

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) No. 353 - Civil
)
MIDLAND VALLEY RAILROAD COMPANY,)
a corporation,	Defendant.)

O R D E R

NOW, on this 14th day of February, 1941, the above cause came on upon the applica-
tion of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma for additional
time in which to file an amended complaint herein, and for good cause shown, the court finds that
the time should be extended for a period of forty (40) days from this date.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the plaintiff herein, United
States of America, be and it hereby is granted an extension of forty (40) days from this date within
which to file an amended complaint herein.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 15 1941
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) No. 354 - Civil
)
MISSOURI, KANSAS, TEXAS RAILROAD)
COMPANY, a corporation,	Defendant.)

O R D E R

NOW, on this 14th day of February, 1941, the above cause came on upon the applica-
tion of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, for additional
time in which to file an amended complaint herein, and for good cause shown, the court finds that
the time should be extended for a period of forty (40) days from this date.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the plaintiff herein, United
States of America, be and it hereby is granted an extension of forty (40) days from this date within
which to file an amended complaint herein.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 15 1941
H. P. Warfield, Clerk
U. S. District Court H

On this 17th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 17th day of February, A. D. 1941, it being made satisfactorily to appear that D. E. Hodges is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

ORDER FOR PETIT JURY

On this 17th day of February, A. D. 1941, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Forty-five (45) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular March 1941 Term of this Court to be held at Vinita, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in fur form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Vinita, Oklahoma, in the Northern District of Oklahoma, on Monday, the 3rd day of March, A. D. 1941, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for said District at the Regular March 1941 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 17 1941
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to February 18, 1941

On this 18th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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,	Plaintiff,)	
)	
vs.		)	No. 370 CIVIL
)	
Clarence Winney, United States of America, et al,)	
	Defendants.)	

ORDER FOR DISBURSEMENT

Now on this 18th day of February, 1941, this matter coming on for hearing on the application of the United States of America for disbursement of certain funds now in the hands of the Clerk of this Court, applicant 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 there being no objections or exceptions filed to said application, it was then shown to the Court that notice of hearing on said application has been given to the parties interested therein; thereupon, proof was offered in support of said application, and the Court having examined the application, and being fully advised in the premises, finds that the plaintiff is a public corporation, possessed of the power of eminent domain; that the following persons are the owners of the following described land, to-wit:

Sallie West Smith, Seneca, Allottee No. 36,
Tract No. 2 (34 GR-D 1728)

Heirs of Malinda Dick, Seneca Allottee
No. 150, deceased,
Tract No. 3 (34 GR-D 1738)

Robert A. Whitebird, Jr.,
Tract No. 5 (GR-O 760-56)
(GR-O 783-57).

That the plaintiff has determined it to be necessary to acquire said land for the purpose of its project, and has taken actual possession thereof. That the commissioners appointed by this Court have determined the damages suffered by this defendant and its said wards on account of the appropriation of said land to be in the sum of \$1,114.50. That plaintiff has paid this sum into the office of the Clerk of this court for the use and benefit of this defendant and its said wards.

The Court further finds that the wards above named are under the supervision and control of the Secretary of the Interior of the United States, through the Superintendent of the Quapaw Indian Agency, and that said sum of money should be paid to H. A. Andrews, Superintendent of the Quapaw Indian Agency, for the use and benefit and account of Sallie West Smith, Seneca Allottee No. 36, the heirs of Malinda Dick, deceased Seneca Allottee No. 150, and Robert A. Whitebird, Jr.

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

Traders & General Insurance Company,	Plaintiff,)
)
vs.		) No. 479 - Civil
)
John W. Stoup, O. L. Humes and)
William F. Shepehard,	Defendants.)

ORDER EXTENDING TIME TO FILE BRIEF ON BEHALF
OF DEFENDANT, O. L. HUMES.

NOW, on this 18th day of February, 1940, for good cause shown, the defendant, O. L. Humes, is hereby granted an extension of ten (10) days from this date within which to file answer brief herein.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 18 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

REPUBLIC LIFE INSURANCE COMPANY, a Corp.,	Plaintiff,)
)
vs		) NO. 482-C.
)
EVELYN MCGHEE and ELISABETH CHURCH RAY,	Defendants.)

O R D E R

This cause coming on to be heard on this 3rd day of Feb., 1941, pursuant to regular notice and upon the stipulation of the parties herein and the Court being well and fully advised in the premises finds that there should be impounded by this Court the sum of \$510.00 and the Court further finds that all of the parties hereto, acting through their respective attorneys, have stipulated that said sum should be impounded by the Court until the claimant, Lane Funeral Home, has exhausted its remedies to collect the amount of its claim from the estate of Felix Church, deceased, and that upon the failure of or inability of the Lane Funeral Home to collect said claim, then there should be paid from the said \$510.00 so impounded by this Court, the amount of such claim or any amount remaining due and unpaid after said Lane Funeral Home has exhausted its remedies against the estate of the said Felix Church, deceased.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED by this court that the Clerk is hereby directed to hold in his hands and under his control, the sum of \$510.00 out of the proceeds of the insurance policy deposited with said Clerk in the above cause.

IT IS ORDERED that said fund be held until the Lane Funeral Home furnishes proof that it has pursued its remedy against the estate of Felix Church, deceased, and if after pursuing such

remedy to a conclusion there remains unpaid any part of the claim of the Lane Funeral Home not to exceed the sum of \$510.00, then the Clerk of this Court is directed to pay to the Lane Funeral Home such unpaid amount out of the funds held by him under this order. If such unpaid amount is less than \$510.00, the Clerk is to pay the remainder of the funds so withheld by him to the party designated in the judgment and decree of this court entered in this cause.

ROYCE H. SAVAGE
JUDGE OF THE U. S. DISTRICT COURT

ENDORSED: Filed Feb 18 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Reconstruction Finance Corporation,
a corporation,

Complainant,

)
) No. 505 -Civil
)

vs.

Wertzberger Derrick Company, a corporation,
et al,

Defendants.)

O R D E R

Now on this 18th day of February, 1941 on application of defendants, J. M. Kurn and John G. Lonsdale, Trustees in Bankruptcy of the St. Louis-San Francisco Railway Company, a corporation, debtor, for an enlargement of time within which to file their separate answer to the complaint of the Reconstruction Finance Corporation, a corporation, and the Court being fully advised finds that this separate answer was duly served on the complainant on the 31st day of January, 1941 and through excusable neglect was not filed with the Clerk of this Court within the time provided by law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants, J. M. Kurn and John G. Lonsdale, Trustees in Bankruptcy of the St. Louis-San Francisco Railway Company, a corporation debtor, be and they are hereby permitted to file their separate answer in this matter on this date, a copy of which was heretofore served on the complainant on January 31st, 1941.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 18 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Carl R. Mathews, et al,	Plaintiff,)	
)	
vs		)	No. 531 Civil
)	
Atlas Assurance Company, Limited, of London, England, et al,	Defendants.)	

ORDER

Now on this 18 day of February, 1941, upon stipulation of the parties hereto, the defendants, Atlas Assurance Company, Limited, of London, England, the Hartford Fire Insurance Company, and The Phoenix Insurance Company, are hereby granted an extension of time to and including the 17th day of March, 1941, in which to file their answer in the above entitled and numbered cause.

ROYCE H. SAVAGE
J u d g e

ENDORSED: Filed Feb 18 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to February 19, 1941

On this 19th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royde H. Savage, 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:

ALONZO BURR WHITELEY,	Plaintiff,)	
)	
-vs-		)	No. 76 - Civil
)	
COSDEN PIPE LINE CO. ET AL,	Defendants.)	

Now on this 19th day of February, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED
STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Alonzo Burr Whiteley, plaintiff, and Cosden Pipe Line Co., a corporation, et al., defendants, No. 76, Civil, the judgment of the said district court in said cause entered on April 24, 1940, was in the following words, viz:

* * * * *

"It is therefore, by the court ordered that the demurrer to plaintiff's evidence and the motion to dismiss and for an instructed verdict of the defendant, Mid- Continent Petroleum Corporation, be and the same is hereby sustained, and said cause is hereby dismissed as to said defendant.

"It is further ordered that the demurrer and the motion to dismiss and for an instructed verdict of the defendant, Cosden Pipe Line Company, be and the same is hereby overruled, to which action of the court said defendant excepts and exception is allowed.

* * * * *

"It is, therefore, by the court, considered, ordered and adjudged that said plaintiff have and recover of and from the defendant, Cosden Pipe Line Company, a corporation, the sum of Twelve Thousand, Five Hundred Dollars (\$12,500.00) together with the costs of this action taxed at \$....., for which let execution issue. To which verdict and judgment of the court said defendant Cosden Pipe Line Company excepts, and exception is allowed."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Mid- Continent Pipe Line Company, a corporation, (formerly named Cosden Pipe Line Co. a corporation) agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty, the said cause came on to be heard before the said United States Circuit Court of Appeals on the transcript of the record from the said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and Alonzo Burr Whiteley, appellee, have and recover of and from Mid- Continent Pipe Line Company, a corporation, (formerly named Cosden Pipe Line Co., a corporation), appellant, his costs herein.

-- December 30, 1940..

You, therefore, are hereby commanded that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 17th day of February, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellee:	
Clerk,	\$-- --	
Printing Record	\$-- --	
Attorney,	\$20.00	

ROBERT B. CARTWRIGHT, Clerk
of the United States Circuit Court of Appeals, Tenth Circuit.

ENDORSED: Filed Feb 19 1941
H. P. Warfield, Clerk.
U. S. District Court LN

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

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

O R D E R

Now on this 19 day of February, 1941, the same being a regular judicial day of the above court, the application of Noble C. Hood, Receiver of the Seminole Provident Trust, for authority to pay expenses incurred in connection with the appeal to the Supreme Court of the State of Oklahoma of the case of C. T. Thompson, et al., v. E. W. Jones, Inc., came on regularly for hearing and the court being fully advised in the premises, finds that said application should be in all things allowed; NOW, THEREFORE,

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

1. Guyette-Humphry-Atkins, to printing brief in case No. 29768, C. T. Thompson et al., v. E. W. Jones, Inc. \$46.00
2. To Fist, Dewberry & Bragg, for extra stenographic services in preparing brief 3.80

F. E. KENNAMEY
UNITED STATES DISTRICT JUDGE FOR THE
NORTHERN DISTRICT OF OKLA.

ENDORSED: Filed Feb 19 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

C. J. LAURISCH, TRUSTEE,	Plaintiff,)
)
vs.		) No. 305 Civil
)
C. T. THOMPSON, et al.,	Defendants.)

ORDER INCREASING RECEIVER'S BOND

Now on this the 19 day of February, 1941, same being a regular judicial day of the above indicated court, the application of Noble C. Hood, Receiver of Seminole Provident Trust, for an order increasing his receiver's bond from \$5,000.00 to \$20,000.00 coming on regularly for hearing, and t court having examined said application and being fully advised in the premises and finding that same should be granted and that said Receiver's bond should be increased from \$5,000.00 to \$20,000.00, NOW, THEREFORE,

IT IS HEREBY ORDERED AS FOLLOWS, to-wit:

1. That the bond of Noble C. Hood, Receiver of Seminole Provident Trust, be promptly increased from \$5,000.00 to \$20,000.00, same to be executed, approved and filed as required by law and the rules of this court.

2. That said Receiver is authorized to pay the premium for said increase in said bond from the funds of said receivership estate and, thereafter, maintain the same in good standing until further order of this court.

Dated, February 19, 1941.

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

ENDORSED: Filed Feb 19 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

CITY OF PAWHUSKA, A
MUNICIPAL CORPORATION,

)
)
) Plaintiff,

) no. 422 Civil

vs.

UNITED STATES OF AMERICA, ET AL.,

)
)
) Defendants.)

O R D E R

Now on this 19th day of February, 1941 there came on for hearing the dismissal filed herein by the plaintiff, the City of Pawhuska, Oklahoma, a municipal corporation.

The court, being fully advised in the premises, finds that said cause should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that this cause be and the same is hereby dismissed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 19 1941
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
vs.)	
		)	No. 535 CIVIL
One 1940 Model Ford Sedan Automobile,)	
Motor No. 18-5,238,182, and approximately)	
33 gallons of assorted taxpaid liquors seized)	
therein; J. J. Pappin, and General Motors)	
Acceptance Corporation, Tulsa, Oklahoma,)	
	Claimants.)	

ORDER FOR MONITION

Now on this 20th day of February, 1941, it appearing to the court that the said 1940 Model Ford Sedan Automobile, Motor No. 18-5,238,182, with approximately Thirty-three (33) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point on United States Highway No. 66, about Four (4) Miles west of the town of Vinita, in Craig County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on November 21, 1940, by Buck Saxon, Roy B. Mogridge, Cliff Goldsmith and Robert A. West, Investigators of the Department of Public Safety, State of Oklahoma, by virtue of authority of their said offices, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by J. J. Pappin for transportation of such intoxicating liquors from Joplin, in the State of Missouri, into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants J. J. Pappin and the General Motors Acceptance Corporation, Tulsa, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

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

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 20 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 21, 1941

On this 21st day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

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

O R D E R

For good cause shown, the defendant is granted an extension of time of twenty (20) days from the date hereof within which to file his answer in the above entitled cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 21 1941
H. P. Warfield, Clerk
U. S. District Court H

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

ROBERT M. WAGNER and CURTIS MURRELL in)
person and for all other persons)
similarly situated, Plaintiffs)
vs.) No. 427 Civil
MISSOURI, KANSAS & OKLAHOMA)
TRAILWAYS, INC., Defendant.)

O R D E R

For good cause shown the defendant, Missouri, Kansas & Oklahoma Trailways, Inc., is given 10 days from this date within which to answer to the complaint of plaintiffs herein.

Dated this 21 day of February, 1941.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Feb 21 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

JOSEPH A. COY and JOSEPH A. COY
COMPANY, INC.,

Plaintiffs,)

) No. 520 CIVIL

vs.)

ROBERT W. DRAKE,

Defendant.)

ORDER

Upon the motion duly made and presented and for good cause shown and the court being well and sufficiently advised in the premises finds that the defendant should and hereby is granted 30 days from this date as additional time within which to file a pleading or answer in the above styled and numbered cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 21, 1941
H. P. Warfield, Clerk
U. S. District Court H

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

Wilkie F. Hammit,

Plaintiff,)

) No. 536 Civil

vs.)

Don C. Putnam,

Defendant.)

O R D E R

Now on this 21 day of February, 1941, comes the above named plaintiff and presents to the Court his Affidavit Forma Pauperis, together with the verified complaint proposed to be filed by him in this cause, and it appearing from a reading thereof, and examination of the plaintiff, that this is one of the cases provided for by law for the commencement and prosecution of the action without the payment of costs or giving of security therefor;

It is by the Court Ordered, that said plaintiff be, and he hereby is permitted to commence and prosecute to conclusion the said action without the payment of costs or giving security therefor.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 21 1941
H. P. Warfield, Clerk
U. S. District Court N

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
versus		) No. 2571 Law
)
OKLAHOMA PIPE LINE COMPANY, a)
Corporation,	Defendant.)

JOURNAL ENTRY

On this 10th day of February, 1941, and after the filing on this date by plaintiff of its amendment to its amended complaint, there coming on for hearing the motion of the defendant for summary judgment in its favor, and for judgment in its favor on the pleadings, upon consideration thereof;

IT IS HEREBY ORDERED THAT decision upon each of said motions is hereby deferred pending final judgment upon similar motions filed in case #2575 LAW, entitled UNITED STATES OF AMERICA v. SINCLAIR REFINING COMPANY, incorporation; but if the judgment this day rendered sustaining such motions in case #2575 Law shall become final because of no appeal taken, or if, upon appeal the judgment of this court on said motions shall be affirmed; then a like final judgment shall be entered upon the aforesaid motions of Oklahoma Pipe Line Company.

F. E. KENNAMER
District Judge

ENDORSED: Filed Feb 21 1941
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to February 24, 1941

On this 24th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

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

ORDER CONFIRMING SALE OF LUCAS LEASE

Now on this 24th day of February, 1941, same being a regular judicial day of the

January term of the above indicated court, the matter of the confirmation of the private sale by Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, of said Receiver's interest in what is commonly known as the Lucas Lease, Pottawatomie County, Oklahoma, coming on regularly for hearing at the court having examined the record, being fully advised in the premises and finding:

1. That said Noble C. Hood is the duly appointed, qualified and acting Receiver of Seminole Provident Trust, a trust estate, and as such receiver is the owner and in possession of an undivided 44% interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the following described lands situated in Pottawatomie County, Oklahoma, to-wit:

East Half of the Northwest Quarter ($E\frac{1}{2}$ NW $\frac{1}{4}$) of Section 2, Township 6 North, Range 4 East, containing 80 acres more or less;

together with a like interest in and to the personal property and equipment located thereon or used or obtained in connection therewith, and together with a like interest in the production therefrom and the proceeds thereof.

2. That on November 4, 1940, after notice thereof had been given pursuant to the order of this court and in conformity with law, this court entered its order authorizing said receiver to sell his above described oil and gas leasehold interest, together with the production therefrom and the proceeds thereof as of November 1, 1940 at 7:00 o'clock A.M., at private sale to H. H. Duck, of Tulsa, Oklahoma, for a consideration of \$1,760.00 in cash, and on said November 4, 1940, said Receiver executed, acknowledged and delivered unto said purchaser in proper form an assignment of said leasehold interest so sold to him, and received therefrom the cash consideration of \$1,760.00, which said receiver now holds.

3. That on February 12, 1941 this said court appointed three disinterested persons as appraisers to appraise said property and report their findings to this court on or before February 24, 1941; that on February 21st, 1941 said persons executed their oath as said appraisers and appraised said property and on February 24th, 1941, filed their certificate of appraisement thereof, showing that same was, as of November 4th, 1940, and as of the date of said certificate, namely, February 21st, 1941, of the total appraised value of \$1700.00. That said property was so appraised as provided by law and that the cash consideration of \$1,760.00 is a fair and reasonable consideration to be paid for said property so sold at private sale and is also in excess of two-thirds of its appraised value.

4. That notice of the hearing on confirmation of said private sale has been given as required by law and the order of this court

5. That no one has submitted an offer for said property equal to or in excess of a 10% increase of said purchase price above described, and said sale should be confirmed and said assignment heretofore executed and delivered confirmed and approved; NOW, THEREFORE,

IT IS HEREBY ORDERED, DECREED AND ADJUDGED as follows, to-wit:

1. That the private sale of November 4, 1940 by Noble C. Hood, Receiver of Seminole Provident Trust, a trust estate, to H. H. Duck, of Tulsa, Oklahoma, of an undivided 44% interest in and to the oil and gas leasehold estate and 7/8ths working interest covering the following described lands situated in Pottawatomie County, Oklahoma, to-wit:

The East Half of the Northwest Quarter ($E\frac{1}{2}$ NW $\frac{1}{4}$) of Section 2, Township 6 North, Range 4 East, containing 80 acres, more or less;

together with a like interest in and to the personal property located thereon or used or obtained in connection therewith, and a like interest in the production therefrom and the proceeds thereof as of and from November 1, 1940 at 7:00 o'clock A.M., for a cash consideration and purchase price of \$1,760.00, subject to all outstanding oil payments of record, is hereby confirmed and approved, and said assignment of November 4, 1940 from said Receiver to said purchaser is hereby confirmed and approved.

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.)
)
)
FOURTEEN (14) BOTTLES OF SODIUM CACODYLATE SOLUTION; SIXTY-EIGHT (68) BOTTLES CALCIUM GLUCONATE COMP. SOLUTION, and EIGHT (8) BOTTLES OF LIQUID NUX VOMICA ALKALOIDS,	Defendants.)

NO. 518 CIVIL

ORDER OF CONFISCATION AND DESTRUCTION

NOW, on this 24th day of February, 1941, this cause having come on for hearing and the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney for said district, the defendants appearing not, and it appearing to the court that no answer or other pleading has been filed in this cause, the defendants are in default, and it being shown to the court that on January 27, 1941, petition in libel was filed herein against Fourteen Bottles of Sodium Cacodylate Solution; Sixty-eight Bottles Calcium Gluconate Comp. Solution and Eight Bottles of Liquid Nux Vomica Alkaloids, and it being further shown to the court that on said date an order for monition and monition was issued against said merchandise, and the court being fully advised in the premises finds that said merchandise is in an adulterated condition in violation of Sec. 351 (c), 21 U. S. C., and is misbranded in violation of Sec. 352 (a), 21 U. S. C., and should be confiscated and destroyed.

IT IS, THEREFORE, THE ORDER OF THE COURT that said Fourteen Bottles of Sodium Cacodylate Solution; Sixty-eight Bottles Calcium Gluconate Comp. Solution and Eight Bottles of Liquid Nux Vomica Alkaloids, now in the custody of the United States Marshal for the Northern District of Oklahoma, be destroyed, and the said United States Marshal is hereby directed and instructed to destroy said merchandise and to report his doings under this order into this Court within twenty (20) days from the date hereof, and that plaintiff recover its costs herein.

F. E. KENAMER
UNITED STATES DISTRICT JUDGE.

ENDORSED: Filed Mar 1 1941
H. P. Warfield, Clerk
U. S. District Court

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

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

No. 877 Equity

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 24th day of February, 1941, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing that among the assets coming into the hands of said trustee was a note executed by Frank S. Miller and Lucille Miller, dated March 28, 1929, to the Exchange National Company, for the principal sum of Twelve Thousand Dollars (\$12,000.00) upon which there was due the principal sum of Nine Thousand Five Hundred Eighty Five & 16/100 Dollars

(\$9,585.16), and that said note was secured by a real estate mortgage covering the following described real estate, to-wit:

The Southerly Seventy (70) feet of Lot Three (3) in Block Two (2)
of North Tulsa Addition to the City of Tulsa, Tulsa County, Oklahoma;

that because of the inability of the trustee to collect said note, he instituted cause No. 61041 in the District Court of Tulsa County, Oklahoma, against Lucille Miller and the unknown heirs, executors, administrators, devisees, trustees or assigns of Frank S. Miller, deceased, and recovered judgment in said cause on June 20, 1936, against Lucille Miller for the principal sum of Nine Thousand Five Hundred Eighty Five & 16/100 Dollars (\$9,585.16), together with interest thereon to the date of judgment in the amount of Two Thousand Six Hundred Sixty Eight & 40/100 Dollars (\$2,668.40), plus the sum of Four Hundred Sixty Seven & 45/100 Dollars (\$467.45) being the amount advanced for the payment of taxes, plus the sum of Nine Hundred Fifty Dollars (\$950.00) as attorney fees, and for the foreclosure of the said real estate mortgage; that thereafter, pursuant to appropriate proceedings therefor, the said real estate was sold by the Sheriff of Tulsa County, Oklahoma, and was purchased by said J. H. McBirney, Successor Trustee; and the court finds that the said J. H. McBirney, Successor Trustee, is the legal owner and holder of title to the said real estate above described.

The court further finds that the said real estate above described is located at numbers 113 to 123, inclusive, east Fairview, Tulsa, Oklahoma, and is improved with three (3) frame duplexes, each containing five (5) rooms, but that there are no garages or other improvements upon said real estate; that the said improvements are in a fair condition of repair, and rent for Twenty Dollars (\$20.00) per unit, and when fully occupied produce a rental of One Hundred Twenty Dollars (\$120.00) per month.

The court further finds that J. H. McBirney, Successor Trustee, has an offer from Addie Mae Lingo for the purchase of said real estate and improvements, for the sum of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) in cash; that the said members of the Advisory Committee, appointed by this court, upon whom notice shall be given of proposed sales of real estate of said trust, have been duly notified of the said offer of purchase, and have considered the same and have approved the said offer and recommended that the said trustee sell said real estate for said cash consideration.

The court further finds that the sale of said real estate was arranged by A. C. Reynolds, a real estate broker in the City of Tulsa, who is entitled to compensation for his said services; that Two Hundred Fifty Dollars (\$250.00) is reasonable compensation therefor and that the said A. C. Reynolds should be paid the sum of Two Hundred Fifty Dollars (\$250.00) as compensation in full for his said services in arranging the sale of said real estate upon the completion of the said sale.

The court further finds that the said offer of purchase approximates the appraised value of said real estate; that the said trustee has not had a higher or better offer for the purchase of said real estate; that said real trust estate is in liquidation; that the trustee has recommended the sale of said real estate for said cash consideration, and that the sale of said real estate for said cash consideration is for the best interest of said trust estate, and for other good cause,

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

The Southerly Seventy (70) feet of Lot Three (3) in Block Two (2)
of North Tulsa Addition to the City of Tulsa, Tulsa County, Oklahoma,

for the cash consideration of Six Thousand Two Hundred Fifty Dollars (\$6,250.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver to Addie Mae Lingo a trustee's special warranty deed, transferring and conveying said real estate above described, upon payment to him by said Addie Mae Lingo, of the sum of Six Thousand Two Hundred Fifty Dollars (\$6,250.00).

The court further finds that the said real estate above described is improved with a five-room brick dwelling house, containing a small basement, and that said real estate is further improved with a garage, and the same are located at number 2435 North Boston Avenue in the City of Tulsa, Oklahoma.

The court further finds that the said trustee, J. H. McBirney, has an offer from C. L. Clodfelter for the purpose of purchase of said real estate and improvements for the sum of Three Thousand Five Hundred Dollars (\$3,500.00) in cash, and that the members of the Advisory Committee have been duly notified of the offer of purchase of C. L. Clodfelter, and have considered said offer and have approved the same, and have recommended that the said trustee sell said real estate for said cash consideration.

The court further finds that the books and records of the said trust reveal an investment and cost to said trust in said real estate and premises in the amount of Three Thousand Eight Hundred Thirty Four & 67/100 Dollars, (\$3,834.67) after crediting the same with all rentals received from said premises.

The court further finds that the sale of said real estate was arranged by I. H. Barrett, a real estate broker in the City of Tulsa, Oklahoma, who is entitled to compensation for his said services, and that reasonable and customary compensation therefor is five per cent (5%) of the purchase price of said real estate, due and payable in the event said sale is finally consummated.

The court further finds that the said J. H. McBirney Successor Trustee, has not had a higher or better offer for the purchase of said real estate; that said trust estate is in liquidation; that in the opinion of the trustee the said real estate should be sold for said cash consideration of Three Thousand Five Hundred Dollars (\$3,500.00), and that the sale of said real estate for said cash consideration will benefit the said trust estate and its beneficiaries, and for other good cause,

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

Lot Eighteen (18) in Block Three (3) in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma

for the sum of Three Thousand Five Hundred Dollars (\$3,500.00) payable in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver to C. L. Clodfelter a trustee's special warranty deed, transferring and conveying title to said real estate above described upon payment to him by said C. L. Clodfelter of the sum of Three Thousand Five Hundred Dollars (\$3,500.00).

IT IS FURTHER ORDERED that the sale of the real estate above described, by J. H. McBirney, Successor Trustee, to C. L. Clodfelter, be and the same is hereby ratified and approved.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to pay to I. H. Barrett a real estate brokerage commission in the amount of One Hundred Seventy Five Dollars (\$175.00), as compensation in full for his said services as real estate broker herein, upon final completion of the said sale of the real estate above described.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Feb 24 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

United States of America,	Plaintiff,)
)
vs.)
		) No. 506 Civil
Board of County Commissioners, of)
Ottawa County, State of Oklahoma,)
Russell Doss, County Treasurer of)
Ottawa County, State of Oklahoma, and)
W. H. Fergus, Tax Assessor of Ottawa)
County, State of Oklahoma,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 25th day of February, 1941, this matter coming on for hearing before the United States District Court for the Northern District of Oklahoma, the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and Wm. Knight Powers, Assistant United States Attorney within and for said district, and the defendants appearing by their attorney, Charles C. Chesnut, County Attorney, Ottawa County, State of Oklahoma, in person, and the court being fully advised in the premises finds,

That under the provisions of the Act of March 2, 1895 (28 Stat. 907), Meh-ska-nah-bah-nah, or Grand Eagle, Quapaw Allottee No. 171, was allotted the following described real estate situate in Indian Territory, now Ottawa County, State of Oklahoma:-

The Northwest Quarter (NW/4) and the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) of Section 4, Township 28 North, Range 23 East, I. M., consisting of two hundred acres in all.

That on September 26, 1896, a twenty-five year restricted fee patent was issued to the above described allottee as provided in said Act.

The Court further finds that prior to May 20, 1916, the said Meh-ska-nah-bah-nah, or Grand Eagle, Quapaw Allottee No. 171, died intestate and the Secretary of the Interior as provided by law determined his heirs and their proportionate interests to be as follows:

Kaah-daah	26/72
Walter Coldspring	18/72
George Redeagle	6/72
Sophia Redeagle (Propher)	4/72
LeRoy Redeagle	4/72
Doane Redeagle	4/72

The court further finds that prior to August 6, 1920, the said Walter Coldspring died intestate, and the Secretary of the Interior by appropriate order and according to law determined that Grace Coldspring Sacto Walker Daws, otherwise known as Grace Walker Wright Dick was the heir of Walter Coldspring deceased, and as such heir said Grace Coldspring Sacto Walker Dawes inherited an undivided one-fourth interest in and to the real estate heretofore described.

It is the further finding of this court that on August 13, 1919, the Secretary of the Interior by appropriate order and according to law determined that Josephine Redeagle Abrams, Leroy Redeagle, and Donane Redeagle inherited the 6/72 interest which George Redeagle had previously acquired by inheritance of the allotment of Meh-ska-nah-bah-nah, or Grand Eagle, Quapaw Allottee No. 171, heretofore referred to.

It is the further finding of this court that on or about March 21, 1923, Josephine Redeagle Abrams, Leroy Redeagle, and Donane Redeagle executed their deed to Grace Walker Wright, otherwise known as Grace Coldspring Sacto Walker Dawes, conveying their undivided one-fourth interest in and

to the property heretofore described, which deed was approved by the Secretary of the Interior and containing therein no restriction against alienation and encumbrance.

It is the further finding of this court that the undivided one-half interest inherited by Kach-d-gah, or Grand Eagle, was devised to one Newakis Hampton, otherwise known as Mrs. Ora Hampton, full-blood Quapaw Indian by will approved by the Secretary of the Interior on March 22, 1938, and that the said undivided one-half interest in and to said property was devised to the said Newakis Hampton, otherwise known as Mrs. Ora Hampton, a full-blood Quapaw Indian, is subject to the restrictions contained in the original restrictive fee patent issued to the said Meh-ska-nah-bah-nah, Quapaw Allottee No. 171, on September 26, 1896, as extended by the Act of Congress of March 3, 1921, (41 Stat. 1225 - 1248) and as such is restricted from alienation and is exempt from taxation until otherwise provided by Acts of Congress.

It is the further finding of this court that Grace Walker Wright Dick is a restricted Quapaw Indian and that the lands inherited by her on August 6, 1920, from Walter Coldspring are restricted against alienation and encumbrance except with the consent or approval of the Secretary of the Interior in accordance with the restrictions contained in original restrictive fee patent issued to the said Meh-ska-nah-bah-nah, Quapaw Allottee No. 171, on September 26, 1896, as extended by the Act of Congress of March 3, 1921.

The court further finds that Russell Doss is the duly elected, qualified and acting County Treasurer of Ottawa County, State of Oklahoma and that the said W. H. Fergus is the duly elected, qualified and acting Tax Assessor of Ottawa County, State of Oklahoma.

It is the further finding of the court that notwithstanding the fact the aforementioned real estate remain non-taxable on the passage of the aforementioned Act of Congress on March 3, 1921, the duly constituted authorities of Ottawa County, State of Oklahoma placed said real estate upon the tax rolls of said County for the years 1924, 1925 and 1926 and assessed taxes upon the entire allotment consisting of two hundred (200) acres when in truth and in fact only an undivided one-fourth interest of said allotment was properly taxable and that the said Grace Walker Wright Dick, restricted Quapaw Indian, paid taxes on the entire allotment heretofore described notwithstanding the fact that only a one-fourth interest therein was properly taxable, such illegal taxes erroneously paid and illegally assessed for the years 1924, 1925 and 1926 amounting to the sum of \$326.40; that the said duly constituted authorities of Ottawa County, State of Oklahoma placed said real estate upon the tax rolls of said County for the years 1927 to 1932, inclusive, and assessed taxes upon the one-half interest of said allotment when in truth and in fact only one-fourth of said allotment was properly taxable, and that the said Grace Walker Wright Dick, restricted Quapaw Indian paid taxes on such assessed one-half interest of said allotment heretofore described for the years 1927 to 1932, inclusive, in the amount of \$395.12, for which she is entitled to a refund of one-half of such taxes so paid or a refund of such illegal assessment and payment in the amount of \$197.51; that for the years 1933 to 1935, inclusive, and for the years 1938 said one-half interest in and to such property hereinbefore described was continuously placed upon said tax rolls of said County by the taxing authorities of Ottawa County, when in truth and in fact only a one-fourth interest was properly taxable and that upon nonpayment of said taxes the property was sold by the County Treasurer of Ottawa County at the County Sale to Ottawa County, and that such tax certificates and tax sales operate as and are a cloud upon the title of the wards of the plaintiff herein, and that the duly constituted authorities of Ottawa County, State of Oklahoma illegally assessed taxes against an undivided one-half interest in and to the aforementioned property for the years 1936 and 1937, when in truth and in fact only an undivided one-fourth interest therein was properly and lawfully taxable and that the said restricted Quapaw Indian, Grace Walker Wright Dick paid taxes on the said undivided one-half interest in the amount of \$56.60 for such years and is entitled to a refund of one-half thereof, or the sum of \$28.30 for such illegal assessment of the undivided one-fourth interest in and to such property;

It is the further finding of this court that the said Grace Walker Wright Dick has been illegally assessed taxes on the restricted property hereinbefore described as paid, such illegal taxes on such restricted property in the total amount of \$552.21; that the placing of said real estate upon the tax rolls of Ottawa County for all of such years was and is a violation of the aforementioned Act of Congress and that the said Grace Walker Wright Dick, restricted Quapaw Indian, is entitled to a refund therefor in the amount of \$552.21.

It is the further finding of this court that the proper taxing authorities and county officials of Ottawa County, State of Oklahoma have assessed and are demanding from said Grace Walker Wright Dick on said restricted real estate taxes for the years 1939 in the amount of \$48.99, one half of which, or \$24.49, is illegally and wrongfully assessed and that taxes have been wrongfully and illegally assessed against this property for the year 1940 in the amount of \$36.82 one half of which or \$18.41 is illegally and wrongfully assessed.

It is the further finding of this court that for the years 1933, 1934, 1935, 1938, 1939 and 1940, that the plaintiff failed to pay any taxes whatsoever on the property taxable one-fifth interest owned by said plaintiff and that the taxes owing for such years in the respective amounts

1933	-	\$16.27
1934	-	12.95
1935	-	13.55
1938	-	18.99
1939	-	24.49
1940	-	18.41

are due and owing by the said plaintiff to the Board of County Commissioners of Ottawa County, Oklahoma, in the sum of \$86.25 plus one-half of 1940 taxes.

IT IS, THEREFORE, THE JUDGMENT AND DECREE OF THIS COURT that the plaintiff herein have and recover judgment against the Board of County Commissioners of Ottawa County, State of Oklahoma in the amount of \$552.21, less \$86.25, plus one-half of the 1940 taxes; which is properly held to be and it is so ordered to be a set-off and counter-claim against the \$552.21.

It is the further judgment and decree of this court that the said defendants Board of County Commissioners of Ottawa County, State of Oklahoma, County Treasurer of Ottawa County, State of Oklahoma, strike and cancel and hold for naught tax certificates issued against this property for the years 1933, 1934, 1935, and 1938 and that the said taxing officials of Ottawa County remove from the tax rolls of said County, said undivided one-fourth interest owned by the said Grace Walker Wright Dick, now nontaxable for the years it has been so illegally assessed, and that the said taxing officials strike such property from the tax rolls for future years up until March 3, 1936, or until further action of the Congress of the United States; and

It is the further judgment and decree of this court that the said defendant Russell Doss, County Treasurer of Ottawa County, State of Oklahoma is hereby restrained and enjoined from demanding or accepting any taxes upon the said nontaxable, inalienable and restricted one-fourth interest of the said Grace Walker Wright Dick in and to the

Northwest Quarter (NW/4) and the Northwest Quarter (NW/4) of the
Southwest Quarter (SW/4) of Section 4, Township 28 North,
Range 23 East, I. M., consisting of 200 acres,

and that the said defendant Russell Doss, County Treasurer of Ottawa County, State of Oklahoma is hereby restrained and enjoined from selling or offering for sale, the aforesaid described real estate for non payment of such void and illegal taxes.

It is the further judgment and decree of this court that the defendants herein pay all costs in this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 25 1941
H. P. Warfield, Clerk
U. S. District Court

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 2568 - Law
)	
STANOLIND PIPE LINE COMPANY,	Defendant.)	
a Corporation,)	

O R D E R

NOW on this 10th day of February, 1941, this matter comes on for hearing upon the application of the plaintiff to amend its Amended Complaint or Petition as set forth in said application the Plaintiff and the defendant appearing by their respective attorneys; and the Court being fully advised in the premises finds that the application should be granted and the plaintiff allowed to amend its Amended Complaint or Petition as prayed for, and it is so ordered.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Feb 25 1941
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 2571 - Law
)	
OKLAHOMA PIPE LINE COMPANY,	Defendant.)	

O R D E R

NOW on this 10th day of February, 1941, this matter comes on for hearing upon the application of the plaintiff to amend its Amended Complaint or Petition as set forth in said application. The plaintiff and the defendant appearing by their respective attorneys; and the Court being fully advised in the premises finds that the application should be granted and the plaintiff allowed to amend its Amended Complaint or Petition as prayed for, and it is so ordered.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Feb 25 1941
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 2575 Law
)	
SINCLAIR REFINING COMPANY, a)	
corporation,	Defendant.)	

O R D E R

NOW, on this 10th day of February, 1941, this matter comes on for hearing upon the application of the plaintiff to amend its Amended Complaint or Petition as set forth in said application. The plaintiff and the defendant appearing by their respective attorneys; and the Court being fully advised in the premises finds that the application should be granted and the plaintiff allowed to amend its Amended Complaint or Petition as prayed for, and it is so ordered.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Feb 25 1941
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 2576 Law
)	
THE TEXAS PIPE LINE COMPANY, OF OKLAHOMA,)	
a corporation,	Defendant.)	

O R D E R

NOW, on this 10th day of February, 1941, this matter comes on for hearing upon the application of the plaintiff to amend its Amended Complaint or Petition as set forth in said application. The plaintiff and the substitute defendant appearing by their respective attorneys; and the Court being fully advised in the premises finds that the application should be granted and the plaintiff allowed to amend its Amended Complaint or Petition as prayed for, and it is so ordered.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Feb 25 1941
H. P. Warfield, Clerk
U. S. District Court LN

On this 25th day of February, A. D. 1941, 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.

Benjamin B. Ballenger, Deputy U. S. Court Clerk
Whit Y. Mauzy, United States Attorney
Ben 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

THE UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) CIVIL NO. 351
)
LEON C. PHILLIPS, individually and as)
Governor of the State of Oklahoma, et al.,)
	Defendants.)

ORDER SUBSTITUTING PARTY DEFENDENT

It appearing to the Court that H. E. Bailey, a defendant herein individually and as a member of the State Highway Commission, has resigned his office; and that L. S. Robson has been appointed a member of said Commission vice said Bailey; that there is a substantial need for continuing and maintaining this action against said Robson, and that said Robson has consented to be substituted.

IT IS ORDERED, that L. S. Robson, individually and as a member of the State Highway Commission, be and he is hereby, substituted as a party defendant hereto in the place and stead of H. Bailey, resigned.

Dated at Vinita, Oklahoma, this 25th day of February, 1941.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed In Open Court
Feb. 25, 1941
H. P. Warfield, Clerk
U. S. District Court B

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

THE UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) CIVIL NO. 351
)
LEON C. PHILLIPS, individually and as)
Governor of the State of Oklahoma, et al.,)
	Defendants.)

FINAL ORDER

This cause coming on for hearing on the motion of the United States of America to dismiss the same, on the motion of the defendant Grand River Dam Authority to dismiss its cross-petition

herein, on that certain stipulation between certain of the parties hereto and others, dated February 21, 1941, and for good cause shown,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the present cause, including the cross-petition of the defendant Grand River Dam Authority, be and the same is hereby dismissed, with prejudice, and without costs to any party hereto.

Dated at Vinita, Oklahoma, this 25th day of February, 1941.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed In Open Court
Feb 25 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned subject to call.

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 26, 1941

On this 26th day of February, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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,

Plaintiff,

)
)
) NO. 324 CIVIL
)
)
)

vs.

James W. Elliott, et al.,

Defendants.

ORDER ALLOWING INTERVENTION

Now upon this 26 day of February, 1941, upon Motion of James M. Thompson, Epriam M. Vann, Milo J. Wiley and W. M. Anderson, moving for leave to intervene in a class action for the benefit of themselves and all members of the Cherokee Tribe of Indians, similarly situated, it appearing to the Court upon examination of Motion and proposed Petition in Intervention attached thereto that the movants have good cause for intervention and should be allowed to intervene.

WHEREFORE IT IS ORDERED that leave be and the same is hereby granted said Movants to intervene in said action, conditioned upon filing said petition in intervention forthwith.

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

E. J. BOWERS, Trustee of the Estate of
AIR RECTIFYING EQUIPMENT CORPORATION,
a corporation, bankrupt, Plaintiff,

No. 428 Civil

vs.

BENJAMIN F. STEPHENS, doing business as
STEPHENS MANUFACTURING COMPANY, Defendant.

JOURNAL ENTRY OF JUDGMENT

Now on this the 27 day of February, 1941, this matter comes on for final determination and the trustee in bankruptcy, E. J. Bowers, plaintiff herein, appearing through his attorneys, Mills & Cohen, and the defendant appearing through his attorney, John Goldesberry, and it appearing to the court that this matter has heretofore by order of this court been referred to J. M. Humphreys, as special master for determining the issues herein; and the court, being fully advised in the premises and upon the recommendations and findings of the special master, finds that the defendant herein received a transfer of accounts receivable from the bankrupt, Air Rectifying Equipment Corporation, in preference over the claims of other general creditors of the said bankrupt estate, and that by virtue thereof said defendant is indebted to said trustee in the sum of \$750.00, said sum being the total liability of the said defendant by virtue of said preferential transfer. It is therefore

ORDERED, ADJUDGED and DECREED that the plaintiff, E. J. Bowers, trustee, have judgment against the defendant herein, for the sum of \$750.00, with interest thereon from this date until paid, all costs of this action to be paid by the plaintiff herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 27 1941
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to February 28, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 28, 1941

On this 28th day of February, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

UNITED STATES OF AMERICA,

Plaintiff,)

vs.)

No. 401 CIVIL

J. B. Smith, George W. Smith and
Wayland Smith,

Defendants.)

O R D E R

Now on this 28th day of February, 1941, this matter coming on before the Court on the application of Wait Y. Mauzy, United States Attorney for the Northern District of Oklahoma, for dismissal of said cause, and it appearing that the principal involved, in the sum of \$300.00, together with interest in the sum of \$18.00, has been paid to the Osage Indian Agency, and that the Court costs in the sum of \$26.00, have been paid into the officer of the Clerk of this court, and that said cause should be dismissed;

IT IS THEREFORE THE ORDER of the Court that said cause be, and the same hereby is dismissed.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Feb 28 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

Traders & General Insurance Company,
a corporation,

Plaintiff,)

vs.)

No. 479 Civil

John W. Stroup, O. L. Humes and William
F. Shepehard,

Defendants.)

ORDER EXTENDING TIME TO FILE BRIEF

NOW, on this 28th day of February, 1941, for good cause shown, IT IS ORDERED AND ADJUDGED that the defendants be, and they are hereby granted a further extension of ten (10) days from this date within which to file their answer brief herein.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 28 1941
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to March 1, 1941

MISCELLANEOUS

It is this day ordered in pursuance of Section 12 of the Judicial Code, that the Regular March 1940 Term of said Court at Vinita, Oklahoma, be adjourned Sine Die.

Court adjourned to March 3, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 3, 1941

On this 3rd day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Joet W. Howard, Assistant 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

ORDER OF GENERAL REFERENCE UNDER SECTION 22
OF THE BANKRUPTCY ACT

At Tulsa, in said District, on this the 3rd day of March, 1941, before the Honorable Royce H. Savage, Judge of said Court;

Upon consideration, IT IS ORDERED that the Referee in Bankruptcy, in and for said District, be and he is hereby authorized to order the payment of filing fees to the Clerk of the United States District Court in bankruptcy cases referred to him in which pauper's affidavits have been filed, and in which the Referee is of the opinion that same should be paid; and

IT IS FURTHER ORDERED that said Referee shall be a hearing had upon an order to show cause in which a bankrupt has been required or ordered to show cause why the filing fee in all cases where a petition has been filed upon a pauper's affidavit, and testimony has been taken in which it is shown by the evidence of the bankrupt, or otherwise, or from any other witness or witnesses, that the said bankrupt is able to pay the filing fee to the Clerk of the United States District Court, that said Referee is authorized and directed to proceed to hear the same either on the order to show cause or upon the bankrupt's application for discharge; and if the Referee is satisfied that said bankrupt is able to pay said filing fee to the Clerk of the United States District Court, and said order is not complied with, the Referee is authorized and directed to either dismiss the bankrupt's petition or to deny him a discharge in the discretion of the Referee.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 3 1941
H. P. Warfield, Clerk
U. S. District Court

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

THE CITY OF SAND SPRINGS, a Municipal Corporation, ex rel Leonard Versluis,

Complainant and Relator,

CIVIL ACTION NO. 355

vs.

SAND SPRINGS TOWNSITE COMPANY, et al,

Defendants.

ORDER FOR HEARING APPLICATION FOR INJUNCTION

Complainant having filed application for injunction restraining the City Treasurer of the City of Sand Springs, Oklahoma, from paying out or disbursing any of the funds now on hand, or hereafter paid into the fund provided for the payment of outstanding and unpaid bonds issued in Street Improvement District Number 7 of the said City of Sand Springs, or the interest thereon, until the Court shall have considered the fixing and allowance of attorney's fee to be paid by individual owners and holders of such unpaid bonds, it is

ORDERED that said application be set for hearing by the Court in the Federal Court Room at Tulsa, Oklahoma, at 9:30 A.M., on the 17th day of March, 1941, and that written notice of such hearing be served upon said City Treasurer and on the owners, holders or agents of all outstanding and unpaid bonds in said district so far as disclosed by the records of the City Treasurer of Sand Springs, Oklahoma, at least ten days before such date.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Mar 3 1941
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to March 4, 1941

On this 3rd day of March, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 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:

MISCELLANEOUS - REPORT OF REGISTRY FUND.IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

To the Honorable the Judges of the
United States District Court for the
Northern District of Oklahoma.

Sir:

In accordance with the law, I hereby respectfully report the condition of the Registry Fund of this Court at the close of business March 1, 1941.

Balance in the First National Bank & Trust Company of Tulsa, Oklahoma, at the close of business March 2, 1940.		\$109,634.31
Received since March 2, 1940:		
March 9, 1940	Grand River Dam Authority	39.90
	" " " "	4.55
	" " " "	12.75
	" " " "	34.50
	" " " "	82.20
	" " " "	57.00
	" " " "	13.18
	" " " "	80.07
	" " " "	50.50
	" " " "	60.01
	" " " "	25.75
	" " " "	180.20
	" " " "	53.16
March 21, 1940	" " " "	1,195.00
	" " " "	11.95
March 23, 1941	" " " "	3,725.00
	" " " "	1,245.00
	" " " "	37.25
	" " " "	12.45
March 28, 1940	Dixie Gilmer	1,500.00
March 29, 1940	The First National Bank & Trust Co.,	.38
	Grand River Dam Authority,	190.00
	" " " "	500.00
	" " " "	5,365.00
	" " " "	1,750.00
	" " " "	188.00
	" " " "	6,670.00
	" " " "	1.90
	" " " "	5.00
	" " " "	53.65
	" " " "	17.50
	" " " "	1.88
	" " " "	66.70
April 2, 1940	" " " "	945.00
	" " " "	2,375.00
	" " " "	5,895.00
	" " " "	9.45
	" " " "	23.75
	" " " "	58.95

April 3, 1940	Grand River Dam Authority				16,075.00
	I. "E. Nelson "	"	"	"	11,940.00
					205.18
April 8, 1940	Grand River Dam Authority				160.75
April 13, 1940	"	"	"	"	8,960.00
	"	"	"	"	8,001.00
	"	"	"	"	6,100.00
	"	"	"	"	9,325.00
April 17, 1940	"	"	"	"	119.40
April 18, 1940	"	"	"	"	1,668.00
	"	"	"	"	875.00
	"	"	"	"	6,000.00
	"	"	"	"	965.00
	"	"	"	"	6,716.00
	"	"	"	"	9,515.00
April 19, 1940	"	"	"	"	95.15
	"	"	"	"	67.16
	"	"	"	"	60.00
	"	"	"	"	9.65
	"	"	"	"	16.68
	"	"	"	"	8.75
April 23, 1940	"	"	"	"	89.50
	"	"	"	"	80.01
	"	"	"	"	93.25
	"	"	"	"	61.00
April 25, 1940	"	"	"	"	475.00
	"	"	"	"	9,000.00
	"	"	"	"	900.00
	"	"	"	"	340.00
	"	"	"	"	57.00
	"	"	"	"	550.00
	"	"	"	"	6,250.00
	"	"	"	"	3,450.00
May 1, 1940	"	"	"	"	6,630.00
	"	"	"	"	7,350.00
	"	"	"	"	1,155.00
	"	"	"	"	425.00
	"	"	"	"	730.00
	"	"	"	"	995.00
May 2, 1940	"	"	"	"	4.75
	"	"	"	"	4.25
	"	"	"	"	7.30
	"	"	"	"	9.95
	"	"	"	"	66.30
	"	"	"	"	73.50
	"	"	"	"	11.55
	"	"	"	"	99.00
	"	"	"	"	3.40
	"	"	"	"	.57
	"	"	"	"	5.50
	"	"	"	"	62.50
	"	"	"	"	34.50
May 7, 1940	Treasurer of the United States,				120.00
May 9, 1940	Grand River Dam Authority,				6,480.00
	"	"	"	"	834.00
May 20, 1940	"	"	"	"	64.80
	"	"	"	"	8.34
June 22, 1940	"	"	"	"	2,960.00
	"	"	"	"	29.60

July 12, 1940	H. P. Warfield, Clerk	1.28
July 30, 1940	Jno. P. Logan, U. S. Marshal	2,500.00
Aug. 26, 1940	Grand River Dam Authority,	4,120.00
" " " "	" " " "	225.00
" " " "	" " " "	100.00
" " " "	" " " "	2,700.00
" " " "	" " " "	1,800.00
" " " "	" " " "	175.00
" " " "	" " " "	850.00
" " " "	" " " "	1,809.00
" " " "	" " " "	41.20
" " " "	" " " "	2.25
" " " "	" " " "	1.00
" " " "	" " " "	27.00
" " " "	" " " "	18.00
" " " "	" " " "	1.75
" " " "	" " " "	8.50
" " " "	" " " "	18.09
Sept. 7, 1940	First National Bank & Trust Co.,	.65
Nov. 6, 1940	Grand River Dam Authority	200.00
" " " "	" " " "	60.00
" " " "	" " " "	1,450.00
" " " "	" " " "	2,200.00
" " " "	" " " "	810.00
" " " "	" " " "	591.00
" " " "	" " " "	10,876.00
" " " "	" " " "	60.00
" " " "	" " " "	536.50
" " " "	" " " "	45.00
" " " "	" " " "	518.00
Nov. 6, 1940	Grand River Dam Authority	1,250.00
" " " "	" " " "	39.10
" " " "	" " " "	14.01
" " " "	" " " "	12.50
" " " "	" " " "	120.36
Nov. 8, 1940	Republic Life Insurance Company,	1,000.00
Nov. 29, 1940	Grand River Dam Authority,	104.00
" " " "	" " " "	7,700.00
" " " "	" " " "	1.04
" " " "	" " " "	77.00
Dec. 17, 1940	City of Wynona, Oklahoma	728.00
Dec. 23, 1940	The Prudential Insurance Co. of America	1,730.08

Total

\$323,086.59

Disbursed since March 2, 1940:

March 8, 1940	W. F. Bodine	495.00
March 8, 1940	H. P. Warfield, Clerk	5.00
March 9, 1940	James M. Black	57.00
	Henry Killion	10.63
	Jess Killion	10.63
	Ancil Killion	10.63
	Retta Curry, nee Killion	10.63
	Juanita Cherry,	8.55
	John R. Hastings, Jr.	2,775.44
	Edgar Hastings,	1,796.18

	Suswoyne Stewart, nee Hastings,	1,796.18
	H. P. Warfield, Clerk	63.68
	John R. Hastings, Jr.	2,575.00
	Edgar Hastings,	8,007.25
	H. P. Warfield, Clerk	105.82
	John R. Hastings, Jr.,	2,694.19
	Edgar Hastings,	2,362.11
	Suswoyne Stewart, nee Hastings,	944.85
	H. P. Warfield, Clerk	60.01
March 16, 1940	County Treasurer, Delaware County	75.62
	Commissioners of the Land Office,	938.38
	County Clerk, Delaware County	30.00
	Alvin Teague,	100.00
	A. J. McGhee,	200.00
	Sarah E. Buchanan	2,292.00
	Perry Buchanan	764.00
Fre	Fred Buchanan	764.00
	Joe Buchanan	764.00
	Frank Buchanan	764.00
	Patsy Turner, nee Buchanan	764.00
	Maulcie Owenby, nee Buchanan	764.00
	H. P. Warfield, Clerk	82.20
March 20, 1940	Wynona Estes, nee Sink	354.40
	H. P. Warfield, Clerk	3.54
	County Treasurer, Delaware County,	87.44
	Bank of Gravett	1,645.78
	D. P. Bell	5,146.78
	H. P. Warfield, Clerk	68.80
	County Treawurer, Delaware County	100.14
	F. M. Post	3,889.86
	H. P. Warfield, Clerk	39.90
March 23, 1940	County Treasurer, Delaware County	205.52
	Commissioners of the Land Office	2,963.65
	A. N. Roberts	350.83
	H. P. Warfield, Clerk	35.20
	Myrtle V. August,	5,303.10
	Robt. K. Everest & John R. Wallace	400.00
	County Treasurer, Ottawa County,	55.68
	Mary V. Eighinger, Administratrix	1,641.22
	H. P. Warfield, Clerk	74.00
April 6, 1940	Ross Seabolt & Lottie Seabolt, et al	1,245.00
	H. P. Warfield, Clerk	12.45
	J. L. Going and Maleta Going,	3,725.00
	H. P. Warfield, Clerk	37.25
	C. F. Tucker	190.00
	H. P. Warfield, Clerk	1.90
	Joseph S. Owsley, et al	1,195.00
	H. P. Warfield, Clerk	11.95
	Lawflrd L. Browning, et al	1,250.00
	H. P. Warfield, Clerk	17.50
	Joel E. Herod and Josie Herod, et al.,	500.00
	H. P. Warfield, Clerk	5.00
	H. H. Thompson, et al	6,670.00
	H. P. Warfield, Clerk	66.70
	William Herman	1,035.00
	The Federal Land Bank of Wichita	993.44
	Federal Farm Mortgage Company	568.67
	Leroy Land and Bell Thompson	800.00
	E. B. Wensell and Susie Wensell	14,622.89
	H. P. Warfield, Clerk	180.00

	Mrs. Fred Springer, ?	94.83
	H. P. Warfield, Clerk	.96
April 8, 1940	The Federal Land Bank of Wichita,	406.44
	J. T. Shellman	4,918.56
April 9, 1940	H. P. Warfield, Clerk	53.25
	O. W. Smithpeter	5,365.00
April 11, 1940	H. P. Warfield, Clerk	53.65
	Goldie Newburn	10,415.00
	Goldie Newburn	3,652.52
	The Federal Land Bank of Wichita	1,812.99
	John Curtis, County Treasurer,	194.49
	H. P. Warfield, Clerk	160.75
	The Federal Land Bank of Wichita,	371.02
	Ben F. Squibbs	3,078.98
	H. P. Warfield, Clerk	34.50
April 12, 1940	John Curtis, County Treasurer,	58.22
	Maury J. DuBois, Administrator	7,391.78
	H. P. Warfield, Clerk	74.50
April 13, 1940	County Treasurer, Ottawa County	39.89
	J. R. Schad	2,687.00
	Grand River Dam Authority	940.00
	Lena Miester, et al	8,153.71
	H. P. Warfield, Clerk	119.40
	County Treasurer, Delaware County	65.25
	E. V. Allen	6,734.15
	H. P. Warfield, Clerk	68.68
April 16, 1940	Catherine Robinson, et al	1,120.00
	Russell Doss, Treawurer Ottawa County	11.98
	H. P. Warfield, Clerk	58.95
April 20, 1940	C. M. Copeland and Bernice Copeland	5,500.00
	Rollie C. Clark and E. H. Beauchamp	500.00
	H. P. Warfield, Clerk	60.00
	Lena Meister, et al.,	119.40
	Grand River Dam Authority	100.00
	County Treasurer, Ottawa County	78.52
	Claude W. Frazier	5,860.48
	H. P. Warfield, Clerk	61.00
April 25, 1940	The Federal Land Bank of Wichita,	1,967.86
	A. M. Jarvis	2,795.16
April 29, 1940	E. H. Beauchamp	381.96
	John Curtis, County Treasurer,	24.58
	John M. Countryman	199.33
	George Countryman	87.72
	Arthur R. Countryman	43.86
	Rosa A. Wallen	65.79
	Willie Harrold	21.93
	Jay Harrold	21.93
	Vada Countryman	14.49
	Auburn Countryman	4.20
	Kenneth Countryman	4.20
	Jay Countryman	4.20
	Minnie Countryman	4.20
	Vada Countryman, Guardian	12.61
	H. P. Warfield, Clerk	9.00
	E. H. Beauchamp	1,687.43
	John Curtis, County Treasurer,	68.94
	John Curtis, County Treasurer	58.63
	Carey Caldwell	80.00
	John M. Countryman	2,863.67
	George Countryman	1,277.33

	Arthur R. Countryman	638.86
	Rosa A. Wallen	958.00
	Willie Harrold	319.33
	Jay Harrold	319.33
	Vada Countryman	212.89
	Auburn Countryman	60.82
	Kenneth Countryman	60.82
	Jay Countryman	60.82
	Minnie Countryman	60.82
	Vada Countryman, Administratrix	182.51
	H. P. Warfield, Clerk	90.00
	Claude W. Frazier	61.00
May 1, 1940	E. V. Allen	68.68
	G.W. Sharp and Nellie Sharp, et al	965.00
	H. P. Warfield, Clerk	9.65
	Dorothy Huss, Administratrix	875.00
	H. P. Warfield, Clerk	8.75
	Lewis Du Bois, et al	1,668.00
	H. P. Warfield, Clerk	16.68
	G. C. Ray, et al.,	336.60
	H. P. Warfield, Clerk	3.40
	J. T. Shellman, et al.,	470.25
	H. P. Warfield, Clerk	4.75
	Maud Plaster	5,850.00
	Margia H. Allen and George S. Allen	3,665.00
	H. P. Warfield, Clerk	95.15
	County Treasurer, Ottawa County	37.21
	Grand River Dam Authority	10.00
	Grand River Dam Authority	60.00
	Claude W. Frazier and wife	6,608.79
	H. P. Warfield, Clerk	67.16
May 6, 1940	G. C. Ray, et al,	3.40
	J. T. Shellman,	4.75
	John M. Countryman	99.00
	County Treasurer of Mayes County	32.46
	A. M. Burkes	7,467.54
	H. P. Warfield, Clerk	75.00
	Maury DuBois, Administrator	550.00
	H. P. Warfield, Clerk	5.50
	Roy Wood and Sarah Wood	3,507.00
	H. P. Warfield, Clerk	35.07
	Sarah Buchanan	1,155.00
	H. P. Warfield, Clerk	11.55
	E. B. Wensel and Susie Wensell	730.00
	H. P. Warfield, Clerk	7.30
	Goldie Newburn and L. B. Payton	425.00
	H. P. Warfield, Clerk	4.25
May 7, 1940	Grand River Dam Authority	400.00
	County Treasurer, Delaware County	1,165.00
	Commissioners of the Land Office	7,760.00
	H. P. Warfield, Clerk	93.25
	M. A. Breckenridge	20.00
	A. H. Frieberg	79.00
May 13, 1940	H. P. Warfield, Clerk	1.00
	J. F. Lawrence	1,019.70
May 15, 1940	H. P. Warfield, Clerk	10.70
	A. N. Roberts	6,415.20
	H. P. Warfield, Clerk	64.80

May 22, 1940	Henry Killion	166.80
	Reta Killion Curry	166.80
	Ancil Killion	166.80
	Jess Killion	166.80
	Juanita Cherry	55.60
	Wynona Estes, nee Sink	55.60
	Leland Sink	409.99
May 27, 1940	H. P. Warfield, Clerk	11.89
	J. B. Wise and Elsie B. Wise	2,375.00
	H. P. Warfield, Clerk	23.75
	J. B. Wise and Elsie B. Wise	704.00
	H. P. Warfield, Clerk	7.04
	J. F. Seabolt and Mosell Seabolt	188.00
	H. P. Warfield, Clerk	1.88
	Lee Howe, Administrator	6,250.00
May 28, 1940	H. P. Warfield, Clerk	62.50
	County Treasurer, Delaware County	196.94
	Grand River Dam Authority	550.00
	Stella Williamson, et al.,	7,254.06
	H. P. Warfield, Clerk	80.01
	County Treasurer, Delaware County	313.53
	Lucile Ahniwake Miller, et al.,	1,759.12
	Lee Miller, Guardian	5,277.25
	H. P. Warfield, Clerk	73.50
	The Public Service Company of Oklahoma	1,730.00
	H. P. Warfield, Clerk	.17.30
June 1, 1940	A. N. Roberts	64.80
	T. M. Thomas	254.92
	H. P. Warfield, Clerk	2.58
June 7, 1940	Dixie Gilmer	1,485.00
	H. P. Warfield, Clerk	15.00
June 18, 1940	R. E. Cumber and Company	94.83
	H. P. Warfield, Clerk	.96
July 3, 1940	Florence Edie Kelley, et al.,	2,091.93
	H. P. Warfield, Clerk	20.92
July 6, 1940	E. H. Shaufhi	1,036.27
	H. P. Warfield, Clerk	10.47
July 29, 1940	L. Keith Smith, Assignee	194.20
	Court Clerk, Delaware County	137.00
	County Treasurer, Delaware County	74.59
	Cashier-Superintendent, Five Civilized Tribes,	194.21
Aug. 3, 1940	Frank A. Anthony, et al.,	1,206.52
	C. D. Klingensmith, et al.,	1,206.52
	H. P. Warfield, Clerk	86.96
Sept. 9, 1940	Henry Homer Stoll, Executor	1,529.55
	H. P. Warfield, Clerk	15.45
	M. Bird Weimr.	254.92
	Etta C. Weimer	764.77
	H. P. Warfield, Clerk	10.31
	Sullivan-Brooks Company	52.51
	H. P. Warfield, Clerk	.53
Sept. 17, 1940	B. E. Dozier	813.21
	H. P. Warfield, Clerk	8.21
	Henry Tincup	425.00
	Alex H. Hendricks,	212.50
	F. W. Sunderwirth, Cashier Five Civilized Tribes	212.50
	" " " " " "	2,700.00
	H. P. Warfield, Clerk	35.50

Oct. 7, 1940	First National Bank & Trust Co. H. P. Warfield, Clerk	158.43 1.60
Oct. 9, 1940	City of Wynona, Oklahoma H. P. Warfield, Clerk	1,714.21 17.32
Oct. 25, 1940	Reuben R. Huffaker, et al H. P. Warfield, Clerk	1,809.00 18.09
Nov. 6, 1940	Bessie Bearskin Updegrave, et al., Alice A. Kane, Executor, et al., Henry Walker, etc., H. P. Warfield, Clerk	100.00 100.00 41.00 2.41
Nov. 26, 1940	I. J. Buck, et al., H. P. Warfield, Clerk	591.00 5.91
Dec. 7, 1940	County Treasurer, Delaware County H. G. Spencer, et al., Lou Ann Spencer Arthur E. Spencer, Jr., Grand River Dam Authority H. P. Warfield, Clerk	79.22 5,184.00 518.39 518.39 1,400.00 77.00
Dec. 13, 1940	Bertha Viles, et al., H. P. Warfield, Clerk	131.41 1.36
Dec. 21, 1940	County Treawurer, Delaware County First National Bank of Norwood H. P. Warfield, Clerk	4.70 138.60 1.40
Jan. 9, 1940	Emma Margaret Goldman H. P. Warfield, Clerk	27.72 .28
Jan. 13, 1941	H. A. Andrews, Superintendent, etc., H. P. Warfield, Clerk	10,876.00 108.76
Jan. 15, 1941	Aid Association for Lutherans H. P. Warfield, Clerk The Small-Milburn Company H. P. Warfield, Clerk	69.30 .70 27.72 .28
Jan. 17, 1941	Georgia R. Cardin, et al., Alberta Cardin, Administratrix G. Ellis Gable H. P. Warfield, Clerk	350.00 1,202.78 175.00 2.30
Jan. 21, 1941	J. W. Smith, County Treasurer Garfield, County H. P. Warfield, Clerk	69.30 .70
Jan. 22, 1941	Lebental and Company H. P. Warfield, Clerk	97.02 .98
Jan. 23, 1941	Stillwater Company H. P. Warfield, Clerk	27.72 .28
Jan. 30, 1941	R. J. Edwards, Inc., H. P. Warfield, Clerk	83.16 .84
Feb. 5, 1941	F. W. Sunderwirth, Disbursing Agent H. P. Warfield, Clerk	6,630.00 66.30
Feb. 7, 1941	F. W. Sunderwirth, Disbursing Agent H. P. Warfield, Clerk	1,250.00 12.50
Feb. 18, 1941	H. A. Andrews, Superintendent H. P. Warfield, Clerk	1,114.50 11.15
Feb. 24, 1941	Elisabeth Church Ray, Wm. O. Coe, H. P. Warfield, Clerk	325.93 137.07 27.00

Balance in cash and on deposit in the First National Bank and Trust Company,
Tulsa, Oklahoma, at the close of business March 1, 1941

19,320.19
323,086.59

Respectfully submitted,

H. P. WARFIELD,
Clerk.

ENDORSED: Filed In Open Court
Mar 3, 1941

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 3rd day of March, A. D. 1941, comes the Marshal and makes return on the Venire heretofore issued herein for Petit Jurors for this Regular March 1941 Term of Court, at Vinita, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Wm. C. Emler	J. S. Pierce
Russell Shepherd	Vol Parker
Edward Chapman	W. H. Lillard
H. E. Gibbs, Jr.	L. D. Kint
Charley Gideon	Bill Utley
Bert George	James Dixon
J. F. Stoabs	Jess Cochran
Gordon Talley	Hohn Brumley
Lewis Williams	Wm. Dobson
Newt Williams	A. H. Freese
Ed Lightner	Harry L. Freeman
Don Littlefield	J. F. Hannigan
S. M. Kelley	Vest Terry
O. L. Keller	Ray Anglin
Howard Watson	Roy Green
J. F. Kays, Jr.	J. C. Rider
Bob Morris	Fred O. Mow
George R. Miller	J. M. Yirsa
H. L. Montgomery	Frank Zellner
Major Lomax	Chas. White
Ray Harbeston	Raymond D. Wilson
Charles Harris	Geo. V. Sears

C. W. Holley

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

Bert George	George R. Miller
Gordon Talley	Ray Harbeston
Lewis Williams	James Dixon
S. M. Kelley	John Brumley
O. L. Keller	Wm. Dobson
Howard Watson	A. H. Freese
J. F. Kays, Jr.	Geo. V. Sears

and of those not served

W. H. Lillard

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 1941 Term of Court.

ENDORSED: Filed In Open Court
Mar 3 1941
H. P. Warfield, Clerk
U. S. District Court

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

Grand River Dam Authority,	Plaintiff,)	
)	
vs.		)	NO. 370 CIVIL
)	
Clarence Winney, et al.,	Defendants.)	

O R D E R

Now on this 1st day of March, 1941, this matter coming on before the court upon the application of the United States of America for an order permitting the United States to file reply to the answer of the defendant Russell Doss and it appearing to the court that such reply should be filed,

IT IS, THEREFORE, THE ORDER OF THE COURT, that the United States be, and it hereby is authorized to file a reply to the answer of Russell Doss.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Mar 3 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to March 4, 1941

On this 4th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 4th day of March, A. D. 1941, it being made to appear satisfactorily that D. Luster Cook is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

ELSIE A. MILLER,	Plaintiff,)	
)	
-vs-		)	No. 530 Civil
)	
HERBERT FREDERIC MILLER,	Defendant.)	

O R D E R

UPON application of the defendant, Herbert Frederic Miller, and for a good cause shown, IT IS HEREBY ORDERED that the said defendant be and is hereby granted ten days from this date within which to plead or answer to the complaint filed herein by the plaintiff, Elsie A. Miller, in the above styled and numbered case.

DATED this 4th day of March, A. D. 1941.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 4 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to March 6, 1941

On this 4th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 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:

MISCELLANEOUS - ORDER FOR ADDITIONAL PETIT JURORS.

On this 4th day of March, A. D. 1941, it appearing to the Court that there are not sufficient jurors in the panel, it is ordered that the Marshal of said District summon from the bystanders five good and lawful men, duly qualified, to serve as Petit Jurors for this Regular March 1941 Term at said Court.

Thereupon, the Marshal returns the names of Russell Harris, George W. Noe, Warren C. Fouche, Joe A. Lyday and John H. Conrad who are examined by the Court and for good cause shown George W. Noe is excused by the Court. And thereafter, the balance of said array are accepted as petit jurors for this Regular March 1941 Term of Court.

VERDICT

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

Virgil C. Fields, administrator of the
estate of Esther Fields, deceased, Plaintiff,)

vs.)

Missouri-Arkansas Transportation
Company, a corporation, Defendant.)

Case No. 469-CIVIL

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the defendant.

RAY ANGLIN
Foreman

ENDORSED: Filed In Open Court
Mar 4 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to March 5, 1941

On this 5th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Chester A. Brewer, Assistant U. S. Attorney
A. R. Cottle, Deputy U. S. 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

W. M. FULKERSON, Plaintiff,)

vs.)

R. L. LONG and ETHEL LONG, his wife, Defendants.)

Case No. 417 - Civil

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the defendants.

E. H. LIGHTNER,
Foreman

ENDORSED: Filed In Open Court
Mar 5 1941
H. P. Warfield, Clerk, U. S. District Court H

Court adjourned to March 6, 1941

On this 6th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 6th day of March, A. D. 1941, it being made satisfactorily to appear that Harry L. Atkinson is duly qualified for admission to the Bar of this Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar.

Court adjourned to March 7, 1941

On this 6th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Chester A. Brewer, Assistant 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:

MISCELLANEOUS - ORDER FOR ADDITIONAL PETIT JURORS.

On this 6th day of March, A. D. 1941, it appearing to the Court that there are not sufficient jurors in the panel, it is ordered that the Marshal of said District summon from the bystanders two good and lawful men, duly qualified, to serve as petit jurors for this Regular March 1941 Term of said Court.

Thereupon, the Marshal returns the names of William L. Pyeatt and Ed Gertz who are examined by the Court as to qualifications and are accepted as petit jurors for this Regular March 1941 Term of Court.

VERDICT

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

GRAND RIVER DAM AUTHORITY,
vs.

Plaintiff,)

REUBEN R. HUFFAKER, ET AL.,

Defendants.)

Case No. 232-CIVIL Tracts 6 and 6 "A"

We, the jury in the above-entitled case, duly empaneled and sworn, upon our oaths,

assess damages at Thirty Two Hundred no/100 DOLLARS.

ENDORSED: Filed In Open Court
Mar 6 1941
H. P. Warfield, Clerk
U. S. District Court H

WILLIAM F. UTLEY
Foreman

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. 303
Arthur E. Spencer, et al.,)
Defendants.)

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO
MAP NO. 19 TRACT NO. GR-D 965

NOW, on this 6th day of March, 1941, coming on for hearing a motion of the petitioner, Grand River Dam Authority, a public corporation, praying that this Court make and enter an Order Dismissing the Petitioner's Demand for Jury Trial as to the lands described as Map No. 19, Tract No. GR-D 965, and the Court being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Demand for Jury Trial filed by the petitioner herein as to the lands designated as Map No. 19, Tract No. GR-D 965, be and it is hereby dismissed.

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

ENDORSED: Filed In Open Court
Mar 6 1941
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. 303
Arthur E. Spencer, et al.,)
Defendants.)

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO
MAP NO. 19, TRACT NO. GR-D 965

NOW, on this 6th day of March, 1941, the above entitled cause of action and report

of commissioners filed herein on the 14th day of November, 1940, coming on for consideration, and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and Q. B. Boydston, Assistant Counsel; and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the absolute, entire and unencumbered fee simple title to the tract of land described and known as Map No. 19, Tract No. GR-D 965, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under Acts of the Legislature of the State of Oklahoma; that under said Acts, petitioner is a public corporation and possesses the powers of government for public use and 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, to develop and generate water power and electric energy through the use thereof, and to sell and distribute the electric energy so produced; 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, real, personal and mixed, or any interest therein, in the manner provided by general law with respect to condemnation, and to do any and all other acts and things necessary in the exercise of such powers, rights and functions; and

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has heretofore determined that it is necessary for the construction, maintenance and operation of the Grand River Dam Project, to acquire the absolute, entire and unencumbered fee simple title to all of the lands in the basin or reservoir area below the meander line running on the 750 foot contour line, all of said lands to be used as the basin or reservoir for the lake formed by the Grand River Dam, and that the following described property, to-wit:

MAP NO. 19, TRACT NO. GR-D 965

$\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and East 20.0 acres of Lot 1, Section 33, Township 25 North, Range 23 East, Delaware County, Oklahoma, containing 140.0 acres, more or less,

is in the basin or reservoir area of the Grand River Dam Project, and is below the meander line which follows the 750 foot contour line, and that the petitioner has heretofore determined and declared that it is necessary for the petitioner to acquire the absolute, entire and unencumbered fee simple title to the above described land; and

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

It further appearing to the Court that all requirements as required by law have been met by the petitioner, and that all of the defendants herein named have had due and sufficient notice of this action, and of the time and place of the appointment of commissioners as prayed for in petitioner's petition and application; that on the 19th day of February, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jury list of names, Henry E. Hoffman, Dan Bishop and Edward Soph, three (3) disinterested freeholders of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by the petitioner of the absolute, entire and unencumbered fee simple title to the above described tract of land, and to assess the damages to said land, which said owners may sustain by such appropriation, irrespective of any benefits from any improvements proposed; That on the 22nd day of February, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof, and did assess

damages in the sum of \$7700.00 to the owners and those having any right, title or interest therein by reason of the taking of said property for public purposes; and that said commissioners did make and file their report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 14th day of November, 1940.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with the Clerk of this Court for the use and benefit of said owners and those having any right, title or interest in said land, the sum of \$7700.00 so assessed and reported; and

It further appearing to the Court that more than sixty (60) days have elapsed since the filing of said Report of Commissioners and that neither the petitioner, nor any of the defendants have filed written objections to the Report of Commissioners praying for a review by this Court; that the Demand for Jury Trial filed by the petitioner herein has been dismissed, and the time for demanding a trial by jury as expired; that neither the petitioner nor any of the defendants can now demand a trial by jury.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and 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:

MAP NO. 19, TRACT NO. GR D 965

N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the East 20.0 acres of Lot 1, Section 33, Township 25 North, Range 23 East, Delaware County, Oklahoma, containing 140 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the Report of Commissioners filed herein on the 14th day of November, 1940, be, and it is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$7700.00, same being the award fixed by the commissioners; and that the Grand River Dam Authority, a public corporation is hereby vested with the absolute, entire and unencumbered fee simple title to the above described land.

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

ENDORSED: Filed Mar 6 1941
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-)
A. M. Jarvis, Mary Ethel Anderson, et al.,)
Defendants.)

CIVIL NO. 304 Tract No. 3

ORDER DISMISSING AS TO ALL OF TRACT NO. 3, Except that Part Designated as Map No. 9, Tract No. GR-D 442

NOW, on this, the 6th day of March, 1941, coming on for hearing the Motion of the petitioner, Grand River Dam Authority, a public corporation, praying that this action be dismissed as to Tract No. 3, except that part of said tract designated as Map No. 9, Tract No. GR-D 442, and the Court being fully advised in the premises, finds that said motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that this action be dismissed as to all of the lands described in Tract No. 3, in the petitioner's original petition filed herein, except the lands covered by Map No. 9, Tract No. GR-D 442, and more particularly described as follows:

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the 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 X.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 NW 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.

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

ENDORSED: Filed In Open Court
Mar 6 1941
E. P. Warfield, Clerk
U. S. District Court

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

Grand River Dam Authority, a public corporation,)
Petitioner,)
-vs-) CIVIL NO. 304 Tract No. 3
A . M. Jarvis, Ralph H. Poole, et al.,)
Defendants.)

ORDER DISMISSING DEMAND FOR JURY TRIAL

AS TO THAT PART OF TRACT NO. 3, Designated as Map No. 9, Tract No. GR-D 442

NOW, on this the 6th day of March, 1941, coming on for hearing a motion of the petitioner, the Grand River Dam Authority, a public corporation, praying that this Court make and enter and Order Dismissing the petitioner's Demand for Jury Trial as to the lands designated as Map No. 9, Tract No. GR-D 442, being a part of Tract No. 3 herein, and the Court being fully advised in the

premises, finds that said motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Demand for Jury Trial filed by the petitioner herein, as to the lands designated as Map No. 9, Tract No. GR-D 442, being a part of Tract No. 3, be, and is hereby dismissed.

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

ENDORSED: Filed In Open Court
Mar 6 1941
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. 304 Tract No. 3
A. M. Jarvis, Ralph H. Poole, et al.,)
Defendants.)

ORDER CONFIRMING SECOND SUPPLEMENTAL REPORT OF COMMISSIONERS AND
JOURNAL ENTRY
AS TO THAT PART OF TRACT NO. 3, Designated as Map No. 9,
Tract No. GR-D 442

NOW, on this 6 day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 14th day of November, 1940, coming on for consideration, and the petitioner Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and Q. B. Boydston, Assistant Counsel, and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the absolute, entire and unencumbered fee simple title to the tract of land described in and known as that part of Tract No. 3, designated as Map No. 9, Tract No. GR-D 442, 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; that under said Acts, petitioner is a public corporation and possesses the powers of government for public use and 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, to develop and generate water power and electric energy through the use thereof, and to sell and distribute the electric energy so produced; 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, 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 other acts and things necessary in the exercise of such powers, rights, and functions; and

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has heretofore determined that it is necessary for the construction, maintenance and operation of the Grand River Dam Project, to acquire the absolute, entire and unencumbered fee simple title to all of the lands in the basin or reservoir area below the meander line running on the 750 feet contour line, all of said lands to be used as the basin or reservoir for the lake formed by the Grand River Dam, and that the following described property, to-wit:

AS TO THAT PART OF TRACT NO. 3, Designated
as 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 the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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' E. 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,

is in the basin or reservoir area of the Grand River Dam Project, and is below the meander line which follows the 750 foot contour line, and that the petitioner has heretofore determined and declared that it is necessary for the petitioner to acquire the absolute, entire and unencumbered fee simple title to the above described land; and

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

It further appearing to the 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 herein named have had due and sufficient notice of this action, and of the time and place of the appointment of commissioners as prayed for in petitioner's petition and application; that on the 29th day of January, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jury list of names, Henry E. Hoffman, Dan Bishop and Edward Soph, three (3) disinterested freeholders of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by the petitioner of the absolute, entire and unencumbered fee simple title to the above described tract of land, and to assess the damages to said land, which said owners may sustain by such appropriation, irrespective of any benefit from any improvements proposed, and that on the 1st day of February, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$104.00 to the owners and those having any right, title or interest therein by reason of the taking of said property for public purposes; and that said commissioners did make and file with report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 14th day of November, 1940.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with the Clerk of this Court for the use and benefit of said owners and those having any right, title or interest in said land, the sum of \$104.00, so assessed and reported; and

It further appearing to the Court that more than sixty (60) days have elapsed since the filing of the Second Supplemental Report of Commissioners, and that neither the petitioner nor any of the defendants have filed written objections to the Second Supplemental Report of Commissioners praying for a review by the United States District Court in and for the Northern District of Oklahoma; that the Demand for Jury Trial filed by the petitioner herein has been dismissed and the time for demanding a trial by jury has expired; and that neither the petitioner nor any of the defendants can now demand a trial by jury.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and 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:

AS TO THAT PART OF TRACT NO. 3, Designated
as 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 the 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° 96' 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.

IT IS, FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the Second Supplemental Report of Commissioners filed herein on the 14th day of November, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$104.00, same being the award fixed by the commissioners; and that the Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the above described land.

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

ENDORSED: Filed Mar 6 1941
H. P. Warfield, Clerk
U. S. District Court H

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

T. P. Farmer, Receiver,	Plaintiff,)
)
vs.		) No. 883 - Equity
)
Southwest Bank Shares Corporation, a)
Delaware Corporation,	Defendant.)

ORDER DIRECTING PAYMENT OF DIVIDENDS AND ALLOWING FEES AND
EXPENSES

This cause coming on to be heard on the 4th day of March, 1941, upon the petition of J. H. McBirney, Receiver herein, for authority to pay dividends and for allowance of fees and expenses, and said J. H. McBirney appearing in person.

It appears from the verified petition of said receiver that he has in his hands since the last report filed herein the sum of Six Hundred Ninety Five Dollars Ninety Three Cents (\$695.93) which is a return of an overpayment on assessment in favor of Exchange Trust Company, and that same should be distributed.

When this receivership was first instituted it was anticipated that the dividends to creditors would be very small and that the assets to pay same would be insignificant. In consideration of said fact the receiver reduced the administration fees much below the usual fees charged but in the final liquidation of said receivership it appears that by reason of the efforts of said receiver and his attorney funds were realized from which the creditors of said estate will have received over sixty five per cent (65%) of their claims.

The court finds that said receiver and his attorney and chief clerk are entitled to additional fees by reason of the services rendered herein.

Therefor your receiver is hereby authorized and directed:

1. To pay to the creditors of said estate whose claims have been filed and approved herein, the sum of Three Hundred Thirty Five Dollars Ninety Three Cents (\$335.93) in such proportion to each creditor as dividends have heretofore been paid.

2. To pay to himself the sum of Ten Dollars (\$10.00) for the expenses of himself and T. P. Farmer in attending to this matter.

3. To pay administration fees as follows:

To said receiver himself	\$200.00
To T. P. Farmer, Chief Clerk	50.00
To the attorney for the receiver	100.00

Dated at Vinita, Oklahoma this 4th day of March, 1941.

F. E. KENNAMER
United States District Judge

endorsed; Filed Mar 6 1941
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to March 7, 1941

On this 7th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

F. C. Swindell, as Trustee in Bankruptcy)	
of Joe Liken, bankrupt, in cause No. 4309)	
B in said Court,	Plaintiff,	) No. 381 - Civil
)	
vs.)	
)	
Anna Greenberg, as Administratrix of the)	
Estate of A. Greenberg, deceased,	Defendant.)

O R D E R

NOW on this 7th day of March, 1941, the above entitled cause comes on for hearing upon the Motion to Dismiss heretofore filed herein by the defendant, Anna Greenberg, as Administratrix of the Estate of A. Greenberg, deceased. The plaintiff appears by his attorney, Geo. W. Reed, Jr. and the defendant appears by her attorneys, Rosenstein & Gore, by C. H. Rosenstein. The Court having heard the argument of counsel and being fully advised in the premises is of the opinion that defendant's Motion to Dismiss should be denied.

It is, therefore, by the Court ORDERED and DECREED that the Motion to Dismiss this action heretofore filed herein by the defendant, Anna Greenberg, as Administratrix of the estate of A. Greenberg, deceased, be and the same hereby is denied and overruled, to which action the defendant excepts.

It is further ORDERED and DECREED that the defendant, Anna Greenberg, as Administratrix of the Estate of A. Greenberg, deceased, be and she hereby is granted 20 days from this date in which to answer in the above entitled cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Sammons-Robertson Company, a)	
corporation,)	
)	
Plaintiff,)	
)	
vs.	)	No. 443 - Civil
)	
Massman Construction Company,)	
a corporation, et al,)	
)	
Defendants.)	

O R D E R

This March 7, 1941, pursuant to regular assignment, all parties referred to being present by counsel of record, the court hears, considers, and being advised, rules as follows on motions herein;

Motion of defendant Massman Construction Company to dismiss Count 6 as amended, and motion to more more perfect statement is overruled in all particulars.

Motion of the various surety company defendants to dismiss Count 6 as amended and motion to make more perfect statement is overruled in all particulars.

Motion of W. R. Holway, sole surviving member of Holway and Neuffer, a co-partnership, to dismiss Count 6 of the Complaint as amended, or in lieu thereof to require plaintiff to make more definite statement of said amended count is in all things overruled.

Motion of defendants, Schaefer, Butler, Crouse, Perkins and Eichenberger to dismiss, as to each of them, count number 6 of the complaint as amended or in lieu thereof, to require plaintiff to make more definite and statement of said amended count, is overruled in all particulars.

Motion of Grand River Dam Authority, to dismiss as to it Count number 6 of the complaint as amended, or in lieu thereof, to require plaintiff to make more definite statement of said amended count, is overruled, in all particulars.

Each moving defendant asks and is allowed exception to the action of the court, with respect to each particular, in overruling such motions.

The defendants will have and are allowed thirty days within which to answer herein.

ROYCE H. SAVAGE.
JUDGE

ENDORSED: Filed Mar 14 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Milton Roe Sabin and Bertha Florence Sabin, Plaintiffs,

-vs-

Home Owners' Loan Corporation, a corporation;
Ben O. Kirkpatrick, then District Manger of HOLC;
S. Morton Rutherford, then Attorney of Record for HOLC;
Ralph Darnell, Management Broker for HOLC;
A. Garland Marrs, Sheriff of Tulsa County, Oklahoma;
W. S. Duggins, Deputy-Sheriff of Tulsa County, Oklahoma;
and Cal Crum, Court Clerk of Tulsa County, Oklahoma;
Defendants.

NO. 522 - CIVIL

O R D E R

NOW, on this 7th day of March, 1941, before the Honorable Royce Savage, Judge of the United States District Court for the Northern District of Oklahoma, there comes on for hearing the plaintiff's motions to remand, and the defendants' motion to require plaintiffs to furnish security for costs, defendants' motion to strike, and defendants' motion to dismiss; the plaintiff, Milton Roe Sabin, being present and representing himself, and the plaintiff, Bertha Florence Sabin, being present and representing herself; and the defendant, Ben O. Kirkpatrick, being represented by E. Ellis Gable; the defendant, S. Morton Rutherford being present and representing himself; and the defendants, Home Owners' Loan Corporation, Ralph Darnell, A. Garland Marrs, W. S. Duggins and Cal Crum, being represented by O. K. Wetzel; and the Court, after being fully advised in the premises, and upon arguments by the plaintiffs and the counsel for the defendants, finds that the Motion to remand of the plaintiff, Milton Roe Sabin, should be overruled, and the motion to remand of the plaintiff, Bertha Florence Sabin, should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the motion to remand of the plaintiff, Milton Roe Sabin, and the motion to remand of the plaintiff, Bertha Florence Sabin, are overruled.

The Court further finds that the defendants' motion to require the plaintiffs to furnish security for costs should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the motion of the defendants to require the plaintiffs to furnish security for costs is overruled.

The Court further finds that the defendants' motion to strike should be sustained as to the following paragraphs and portions of the plaintiffs' amended petition: paragraphs III, IV, V, VI, VII, VIII, IX, X and XI of the first cause of action, and as to the second cause of action of the plaintiffs' amended petition, all that portion referring to the paragraphs heretofore stricken in the first cause of action, all of paragraph I I, except the first sentence of said paragraph, beginning at page 49 of the Transcript, that portion being stricken beginning on page 50 of the Transcript, as follows: "At that time having gained their desired end***", to the end of the paragraph, and all of paragraphs III and IV. The Court further finds that the motion to strike of the defendants should be overruled as to the other portions of the plaintiff's amended petition.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the motion to strike of the defendants is sustained as to paragraphs III, IV, V, VI, VII, VIII, IX, X and XI of the first cause of action of the plaintiffs' amended petition, and all of that portion of the second cause of action of plaintiffs' amended petition referring to the paragraphs stricken in the first cause of action, all of paragraph II of the second cause of action of plaintiffs' petition, except the first sentence of said

paragraph, beginning at page 49 of the Transcript, that portion ordered stricken beginning on page 50 of the Transcript, as follows: "At that time having gained their desired end***", to the end of the paragraph, and all of Paragraphs III and IV of the second cause of action of the plaintiffs' amended petition are hereby stricken. IT IS FURTHER ORDERED that the defendants' motion to strike is overruled as to the other portions of the plaintiffs' amended petition.

The Court further finds that the defendants' motion to dismiss should be sustained as to the defendants, Ben O. Kirkpatrick and Ralph Darnell, and should be overruled as to the defendants, Home Owners' Loan Corporation, S. Morton Rutherford, A. Garland Marrs, W. S. Duggins and Cal Crum.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants' motion to dismiss is sustained as to the defendants, Ben O. Kirkpatrick and Ralph Darnell, and is overruled as to the defendants, Home Owners' Loan Corporation, S. Morton Rutherford, A. Garland Marrs, W. S. Duggins and Cal Crum.

Upon the application of the defendants for additional time in which to plead or answer, the Court finds; and

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants, Home Owners Loan Corporation, S. Morton Rutherford, A. Garland Marrs, W. S. Duggins and Cal Crum be given fifteen (15) days from this date in which to either plead or answer to the petition of the plaintiffs herein.

WHEREUPON, the plaintiffs, and each of them, in open Court, gave notice of their intention to appeal. Plaintiffs except to all adverse rulings.

ROYCE H. SAVAGE
United States District Judge for the
Northern District of Oklahoma

ENDORSED: Filed Mar 19 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to March 8, 1941

On this 7th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Chester A. Brewer, Assistant 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:

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 No. 2
)	
Lee Miller, Gdn. of Lucille Ahniwake)	
Miller, et al,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages on the unrestricted 80 acres at 5920 DOLLARS.

L. D. KINT
Foreman

endorsed; Filed In Open Court
Mar 7 1941
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. 263 CIVIL Tract No. 2.
)	
LEE MILLER, Gdn. of Lucille Ahniwake)	
Miller, et al,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages on the restricted 70 acres at 5180 DOLLARS.

L. D. KINT
Foreman

ENDORSED: Filed In Open Court
Mar 7 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to March 10, 1941

On this 8th day of March, 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to a adjournment Hon. Royce H. Savage and Hon. F. E. Kennamer, 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:

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

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

vs.

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

No. 877 Equity

ORDER AUTHORIZING PARTIAL RELEASES OF MORTGAGE UPON PAYMENTS

On this 8th day of March, 1941, upon the application of J. H. McBirney, Successor Trustee, for authority to partially release real estate mortgage; and it appearing that among the assets coming into the hands of said trustee was a note dated May 3, 1929, for the principal sum of Four Thousand Dollars (\$4000.00), upon which there is due the principal sum of Three Thousand Six Hundred Dollars (\$3500.00) and interest from November 1, 1934, said note having been executed by Robt E. Adams and Sara E. Adams, his wife, and J. C. Reddin and Lucille Reddin, his wife, said note being secured by a first and prior real estate mortgage dated May 3, 1929, in the principal sum of Four Thousand Dollars (\$4,000.00), on which there is due the principal sum of Three Thousand Six Hundred Dollars (\$3,600.00), and interest from November 1, 1934, executed by Robt. E. Adams and Sara E. Adams, his wife, and J. C. Reddin and Lucille Reddin, his wife, as mortgagors, to Exchange National Company, as mortgagee; and it further appearing that said mortgage was assigned by the Exchange National Company to the Exchange National Bank of Tulsa, Oklahoma, trustee, and that J. H. McBirney, as trustee, succeeded to the ownership of said note and mortgage by virtue of a decree entered herein on December 4, 1933, and that the said J. H. McBirney, Successor Trustee, is the present owner and holder of said note and mortgage; and it further appearing that the said mortgage covers and affects the

Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 9, Township 19 North, Range 14 East, Tulsa County, Oklahoma,

and that said property is located on East 11th Street, beyond the corporate limits of the City of Tulsa, and is located upon Highway 66, West of the broadcasting station of KVOO; and it further appearing that since the execution of the said mortgage, the East twenty (20) acres of the land above described was included in an Addition, platted and dedicated as Eleventh Street Acres Addition, and that the said East twenty (20) acres of said land above described has been dedicated as Blocks 3 and 4 of said Eleventh Street Acres; that there are seven (7) lots in Block 3 and ten (10) lots in Block 4 of said Eleventh Street Acres Addition; and it further appearing that Robt. E. Adams is attempting the sale of said lots and requires the release of the said mortgage as to the said lots as the same are sold; and it further appearing that the lots in Block 3 face and are adjacent to Eleventh Street, or Highway 66, and the lots in Block 4 do not face upon said Eleventh Street, and that the lots in said Block 3 are of greater value than the lots in Block 4; and it further appearing that the said Robt. E. Adams has proposed to pay the sum of Three Hundred Dollars (\$300.00) upon said mortgage indebtedness for a release of lots in Block 3, and One Hundred Fifty Dollars (\$150.00) per lot for lots in Block 4; and it appearing that

of the court to the said Enoch M. Lusk, receiver of the Standard Oil and Refining Company, the sum of 51 1/2% of the amount of said bonds less an impounding fee of 1%.

Done this 8th day of March, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 8 1941
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 10, 1941

On this 10th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Chester A. Brewer, United States Attorney
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. 322- Civil Tract No. 3.

Heirs of Bertha Miller, et al.,

Defendants.)

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

H. E. GIBBS, Jr.
foreman

ENDORSED: Filed In Open Court
Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Grand River Dam Authority, a public corporation,)		
	)	Petitioner,)
-vs-))
))
William H. Kneeland, Cleo Stealer, et al.,))
	)	Defendants.)

CIVIL NO. 322 Tract No. 2

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT NO. 2
(Map No. 17, Tract No. GR-D 757)

NOW, on this the 10th day of March, 1941, coming on for hearing the Motion of the petitioner, Grand River Dam Authority, a public corporation, to dismiss its Demand for Jury Trial, and the court, being fully advised in the premises, finds that said Motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that Demand for Trial by Jury filed by the petitioner, Grand River Dam Authority, a public corporation, be, and is hereby dismissed as to Tract No. 2 (Map No. 17, Tract No. GR-D 757).

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

ENDORSED: Filed In Open Court
Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Grand River Dam Authority, a public corporation,)		
	)	Petitioner,)
-vs-))
))
William H. Kneeland, et al.,	)	Defendants.)

CIVIL NO. 322 Tract No. 1

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT
NO. 1 (Map No. 6, Tract No. GR-D 234)

NOW, on this the 10th day of March, 1941, coming on for hearing the Motion of the petitioner, Grand River Dam Authority, a public corporation, to dismiss its Demand for Jury Trial, and the Court, being fully advised in the premises, finds that said motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that Demand for Trial by Jury filed by the petitioner, Grand River Dam Authority, a public corporation, be, and is hereby dismissed as to Tract No. 1 (Map No. 6, Tract No. GR-D 234).

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

ENDORSED: Filed In Open Court
Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

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

ORDER MAKING DISTRIBUTION AS TO TRACT NO. 1 (6 GR-D 234)

NOW, on t is 10th day of March, 1941, coming on for hearing the application of R. (Ralph) M. Kneeland, Guardian of William H. Kneeland, an incompetent, for distribution of the award on deposit as to Tract No. 1 (6 GR-D 234), and the Court being fully advised in the premises, and having heard the testimony of witnesses, sworn and examined in open Court, finds that the said William H. Kneeland, an Incompetent, was the owner of the entire fee simple title in and to the lands described as Tract No. 1 (6 GR-D 234), at the time that the same was appropriated by the Grand River Dam Authority, a public corporation, and that the application of R. (Ralph) M. Kneeland, Guardian of William H. Kneeland, an incompetent, should be granted as prayed for therein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court, that the title to the lands described as Tract No. 1 (6 GR-D 234) was vested in William H. Kneeland, an incompetent, at the time the same was appropriated by the Grand River Dam Authority, a public corporation, and that the said R. (Ralph) M. Kneeland, Guardian of William H. Kneeland, an incompetent, is entitled to the award of commissioners in condemnation as prayed for in his application.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby directed to make distribution of said award as follows, to-wit:

County Treasurer of Delaware County, Oklahoma, 1938, 1939 and 1940 taxes	\$44.63
R. M. Kneeland, Guardian	11.37
Grand River Dam Authority	144.00

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

ENDORSED: Filed In Open Court
Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

It further appearing to the 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 herein named have had due and sufficient notice of this action, and of the time and place of the appointment of commissioners as prayed for in petitioner's petition and application; and that on the 12th day of April, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jury list of names, Henry E. Hoffman, Dan Bishop and Edward Soph, three (3) disinterested freeholders of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by the petitioner of the absolute, entire and unencumbered fee simple to the above described tract of land, and to assess the damages to said land, which said owners may sustain by such appropriation, irrespective of any benefit from any improvements proposed, and that on the 16th day of April, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$200.00 to the owners and those having any right, title or interest therein by reason of the taking of said property for public purposes; and that said commissioners did make and file their report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 25th day of October, 1940.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with the Clerk of this Court for the use and benefit of said owners and those having any right, title or interest in said land, the sum of \$200.00, so assessed and reported and

It further appearing to the Court that more than sixty (60) days have elapsed since the filing of the Report of Commissioners, and that neither the petitioner nor any of the defendants have filed written objections to the Report of Commissioners praying for a review by the United States District Court in and for the Northern District of Oklahoma; that the Demand for Jury Trial filed by the petitioner herein has been dismissed and the time for demanding a trial by jury has expired; and that neither the petitioner nor any of the defendants can now demand a trial by jury.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and 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 (6GR-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 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.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 25th day of October, 1940, be, and it is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$200.00 same being the award fixed by the commissioners; and that the Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the above described land.

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

ENDORSED: Filed In Open Court
Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 11, 1941

On this 10th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

George Chisholm, administrator of the)
estate of Lessey Hawkins Chisholm, nee)
Yarhola, Plaintiff,) No. 387 Civil
-vs-)
H. G. HOUSE, ET AL., Defendants.)

O R D E R

Now on this 17 day of December, 1940, permission is hereby granted John Wheeler, Jr., to withdraw from the files herein all the depositions and exhibits attached unto.

The Clerk is hereby ordered and directed to deliver said depositions and exhibits to John Wheeler, Jr. one of the attorneys of record in said cause.

ROYCE H. SAVAGE

ENDORSED: Filed Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Green Patton and Beatrice Patton,)	
)	
-vs-	)	No. 446 - Civil
)	
Mid-Continent Petroleum Corporation, a)	
corporation,	)	Defendant.

O R D E R

Upon motion of counsel for defendant and for good cause shown, the Court finds that the defendant should be and it hereby is granted until the 25th day of March, 1941, in which to file its answer in the above entitled cause.

Dated this 10th day of March, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 10 1941
H. P. Warfield, Clerk
U. S. District Court LN

court adjourned to March 11, 1941

On this 11th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 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	Petitioner,)	
corporation,		)	CIVIL NO. 322
		)	Tract No. 2
-vs-)	
William H. Kneeland, Cleo Stealer, et all,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY
AS TO TRACT NO. 2, (Map No. 17, Tract No. GR-D 757)

NOW, on this 11th day of March, 1941, the above entitled cause of action and the Report of Commissioners filed herein on the 25th day of October, 1940, coming on for consideration, and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and Q. B. Boydston, Assistant Counsel, and the defendants, the heirs of David Stealer, deceased,

appearing by Honorable Chester A. Brewer, Assistant United States Attorney, and it appearing to the court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the absolute, entire and unencumbered fee simple title to the tract of land described in and known as Tract No. 2 (Map No. 17, Tract No. GR-D 757), and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, was created under Acts of the Legislature of the State of Oklahoma; that under said Acts, petitioner is a public corporation and possesses the powers of government for public use and 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, to develop and generate water power and electric energy through the use thereof, and to sell and distribute the electric energy so produced; 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, 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 other acts and things necessary in the exercise of such powers, rights, and functions; and

It further appearing to the Court that the plaintiff, Grand River Dam Authority, a public corporation, has heretofore determined that it is necessary for the construction, maintenance and operation of the Grand River Dam Project, to acquire the absolute, entire and unencumbered fee simple title to all of the lands in the basin or reservoir area below the meander line running on the 750 foot contour line, all of said lands to be used as the basin or reservoir for the lake formed by the Grand River Dam, and that the following described property, to-wit:

TRACT NO. 2 (17 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,

is in the basin or reservoir area of the Grand River Dam Project, and is below the meander line which follows the 750 foot contour line, and that the petitioner has heretofore determined and declared that it is necessary for the petitioner to acquire the absolute, entire and unencumbered fee simple title to the above described land; and

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

It further appearing to the 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 herein named have had due and sufficient notice of this action, and of the time and place of the equipment of commissioners as prayed for in petitioner's petition and application; that on the 12th day of April, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jury list of names, Henry E. Hoffman, Dan Bishop and Edward Soph, three (3) disinterested freeholders of the Northern District of Oklahoma, to inspect said real property

and consider the injury which the owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by the petitioner of the absolute, entire and unencumbered fee simple title to the above described tract of land, and to assess the damages to said land, which said owners may sustain by such appropriation, irrespective of any benefit from any improvements proposed, and that on the 16th day of April, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof; and did assess damages in the sum of \$60.00 to the owners and those having any right, title or interest therein by reason of the taking of said property for public purposes; and that said commissioners did make and file their report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 25th day of October, 1940.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with the Clerk of this Court for the use and benefit of said owners and those having any right, title or interest in said land, the sum of \$60.00, so assessed and reported; and

It further appearing to the Court that more than sixty (60) days have elapsed since the filing of the Report of Commissioners, and that neither the petitioner nor any of the defendants have filed written objections to the Report of Commissioners praying for a review by the United States District Court in and for the Northern District of Oklahoma; that the Demand for Jury Trial filed by the petitioner herein has been dismissed and the time for demanding a trial by jury has expired; and that neither the petitioner nor any of the defendants can now demand a trial by jury.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and 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 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.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY this Court that the report of the commissioners filed herein on the 25th day of October, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$60.00, same being the award fixed by the commissioners; and that the Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the above described land.

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

ENDORSED: Filed Mar 11 1941
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, A
CORPORATION,

Plaintiff,

vs.

HEIRS OF JACK SQUIRRELL, ET AL.,

Defendants.

)
)
) Case No. 329 - Civil

)
)
) Tract No. 2

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, assess damages at Thirty Two Hundred and no/100 DOLLARS.

FILED In Open Court
Mar 11 1941
H. P. Warfield, Clerk
U. S. District Court H

RAYFORD W. ANGLIN
Foreman

Court adjourned to March 12, 1941

On this 11th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

M. P. PERRY, TRUSTEE,

Plaintiff,

-vs-

ASSOCIATED PETROLEUM PROPERTIES, a Trust
Estate; PROVIDENT TRUST, a Trust Estate;

E. R. PERRY and S. L. DEDMAN,

Defendants.

)
)
) No. C-285

O R D E R

NOW, on this 11 day of March, 1941, this matter coming on before me;

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby authorized and directed to make a regular distribution of 25¢ per unit to all unit-holders of Associated Petroleum

Petroleum Properties and Provident Trust, each a Trust Estate, during the month of March, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 11 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

UNITED STATES OF AMERICA,

Plaintiff,)

vs.)

Five and Eight-fifteenths Cases of Butter,
containing Thirty One-pound prints each,
labeled "Puritan Brand Creamery Butter
made from Pasteurized Cream ONE POUND NET
Manufactured by PURITAN DAIRY, Pittsburg,
Kansas Miami, Okla.",

NO. 542 CIVIL

and)

Four and Five-Sixths Cases of Butter, con-
taining Thirty One-pound cartons of Four
One-Fourth pound prints each, labeled
"Puritan Dairy Products Co. Pittsburg, Kans.***",
Defendant.)

ORDER FOR MONITION

Now on this 10th day of March, 1941, there having been filed herein a complaint on behalf of the United States of America against approximately ten (10) cases of butter, praying the usual process and monition of this Court for an order condemning and forfeiting said articles to said plaintiff under provisions of Section 342 (b) (1) and (2), Title-21, United States Code Annotated, and Section 343 (a) and (b), Title 21, United States Code Annotated, and it appearing from said complaint that on or about February 25, February 27, February 28, March 1, and March 2, 1941, said articles were shipped in inter-state commerce by the Puritan Dairy Products Company of Pittsburg, Kansas, and delivered to the Puritan Dairy Products Company, Miami, Oklahoma.

And it further appearing in said complaint that said approximately ten (10) cases of butter was in an adulterated condition in violation of Section 342 (b) (1) and (2), Title 21, United States Code Annotated, in that there has been omitted therefrom, in whole or in part, a valuable constituent, to-wit: milk fat, and that an article containing less than 80% by weight of milk fat has been substituted wholly or in part for butter, an article which should not contain less than 80% by weight of milk fat, as provided in the Act of March 4, 1923.

And it further appearing in said complaint that said approximately ten (10) cases of butter are misbranded, in violation of Section 343 (a) and (b), Title 21, United States Code Annotated, that is the said product is labeled "Butter", when in truth and in fact it is not butter as required by Act of March 4, 1923.

And it further appears to the Court that the Puritan Dairy Products Company, Miami, Oklahoma, claims some interest in said article.

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. 324 Tr. 2
)	
James W. Elliott, et al.,	Defendants.)	

ORDER DISMISSING DEMAND FOR TRIAL BY JURY

NOW, on this 12th day of March, 1941, there coming on for hearing the Motion of the petitioner, Grand River Dam Authority, a public corporation, to dismiss its Demand for Jury Trial, and the Court being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Demand for Trial by Jury filed by the petitioner, Grand River Dam Authority, a public corporation, be, and it is hereby dismissed.

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

ENDORSED: Filed In Open Court
Mar 12 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

Grand River Dam Authority, a public corporation,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 324
)	
James W. Elliott, Lena Elliott, et al.,	Defendants.)	

ORDER MAKING DISTRIBUTION OF AWARD

NOW, on this 11th day of March, 1941, there coming on for hearing the application of the petitioner herein, Grand River Dam Authority, a public corporation, for distribution of the award of commissioners made herein; said petitioner appearing by its General Counsel, R. L. Davidson, and the defendants, James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey, appearing by their attorney, Clyde Morsey; and the Court having heard the testimony of witnesses, sworn and examined by in open court, and being fully advised in the premises, finds: .

That the defendants, James W. Elliott and Clyde Morsey, entered into a contract on the 3rd day of November, 1939, with the Grand River Dam Authority, a public corporation, petitioner, for the purchase and sale of the following described land, to-wit:

an island in Grand River in Section 19, Township 26 North, Range 24 East of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, commonly called "Turkey Island", containing twenty (20) acres, more or less;

wherein the petitioner agreed to pay said defendants the sum of \$1045.00 for said land and said defendants agreed to execute and deliver to the petitioner a General Warranty Deed conveying said land to the petitioner in fee simple, free and clear of all liens, encumbrances and defects; that the said defendants were unable to furnish title satisfactory to the petitioner and an agreement was entered into between the petitioner and said defendants on the 16th day of January, 1940, wherein it was agreed that in the event a condemnation suit was necessary to perfect the title to said land, that said defendants and the petitioner would explain to the Court that a contract for the purpose and sale of said land for a consideration of \$1045.00 had been entered into, and that the Judge of the court wherein condemnation proceedings were instituted would be requested to advise the commissioners appointed to view and appraise the land, of such contract, and that the sum of \$1045.00 mentioned in said contract was the agreed consideration to be paid for the full, complete and unencumbered fee simple title to said land; that said agreement further provided that the petitioner would preserve the wire from the fences located on said land for the said defendants; that the petitioner did not preserve said wire, and that said defendants have been damaged in the sum of \$50.00 by reason of the destruction of same.

The Court further finds that the defendants are entitled to the sum of \$1045.00, as compensation for said land; that there are no grounds for voiding said contract and agreement, and that said sum of \$1045.00 is just compensation for said land.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the just compensation for the taking of the lands herein described by the petitioner, be, and it is hereby fixed for and in the sum of \$1045.00.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby directed to make distribution of the award of commissioners heretofore deposited by the petitioner in the sum of \$2960.00, as follows, to-wit:

To the defendants, James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey---as damages for wire destroyed-----\$50.00

To the defendants, James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey---the consideration for said land as set forth in the contract of sale and purchase-----\$1045.00

To the Grand River Dam Authority-----\$1865.00

IT IS THE FURTHER ORDER OF THIS COURT that said defendants be, and they are hereby required to pay all costs subsequent to the filing of the report of commissioners herein, and that the Clerk of this Court withhold such costs from any sums herein ordered paid to the said defendants.

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

ENDORSED: Filed Mar 12 1941
H. P. Warfield, Clerk
U. S. District Court

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

Grand River Dam Authority, a
public corporation,

Petitioner,

-vs-

Peter Barehead,
Dave Downing, et al.,

Defendants.

CIVIL NO. 329 Tract No. 3

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT
NO. 3 (Map No. 7, Tract No. GR-D 283)

NOW, on this the 12th day of March, 1941, coming on for hearing the Motion of the petitioner, Grand River Dam Authority, a public corporation, to dismiss its Demand for Jury Trial, and the Court, being fully advised in the premises, finds that said motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that Demand for Trial by Jury filed by the petitioner, Grand River Dam Authority, a public corporation, be, and is hereby dismissed as to Tract no. 3 (Map No. 7, Tract No. GR-D 283).

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

ENDORSED: Filed In Open Court
Mar 12 1941
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.

Peter Barehead, Dave Downing, et al.,

Defendants.

CIVIL NO. 329 Tract No. 3

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL
ENTRY AS TO TRACT NO. 3 (Map No. 7, Tract No. GR-D 283)

NOW, on this 12th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 3rd day of July, 1940, coming on for consideration, and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and Q. B. Boydston, Assistant Counsel, and all of the defendants, except John Curtis, County Treasurer, and the State of Oklahoma, appearing by Honorable Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the absolute, entire and unencumbered fee simple title to the tract of land described in and known as Tract No. 3 (Map No. 7, Tract No. GR-D 283), and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation was created under Acts of the Legislature of the

State of Oklahoma; that under said Acts, petitioner is a public corporation and possesses the powers of government for public use and 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, to develop and generate water and electric energy through the use thereof, and to sell and distribute the electric energy to produced; to acquire by purchase, and to maintain, use and operate all kinds of property, real, person and mixed, of 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, 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 other acts and things necessary in the exercise of such powers, rights, and functions; and

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has heretofore determined that it is necessary for the construction, maintenance and operation of the Grand River Dam Project, to acquire the absolute, entire and unencumbered fee simple title to all of the lands in the basin or reservoir area below the meander line running on the 750 foot contour line, all of said lands to be used as the basin or reservoir for the lake formed by the Grand River Dam, and that the following described property, to-wit:

TRACT NO. 3 (7GR-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° 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° 34' E. 591.9 feet; thence N. 37° 41' W. 496.1 feet; thence N. 56° 13' W. 292.2 feet to the point of beginning, containing 1.6 acres, more or less,

is in the basin or reservoir area of the Grand River Dam Project, and is below the meander line which follows the 750 foot contour line, and that the petitioner has heretofore determined and declared that it is necessary for the petitioner to acquire the absolute, entire and unencumbered fee simple title to the above described land; and

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

It further appearing to the 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 herein named have had due and sufficient notice of this action, and of the time and place of the appointment of commissioners as prayed for in petitioner's petition and application; that on the 12th day of April, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jury list of names, Henry E. Hoffman, Dan Bishop and Edward Soph, three (3) disinterested freeholders of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by the petitioner of the absolute, entire and unencumbered fee simple title to the above described tract of land, and to assess the damages to said land, which said owners may sustain by such appropriation irrespective of any benefit from any improvements proposed, and that on the 16th day of April, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$100.00 to the owners and those having any right, title or interest therein by reason of the taking of said property

for public purposes; and that said commissioners did make and file their report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 3rd day of July, 1940.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with the Clerk of this Court for the use and benefit of said owner and those having any right, title or interest in said land, the sum of \$100.00, so assessed and reported; and

It further appearing to the Court that more than sixty (60) days have elapsed since the filing of the Report of Commissioners, and that neither the petitioner nor any of the defendants have filed written objections to the Report of Commissioners praying for a review by the United States District Court in and for the Northern District of Oklahoma; that the Demand for Jury Trial filed by the petitioner herein has been dismissed and the time for demanding a trial by jury has expired; and that neither the petitioner nor any of the defendants can now demand a trial by jury.

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

TRACT NO. 3 (EAGR-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 $\frac{1}{4}$ NWP and 146.3 feet East of the NW corner thereof; thence S. 89° 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° 34' E. 591.9 feet; thence N. 37° 41' W. 496.0 feet; thence N. 56° 13' W. 292.2 feet to the point of beginning, containing 1.6 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY this Court that the Report of the commissioners filed herein on the 3rd day of July, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$100.00 same being the award fixed by the commissioners; and that the Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the above described land.

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

ENDORSED: Filed Mar 12 1941
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. 329 Tract No. 5
)	
Peter Barehead, John Starr, et al.,	Defendants.)	

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT NO. 5
(Map No. 27, Tract no. GR-D 1486)

NOW, on this the 12th day of March, 1941, coming on for hearing the Motion of the petitioner, Grand River Dam Authority, a public corporation, to dismiss its Demand for Jury Trial, and the Court, being fully advised in the premises, finds that said motion should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that Demand for Trial by Jury filed by the petitioner, Grand River Dam Authority, a public corporation, be, and is hereby dismissed as to Tract No. 5 (Map No. 27, Tract No. GR-D 1486).

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

ENDORSED: Filed In Open Court
Mar 12 1941
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. 329 Tract No. 5
)	
Peter Barehead, John Starr, et al.,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY
AS TO TRACT NO. 5 (Map No. 27, Tract No. GR-D 1486)

NOW, on this 12th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 3rd day of July, 1940, coming on for consideration, and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and Q. B. Boydston, Assistant Counsel, and all of the defendants except the Bank of Grove, a corporation, John Curtis, County Treasurer of Delaware County, Oklahoma, and the State of Oklahoma, appearing by their attorneys Riley Hunt and the Honorable Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and it appearing to the court that the petitioner Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the absolute, entire and unencumbered fee simple title to the tract of land described

in and known as Tract No. 5 (Map No. 27, Tract No. 1486), and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under Acts of the Legislature of the State of Oklahoma; that under said Acts, petitioner is a public corporation and possesses the powers of government for public use and 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, to develop and generate water power and electric energy through the use thereof, and to sell and distribute the electric energy so produced; 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, and any and all property, 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 other acts and things necessary in the exercise of such powers, rights, and functions; and

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has heretofore determined that it is necessary for the construction, maintenance and operation of the Grand River Dam Project, to acquire the absolute, entire and unencumbered fee simple title to all of the lands in the basin or reservoir area below the meander line running on the 750 foot contour line, all of said lands to be used as the basin or reservoir for the lake formed by the Grand River Dam, and that the following described property, to-wit:

TRACT NO. 5 (27 GR-D 1486)

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 $\frac{1}{4}$, Sec. 21, T 24 N - R 24 E of the Indian Base and Meridian, containing five (5.0) acres, more or less,

is in the basin or reservoir area of the Grand River Dam Project, and is below the meander line which follows the 750 foot contour line, and that the petitioner has heretofore determined and declared that it is necessary for the petitioner to acquire the absolute, entire and unencumbered fee simple title to the above described land; and

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

It further appearing to the 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 herein named have had due and sufficient notice of this action, and of the time and place of the appointment of commissioners as prayed for in petitioner's petition and application; that on the 12th day of April, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jury list of names, Henry E. Hoffman, Dan Bishop and Edward Soph, three (3) disinterested freeholders of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by the petitioner of the absolute, entire and unencumbered fee simple title to the above described tract of land, and to assess the damages to said land, which said owners may sustain by such appropriation, irrespective of any benefit from any improvements proposed, and that on the 16th day of April, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$175.00 to the owners and those having any right, title or interest therein by reason of the taking of said property for public purposes; and that said commissioners did make and file their report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 3rd day of July, 1940.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with the Clerk of this Court for the use and benefit of said owners and those having any right title or interest in said land, the sum of \$175.00, so assessed and reported; and

It further appearing to the Court that more than sixty (60) days have elapsed since the filing of the Report of Commissioners, and that neither the petitioner nor any of the defendants have filed written objections to the Report of Commissioners praying for a review by the United States District Court in and for the Northern District of Oklahoma; that the Demand for Jury Trial filed by the petitioner herein has been dismissed and the time for demanding a trial by jury has expired; and that neither the petitioner nor any of the defendants can now demand a trial by jury.

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

TRACT NO. 5 (M7 GR-D 1486)

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 $\frac{1}{4}$, Sec. 21, T 24 N - R 24 E of the Indian Base and Meridian, containing five (5.0) acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 3rd day of July, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$175.00, same being the award fixed by the commissioners; and that the Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the above described land.

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

ENDORSED: Filed Mar 12 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to March 13, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 12, 1941

On this 12th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

CREEK NATION OF INDIANS, etc.,	Plaintiff,)
)
-versus-		) No. 367 Civil
)
NANCY BARNETT, et al,	Defendants.)

O R D E R

On stipulation of parties, it is hereby ordered that the defendant, Sinclair-Prairie Oil Company, a corporation, be and it is hereby given sixty days from date hereof within which to answer or plead to the cross claim of defendant, Jim Payne Wood, filed herein.

Dated this 12th day of March, 1941.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 12 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

TRADERS & GENERAL INSURANCE COMPANY,	Plaintiff,)
)
vs		) NO. 479 - CIVIL
)
JOHN W. STROUP, O. L. HUMES, and)
WILLIAM F. SHEPHERD,	Defendants.)

O R D E R

FOR good cause shown and upon application the above entitled cause is hereby dismissed with prejudice at the cost of the plaintiff.

DATED this 12 day of March, 1941.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 12 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to March 13, 1941

On this 13th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1941 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:

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,	) Case No. 329 - Civil
vs.)	
		) North 4 $\frac{1}{2}$ acres Tract No. 8
Heirs of Susan Hendricks,	Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, assess damages at 318.75 DOLLARS, Three Hundred Eighteen and 75/100.

FILED In Open Court
Mar 13 1941
H. P. Warfield, Clerk
U. S. District Court

JOHN S. PIERCE
Foreman

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,	) Case No. 329 Civil
-vs-)	
		) South 4 $\frac{1}{2}$ acres Tract No. 8
Heirs of Susan Hendricks,	Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, assess damages at 318/75 DOLLARS. Three Hundred Eighteen and 75/100.

FILED In Open Court
Mar 13 1941
H. P. Warfield, Clerk
U. S. District Court

JOHN S. PIERCE
FOREMAN

Court adjourned to March 17, 1941

The Court finds that by the filing of such disclaimer the said W. E. McIntosh, Wayne Anderson, G. W. Rice and Joseph Bruner have become parties to this action, thereby affording to the defendants the protection sought by their motion, to which ruling of the court the defendants except.

DATED this 11th day of March, 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Mar 13 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

In the matter of)
)
E. J. Bowers, Trustee of the Estate of Air)
Rectifying Equipment Corporation, a cor-)
poration, bankrupt, Plaintiff,) No. 428 Civil
)
vs.)
)
Benjamin F. Stephens, d/b/a Stephens)
Manufacturing Company, Defendant.)

O R D E R

At Tulsa, in said district, on this the ___ day of March, 1941, before the Honorable Royce H. Savage, Judge of said Court:

On this day came on for consideration the report of J. M. Humphreys, heretofore appointed Special Master herein and the Court having examined the findings of fact and conclusions of law therein set out, and being fully advised in the premises finds that said report should be confirmed in its entirety and that the plaintiff in said action is entitled to recover the sum of \$750.00 from the defendant herein, all costs to be paid by the plaintiff; now, therefore,

IT IS ORDERED, ADJUDGED AND DECREED that the report of the Special Master be and the same is in all things confirmed; and that the plaintiff E. J. Bowers, Trustee of the estate of the Air Rectifying Equipment Corporation, bankrupt, have judgment against the defendant, Benjamin F. Stephens, in the sum of \$750.00, all costs to be paid by the plaintiff; and

IT IS FURTHER ORDERED that the Special Master be allowed the sum of \$50.00 as full compensation for his services rendered herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 13 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to March 14, 1941

On this 14th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, 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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 2575 - LAW
)
SINCLAIR REFINING COMPANY,)
a Corporation,	Defendant,)

O R D E R

NOW, on this 14 day of March, 1941, this matter came on before the court on the motion of the United States of America to set aside and vacate a certain part of the order filed herein on March 1, 1941, as follows:

"Thereupon, plaintiff gives notice of appeal to the United States Circuit Court of Appeals for the Tenth Circuit from the order of the court sustaining defendant's motion for summary judgment and from the order of the court sustaining defendant's motion for judgment on the pleadings and from the final judgment rendered herein dismissing plaintiff's action."

And it appearing to the court that the attorneys for the Osage Indians were not authorized to file a notice of appeal on behalf of the United States and that said order was approved on erroneous information by the United States Attorney.

IT IS, THEREFORE, THE ORDER OF THE COURT, that the part of said order hereinabove set out be and the same hereby is set aside and deleted from said order.

IT IS FURTHER THE ORDER OF THE COURT that in the event an appeal is ultimately taken in this cause of action, the time for preparing the record will not begin to run until the United States properly files a notice of appeal in said case.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Mar 14 1941
H. P. Warfield, Clerk
U. S. District Court ME

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

United States of America,	Plaintiff,)
)
vs.)
)
Five and Eight-fifteenths Cases of Butter,)
containing Thirty One-pound prints each,)
labeled "Puritan Brand Creamery Butter made)
from Pasteurized Cream ONE POUND NET Manufactured)
by PURITAN DAIRY, Pittsburg, Kansas Miami, Okla.")
and)
Four and Five-Sixths Cases of Butter, containing)
thirty one-pound cartons of Four One-fourth)
pound prints each, labeled "Puritan Butter One)
Pound Net Puritan Dairy Products Co. Pittsburg,)
Kans.-****"	Defendant.)

NO.542 CIVIL

CONSENT DECREE

This cause coming on for hearing this 14th day of March, 1941, before the Honorable Royce H. Savage, United States District Judge for the Northern District of Oklahoma, and the plaintiff appearing by its attorneys Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney for said District, and the said Puritan Dairy Products Company, Miami, Oklahoma, a corporation, domiciled at Miami, Oklahoma, appearing in person, and it appearing that said Puritan Dairy Products Company has consented in writing to rendition of final decree as prayed for in the Complaint filed in this cause, it further appearing that the defendant has possession of the articles described in the caption hereof, and it further appearing that such products were transported from Pittsburg, Kansas to Miami, Oklahoma, in the Northern District of Oklahoma, and that such products above described have less than 80% milk-fat as prescribed by law, and said defendants having in open court consented that such final decree be so entered, and that this court has full and complete jurisdiction in such premises to render such final decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said articles, to-wit, Five and Eight-fifteenths Cases of Butter, containing thirty one-pound prints each, labeled "Puritan Brand Creamery Butter made from Pasteurized Cream ONE POUND NET Manufactured by Puritan Dairy, Pittsburg, Kansas Miami, Okla.", and Four and Five-Sixths Cases of Butter, containing thirty one-pound cartons of Four One-Fourth pound prints each, labeled "Puritan Butter One Pound Net Puritan Dairy Products Co., Pittsburg, Kans.****", be and they are hereby forfeited, and

IT IS THE FURTHER ORDER OF THIS COURT that such property and articles be retained in custody of the United States Marshal for the Northern District of Oklahoma, until and upon the event that the Puritan Dairy Products Company, a corporation, of Miami, Oklahoma, enter into and execute a bond with sufficient sureties thereon in double the amount of the appraised value of such articles, and that is to say in the amount of \$125.00 for the re-delivery of such articles into the possession of the Puritan Dairy Products Company, such re-delivery to be conditioned upon the proper use of such articles by the Puritan Dairy Products Company, Miami, Oklahoma, under the direction and supervision of the officials, agents and employes of the Federal Security Agency charged with enforcing the Pure Food and Drug laws of the United States of America, and that such bond shall be in full force and effect until such time as such officials shall report to this court the proper disposition and use of the above described articles in compliance with this order and upon that event said bond shall become null and void.

IT IS THE FURTHER ORDER OF THIS COURT that the Puritan Dairy Products Company, Miami, Oklahoma, be taxed for all costs.

Given under my hand at Tulsa, Oklahoma, this 14th day of March, 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Mar 14 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to March 15, 1941

On this 15th day of March, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kenamer, 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:

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

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

O R D E R

Now on this 15th day of March, 1941, the same being a regular judicial day of the above court, the application of Noble C. Hood, Receiver of the Seminole Provident Trust, for authority to pay expenses incurred in the operation of the Seminole Provident Trust came on regularly for hearing and the Court, being fully advised in the premises, finds that said application should be in all things allowed; NOW, THEREFORE,

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

- | | |
|--|---------|
| 1. To Ewing, Britton & Hood, for rent for the months of January & February, 1941 | \$63.70 |
| 2. Tulsa Dailey Legal News, to publishing notice for sale of Lucas Lease | 14.25 |
| 3. To Fred Daniel & Co., for Receiver's bond of \$15,000.00-annual premium | 75.00 |

