940

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

JAMES T. SPENCER, Administrator of the Estate of JACKSON BARNETT, Deceased, Plaintiff,
vs.
GYPSY OIL COMPANY, et al., Defendants.

NO. 39 - CIVIL

O R D E R

NOW, on this 17th day of April, 1940, for good cause shown, the plaintiff is given 20 days additional time from and after the 17th day of April, 1940, to serve exhibits on defendants, pursuant to the order of this Court made on March 8th, 1940, in the above entitled cause.

DATED, at Tulsa, Oklahoma, this 17th day of April, 1940.

ALFRED P. MURKIN
JUDGE

ENDORSED: Filed Apr 18 1940
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to April 20, 1940

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

FRIDAY, APRIL 19, 1940

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

H. P. Warfield, Clerk, U. S. District Court
John P. Logan, United States Marshal

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

VERDICT

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

GRAND RIVER DAM AUTHORITY, Plaintiff,
-vs-
THE HEIRS OF W. F. KILLION, DECEASED, Defendants.

Case No. 245 Civil TRACT 5

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$150.00 DOLLARS.

FILED In Open Court Apr 19 1940
H. P. Warfield, Clerk, U. S. District Court AC

MARSHALL D. HOUGH
Foreman

REGULAR MARCH 1940 term

FRIDAY, APRIL 13, 1940

the sum of \$78.52; and it further appearing to the Court that the defendant, Claude W. Frazier, and the petitioner, Grand River Dam Authority, a public corporation, have entered into a stipulation for the settlement and distribution of the award as to Tract No. 3; and the Court having fully advised in the premises, finds: that said award in the sum of \$6100.00 is to be disbursed as follows to-wit:

To the Grand River Dam Authority	\$100.00
To the County Treasurer of Ottawa County, Oklahoma, taxes for the years of 1934 to 1939, inclusive	78.52
To the defendant, Claude W. Frazier	\$5921.48

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Clerk of this Court be, and he is hereby directed to make distribution of the commissioners' award as to Tract No. 3 (43 GR-O 194 - - 44 GR-O 352) as follows, to-wit:

To the Grand River Dam Authority	\$100.00
To the County Treasurer of Ottawa County, Oklahoma,	78.52
To Claude W. Frazier	\$ 5921.48

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

OK Q. B. BOYDSTUN,
Attorney for Petitioner

ENDORSED: Filed Apr 19 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. 324
)	
vs.)	
James W. Elliott, et al.,	Defendants.)	

O R D E R

On this 12th day of April, 1940, the above entitled action comes on for trial on the following motions to dismiss filed herein; motion of defendant, H. A. Andrews, Superintendent of the Quapaw Indian Agency and A. M. Landman, Superintendent of the Five Civilized Tribes Agency, appearing specially and for the purpose of this motion only, and Motion of the United States of America, appearing specially and for the purpose of this motion only,

The plaintiff is present by Q. B. Boydston and A. L. Emery, Assistant Counsel the movants are present by Whit Y. Mauzy, United States Attorney and Chester A. Brower, Assistant United States Attorney.

The said motions are presented to the Court and after arguments thereon by counsel the said motion of defendants, H. A. Andrews, Superintendent of the Quapaw Agency and A. M. Landman, Superintendent of the Five Civilized Tribes Agency is sustained and the motion of the United States is continued until the further order of this Court.

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

O.K. as to form Q. B. BOYDSTUN
A. L. EMERY
Attorneys for Plaintiff

O.K. as to form WHIT Y. MAUZY
United States District Attorney

CHESTER A. BREWER
Assistant United States District Attorney

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

Court adjourned to April 22, 1940

On this 20th day of April, 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 THE STATE OF OKLAHOMA

JOSEPHINE H. SMITH, Plaintiff,)
)
No. 171 Civil
UNITED TRANSPORTS, INC., a Defendant.
corporation,

ORDER

Now on this 20th day of April, 1940, this matter comes on to be heard upon motion for new trial filed by plaintiff herein; and the court having heard argument, and being fully advised in the premises, finds that said motion for new trial should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court, that plaintiff's motion for new trial be, and the same is, hereby overruled.

F. E. KENNAMER
U. S. District Judge

O.K. and COPY OF ORDER acknowledged:

PERRY PORTER, Counsel for Plaintiff

R. D. HUDSON, Counsel for Defendant

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court B

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

JOSEPHINE H. SMITH, Plaintiff,)
vs.) No. 171 Civil
UNITED TRANSPORTS, INC., a corporation,)
Defendant.)

JOURNAL ENTRY OF JUDGMENT ON VERDICT

On this 1st day of November, 1939, this cause came on for trial, plaintiff appearing in person and by her counsel Perry Porter, and the defendant appearing by its counsel, R. D. Hudson and W. E. Hudson. Both sides announced ready, and thereupon a jury of twelve good men was duly empaneled and sworn, well and truly to try the issues joined between plaintiff and defendant and a true verdict render according to the evidence. And said jury, having heard the evidence the charges of the court and the arguments of counsel, upon their oaths return a verdict in favor of the defendant, United Transports, Inc., a corporation, and against the plaintiff, Josephine H. Smith.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the said defendant, United Transports, Inc., have and recover judgment against the plaintiff, Josephine H. Smith, together with its costs herein expended.

F. E. KENNAMER
U. S. District Judge

Approved and receipt of copy of journal entry acknowledged.

PERRY PORTER, Attorney for Plaintiff
R. D. HUDSON W. E. HUDSON, Attorneys for defendant.

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court B

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

REGULAR JANUARY 1940 TERM

TRINIA, OKLAHOMA

SATURDAY, APRIL 20, 1940

O.K. and copy of order acknowledged received:
PERRY PORTER, Counsel for Plaintiff
R. D. HUDSON W. E. HUDSON, Counsel for Defendant

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court B

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

IDAMAE DOUTHITT, Plaintiff,)
vs.) No. 173 Civil
UNITED TRANSPORTS, INC., a corporation,)
Defendant.)

JOURNAL ENTRY OF JUDGMENT ON VERDICT

On this 1st day of November, 1939, this cause came on for trial, plaintiff appearing in person and by her counsel Perry Porter, and the defendant appearing by its counsel, R. D. Hudson and W. E. Hudson. Both sides announced ready, and thereupon a jury of twelve good men was duly empaneled and sworn, well and truly to try the issues joined between plaintiff and defendant and a true verdict render according to the evidence. And said jury, having heard the evidence, the charge of the court and the argument of counsel, upon their oaths return a verdict in favor of the defendant, United Transports, Inc., a corporation, and against the plaintiff, Idamae Douthitt.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the said defendant, United Transports, Inc., have and recover judgment against the plaintiff, Idamae Douthitt, together with its costs herein expended.

F. E. KENNAMER
U. S. District Judge

Approved and receipt of copy of journal entry acknowledged.
PERRY PORTER, Attorney for Plaintiff
R. D. HUDSON W. E. HUDSON, Attorneys for Defendant

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court B

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

REGULAR JANUARY 1940 TERM

SATURDAY, APRIL 20, 1940

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

IDAMAE DOUTHITT, Plaintiff,)
vs.) No. 173 Civil
UNITED TRANSPORTS, INC., a corporation,)
Defendant.)

O R D E R

Now on this 20th day of April, 1940, this matter comes on to be heard upon motion for new trial filed by plaintiff herein; and the court having heard argument, and being fully advised in the premises, finds that said motion for new trial should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court, that plaintiff's motion for new trial be, and the same is, hereby overruled.

F. E. KENNAMER
U. S. District Judge

O.K. and COPY OF ORDER acknowledged:
PERCY PORTER, Counsel for Plaintiff
R. D. HUDSON, Counsel for Defendant

ENDORSED: Filed Apr 20 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,)
vs.) Civil No. 264
C. M. Copeland, et al, Defendants.)

ORDER OF DISTRIBUTION

On this 20th day of April, 1940, the same being a regular judicial day of this court, the above styled matter comes on for hearing on the application of C. M. Copeland and Bernice Copeland, and the heirs of Annie Ragsdale, deceased, to-wit: Leroy Lang and Bell Thompson for disbursement of funds.

Said applicants each appear in open court by his and her attorneys of record, and the plaintiff appears in open court by its attorneys, and it appearing that all interested parties are before the court and have been given notice of the order applied for herein; the court finds that no other or further notice is necessary.

It then being shown to the Court, and the Court finding that the defendants, C. M. Copeland and Bernice Copeland have been prior to the condemnation proceedings herein, the lawful owners and in actual possession of those lands described in the petition herein, as Tract number One (21 CR-D 1038 and 21 CR-D 1030) and that the defendants, Leroy Lang and Bell Thompson have claimed an

REGULAR JANUARY 1940 TERM

SATURDAY, APRIL 20, 1940

interest therein, and it further appearing that said defendants and each signed and filed stipulation herein, providing for distribution among them of the funds deposited herein for payment for said lands, and it further appearing that plaintiff has taken and appropriated said lands for its uses, under its power of eminent domain; that pursuant to stipulation signed by all the parties hereto and filed herein a directed verdict by the jury of this court was signed and filed herein, determining and fixing the damages occasioned by the taking of all of said lands in the sum of \$6000.00; that the plaintiff has paid the said sum to the Clerk of this court; that in accordance with the agreement and stipulation signed by said defendants and filed herein, the defendants, C. M. Copeland and Bernice F. Copeland are entitled to the sum of \$5500.00; said defendants have setout in their application for distribution that they desire payment of said funds to be paid by the issuance of a check in the sum of \$500.00 to Rollie C. Clark and E. H. Beauchamp, and another check in the sum of \$5500.00 payable to C. M. Copeland and Bernice Copeland, and it appearing that plaintiff has paid all costs of this case and it further appearing that all taxes for 1939 and all prior years have been fully paid, and it further appearing that there are no liens or mortgages against said lands; that there are no other claims to said funds, other than the defendants, as herein above setout, and that distribution and payment should be made as setout in the application for distribution filed herein, by said defendants.

NOW THEREFORE, it is by the court ordered that the Clerk of this court pay and disburse said funds, by issuing a check payable to the order of C. M. Copeland and Bernice Copeland in the sum of \$5500.00, and another check payable to the order of Rollie C. Clark and E. H. Beauchamp, in the sum of \$500.00.

F. E. KENNAMER
District Judge

OK R. L. DAVIDSON, Atty for Petitioner

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court H

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

FRANK VAN AMBURGH, Plaintiff,)
vs.) No. 333 - Civil
MASSACHUSETTS MUTUAL LIFE INSURANCE)
COMPANY, A CORPORATION, Defendant.)

ORDER OF DISMISSAL WITHOUT PREJUDICE

Now on this 20th day of April, 1940, the above matter came on for hearing upon the motion of the plaintiff to dismiss the above cause without prejudice, and the court being fully advised in the premises, finds that said motion should be sustained, and that said cause should be dismissed without prejudice, at the cost of the plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that the above cause be and the same is hereby dismissed without prejudice to the commencement of a future action, at the cost of the plaintiff.

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

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court ME

542

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

SAURDAY, APRIL 29, 1940

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 20th day of April, 1940, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing to the court that among the assets coming into the hands of the trustee was a note executed by Donald Witten and Margaret E. Witten, dated June 19, 1929, for the principal sum of Three Thousand Dollars (\$3,000.00), upon which the principal sum of Two Thousand Three Hundred Sixty Eight & 70/100 Dollars (\$2,368.70) was unpaid; that said note was secured by a real estate mortgage covering:

lots Twenty Three (23) and Twenty Four (24)
of Block Eight (8) of Park Hill Addition to the
City of Tulsa, Tulsa County, Oklahoma, according
to the recorded plat thereof;

that pursuant to authority granted the said trustee by an order entered in this cause on the 28th day of November, 1939, said trustee, J. H. McBirney, accepted a deed to said real estate, as well as a promissory note in the amount of Three Hundred Dollars (\$300.00) in satisfaction of said mortgage indebtedness, and that the said trustee became, and now is, the owner and holder of legal title in and to said real estate above described; and it further appearing that said real estate is located at number 415 North Rosedale Avenue, in the City of Tulsa, Oklahoma, and that said lots have a total frontage of fifty (50) feet; that the said real estate is improved with a one-story five (5) room frame house, 26' x 36', with composition roof, concrete block foundation, and basement; that the books and records of the said trust reveal an investment in said real estate of the principal sum of Two Thousand Ninety One & 55/100 Dollars (\$2,091.55), less the sum of Six Hundred Eighteen & 23/100 Dollars (\$618.23), which is the net amount received from rentals from said real estate, or a total principal investment of One Thousand Four Hundred Seventy Three & 32/100 Dollars (\$1,473.32), without any interest or other charges; and it further appearing that J. H. McBirney, Successor Trustee, has an offer from Theodore R. York and Vernice May York for the purchase of said real estate and improvements, for the sum of One Thousand Six Hundred Dollars (\$1,600.00), payable upon execution and delivery of deed; and it further appearing that the said trustee has not had a higher or better offer for said real estate, and that the said sum of One Thousand Six Hundred Dollars (\$1,600.00) approximates the true and actual 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 served of proposed sales of real estate of said trustee, have been duly notified of said offer of sale, and have considered the same, and have approved the said offer and recommended to the said trustee that he sell said real estate and improvements for said sum of One Thousand Six Hundred Dollars (\$1,600.00) in cash; and it further appearing that the said trust is in liquidation, and it is to the best interest of the said trust and its beneficiaries that said real estate be sold, and the said trustee having recommended the sale of said real estate for said consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell the following described real estate-to-wit:

lots Twenty Three (23) and Twenty Four (24) of Block Eight (8)
of Park Hill Addition to the City of Tulsa, Tulsa County, Oklahoma,
according to the recorded plat thereof,

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

ATLAS LIFE INSURANCE COMPANY, a
corporation,)
Plaintiff,)
vs.) No. 1278 Equity
RUSO DRILLING COMPANY, a Corporation,)
Defendant.)

O R D E R

Now on this the 20th day of April, 1940, the court finding that all matters, things, claims and controversies in the above styled and numbered case and cause of action have been fully settled, and the plaintiff having presented its motion asking that said cause be dismissed with prejudice, it is by the court ordered, adjudged and decreed that said cause be and it is hereby dismissed with prejudice, at the cost of the plaintiff.

WITNESS my hand as Judge this the 20th day of April, 1940.

F. E. KENAMER
JUDGE

ENDORSED: Filed Apr 20 1940
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to April 22, 1940

On this 22nd day of April, 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. Alfred P. Murrah, Judge, present and presiding.

M. M. Ewing, Deputy 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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel)
Charles E. Fincke and Percy O. Bangert, operating under the)
firm name of Fincke, Bangert & Company) Plaintiffs,) No. 123 - Civil
vs.)
LST CAUSE: Joe H. Allen, et al.,) Defendants.)

O R D E R

Now on this 19 day of April, 1940, before me regularly on for the day the

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 25, 1940

duly verified application of the relators in the above styled and numbered cause for an order directing the various absent defendants, if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead to or answer the Bill of Complaint by a day certain and being duly advised, the Court finds that this is a suit commenced by the City of Sapulpa, Creek County, Oklahoma, a municipal corporation, on the relation of Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, to foreclose certain delinquent special assessment installment liens heretofore validly created and assessed by the said City of Sapulpa, against certain tracts and parcels of real estate, as more particularly described in plaintiff's bill, and it appearing that such a proceeding is in accordance with the intent and meaning of Section 118, Title 29, U. S. C. A., and that it is therefore proper that an order should be made requiring that the said absent defendants, if living, or if dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead, demur or answer the said Bill by a day certain.

The Court further finds that the addresses and whereabouts of the hereinafter named defendants, if they be living, are unknown, and cannot be ascertained with diligence, or if they be dead, the name of their heirs, executors, administrators, devisees, trustees or assigns are unknown and cannot be ascertained with diligence, and it is therefore proper that service be made upon them by publication.

The Court further finds that the real estate involved herein in which the hereinafter named defendants have some interest is vacant and unimproved, and that it is therefore not necessary that copies of this order be served upon any party in possession.

It is therefore ordered and decreed that said application is in all respects granted, and it is ordered that the said defendants,

W. M. Gilbert,
Opal H. Williford;
J. J. Schuman;
Bell Jucksch;
Irene Carson;
Dora A. Wildman;
Claude Williford;
J. W. Sheppard;
B. C. Burnett;
A. P. Crawford;
Lucinda Neff, Trustee;
James C. Boudreau;
Elijah Cameron;
A. W. Morehouse;
T. B. Wood;
Arnetas Neff, Trustee;
Vivian Clayton Wimbesh;
Wm. McKinley Clayton;
C. Blaine;
Henry Wood;

B. B. Burnett, B. C. Burnett, and A. P. Crawford, being all of the members of the Board of Directors of Ross Investment Company;

if they be living, if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns, and the defendants

Chase National Bank and Home Accident Insurance Company, corporations, if existing, or if dissolved, their unknown stockholders, successors, trustees and assigns,

appear and plead, demur or answer the said bill of complaint of the said relators on or before Friday the 7th day of June, 1940, in the City of Tulsa, Oklahoma, within the Northern District of Oklahoma.

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

REGULAR JANUARY 1940 TERM

SELMA, OKLAHOMA

MONDAY, APRIL 22, 1940

It is further ordered that a copy of this order be published in The Sapulpa Legal News, a weekly newspaper published in the City of Sapulpa, Oklahoma, and in general circulation throughout the Northern District of Oklahoma, and that said publication is made weekly to June 1, 1940.

It is further ordered that copies of this order, together with that portion of the Bill of Complaint relevant to each respective defendant be mailed to said defendant at his or her last known post office address.

ALFRED P. MURRAH
United States District Judge

Endorsed; Filed Apr 22 1940
H. P. Warfield, Clerk
U. S. District Court ME

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, Plaintiffs,)
vs.)
1ST CAUSE: Mrs. J. D. Berry, et al., Defendants.)
No. 124 - Civil

O R D E R

Now on this 19th day of April, 1940, there came regularly on for hearing the duly verified application of the relators in the aboe styled and numbered cause for an order directing the various absent defendants, if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead to or answer the Bill of Complaint by a day certain and being duly advised, the Court finds that this is a suit commenced by the City of Sapulpa, Creek County, Oklahoma, a municipal corporation, on the relation of Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, to foreclose certain delinquent special assessment installment liens heretofore validly created and assessed by the said City of Sapulpa against certain tracts and parcels of real estate, as more particularly described in plaintiffs' Bill, and it appearing that such a proceeding is in accordance with the intent and meaning of Section 118, Title 28, U. S. C. A., and that it is therefore proper that an order should be made requiring that the said absent defendants, if living, or if dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead, demur or answer the said Bill by a day certain.

The Court further finds that the addresses and whereabouts of the hereinafter named defendants, if they be living, are unknown, and cannot be ascertained with diligence, or if they be dead, the name of their heirs, executors, administrators, devisees, trustees or assigns, are unknown, and cannot be ascertain with diligence, and it is therefore proper that service be made upon them by publication.

The Court further finds that the real estate involved herein in which the hereinafter named defendants have some interest is vacant and unimproved, and that it is therefore not necessary that copies of this order be served upon any party in possession.

It is therefore ordered and decreed that said application is in all respects granted, and it is ordered that the said defendants,

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

REGULAR JANUARY 1940 TERM

MONDAY, APRIL 23, 1940

- | | |
|---|-------------------|
| J. D. Berry | Esther M. Brown; |
| Legus Brown; | P. A. McNeal; |
| Lucinda M. Randolph; | Elijah E. Riley; |
| Martha Graham; | Erice Patrick; |
| Jessie L. Patrick; | W. D. Cope; |
| F. W. Martin; | John B. Summers; |
| W. F. Wallen; | Mollie J. Jetton; |
| Edith Snyder; | C. Blaine; |
| Mary M. Jones; | Sarah E. Freeman; |
| F. K. Howard; | Harlen Bennett; |
| Emma Dodrill; | Mary Harris; |
| B. F. Jones; | |
| Enos V. Mickey, sometimes known as Enos V. Mikey; | |

if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees, or assigns, and the defendants,

Savings Building and Loan Association,
a corporation of Tulsa, Oklahoma, Deming
Investment Company, National Bank of Sapulpa,
Sapulpa Townsite Company, First National Bank of
Sapulpa, Oklahoma State Bank of Sapulpa, corporations,

if existing, or if dissolved, their unknown stockholders, successors, trustees and assigns, appear and plead, demur or answer the said Bill of Complaint of the said relators on or before Friday the 7th day of June, 1940, in the City of Tulsa, Oklahoma, within the Northern District of Oklahoma.

It is further ordered that a copy of this order be published in The Sapulpa Legal News, a weekly newspaper published in the City of Sapulpa, Oklahoma, and in general circulation throughout the Northern District of Oklahoma, and that said publication be made weekly June 1, 1940.

It is further ordered that copies of this order, together with that portion of the Bill of Complaint relevant to each respective defendant be mailed to said defendant at his or her last known post office address.

ALFRED P. MURRAH
United States District Judge

ENDORSED: Filed Apr 22 1940
H. P. Warfield, Clerk
U. S. District Court AC

J. F. Gilbert	Cora Berry
A. Miller Hammett	J. H. Odom
Dewey Hawkins	Chas. Reeder
Glenn O. Young	Mabel E. Smith
B. L. Miller	Geo. W. Haulenbeck
B. C. Finch;	
Geo. E. Bullington, Guardian of Majel and Lucian Tiger;	
Lucinda A. Johnson, Guardian of Majel and Lucian Tiger;	
Inez Glasscock, sometimes known as Inez Glascock;	
Ollie May Platt, sometimes known as Olive May Platt;	
Olive Perkins, sometimes known as Ollie Perkins;	
W. H. Glascock, sometimes known as W. H. Glascock;	
E. F. Luke, sometimes known as Earl F. Luke;	
Mary E. Roulston, sometimes known as Mary Roulston;	
C. T. Chapman, sometimes known as C. F. Chapman;	

if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns, and the defendants,

Bank of Commerce, Aetna Bldg. & Loan Assn., Savings Building and Loan Association, a corporation of Tulsa, Oklahoma, Farm and Home Savings and Loan Association of Nevada, Missouri, and Klingelsmith Engineering Construction Company, corporation,

if existing, or if dissolved, their unknown stockholders, successors, trustees and assigns, appear and plead, demur or answer the said Bill of Complaint of the said relators on or before Friday, the 7th day of June, 1940, in the City of Tulsa, Oklahoma, within the Northern District of Oklahoma.

It is further ordered that a copy of this order be published in The Sapulpa Legal News, a weekly newspaper published in the City of Sapulpa, Oklahoma, and in general circulation throughout the Northern District of Oklahoma, and that said publication be made weekly to June 1, 1940.

It is further ordered that copies of this order, together with that portion of the Bill of Complaint relevant to each respective defendant be mailed to said defendant at his or her last known post office address.

ALFRED P. MURRAH
United States District Judge

ENDORSED: Filed Apr 22 1940
E. P. Warfield, Clerk
U. S. District Court AC

REGULAR JANUARY 1940 TERM

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

City of Sapulpa, Oklahoma, a Municipal Corporation,)
ex rel Charles E. Fincke and Percy O. Bangert,)
operating under the firm name of Fincke, Bangert)
& Company, Plaintiffs,) No. 126 - Civil

vs

1ST CAUSE: W. L. Bench, et al., Defendants.

O R D E R

Now on this 19 day of April, 1940, there came regularly on for hearing the duly verified application of the relators in the above styled and numbered cause for an order directing the various absent defendants, if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead to or answer the Bill of Complaint by a day certain and being duly advised, the Court finds that this is a suit commenced by the City of Sapulpa, Creek County, Oklahoma, a municipal corporation, on the relation of Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, to foreclose certain delinquent special assessment installment liens heretofore validly created and assessed by the said City of Sapulpa against certain tracts and parcels of real estate, as more particularly described in plaintiffs' Bill, and it appearing that such a proceeding is in accordance with the intent and meaning of Section 118, Title 28, U. S. C. A., and that it is therefore proper that an order should be made requiring that the said absent defendants, if living, or if dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead, demur or answer the said Bill by a day certain.

The Court further finds that the addresses and whereabouts of the hereinafter named defendants, if they be living, are unknown, and cannot be ascertained with diligence, or if they be dead, the name of their heirs, executors, administrators, devisees, trustees or assigns are unknown and cannot be ascertained with diligence, and it is therefore proper that service be made upon them by publication.

The Court further finds that the real estate involved herein in which the hereinafter named defendants have some interest is vacant and unimproved, and that it is therefore not necessary that copies of this order be served upon any party in possession.

It is therefore ordered and decreed that said application is in all respects granted, and it is ordered that the said defendants,

- | | |
|------------------------|-------------------|
| W. L. Bench; | Glenore Bench; |
| Jessie Hopkins; | Cora Hopkins; |
| E. Arthur Cowman; | E. A. Plater; |
| Mattie L. Reynolds; | Clarence A. Fox; |
| L. P. Gibson; | M. L. Gibson; |
| Elizabeth C. Scoggs; | J. V. Frazier; |
| C. P. Skeels; | Elaine Skeels; |
| Marion F. Fox; | Robt. McConagie; |
| A. J. Fox; | Edith M. Johnson; |
| Mary Hardiman Herring; | H. E. Whitehead; |
| Edward E. Bartlett; | Helen Bartlett; |
| E. V. Kinsey; | |

if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns, appear and plead, demur or answer the said Bill of Complaint of the said relators on or before Friday, the 7th day of June, 1940, in the City of Tulsa, Oklahoma, within the Northern District of Oklahoma.

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 22, 1940

It is further ordered that a copy of this order be published in The Sapulpa Legal News, a weekly newspaper published in the City of Sapulpa, Oklahoma, and in general circulation throughout the Northern District of Oklahoma, and that said publication be made weekly to June 1, 1940

It is further ordered that copies of this order, together with that portion of the Bill of Complaint relevant to each respective defendant be mailed to said defendant at his or her last known post office address.

ALFRED P. MURRAY
United States District Judge.

ENDORSED: Filed Apr 22 1940
H. P. Warfield, Clerk
U. S. District Court AG

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company,

Plaintiff,

No. 127 Civil

vs

C. Blaine, et al.,

Defendants.

O R D E R

Now on this 19 day of April, 1940, there came regularly on for hearing the duly verified application of the relators in the above styled and numbered cause for an order directing the various absent defendants, if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead to or answer the Bill of Complaint by a day certain and being duly advised, the Court finds that this is a suit commenced by the City of Sapulpa, Creek County, Oklahoma, a municipal corporation, on the relation of Charles E. Fincke, and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, to foreclose certain delinquent special assessment installment liens heretofore validly created and assessed by the said City of Sapulpa against certain tracts and parcels of real estate, as more particularly described in plaintiffs' bill, and it appearing that such a proceeding is in accordance with the intent and meaning of Section 118, Title 28, U. S. C. A., and that it is therefore proper that an order should be made requiring that the said absent defendants, if living, or if dead, their unknown heirs, executors, administrators, devisees, trustees or assigns to appear and plead, demur or answer the said Bill by a day certain.

The Court further finds that the addresses and whereabouts of the hereinafter named defendants, if they be living, are unknown, and cannot be ascertained with diligence, or if they be dead, the name of their heirs, executors, administrators, devisees, trustees or assigns are unknown and cannot be ascertained with diligence, and it is therefore proper that service be made upon them by publication.

The court further finds that the real estate involved herein in which the hereinafter named defendants have some interest is vacant and unimproved, and that it is therefore

necessary that copies of this order be served upon any party in possession.

It is therefore ordered and decreed that said application is in all respects granted, and it is ordered that the said defendants,

- C. Blaine;
- Lon Ammerman;
- Winfield Scott Glasby;
- Esther M. Brown;
- J. D. Berry;
- Enos V. Mickey, sometimes known as Enos V. Mikey;
- John B. Summers;
- Marshall A. Tucker;
- Stella Rothhammer;
- H. E. Whitehead;
- Edward Bartlett;
- Charles Wells, sometimes known as Charles W. Wills;
- Dorothy M. Hengsh;
- W. C. Hengsh;
- W. C. Hengsh, Guardian of Geo. E. Richardson and Ethel Richardson;
- Della Brewer;
- Wm. Griffith;
- Grant Bowden;
- Stella Stroup;
- Legus Brown;
- E. Frank Denny;
- W. D. Cope;
- F. W. Martin;
- Ada E. Johnson;
- Mrs. Marshall A. Tucker;
- Eva Maude Bartlett;
- H. U. Bartlett;
- Nettie Wells, sometimes known as Nettie Wills;
- J. W. Parker;
- J. F. Reynolds;
- F. B. Palbicke, sometimes known as F. B. Palbricke;
- J. F. Fuller;
- Grant Knox;

if they be living, or if they be dead, their unknown heirs, executors, administrators, devisees, trustees or assigns, and the defendants,

Menifee Mercantile Company,
Sapulpa Gas Company, and
Savings Building Loan Association of Tulsa, Corporations,

if existing, or if dissolved, their unknown stockholders, successors, trustees and assigns, appear and plead, demur or answer the said Bill of Complaint of the said relators on or before Friday, the 7th day of June, 1940, in the City of Tulsa, Oklahoma, within the Northern District of Oklahoma.

It is further ordered that a copy of this order be published in The Sapulpa Legal News, a weekly newspaper published in the City of Sapulpa, Oklahoma, and in general circulation throughout the Northern District of Oklahoma, and that said publication be made weekly to June 1, 1940.

It is further ordered that copies of this order, together with that portion

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

REGULAR JANUARY 1940 TERM

WINNEMAN, OKLAHOMA

MONDAY, APRIL 22, 1940

of the Bill of Complaint relevant to each respective defendant be mailed to said defendant at his or her last known post office address.

ALFRED P. MURRAH
United States District Judge

ENDORSED: Filed Apr 22 1940
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to April 23, 1940

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

TUESDAY, APRIL 23, 1940

On this 23rd day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1940 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
A.R. Cottle, Deputy Marshal, U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

Grand River Dam Authority, a
public corporation,

Petitioner,

-vs-

J. L. Going, et al.,

Defendants.

)
) Civil No. 211
) Tract No. 1
)
)

J U D G M E N T

Now, on this 7th 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, J. L. Going, Maleta Going, and others, appearing in person and by their counsel of record, Harve Langley 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 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 acquire by condemnation any and all property of all kinds, real, personal, and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, 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 (10 GR-D 489 & 17 GR-D 768)

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

The w. 4.10 acres of Lot 4 of Sec. 12; and Lot 1, and Lot 2, less the West 0.85 acre thereof, of Sec. 13, containing 47.20 acres, more or less;

All in T 24 N, R 22 E of the Indian Base and Meridian, the whole tract containing in all 52.00 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; and

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

The S $\frac{1}{2}$ of Lot 1; Lot 2; the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; the East 20 acres of Lot 3; the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$; the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$; and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, containing 1281.99 acres, more or less; and that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, particularly described as follows:

Beginning at the SW corner of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence S. 89° 38' E. along the South boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 813.3 feet to a point 506.1 feet West of the SE corner thereof; thence N. 72° 27' W. 101.9 feet; thence N. 12° 10' W. 236.5 feet; thence N. 84° 38' E. 232.1 feet; thence N. 28° 02' E. 160.0 feet; thence S. 70° 13' E. 318.1 feet; thence S. 51° 38' E. 200.8 feet; thence N. 87° 23' E. 274.8 feet; thence S. 69° 47' E. 484.1 feet; thence S. 70° 19' E. 139.7 feet to a point in the South boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 970.3 feet East of the SW corner thereof; thence S. 89° 38' E. along said South boundary a distance of 349.1 feet to the SE corner thereof; thence Northerly along the East boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the NE corner thereof; thence S. 89° 38' E. along the South boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 219.2 feet to a point 440.5 feet West of the SE corner thereof; thence N. 64° 23' W. 64.6 feet; thence N. 63° 49' W. 316.1 feet; thence N. 50° 32' W. 686.1 feet; thence N. 58° 43' W. 370.8 feet; thence N. 39° 13' W. 238.6 feet; thence N. 31° 53' E. 128.2 feet; thence N. 79° 10' E. 107.2 feet; thence N. 25° 39' W. 103.6 feet; thence N. 8° 12' W. 116.8 feet; thence N. 52° 50' E. 147.9 feet; thence N. 67° 46' E. 41.0 feet to a point in the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 386.4 feet East of the NW corner thereof; thence S. 89° 38' E. along said North boundary a distance of 467.7 feet; thence S. 69° 29' E. 91.4 feet; thence N. 45° 06' W. 44.4 feet to a point in the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 411.2 feet West of the NE corner thereof; thence N. 36° 38' W. along said North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 908.2 feet to the NE corner thereof; thence Southerly along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the SW corner thereof; thence Westerly along the North boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning, containing 46.2 acres, more or less;

RECEIVED MARCH 1940

TUESDAY, MARCH 23, 1940

All in T 24 N - R 23 E of the Indian Base and Meridian, the whole tract containing 178.19 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 served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, and that all of the defendants herein have had due and sufficient notice of this act 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 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 \$12,025.00 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 \$12,025.00, 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 6th 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 rendered 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 \$15,750.00 DOLLARS."

which verdict was returned on the 7th 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. 1 (10 GR-D 489 & 17 GR-D 768)

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

The W. 4.10 acres of Lot 4 of Sec. 18; and Lot 1, and Lot 2, less the West 0.85 acre thereof, of Sec. 18, containing 47.90 acres, more or less;

All in T 24 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 52.00 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; and

All the following described land, situated in Delaware County, Oklahoma, to-wit: The S $\frac{1}{2}$ of Lot 1; Lot 2; the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; the East 20 acres of Lot 3; the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$; and the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$; and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 18, containing 128.99 acres, more or less; and that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18 particularly described as follows:

Beginning at the SW corner of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence S. 89° 38' E. along the South boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 813.3 feet to a point 506.1 feet West of the SE corner thereof; thence N. 72° 27' W. 101.9 feet; thence N. 12° 10' W. 236.5 feet; thence N. 84° 38' E. 232.1 feet; thence N. 28° 02' E. 160.0 feet; thence S. 70° 13' E. 318.1 feet; thence S. 51° 38' E. 200.8 feet; thence N. 87° 23' E. 274.8 feet; thence S. 69° 47' E. 484.1 feet; thence S. 70° 19' E. 139.7 feet to a point in the South boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 970.3 feet East of the SW corner thereof; thence S. 89° 38' E. along said South boundary a distance of 349.1 feet to the SE corner thereof; thence Northerly along the East boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the NE corner thereof; thence S. 89° 38' E. along the South boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 219.2 feet to a point 440.5 feet West of the SE corner thereof; thence N. 64° 23' W. 64.6 feet; thence N. 63° 49' W. 316.1 feet; thence N. 60° 32' W. 686.1 feet; thence N. 58° 43' W. 370.8 feet; thence N. 39° 13' W. 238.6 feet; thence N. 31° 53' E. 128.2 feet; thence N. 79° 10' E. 107.3 feet; thence N. 25° 39' W. 103.6 feet; thence N. 8° 12' W. 116.8 feet; thence N. 52° 50' E. 147.9 feet; thence N. 67° 46' E. 41.0 feet to a point in the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 386.4 feet East of the NW corner thereof; thence S. 89° 38' E. along said North boundary a distance of 467.7 feet thence S. 69° 29' E. 91.4 feet; thence N. 45° 06' W. 44.4 feet to a point in the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 411.2 feet West of the NE corner thereof; thence N. 89° 38' W. along said North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 908.2 feet to the NW corner thereof; thence Southerly along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the SW corner thereof; thence Westerly along the North boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning, containing 49.2 acres, more or less;

All in T 24 N - R 22 E of the Indian Base and Meridian, the whole tract containing 178.19 acres, more or less.

RECEIVED MARCH 1940 TERM

WINTA, OKLAHOMA

TUESDAY, APRIL 23, 1940

And it is fact or 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 \$15,750.00.

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 \$3725.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$3725.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$15,750.00, and the amount awarded the owners of said land by the commissioners in the sum of \$12,025.00, 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 in 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 Apr 23 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. 211
-vs-) Tract No. 2
J. L. Going, Ross Seabolt, et al.,)
Defendants.)

J U D G M E N T

Now, on this 8th 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, Ross Seabolt, et al., 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 it 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 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 acquire by condemnation any and all property of all kinds, real, personal, and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

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

REGULAR JANUARY 1940 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 23, 1940

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 (17 GR-D 733)

The whole of the $W\frac{1}{2}$ $SW\frac{1}{2}$ $NE\frac{1}{4}$, $NE\frac{1}{4}$ $SW\frac{1}{4}$, $SE\frac{1}{4}$ $SW\frac{1}{4}$, Lot 2, and two (2) tracts of land all lying the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 16, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

TRACT A:

Beginning at the SE corner of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$, thence N. 0° $17'$ E. along the East boundary of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ a distance of 305.0 feet; thence S. 43° $16'$ W. 92.8 feet; thence S. 89° $01'$ W. 163.8 feet; thence N. 58° $09'$ W. 75.8 feet; thence N. 26° $33'$ W. 201.8 feet; thence N. 0° $39'$ W. 218.7 feet; thence N. 36° $33'$ W. 96.1 feet; thence S. 51° $43'$ W. 22.1 feet; thence S. 86° $03'$ W. 57.7 feet; thence S. 55° $24'$ W. 173.4 feet to a point in the West boundary of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$; thence S. 0° $16'$ W. along said West boundary a distance of 634.4 feet to the SW corner thereof; thence E. along the South boundary of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ to the point of beginning, containing 6.7 acres, more or less.

TRACT B:

Beginning at the NW corner of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$, thence S. 0° $16'$ W. along the West boundary of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ a distance of 67.3 feet; thence N. 72° $09'$ E. 10.0 feet; thence N. 66° $38'$ E. 161.1 feet to a point in the North boundary of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$; thence N. 89° $54'$ W. along said North boundary a distance of 157.0 feet to the point of beginning, containing 0.2 acre, more or less,

Containing a total of 126.8 acres, more or less;

AND

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

Lot 1, Lot 2, and Lot 5 of Section 21, T. 24 N - R 23 E of the Indian Base and Meridian, containing 68.95 acres, more or less;

Containing in all 195.75 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,

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

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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 served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, 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 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 \$14,755.00 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 \$14,755.00, 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 8th 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 oath and assess damages at \$16,000 DOLLARS."

which verdict was returned on the 8th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, OPENED 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, (17 CR-E 735)

The whole of the $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot E, and two (2) tracts of land all lying in the $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T 12 N., R 20 E., Delaware County, Oklahoma, more particularly described as follows:

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TRACT A:

Beginning at the SE corner of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence N. 0° 17' E. along the East boundary of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 305.0 feet; thence S. 43° 16' W. 91.2 feet; thence S. 89° 01' W. 163.8 feet; thence N. 58° 09' W. 75.8 feet; thence N. 26° 33' W. 201.8 feet; thence N. 0° 39' W. 218.7 feet; thence N. 36° 33' W. 96.1 feet; thence S. 51° 43' W. 22.1 feet; thence S. 86° 03' W. 57.7 feet; thence S. 55° 24' W. 173.4 feet to a point in the West boundary of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence S. 0° 16' W. along said West boundary a distance of 634.4 feet to the SW corner thereof; thence Easterly along the South boundary of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ to the point of beginning, containing 6.7 acres, more or less.

TRACT B.

Beginning at the NW corner of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence S. 0° 16' W. along the West boundary of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 67.3 feet; thence N. 72° 09' E. 10.0 feet; thence N. 66° 38' E. 161.1 feet; to a point in the North boundary of the $W\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence N. 89° 54' W. along said North boundary a distance of 157.0 feet to the point of beginning, containing 0.2 acre, more or less,

Containing a total of 126.8 acres, more or less;

AND

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

Lot 1, Lot 2, and Lot 5 of Section 21, T 24 N - R 23 E of the Indian Base and Meridian, containing 68.95 acres, more or less;

Containing in all 195.75 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.

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 \$16,000.00.

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 \$1245.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$1245.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$16,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$14,755.00, 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.

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

TUESDAY, APRIL 23, 1940

energy so produced, and to acquire by purchase 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 acquire by condemnation any and all property of all kinds, real, personal and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, 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 (25 GR-D 1370)

Lots 2 and 3, and the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 21, T 25 N - R 23 E, containing 94 acres, more or less, Seneca Survey, Delaware County, Oklahoma;

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,

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 served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, 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 \$5,305.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority, did, on the 13th 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 \$5,305.00, for the use of the

owners of said land, and that the defendants did, on the ____ day of _____, 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 8th 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 7,000.00 DOLLARS."

which verdict was returned on the 8th 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. 1 (25 GR-D.1370)

Lots 2 and 3, and the SE $\frac{1}{4}$ of N E $\frac{1}{4}$, Sec. 21, T 25 N - R 23 E, containing 94 acres, more or less, Seneca Survey, Delaware County, Oklahoma;

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 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 \$7,000.00.

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 \$1195.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$1195.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$7,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$5,805.00, 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 Apr 23 1940
H. F. Warfield, Clerk
U. S. District Court