

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.)
)
)
FRED G. DRUMMOND, R. C. DRUMMOND, ALFRED A.)
DRUMMOND, W. C. FRANKS, AND UNITED STATES)
FIDELITY AND GUARRANTY COMPANY,	Defendants.)

Civil Action File No. 516

ORDER EXTENDING TIME FOR FILING ANSWER

Now on this 15th day of March, 1941, it is by the court ordered that the defendants and each of them be and they are given to and including April 18, 1941 in which to file answer herein.

ROYCE H. SAVAGE
JUDGE

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

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

LILLIAN QUAPAW HANSON,	Plaintiff,)
)
vs.)
)
)
H. A. Andrews, Superintendent Quapaw)
Indian Agency,	Defendant.)

No. 538 Civil

O R D E R

Now on this 15th day of March, 1941, this matter coming on before the Court, and it appearing that the time within which the above named defendant may plead or answer in the above entitled cause, should be extended to March 31, 1941;

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the defendant, H. A. Andrews, Superintendent of the Quapaw Indian Agency, Miami, Oklahoma, be, and he hereby is granted until March 31, 1941 within which to plead or answer in this cause of Action.

ROYCE H. SAVAGE
JUDGE

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

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

Elizabeth Daniel Wallace, et al.,	Plaintiffs,)	
)	
vs.	)	No. 1244 - Equity
)	
Richard T. Daniel, Jr., et al.,	Defendants.,)	

ORDER APPROVING CONTRACT OF LEASE AND FOR THE SALE OF
CIGAR STAND MERCHANDISE

This cause came on to be heard on this 15th day of March, 1941, upon the application of Eben L. Taylor, Receiver herein, for approval of contract made between said Receiver and Dophia Stark Snyder;

And it appearing to the Court from the evidence offered in support of said application, and from an examination of said contract, a copy of which is attached to the application of said Receiver herein filed, that said contract provides for the sale to the said Dophia Stark Snyder by said Receiver of the stock of merchandise in the cigar stand in the lobby of the R. T. Daniel Building now being operated by the said Receiver, and for a lease to the said Dophia Stark Snyder for a term of one year, beginning March 15, 1941, and ending March 14, 1942, at an agreed rental of \$25.00 per month for the first six months of said lease, and \$35.00 per month for the last six months of said lease, payable monthly on the 15th day of each and every month during the entire period covered by said lease, and said lease to cover only the space now occupied by the cigar stand in the lobby of said R. T. Daniel Building, and certain fixtures now used in the operation of said cigar stand, all as described in said contract;

And further that said lease provides an option on the part of the said lessee to renew same for a period of one year, and a further option of a second renewal for an additional period of one year thereafter at an agreed rental of \$30.00 per month, payable in advance on the 15th day of each and every month during the term of said renewals;

And it further appearing that the terms and conditions of said contract of sale and lease are fair and reasonable, and that said contract would be of advantage and benefit to said receivership estate;

IT IS ORDERED that the said contract entered into between said Eben L. Taylor, Receiver, and the said Dophia Stark Snyder for the sale to the said Dophia Stark Snyder of the stock of cigar stand merchandise in the lobby of the said R. T. Daniel Building, and the lease to the said Dophia Stark Snyder of the space in the lobby of said building now occupied by said cigar stand, and certain fixtures used in the operation thereof, all as described in said contract, for a term of one year commencing March 15, 1941, and ending March 14, 1942, with privileges of renewal as set out in said contract, the executed duplicate originals of which are this day endorsed "approved" by the undersigned Judge of this Court, be and the same is in all respects hereby approved, confirmed and declared the valid contract of said Receivership estate.

F. E. KENNAMER
JUDGE

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

Court adjourned to March 19, 1941.

On this 17th 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 corporation,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 332 Tract No. 1
)	
Charlotte J. Landrum, et al.,	Defendants.)	

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT NO. 1 (Map No. 11, Tract No. GR-D 548)

NOW, on this the 17th 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. 11, Tract No. GR-D 548).

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

ENDORSED: Filed In Open Court
Mar 17 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. 332 Tract No. 2
)	
Charlotte J. Landrum, Levi Ketcher, et al.,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO TRACT NO. 2 (Map No. 22, Tract No. GR-D 1052)

NOW, on this 17th 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, United States of America,

Charlotte J. Landrum, and the heirs of Alice W. Landrum, deceased, appearing by 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. 2 (Map No. 22, Tract No. GR-D 1052) 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 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. 2 (22 GR-D 1052)

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

Beginning at a point in the West boundary of the $E\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 500.5 feet North of the SW corner thereof, thence N. 0° 07' W. along the West boundary of the $E\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 574.1 feet; thence S. 58° 25' E. 479.9 feet; thence S. 72° 51' E. 133.7 feet; thence S. 59° 56' E. 283.3 feet; thence S. 88° 10' E. 373.7 feet; thence N. 86° 55' E. 293.0 feet; thence S. 72° 28' W. 180.9 feet; thence S. 62° 14' W. 394.3 feet; thence S. 49° 19' W. 79.5 feet; thence S. 0° 26' W. 113.3 feet; thence S. 4° 17' E. 157.1 feet; thence S. 6° 12' E. 151.1 feet; thence N. 21° 51' W. 117.1 feet; thence N. 52° 55' W. 96.3 feet; thence N. 76° 11' W. 117.3 feet; thence N. 18° 16' W. 219.2 feet; thence N. 57° 08' W. 101.9 feet; thence S. 86° 56' W. 153.1 feet; thence N. 72° 07' W. 338.0 feet; thence N. 70° 40' W. 30.7 feet to the point of beginning, containing 12.0 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 \$591.00 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 owner and those having any right, title or interest in said land, the sum of \$591.00 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 (22 GR-D 1052)

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

Beginning at a point in the West boundary of the $E\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 500.5 feet North of the SW corner thereof, thence N. 0° 07' W. along the West boundary of the $E\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 574.1 feet; thence S. 58° 25' E. 479.9 feet; thence S. 72° 51' E. 133.7 feet; thence S. 59° 56' E. 283.3 feet; thence S. 88° 10' E. 373.7 feet; thence N. 86° 55' E. 293.0 feet; thence S. 72° 28' W. 180.9 feet; thence S. 62° 14' W. 394.3 feet; thence S. 49° 19' W. 79.5 feet; thence S. 0° 26' W. 113.3 feet; thence S. 4° 17' E. 157.1 feet; thence S. 6° 12' E. 151.1 feet; thence N. 21° 51' W. 117.1 feet; thence N. 52° 55' W. 96.3 feet; thence N. 76° 11' W. 117.3 feet; thence N. 18° 16' W. 219.2 feet; thence N. 57° 08' W. 101.9 feet; thence S. 86° 56' W. 153.1 feet; thence N. 72° 08' W. 338.0 feet; thence N. 70° 40' W. 30.7 feet to the point of beginning containing 12.0 acres, more or less.

K. O. & G. R. R. right-of-way, containing 12.65 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 \$810.00 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 \$810.00, 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 (11 GR-D 548)

All that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, T 24 N - R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

On this 18th 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. 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,)	
)	
vs.		)	Case No. 282 - Civil
		)	Tracts 1 and 2
J. B. WISE, ET AL,	Defendants.)	

We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths, assess the damages at Four Thousand DOLLARS. \$4000.00.

FILED In Open Court
Mar 18 1941
H. P. Warfield, Clerk
U. S. District Court H

H. C. RIDER
Foreman

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. 4
)	
John J. Nichols, et al,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled, and sworn, upon our oaths, assess the damages at Sixteen Hundred Twenty & no/100 DOLLARS. (\$1620.00).

FILED In Open Court
Mar 18 1941
H. P. Warfield, Clerk
U. S. District Court

W. C. FDUCH
Foreman

VERDICT

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

GRAND RIVER DAM AUTHORITY,	Plaintiff,)	
)	
vs.		)	Case No. 329 - Civil Tract No. 7
)	
Heirs of Lucy Buzzard, dec.,	Defendants.)	

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

ROY GREEN
Foreman

FILED In Open Court
Mar 18 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-		)	CIVIL NO. 370 Tract No. 2
)	
United States of America, Lucinda West, now Chambers, et al.,	Defendants.)	

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT
NO. 2 (Map No. 34, Tract No. GR-D 1728)

NOW on this the 18th 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. 34, Tract No. GR-D 1728).

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

ENDORSED: Filed In Open Court
Mar 18 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. 370 Tract No. 4
)	
United States of America, Eliza J. Audrain, et al.,	Defendants.)	

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT NO.
4 (Map No. 48, Tract No. GR-O 433-A)

NOW, on this the 18th 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. 4 (Map No. 48, Tract No. GR-O 433-A).

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

ENDORSED: Filed In Open Court
Mar 18 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to March 19, 1941

On this 19th 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. Warrfield, 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 TULSA COUNTY,
STATE OF OKLAHOMA

LINCOLN NATIONAL LIFE INSURANCE COMPANY, Plaintiff,)	
)	
vs.	)	No. 873 Equity
)	
EXCHANGE NATIONAL COMPANY,	)	Defendant.

ORDER AUTHORIZING SALE OF REAL ESTATE

THIS CAUSE COMING on to be heard on this the 19 day of March, 1941, on the application of T. P. Farmer, as receiver for Exchange National Company for an order authorizing him to sell to Kenneth K. Kenney and Mary Frances Kenney for the sum of \$1500.00 cash the following described premises:

West 42 feet of Lot 10, Block 1 Kirkpatrick Heights
Addition to the City of Tulsa, Tulsa County, Oklahoma,

and to pay from said sum so received the sum of \$75.00 and for a commission to Minerva D. Henke, and the Court having considered the evidence submitted in connection with said proposed sale, and finding from such evidence that it would be for the best interest of said receivership to sell said premises for said sum, and to pay a reasonable commission in connection therewith, which is \$75.00, and the Court further finding that it has jurisdiction to entertain said application and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that T. P. Farmer, as receiver for Exchange National Company, be and he is hereby directed, authorized and empowered to sell the above described premises to Kenneth K. Kenney and Mary Frances Kenney, his wife, for the sum of \$1500.00 cash, and to pay from said sum so received the amount of \$75.00 as and for a commission to Minerva D. Henke, and to make, execute, and deliver unto said purchasers a good and sufficient deed covering said premises, and he is further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to March 20, 1941

On this 19th 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

GRAND RIVER DAM AUTHORITY,
a Public Corporation,

Plaintiff,

vs.

JOHN J. NICHOLS, CARPATHIA REARDON,
et al,

Defendants.

CIVIL NO. 322 TRACT NO. 4

O R D E R

NOW, on this 18th day of March, 1941, this matter coming on for hearing on the application of W. E. Foltz, Probate Attorney, for permission to intervene in this cause of action in behalf of Jennie Hilderbrand Creekiller, and it appearing to the court that said application should be granted,

IT IS, THEREFORE, ORDERED by the court that said W. E. Foltz, Probate Attorney, be and he hereby is granted permission to intervene in this cause of action.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

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

GRAND RIVER DAM AUTHORITY,
a Public Corporation,

Plaintiff,

vs.

JOHN J. NICHOLS, CARPATHIA REARDON, ET AL.,

Defendants.

CIVIL NO. 322 TRACT NO. 4

O R D E R

NOW, on this 18th day of March, 1941, this matter coming on before the court and it appearing to the court that Russell Keener, Ben Keener and Scott Keener are minor Cherokee Indians and that a guardian ad litem should be appointed to represent them in this cause of action by reason of the fact that said minors own an interest in the land involved in this cause of action.

IT IS, THEREFORE, THE ORIER AND DECREE of the court that W. E. Foltz, Probate Attorney, be and he hereby is appointed guardian ad litem for Russell Keener, Ben Keener and Scott Keener.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

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

GRAND RIVER DAM AUTHORITY, a
Public Corporation,

Plaintiff,

vs.

CIVIL NO. 322 TRACT NO. 4

JOHN J. NICHOLS, CARPATHIA REARDON,
et al.,

Defendants.

DECREE OF HEIRSHIP

NOW, on this 18th day of March, 1941, this matter coming on before the court for the purpose of determining the heirs of Elijah Hilderbrand, deceased, the United States of America 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 W. E. Foltz, Probate Attorney for the Five Civilized tribes Agency, and the said W. E. Foltz been appointed guardian ad litem for Russell Keener, Ben Keener, and Scott Keener, minor Cherokee Indians, and the defendant John J. Nichols appearing in person and the defendant Carpathia Reardon appearing by her attorney, Keith Smith, and it appearing to the court from the testimony and documentary evidence introduced in this action that Elijah Hilderbrand, full-blood Cherokee Indian, Roll No. 17801, was duly allotted, by reason of his blood and enrollment, the following described land, to-wit:

East Half of Southeast Quarter of Southeast Quarter and
Southeast Quarter of Northeast Quarter of Southeast
Quarter of Section Thirteen (13), Township twenty-four (24)
North, Range Twenty-two (22) East, in Delaware County, Oklahoma.

That the said Elijah Hilderbrand was first married to Nannie Starr; that one child was born to this marriage, to-wit: John Hilderbrand. That, thereafter, the said Elijah Hilderbrand and Nannie Starr separate and the said Elijah Hilderbrand married Annie Flute. That the said Elijah Hilderbrand and Annie Flute lived in the home of the parents of Annie Flute for several years and four children were born to said marriage, to-wit: Annie Cheeter, Lucy Hilderbrand Summerfield, Jim Hilderbrand and Jennie Hilderbrand, all of whom were full-blood Cherokee Indians.

That the said Jim Hilderbrand died about the year 1910, unmarried and without issue; that Annie Cheeter died about December 20, 1906, leaving two daughters, Chiccowie Cheeter and Sallie Cheeter. That said Sallie Cheeter died in the year 1907 at the age of two years. That Ben Cheeter, the husband of Annie Cheeter, died about 1913. That Chiccowie Cheeter married Heavy Keener and six children were born to this marriage, to-wit: Joe Keener, Bob Keener, Scott Keener, Russell Keener, Ben Keener and Joanna Keener. That Chiccowie Cheeter died during the year 1927, being survived by her husband Heavy Keener and the above named children.

That the heirs of Elijah Hilderbrand who inherited the above described land were John Hilderbrand, Lucy Hilderbrand Summerfield, Jennie Hilderbrand Creekiller and Chiccowie Cheeter, then Keener, each of whom inherited a one-fourth (1/4) interest in the above described land.

6 That Chiccowie Cheeter departed this life during the year 1927 and left as her heirs at law, who inherited her interest in the above described land; Heavy Keener, her husband, and Joe Keener, Bob Keener, Joanna Keener, Scott Keener, Russell Keener and Ben Keener; that Heavy Keener inherited a one-twelfth (1/12) interest in the above described land and said children each inherited the following interests:

- Joe Keener, one thirty-sixth (1/36);
- Bob Keener, one thirty-sixth (1/36);
- Joanna Keener, one thirty-sixth (1/36);

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

GRAND RIVER DAM AUTHORITY, A
Public Corporation,

)
)
) Plaintiff,

) CIVIL NO. 392

vs.

BUSHYHEAD O'FIELD, et al.,

)
)
) Defendants.

O R D E R

NOW, on this 19th day of March, 1941, this matter coming on before the court and it appearing to the court that Mary Jane O'Field, Kennety O'Field and Ruth Lee O'Field are minor Cherokee Indians and that a guardian ad litem should be appointed to represent them in this cause of action by reason of the fact that said minors own an interest in the land involved in this cause of action.

IT IS, THEREFORE, the order and decree of the court that W. E. Foltz, Probate Attorney be and he hereby is appointed guardian ad litem for Mary Jane O'Field, Kenneth O'Field and Ruth Lee O'Field.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

Court adjourned to March 20, 1941

On this 20th 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

REPUBLIC LIFE INSURANCE COMPANY, a corporation,

)
) Plaintiff,

vs.

) NO. 482 - Civil

EVELYN MCGHEE and ELISABETH CHURCH RAY,

)
) Defendants.

O R D E R

Now, on this 20th day of March, 1941, it appearing to this Court that it is the desire Elisabeth Church Ray to pay to the Lane Funeral Home of Miami, Oklahoma, the sum of \$510.00, the amount of the funeral bill for Felix Church, deceased.

IT IS THEREFORE ORDERED that H. P. Warfield, Clerk of the United States District Court for the Northern District of Oklahoma be and he hereby is ordered to pay to the Lane Funeral Home, of to its attorneys of record, E. M. Connor and Cleo Wilson, the sum of \$510.00 now in his hands and being held by him under the order and direction of this Court.

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

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

Court adjourned to March 21, 1941.

On this 20th 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, Oklahoma, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

Grand River Dam Authority, a public corporation,	Petitioner,)	
)	
		)	CIVIL NO. 226
-vs-)	
)	
Joseph S. Owsley, et al.,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY
AS TO TRACT NO. 9 (Map No. 18, Tract No. GR-D 855)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 7th day of November, 1939, 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 Tract No. 9 (Map No. 18, Tract No. GR-D 855), 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 water 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 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. 9 (18 GR-D 855)

A tract of land, all lying the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and the Northeast 10 acres of Lot 4, Sec. 7, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the NE 10 acres of Lot 4, thence Westerly along the South boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence Easterly along the North boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NE corner thereof; thence S. 1° 10' E. along the East boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 171.5 feet; thence S. 24° 51' W. 310.6 feet; thence S. 57° 20' W. 257.1 feet; thence S. 50° 37' W. 145.0 feet; thence S. 55° 19' W. 310.0 feet; thence S. 33° 51' W. 272.0 feet; thence S. 41° 58' E. 181.0 feet; thence S. 75° 19' E. 384.0 feet; thence N. 79° 41' E. 258.0 feet; thence S. 55° 31' W. 521.5 feet; thence S. 84° 58' W. 81.2 feet to a point in the West boundary of the NE 10 acres of Lot 4; thence N. 1° 10' W. along said West boundary a distance of 239.1 feet to the point of beginning, containing 28.8 acres, more or less,

AND

A tract of land, all lying the SE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 6, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence N. 89° 08' E. along the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 7.8 feet; thence S. 55° 09' E. 189.3 feet; thence S. 64° 07' E. 464.5 feet; thence N. 41° 42' E. 275.4 feet; thence N. 37° 48' E. 148.3 feet to a point in the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and 478.4 feet West of the NE corner thereof; thence N. 89° 08' E. along said North boundary a distance of 17.0 feet; thence S. 47° 30' E. 237.9 feet; thence N. 57° 26' E. 311.2 feet to a point in the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N. 89° 08' E. along said North boundary a distance of 23.7 feet to the NE corner thereof; thence Southerly along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the SE corner thereof; thence Westerly along the South boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the point of beginning, containing 36.1 acres, more or less,

The two tracts containing in all 64.9 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 28th day of September, 1939, 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 28th day of September, 1939, 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 interest therein sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$2,002.00 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 this Court, on the 7th day of November, 1939.

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 \$2,002.00, 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 said 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, or demanding 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. 9 (18 GR-D 855)

A tract of land, all lying the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the Northeast 10 acres of Lot 4, Sec. 7, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the NE 10 acres of Lot 4, thence Westerly along the South boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence Easterly along the North boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to the NE corner thereof; thence S. 1° 10' E. along the East boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$

a distance of 171.5 feet; thence S. 24° 51' W. 310.6 feet; thence S. 57° 20' W. 257.1 feet; thence S. 50° 37' W. 145.0 feet; thence S. 55° 19' W. 310.0 feet; thence S. 33° 51' W. 272.0 feet; thence S. 41° 58' E. 181.0 feet; thence S. 75° 19' E. 384.0 feet; thence N. 79° 41' E. 258.0 feet; thence S. 55° 31' E. 521.5 feet; thence S. 84° 58' W. 81.2 feet to a point in the West boundary of the NE 10 acres of Lot 4; thence N. 1° 10' W. along said West boundary a distance of 239.1 feet to the point of beginning, containing 28.8 acres, more or less;

AND

A tract of land, all lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence N. 89° 08' E. along the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 7.8 feet; thence S. 55° 09' E. 189.3 feet; thence S. 64° 07' E. 464.5 feet; thence N. 41° 42' E. 275.4 feet; thence N. 37° 48' E. 148.3 feet to a point in the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and 478.4 feet West of the NE corner thereof; thence N. 89° 08' E. along said North boundary a distance of 17.0 feet; thence S. 47° 30' E. 237.9 feet; thence N. 57° 26' E. 311.2 feet to a point in the North boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N. 89° 08' E. along said North boundary a distance of 23.7 feet to the NE corner thereof; thence Southerly along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the SE corner thereof; thence Westerly along the South boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the SW corner thereof; thence Northerly along the West boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the point of beginning, containing 36.1 acres, more or less,

The two tracts containing in all 64.9 acres, more or less,

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 7th day of November, 1929, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of this Court the sum of \$2,002.00, 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 20 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-

Joseph S. Owsley, M. R.
Schrantz, et al.,

Defendants.

CIVIL NO. 226 Tract No. 12

ORDER DISMISSING
AS TO TRACT NO. 12 (Map No. 17, Tract No. GR-D 734)

NOW, on this, the 20th 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. 12, (Map No. 17, Tract No. GR-D 734), 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, and is hereby dismissed as to Tract No. 12, (Map No. 17, Tract No. GR-D 734), as to the defendants, M. R. Schrantz, Lina E. Schrantz, The Federal Lane Bank of Wichita, Wichita, Kansas, a corporation, and John Curtis, County Treasurer of Delaware County, Oklahoma.

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

ENDORSED: Filed In Open Court
Mar 20 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-

Lawford L. Browning, Groge W. Cupp, et al.,

Defendants.

CIVIL NO. 232 Tract No. 5

ORDER DISMISSING
AS TO TRACT NO. 5 (Map No. 23, Tract No. GR-D 1126
Map No. 24, Tract No. GR-D 1264)

Now, on this the 29th 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. 5 (Map No. 23, Tract No. GR-D 1126 and Map No. 24, Tract No. GR-D 1264), 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, and is hereby dismissed as to Tract No. 5 (Map No. 23, Tract No. GR-D 1126 and Map No. 24, Tract No. GR-D 1264), and as to the defendants, George W. Cupp, Mabel Cupp, Herman Jones and John Curtis, County

Treasurer of Delaware County, Oklahoma.

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

ENDORSED: Filed In Open Court
Mar 20 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,)	
		)	CIVIL NO. 245
-vs-)	
William T. Sheldon, et al.,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL
ENTRY AS TO TRACT NO. 4 (Map No. 11, Tract No.
GR-D 540)

NOW on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 2nd day of January, 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 Tract No. 4, (Map No. 11, Tract No. GR-D 540), 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 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. 4 (11 GR-D 540)

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

The $S\frac{1}{2}$ $SE\frac{1}{4}$, the $NE\frac{1}{2}$ $SE\frac{1}{4}$, the $NE\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, and the $S\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, the $E\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, and the $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 2, T 24 N - R 22 E of the Indian Base and Meridian, containing one hundred eighty (180.0) 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 13th day of November, 1939, 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 13th day of November, 1939, 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 said 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 \$8,100.00 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 this Court on the 2nd day of January, 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 \$8,100.00, 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 said 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, or demanding 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. 4 (11 GR-D 540)

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

The $S\frac{1}{2}$ $SE\frac{1}{4}$, and the $NE\frac{1}{2}$ $SE\frac{1}{4}$, the $NE\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, the $S\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, the $E\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, and the $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, of Sec. 2, T 24 N - R 22 E of the Indian Base and Meridian, containing one hundred eighty (180.0) acres, more or less,

the land 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 December, 1939, 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 aboves-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 12th day of December, 1939, 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 \$5,700.00 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 24th day of January, 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 \$5,700.00, 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:

Map No. 40, Tract No. GR-O 110
Map No. 40, Tract No. GR-O 118

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

The SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, and the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, All in T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing sixty (60.0) acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this court that the report of the commissioners filed herein on the 24th day of January, 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 \$5,700.00, 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 20 1941
H. P. Warffeld, Clerk
U. S. District Court H

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

Grand River Dam Authority, a public corporation,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 286
		)	TRACT NO. 1 (40 GR-0 99)
Claudy W. Frazier, et al.,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS
TO TRACT NO. 1 (Map NO. 40, TRACT NO. GR-0 99)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 17th day of February, 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 Tract No. 1 (Map No. 40, Tract No. GR-0 99); 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 power 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 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 petitioner, Grand River Dam Authority, a public corporation, filed its petition, alleging that all of the following described property, to-wit:

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

Lot 7, Lot 8 and Lot 9, of Sec. 32, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing 72.90 acres, more or less,

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

was in the basin or reservoir area of the Grand River Dam Project, and was below the meander line which follows the 750 foot contour line, and that the petitioner had determined and declared that it was 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 the petition and application of petitioner; that on the 12th day of December, 1939, 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 and 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 in and to the above described tract of land, and to assess the damages to said land which said owners and those having any right, title or interest therein may sustain by such appropriation, irrespective of any benefit from any improvements proposed; and that on the 12th day of December, 1939, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon, view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest, sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$6716.00 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 this Court on the 17th day of February, 1940; and

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 therein, the sum of \$6716.00, so assessed and reported; and

It further appearing to this Court that on the 19th day of March, 1940, upon motion of the petitioner, Grand River Dam Authority, a public corporation, said report of commissioners was set aside by the Court for the reason that the defendant, Claudy W. Frazier, was not the owner of all of the lands hereinabove described; and that, thereafter, on the 2nd day of April, 1940, upon the motion of the defendant, Claudy W. Frazier, for the reinstatement of said report of commissioners filed herein on the 17th day of February, 1940, the Court, after hearing the testimony of witnesses sworn and examined in open Court, found that the defendant, Claudy W. Frazier, by reason of his being a member of the Cherokee Tribe of Indians, was allotted that part of the above described lands, more particularly described as follows, to-wit:

Lots 8 and 9, and Lot 7, less three (3) acres reserved for cemetery, all in Sec. 32, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma;

and that the Cherokee Nation, by Unallotted Lands Deed, sold and conveyed two (2) acres out of said cemetery reservation in Lot Seven (7), to J. M. Chappell, same being more particularly described as follows, to-wit:

Beginning at the corner of Sections 5 and 6, Township 25 North, and Range 24 East, and Sections 31 and 32, Township 26 North, and Range 24 East, thence North 6.33 chains; thence East 3.165 chains; thence South 6.33 chains; thence West 3.165 chains to the point of beginning, lying in Section 32, Township 26 North, Range 24 East of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, containing two (2) acres, more or less;

and that the said J. M. Chappel died seized of said two (2) acres; and that the said J. M. Chappell left surviving as his sole and only heirs at law, the following named persons, to-wit:

Charles William Chappell (C. W. (Will) Chappell)
S. G. Chappell (Sherman Chappell)
Vida Austin
Corda Armstrong
Monta Roberts
Ruby Goins
Genevieve Lacy

and that the persons, as such heirs, inherited and took the entire fee simple title in and to said two (2) acres herein last above described; that all of the heirs of the said J. M. Chappell, deceased, conveyed said two (2) acres to Claude Frazier, and that the defendant, Claudy W. Frazier, and Claude Frazier, is one and the same person, and is the owner of the entire fee simple title in and to the following described lands, to-wit:

Lots 7, 8 and 9, less one (1) acre, situate in lot 7, more particularly described as follows, to-wit:

Beginning at the SW corner of Sec. 32, T 26 N - R 24 E Cherokee Survey, thence N. 9.495 chains along the West boundary of Lot 7, Sec. 32, thence E. 3.165 chains; thence Southerly 3.165 chains; thence W. 3.165 chains to a point lying in the Western boundary line of Lot 7, 6.33 chains N. of the SW corner of Sec. 32;

All in Sec. 32, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing 71.80 acres, more or less, Ottawa County, Oklahoma;

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

and that the following described land, to-wit:

All that part of Lot 7, Sec. 32, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner in Sec. 32, T 26 N - R 24 E, Cherokee Survey, thence N. 9.495 chains along the West boundary of Lot 7, Sec. 32, thence E. 3.165 chains; thence Southerly 3.165 chains; thence W. 3.165 chains to a point lying in the Western boundary line of Lot 7, 6.33 chains N. of the SW corner, Sec. 32, containing 1 acre, more or less;

is owned by the Cherokee Nation and is reserved for cemetery purposes; and the Court further found that said report of commissioners filed herein on the 17th day of February, 1940, should be reinstated; and

It further appearing to the Court that thereafter, on the 26th day of April, 1940, the petitioner, Grand River Dam Authority, a public corporation, and the defendant, Claudy W. Frazier, filed

herein a stipulation and agreement for settlement, wherein it was agreed that the one (1) acre in Lot 7, Section 32, Township 26 North, Range 24 North, Cherokee Survey, Ottawa County, is owned by the Cherokee Nation and reserved for cemetery purposes and should be excluded from this proceeding, and that the sum of \$10.00, the same being the appraised value as fixed by the Department of Interior for said one (1) acre, should be refunded to the Grand River Dam Authority from said award of \$6716.00, and, that the petitioner and the defendant Claudy W. Frazier, should dismiss their respective demands for jury trial and consent that this Court make and enter an order confirming the report of commissioners as stipulated, which stipulation was approved by this Court; 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 or demanding a trial by jury.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED 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 lands described as follows, to-wit:

Lots 7, 8, and 9, less one (1) acre situate in Lot 7, more particularly described as follows, to-wit:

Beginning at the SW corner in Sec. 32, T 26 N - R 24 E, Cherokee Survey, thence N. 9.495 chains along the West boundary of Lot 7, Sec. 32, thence E. 3.165 chains; thence South-erly 3.165 chains; thence W. 3.165 chains to a point lying in the Western boundary line of Lot 7, 6.33 chains N. of the SW corner of Section 32;

All in Sec. 32, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing 71.80 acres, more or less; Ottawa County, Oklahoma;

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

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the demands for trial by jury filed herein by the petitioner and the defendant, Claudy W. Frazier, be, and they are hereby dismissed, and that the report of commissioners filed herein on the 17th day of February, 1940, be, and it is hereby confirmed and approved; and that the sum of \$6706.00 is just compensation for the taking of the lands herein last above described, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of this Court the sum of \$6706.00 for the use and benefit of the owners and those having any right, title and interest in and to said lands; and that the Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the lands hereinabove last described.

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

ENDORSED: Filed In Open Court
Mar 20 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-))
))
Claudy W. Frazier, Margia H. Allen, et al.,))
	)	Defendants.)

CIVIL NO. 286 Tract No. 2

ORDER DISMISSING
AS TO TRACT NO. 2 (Map No. 40, Tract No. GR-O 105)

NOW, on this, the 20th 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. 2 (Map No. 40, Tract No. GR-O 105), and the Court being fully advised in the premises, finds that said motion should be granted, and that this action be dismissed as to Tract No. 2 (Map No. 40, Tract No. GR-O 105).

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that this action be dismissed insofar as the same affects Tract No. 2 (Map No. 40, Tract No. GR-O 105).

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

ENDORSED: Filed In Open Court
Mar 20 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-))
))
The Public Service Company of Oklahoma, a corporation, et al,))
	)	Defendants.)

CIVIL NO. 287

ORDER DISMISSING DEMAND FOR JURY TRIAL AND OBJECTIONS

NOW, on this, the 20th day of March, 1941, coming on for hearing the Motion of the petitioner, praying that the petitioner's Demand for Jury Trial be dismissed, and the Exceptions to the Report of Commissioners filed by the defendant be dismissed, all pursuant to a stipulation between the petitioner, Grand River Dam Authority, a public corporation, and the defendant, The Public Service Company of Oklahoma, a corporation, 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, and the Exceptions to the Report of Commissioners filed by The Public Service Company of Oklahoma, a corporation, be, and is hereby dismissed pursuant to the stipulation between said parties.

ENDORSED: Filed In Open Court
Mar 20 1941
H. P. WARFIELD, Clerk, U. S. District Court

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

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

Grand River Dam Authority, a
public corporation,

Petitioner,

-vs-

The Public Service Company of Oklahoma,
a corporation, et al.,

Defendants.

CIVIL NO. 287

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY

Map No. 17, Tract No. GR-D 741

Map No. 17, Tract No. GR-D 742

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 24th day of January, 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. Boydstun, 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 tracts of land described in and known as Map No. 17, Tract No. GR-D 741 and Map No. 17, Tract No. GR-D 742, 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 said Acts, petitioner is a public corporation and possessed 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 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. 17, Tract No. GR-D 741

Map No. 17, Tract No. GR-D 742

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

The E. 1.01 acres of the E. 14.10 acres of Lot 5, Section 17;
and that part of Lot 8 of Section 17 particularly described
as follows, to-wit:

Beginning at a point in the South boundary of said Lot 8 and
68.0 feet East of the SW corner thereof; thence S. 89° 38' E.
along said South boundary a distance of 218.2 feet; thence
N. 53° 08' E. 76.1 feet; thence S. 84° 23' E. 88.5 feet;
thence S. 21° 42' E. 41.0 feet to a point in the South bound-
ary of said Lot 8 and 450.4 feet East of the SW corner thereof-
thence S. 89° 37' E. along said South boundary to the meander
line along the left bank of Grand River; thence Northwesterly
along said meander line to the point of intersection of said
meander line and the North boundary of said Lot 8; thence West-
erly along the North boundary of said Lot 8 to the NW corner

thereof; thence S. 0° 31' W. along the West boundary of said Lot 8 a distance of 474.4 feet to a point 843.3 feet North of the SW corner thereof; thence S. 71° 57' E. 170.3 feet; thence S. 38° 31' E. 229.8 feet; thence S. 14° 08' E. 247.5 feet; thence S. 46° 12' W. 245.5 feet; thence S. 82° 04' W. 127.2 feet; thence S. 32° 06' E. 54.2 feet; thence S. 13° 02' W. 135.6 feet to the point of beginning, containing 6.99 acres, more or less,

All in T 24 N - R 23 E of the Indian Base and Meridian; the whole tract containing in all 8.00 acres, more or less,

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

AND

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

The South 10.25 acres of Lot 6 and Lot 7, Sec. 17, T 24 N - R 23 E of the Indian Base and Meridian, containing sixteen and seventy-five one-hundredths (16.75) acres, more or less,

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

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 December, 1939, 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 tracts 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 12th day of December, 1939, 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 \$1,730.00 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 24th day of January, 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 \$1,730.00, so assessed and reported; and

It further appearing to the Court that the Demand for Trial by Jury filed by the petitioner and that the exceptions to the Report of Commissioners filed by the defendant, The Public Service Company of Oklahoma, a corporation, have been dismissed, and 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, or demanding 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. 17, Tract No. GR-D 741
Map No. 17, Tract No. GR-D 742

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

The E. 1.01 acres of the E. 14.10 acres of Lot 5, Section 17; and that part of Lot 8 of Section 17 particularly described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 8 and 68.0 feet East of the SW corner thereof; thence S. 89° 38' E. along said South boundary a distance of 218.2 feet; thence N. 53° 08' E. 76.1 feet; thence S. 84° 23' E. 88.5 feet; thence S. 21° 42' E. 51.0 feet to a point in the South boundary of said Lot 8 and 450.4 feet East of the SW corner thereof; thence S. 89° 37' E. along said South boundary to the meander line along the left bank of Grand River; thence Northwesterly along said meander line to the point of intersection of said meander line and the North boundary of said Lot 8; thence Westerly along the North boundary of said Lot 8 to the N W corner thereof; thence S. 0° 31' W. along the West boundary of said Lot 8 a distance of 474.4 feet to a point 843.3 feet North of the SW corner thereof; thence S. 71° 57' E. 170.3 feet; thence S. 38° 31' E. 229.8 feet; thence S. 14° 08' E. 247.5 feet; thence S. 46° 12' W. 245.5 feet; thence S. 82° 04' W. 127.2 feet; thence S. 32° 06' E. 54.2 feet; thence S. 13° 02' W. 135.5 feet; to the point of beginning, containing 6.99 acres, more or less,

All in T 24 N. - R 23 E of the Indian Base and Meridian; the whole tract containing in all 8.00 acres, more or less.

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the said lands.

AND

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

The South 10.25 acres of Lot 6 and Lot 7, Sec. 17, T 24 N -
R 23 E of the Indian Base and Meridian, containing sixteen
and seventy-five hundredths (16.75) acres, more or less,

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

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the
commissioners filed herein on the 24th day of January, 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 \$1,730.00, 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 20 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. 294
) Tract No. 1
))
Stella Williamson, et al.,) Defendants.)

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO
TRACT NO. 1 (Map No. 33, Tract No. GR-D 1651
Map No. 34, Tract No. GR-D 1700
Map No. 34, Tract No. GR-D 1702

NOW, on this, the 20th 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
that 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. 33, Tract No. GR-D 1651, Map No. 34, Tract No. GR-D 1700 and Map No. 34,
Tract No. GR-D 1702).

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

ENDORSED: Filed In Open Court
Mar 20 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,

CIVIL NO. 294

Tract No. 1

-vs-

Stella Williamson, et al.,

Defendants.

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY
AS TO TRACT NO. 1 (Map No. 33, Tract No. GR-D 1651
Map No. 34, Tract No. GR-D 1700
Map No. 34, Tract No. GR-D 1702)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 19th day of March, 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 Tract No. 1 (Map No. 33, Tract No. GR-D 1651, Map No. 34, Tract No. GR-D 1700 and Map No. 34, Tract No. GR-D 1702), 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 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. 1 (33 GR-D 1651
34 GR-D 1700
34 GR-D 1702)

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

The N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 14, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, containing twenty (20) acres, more or less

AND

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, containing 40.0 acres, more or less; and that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9 particularly described as follows, to-wit:

Beginning at the SE corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence Westerly along the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the SW corner thereof, thence N. 0° 14' E. along the West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 974.4 feet to a point 351.8 feet South of the NW corner thereof; thence S. 37° 44' E. 6.0 feet; thence N. 79° 45' E. 320.4 feet; thence N. 72° 39' E. 377.0 feet; thence N. 68° 31' E. 115.2 feet; thence S. 71° 37' E. 216.5 feet; thence S. 37° 13' W. 189.3 feet; thence S. 7° 54' W. 273.5 feet; thence S. 30° 53' E. 115.0 feet; thence S. 63° 13' E. 471.1 feet to a point in the East boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 942.5 feet South of the NE corner thereof; thence S. 0° 09' W. along said East boundary a distance of 385.1 feet to the point of beginning, containing 26.3 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey; the whole tract containing in all 66.3 acres, more or less.

AND

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence Northerly along the East boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the NE corner thereof; thence Westefly along the North boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the NW corner thereof; thence S. 0° 14' W. along the West boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1102.5 feet to a point 223.7 feet North of the SW corner thereof; thence N. 79° 17' E. 101.6 feet; thence S. 28° 36' E. 86.8 feet; thence S. 11° 14' E. 133.2 feet; thence S. 2° 29' E. 36.9 feet to a point in the South boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 169.9 feet East of the SW corner thereof; thence S. 89° 37' E. along said South boundary a distance of 1157.1 feet to the point of beginning, containing 39.2 acres, more or less,

is in the basin or reservoir area of the Gand 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 \$8,001.00 to the owners and those having any right, title or interest therein may 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 19th day of March, 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 \$8,001.00, 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 (33 GR-D 1651
34 GR-D 1700
34 GR-D 1702

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

The $N\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 14, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, containing twenty (20) acres, more or less,

AND

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

The $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 9, containing 40.0 acres, more or less; and that part of the $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 9, particularly described as follows, to-wit:

Beginning at the SE corner of said $NW\frac{1}{4}$ $NW\frac{1}{4}$, thence Westerly along the South boundary of said $NW\frac{1}{4}$ $NW\frac{1}{4}$ to the SW corner thereof; thence N. 0° $14'$ E. along the West boundary of said $NW\frac{1}{4}$ $NW\frac{1}{4}$ a distance of 974.4 feet to a point 351.8 feet South of the NW corner thereof; thence S. 37° $44'$ E. 6.0 feet; thence N. 79° $45'$ E. 320.4 feet; thence N. 72° $39'$ E. 377.0 feet; thence N. 68° $31'$ E. 115.2 feet; thence S. 71° $37'$ E. 216.5 feet; thence S. 37° $13'$ W. 189.3 feet; thence S. 7° $54'$ W. 273.5 feet;

thence S. 30° 53' E. 115.0 feet; thence S. 63° 13' E. 471.1 feet to a point in the East boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 942.5 feet South of the NE corner thereof; thence S. 0° 09' W. along said East boundary a distance of 385.1 feet to the point of beginning, containing 26.3 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey; the whole tract containing in all 66.3 acres, more or less.

AND

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence Northerly along the East boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the NE corner thereof; thence Westerly along the North boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the NW corner thereof; thence S. 0° 14' W. along the West boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 1102.5 feet to a point 223.7 feet North of the SW corner thereof; thence N. 79° 17' E. 101.6 feet; thence S. 28° 36' E. 86.8 feet; thence S. 11° 14' E. 133.2 feet; thence S. 2° 29' E. 36.9 feet to a point in the South boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 169.9 feet East of the SW corner thereof; thence S. 89° 37' E. along said South boundary a distance of 1157.1 feet to the point of beginning, containing 39.2 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED and ADJUDGED by this Court that the report of the commissioners filed herein on the 19th day of March, 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 \$8,000.00, 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 20 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,)
	)		) CIVIL NO. 294
-vs-))
))
Stella Williamson, Lena B. Meister, et al.,	) ) )	Defendants.)

ORDER DISMISSING DEMAND FOR JURY TRIAL
AS TO TRACT NO. 2 (Map No. 40, Tract No. GR-O 92
Map No. 40, Tract No. GR-O 106
Map No. 40, Tract No. GR-O 120)

NOW, on this, the 20th 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 that 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. 40, Tract No. GR-O 92, Map No. 40, Tract No. GR-O 106 and Map No. 40, Tract No. GR-O 120).

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

ENDORSED: Filed In Open Court
Mar 20 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,)
	)		) CIVIL NO. 294
vs-	)		) Tract No. 2
))
Stella Williamson, Lena B. Mesiter, et al.,	) ) )	Defendants.)

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL
ENTRY AS TO TRACT No. 2 (Map No. 40, Tract No. GR-O 92
Map No. 40, Tract No. GR-O 106
Map No. 40, Tract No. GR-O 120)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 19th day of March, 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 Tract No. 2 (Map No. 40, Tract No. GR-O 92, Map No. 40, Tract No. GR-O 106 and Map No. 40, Tract No. GR-O 120), 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 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. 2 (40 GR-O 92
40 GR-O 106
40 GR-O 120

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 29, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the N E corner of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$, thence Southerly along the East boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ to the SE corner thereof; thence S. 89° $03'$ W. along the South boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ a distance of 785.1 feet to a point 533.4 feet East of the Sw corner thereof; thence N. 35° $59'$ E. 439.5 feet; thence N. 10° $33'$ E. 314.5 feet to a point in the North boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ and 855.7 feet of the NW corner thereof; thence N. 89° $02'$ E. along said North boundary a distance of 463.7 feet to the point of beginning, containing 8.6 acres, more or less,

AND

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

Lot 2, and the $SE\frac{1}{4}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$ of sec. 33, containing 28.20 acres, more or less; and Lot 4 and the $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 32, containing 79.35 acres, more or less;

All in T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey; the whole tract containing in all one hundred seven and fifty-five-one-hundredths (107.55) acres, more or less,

And all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the said lands,

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 \$11,940.00 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 19th day of March, 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 \$11,940.00, 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 (40 GR-O 92
40 GR-O 106
40 GR-O 120

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 29, T 26 N - R 24 E
Of the Indian Base and Meridian, Cherokee Survey, In Ottawa
County, Oklahoma, particularly described as follows, to-wit:

Beginning at the N E corner of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$, thence South-
erly on the East boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ to the SE
corner thereof; thence S. 89° $03'$ W. along the South bound-
ary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ a distance of 785.1 feet to a point
533.4 feet East of the SW corner thereof; thence N. 35° $59'$ E.
439.5 feet; thence N. 10° $33'$ E. 314.5 feet to a point in the
North boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ and 855.7 feet East of the
NW corner thereof; thence N. 89° $02'$ E. along said North

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. 43, Tract No. GR-O 194 and Map No. 44, Tract No. GR-O 352).

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

ENDORSED: Filed In Open Court
Mar 20 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. 294 Tract No. 3
Stella Williamson, Claude W. Frazier, et al.,)
Defendants.)

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO
TRACT NO. 3 (Map No. 43, Tract No. GR-O 194
Map No. 44, Tract No. GR-O 352)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 19th day of March, 1940, coming in 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 Tract No. 3 (Map No. 43, Tract No. GR-O 194 and Map No. 44, Tract No. GR-O 352), an it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under Acts of the Legis lature 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 author- ized 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 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 (43 GR-O 194 44 GR-O 352

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

The S $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$ and the N. 20.0 acres of Lot 7 of Sec. 16, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing forty (40.0) acres, more or less,

AND

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

Lot 5 of Sec. 9, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing twenty-two and sixty-five hundredths (22.65) acres, more or less,

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

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 \$6,100.00 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 19th day of March, 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 \$6,100.00, 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 (43 GR-O 194
44 GR-O 352)

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

The S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the N. 20.0 acres of Lot 7 of Sec. 16, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing forty (40.0) acres, more or less,

AND

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

Lot 5 of Sec. 9, T 26 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing twenty-two and sixty-five hundredths (22.65) acres, more or less,

And any and all right, title or interest in and to the bed and banks of Grand River incident to the ownership of said land.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 19th day of March, 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 \$6,100.00, 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 In Open Court
Mar 20 1941
H. P. Warfield, Clerk
U. S. District Court H

The $S\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) Acres, more or less;

AND

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

The N. 20.0 acres of Lot 1 of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less;

AND

All that part of the NW 10.0 acres of Lot 3 of Sec. 12, 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 NW corner of said NW 10.0 acres of Lot 3, thence Easterly along the North boundary of said NW 10.0 acres of Lot 3 to the NE corner thereof; thence Southerly along the East boundary of said NW 10.0 acres of Lot 3 to the SE corner thereof; thence N. 89° 16' W. along the South boundary of said NW 10.0 acres of Lot 3 a distance of 415.1 feet to a point 244.4 feet East of the SW corner thereof; thence N. 33° 02' E. 8.9 feet; thence N. 30° 24' W. 211.2 feet; thence N. 32° 18' W. 202.5 feet; thence N. 29° 35' W. 51.7 feet to a point in the West boundary of said NW 10.0 acres of Lot 3 and 402.7 feet North of the SW corner thereof; thence N. 1° 26' E. along said West boundary a distance of 257.0 feet to the point of beginning, containing 8.9 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 is 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 21st day of December, 1939, 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 8th day of January, 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 \$2,575.00, 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 this Court, on the 24th day of January, 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 \$2,575.00, 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 State District Court in and for the Northern District of Oklahoma, or demanding 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 (10 GR-D 474 10 GR-D 478
10 GR-D 480 10 GR-D 485).

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

The SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing fifty (50.0) acres, more or less

AND

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

The S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less;

AND

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

The N. 20.0 acres of Lot 1, of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less;

AND

All that part of the NW 10.0 acres of Lot 3 of Sec. 12, 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 NW corner of said NW 10.0 acres of Lot 3, thence Easterly along the North boundary of said NW 10.0 acres of Lot 3 to the NE corner thereof; thence Southerly along the East boundary of said NW 10.0 acres of Lot 3 to the SE corner thereof; thence N. 89° 16' W. along the South boundary of said NW 10.0 acres of Lot 3 a distance of 415.1 feet to a point

244.4 feet East of the SW corner thereof; thence N. 33° 02' E. 8.9 feet; thence N. 30° 24' W. 211.2 feet; thence N. 32° 18' W. 202.5 feet; thence N. 29° 35' W. 51.7 feet to a point in the West boundary of said NW 10.0 acres of Lot 3 and 402.7 feet North of the SW corner thereof; thence N. 1° 26' E. along said West boundary a distance of 257.0 feet to the point of beginning, containing 8.9 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 24th day of January, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of this Court the sum of \$2,575.00, 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 20 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,

)
)
) CIVIL NO. 295
)
)
)

-vs-

John R. Hastings, Jr., et al.,

Defendants.

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY
AS TO TRACT NO. 2 (Map No. 18, Tract No. GR-D 860)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 24th day of January, 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 Tract No. 2 (Map No. 18, Tract No. GR-D 860), 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 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 the lake formed by the Grand River Dam, and that the following described property, to-wit:

TRACT NO. 2 (18 GR-D 860)

Lot 3 and Lot 4, Section 6, T 24 N - R 23 E, Delaware County, Oklahoma, containing 89.89 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 21st day of December, 1939, 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 damage to said land, which said owners may sustain by such appropriation, irrespective of any benefit from any improvements proposed, and that on the 8th day of January, 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 thereof, and did assess damages in the sum of \$8,007.25 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 this Court, on the 24th day of January, 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 \$8,007.25, 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 said 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 District Court, or demanding 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, entire and unencumbered fee simple title to the land described as follows, to-wit:

TRACT NO. 2 (18 GR-D 860)

Lot 3 and 4, Section 6, T 24 N - R 23 E, Delaware County, Oklahoma, containing 89.89 acres, more or less.

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 (11 GR-D 534
10 GR-D 474-A
19 GR-D 941)

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

The $E\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, the $NE\frac{1}{4}$ $SE\frac{1}{4}$ and 6.0 acres in the $NW\frac{1}{4}$ $SE\frac{1}{4}$ lying East of Horse Creek, in Sec. 1, T 24 N - R 22 E of the Indian Base and Meridian, containing sixty-six (66.0) acres, more or less;

AND

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

The $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less;

AND

The whole of Lot 4; and the $S\frac{1}{2}$ Lot 3; and a tract of land, all lying in the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ and the $SE\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 31, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$, thence Southerly along the West boundary of the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ and the $SE\frac{1}{4}$ $SW\frac{1}{4}$ to the SW corner of the $SE\frac{1}{4}$ $SW\frac{1}{4}$; thence S. $89^{\circ} 50' E$. along the South boundary of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ a distance of 622.6 feet to a point 697.4 feet West of the SE corner thereof; thence N. $38^{\circ} 35' W$. 420.5 feet; thence N. $24^{\circ} 35' W$. 242.1 feet; thence N. $31^{\circ} 49' W$. 443.1 feet; thence N. $4^{\circ} 07' W$. 482.0 feet; thence N. $9^{\circ} 39' E$. 238.5 feet; thence N. $45^{\circ} 43' E$. 370.9 feet; thence N. $34^{\circ} 27' E$. 97.1 feet; thence N. $58^{\circ} 07' E$. 7.2 feet to a point in the North boundary of the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ and 961.4 feet West of the NE corner thereof; thence N. $89^{\circ} 50' W$. along said North boundary a distance of 358.7 feet to the point of beginning, containing 8.70 acres, more or less,

Aggregate acreage to be acquire: 68.49 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 21st day of December, 1939, 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 Sophy, three 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 8th day of January, 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 \$6,001.15 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 this court, on the 24th day of January, 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 \$6,001.15, 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 said 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, or demanding 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 (11 GR-D 534
10 GR-D 474-A
19 GR-D 941

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

The E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 6.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying East of Horse Creek, in Sec. 1, T 24 N - R 22 E of the Indian Base and Meridian, containing sixty-six (66.0) acres, more or less;

AND

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

The NW $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less;

AND

The whole of Lot 4; and the S $\frac{1}{2}$ Lot 3; and a tract of land, all lying the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NW corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence Southerly along the West boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence S. 89° 50' E. along the South boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 622.6 feet to a point 697.4 feet West of the SE corner thereof; thence N. 38° 35' W. 420.5 feet; thence N. 24° 35' W. 242.1 feet; thence N. 31° 48' W. 443.1 feet; thence N. 4° 07' W. 482.0 feet; thence N. 9° 39' E. 238.5 feet; thence N. 45° 43' E. 370.9 feet; thence N. 34° 27' E. 97.1 feet; thence N. 58° 07' E. 6.2 feet to a point in the North boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 961.4 feet West of the NE corner thereof; thence N. 89° 50' W. along said North boundary a distance of 358.7 feet to the point of beginning, containing 8.70 acres, more or less,

Aggregate acreage to be acquired: 68.49 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 24th day of January, 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 this Court the sum of \$6,001.15, 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 20 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,)
CIVIL NO. 295
-vs-)
John R. Hastings, Jr., et al.,)
Defendants.)

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO TRACT
NO. 4 (Map No. 11, Tract No. GR-D 589)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 24th day of January, 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 Tract No. 4 (Map No. 11, Tract No. GR-D 589), 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. 4 (11 GR-D 589)

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

The $S\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, the $S\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the $E\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the $S\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 36, T 25 N - R 22 E of the Indian Base and Meridian, containing one hundred forty (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 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 21st day of December, 1939, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from 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 8th day of January, 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 \$5,050.00 to the owners and those having any right, title or interest therein by reason of the taking of

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said property for public purposes; and that said commissioners did make and file their report in writing with the Clerk of this Court, on the 24th day of January, 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 \$5,050.00, 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 said 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, or demanding 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. 4 (M1 GR-D 589)

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

The S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 36, T 25 N - R 22 E of the Indian Base and Meridian, containing one hundred forty (140.0) acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 24th day of January, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of this Court the sum of \$5,050.00, 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 20 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,)
)) CIVIL NO. 295
-vs-))
))
John R. Hastings, Jr., et al.,) Defendants.)

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO TRACT NO.
5 (Map No. 18, Tract No. GR-D 862)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioners filed herein on the 24th day of January, 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 Tract No. 5 (Map No. 18, Tract No. GR-D 862), 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; and to acquire by purchase, and to maintain, use and operate all kinds of property, real, personal and mixed, or any interest therein, necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to acquire by condemnation, any and all property, 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 (18 GR-D 862)

Lot 6, Section 6, T 24 N - R 23 E, Delaware County, Oklahoma,
containing 37.68 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 21st day of December, 1939, 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 8th day of January, 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 \$1,317.80 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 this Court, on the 24th day of January, 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 \$1,317.80 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 said 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, or demanding 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 (18 GR-D 862)

Lot 6, Section 6, T 24 N - R 23 E, Delaware County, Oklahoma, containing 37.68 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 24th day of January, 1940, is, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of this Court the sum of \$1,317.80, 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 20 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 RiverDam Authority, a public corporation	Petitioner,)	
)	
		)	CIVIL NO. 304 Tract No. 2
-vs-)	
)	
A. M. Jarvis, J. B. Guffey, et al.,	Defendants.)	

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT NO. 2
(Map No. 33, Tract No. GR-D 1675
Map No. 34, Tract No. GR-D 1705)

NOW, on this, the 20th 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 that 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. 33, Tract No. GR-D 1675 and Map No. 34, Tract No. GR-D 1705).

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

ENDORSED: Filed In Open Court
Mar 20 1941
H. P. Warfield, Clerk
U. S. District CourtH

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

Grand RiverDam Authority, a public corporation,	Petitioner,)	
)	
		)	CIVIL NO. 304 Tract No. 2
-vs-)	
)	
A. M. Jarvis, J. B. Guffey, et al.,	Defendants.)	

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO
TRACT NO. 2 (Map No. 33, Tract No. GR-D 1675
Map No. 34, Tract No. GR-D 1705)

NOW, on this 20th day of March, 1941, the above entitled cause of action and the report of commissioner's filed herein on the 19th day of March, 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 RiverDam 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 TractNo. 2 (Map No. 33, Tract No. GR-D 1675 and Map No. 34, Tract No. GR-D 1705), 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 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. 2 (33 GR-D 1675
34 GR-D 1705)

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

The NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, containing 40.0 acres, more or less; and that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16 particularly described as follows, to-wit:

Beginning at the N E corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence Westerly along the North boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof, thence Southerly along the West boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the SW corner thereof; thence S. 89° 42' E. along the South boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1037.1 feet to a point 287.1 feet West of the SE corner thereof; thence N. 42° 51' W. 126.1 feet; thence N. 71° 15' W. 282.5 feet; thence N. 67° 24' W. 447.3 feet; thence N. 82° 20' W. 209.7 feet; thence N. 7° 33' W. 213.2 feet; thence N. 3° 45' W. 223.5 feet; thence S. 60° 33' E. 404.7 feet; thence N. 44° 17' E. 314.3 feet; thence S. 86° 43' E. 360.4 feet; thence N. 52° 24' W. 409.5 feet; thence N. 4° 16' E. 165.0 feet; thence S. 87° 39' E. 265.4 feet; thence S. 77° 33' E. 336.8 feet; thence S. 29° 49' E. 139.9 feet; thence N. 63° 58' E. 17.6 feet to a point in the East boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 1041.5 feet North of the SE corner thereof; thence N. 0° 16' W. along said East boundary a distance of 290.5 feet to the point of beginning, containing 17.8 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey; the whole tract containing in all 57.8 acres, more or less;

AND

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

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, containing 40.0 acres, more or less; and that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9, particularly described as follows, to-wit:

TRACT A:

5 Beginning at the SW corner of said E $\frac{1}{2}$ NW $\frac{1}{4}$, thence N. 0° 09' E. along the West boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ a distance of 1712.7 feet to a point 942.5 feet South of the NW corner thereof; thence S. 63° 13' E. 42.7 feet; thence S. 3° 54' W. 205.7 feet; thence S. 65° 45' E. 568.0 feet; thence N. 22° 54' E. 338.7 feet; thence N. 75° 23' E. 185.0 feet; thence S. 7° 22' E. 97.0 feet; thence N. 70° 33' E. 216.6 feet; thence S. 50° 32' W. 136.9 feet; thence S. 21° 22' W. 580.3 feet; thence S. 0° 28' E. 626.5 feet; thence S. 11° 01' E. 345.8 feet to a point in the South boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ and 495.4 feet West of the SE corner thereof; thence N. 89° 44' W. along said South boundary a distance of 828.0 feet to the point of beginning containing 26.4 acres, more or less;

TRACT B:

Beginning at the SE corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence Westerly along the South boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the SW corner thereof; thence N. 0° 04' E. along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 171.0 feet to a point 1157.8 feet South of the NW corner thereof; thence S. 72° 41' E. 35.0 feet; thence N. 84° 32' E. 79.0 feet; thence N. 68° 05' E. 143.0 feet; thence N. 63° 15' E. 178.0 feet; thence N. 55° 10' E. 149.2 feet; thence N. 32° 28' E. 301.0 feet; thence N. 42° 48' E. 260.2 feet; thence N. 49° 01' E. 292.2 feet; thence N. 54° 30' E. 199.2 feet to a point in the East boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 254.9 feet South of the NE corner thereof; thence S. 0° 00' E. along said East boundary a distance of 1075.4 feet to the point of beginning, containing 16.6 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey; the whole tract containing in all 83.0 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 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 \$9,325.00 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 19th day of March, 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 \$9,325.00, 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 (33 GR-D 1675
34 GR-D 1705)

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

The NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, containing 40.0 acres, more or less; and that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16 particularly described as follows, to-wit:

Beginning at the NE corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence Westerly along the North boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the SW corner thereof; thence S. 89° 42' E. along the South boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1037.1 feet to a point 287.1 feet West of the SE corner thereof; thence N. 42° 51' W. 126.1 feet; thence N. 71° 15' W. 282.5 feet; thence N. 67° 24' W. 447.3 feet; thence N. 82° 20' W. 209.7 feet; thence N. 7° 33' W. 213.2 feet; thence N. 3° 45' W. 223.5 feet; thence S. 60° 33' E. 404.7 feet; thence N. 44° 17' E. 314.3 feet; thence S. 86° 43' E. 360.4 feet; thence N. 52° 24' W. 409.5 feet; thence N. 4° 16' E. 165.0 feet; thence S. 87° 39' E. 265.4 feet; thence S. 77° 33' E. 336.8 feet; thence S. 29° 49' E. 139.9 feet; thence N. 63° 58' E. 17.6 feet to a point in the East boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 1041.5 feet North of the SE corner thereof; thence N. 0° 16' W. along said East boundary a distance of 290.5 feet to the point of beginning, containing 17.8 acres, more or less;

AND

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

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, containing 40.0 acres, more or less; and that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9 particularly described as follows, to-wit:

TRACT A:

Beginning at the SW corner of said E $\frac{1}{2}$ NW $\frac{1}{4}$, thence N. 0° 09' E. along the West boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ a distance of 1712.7 feet to a point 942.5 feet South of the NW corner thereof; thence S. 63° 13' E. 42.7 feet; thence S. 54° 54' W. 205.7 feet; thence S. 65° 45' E. 568.0 feet; thence N. 22° 54' E. 338.7 feet; thence N. 75° 23' E. 185.0 feet; thence S. 7° 22' E. 97.0 feet; thence N. 70° 33' E. 216.6 feet; thence S. 50° 32' W. 136.9 feet; thence S. 21° 22' W. 580.3 feet; thence S. 0° 28' E. 626.5 feet; thence S. 11° 01' E. 345.8 feet to a point in the South boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ and 495.4 feet West of the SE corner thereof; thence N. 89° 44' W. along said South boundary a distance of 828.0 feet to the point of beginning, containing 26.4 acres, more or less;

TRACT B:

Beginning at the SE corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence Westerly along the South boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the SW corner thereof; thence N. 0° 04' E. along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 171.0 feet to a point 1157.8 feet South of the NW corner thereof; thence S. 72° 41' E. 35.0 feet; thence N. 34° 32' E. 79.0 feet; thence N. 68° 05' E. 143.0 feet; thence N. 63° 15' E. 178.0 feet; thence N. 55° 10' E. 149.2 feet; thence N. 52° 28' E. 301.0 feet; thence N. 42° 48' E. 260.2 feet; thence N. 49° 01' E. 292.2 feet; thence N. 54° 30' E. 199.2 feet to a point in the East boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 254.9 feet South of the NE corner thereof; thence S. 0° 00' E. along said East boundary a distance of 1075.4 feet to the point of beginning, containing 16.6 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, the whole tract containing in all 83.0 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 19th day of March, 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 \$9,325.00, 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 20 1941
H. P. Warfield, Clerk
U. S. District Court H

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

Grand River Dam Authority, a Public Corporation,	Plaintiff,)	
)	
vs.		)	No. 329 Civil (Tract No. 2)
)	
Peter Barehead, the Heirs Jack Squirrel, et al,	Defendants.)	

O R D E R

Now on this 20th day of March, 1941, this matter having come on before the Court on March 20, 1941, on the motion of the Grand River Dam Authority for a new trial, the Grand River Dam Authority appearing by R. L. Davidson, Q. B. Boydston, and Jess Ballard, and the Heirs of Jack Squirrel deceased, and the United States of America 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 the Court having heard the arguments of counsel and being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion for a new trial be, and the same hereby is overruled, to which ruling of the Court the Grand River Dam Authority excepts, and exceptions are allowed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Mar 25 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-		)	CIVIL NO. 370
		)	TRACT NO. 3
United States of America; Lawrence Heffelman; Charles William Heffelman, Marno Heffelman; Agnes Heffelman; et al.,	Defendants.	)	(34 GR-D 1738)

J U D G M E N T

NOW, on this 19th day of March, 1941, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Jesse L. Ballard, and the defendants, United States of America; Lawrence Heffelman; Charles William Heffelman; Marno Heffelman; Agnes Heffelman; et al., appearing by the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma, and it appearing to this court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain land located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of

government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for anvuseful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation, and to maintain, use and operate all kinds of property, real, personal and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

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

TRACT NO. 3 (34 GR-D 1738)

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

The $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 11, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, less tract of land particularly described as follows, to-wit:

Beginning at the NE corner of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$; thence Westerly along the North boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ a distance of 547.8 feet to a point 118.1 feet North of the SW corner thereof; thence N. $76^{\circ} 12' E.$ 292.1 feet; thence N. $85^{\circ} 02' E.$ 949.9 feet; thence N. $84^{\circ} 49' E.$ 88.6 feet to a point in the East boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$; thence Northerly along said East boundary a distance of 391.5 feet to the point of beginning, containing 13.5 acres, more or less,

The total acreage to be acquire being 6.5 acres, more or less, to be used as a basin or reservoir for the lake formed by the Grand River Dam, and for such other uses and purposes as may be authorized by law.

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

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

It further appearing that on the 24th day of July, 1940, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining the petitioner, Grand River Dam Authority, a public corporation, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry E. Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by

reason of such appropriation, irrespective of any benefits accruing to said land from the construction of or proposed construction of the Grand River Dam Project, and thereafter did, on the 25th day of October, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$536.50 to the owners of said land for the appropriation and taking of the same, and that the Grand River Dam Authority did, on the 6th day of November, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$536.50, for the use of the owners of said land, and that thereafter, on the 18th day of February, 1941, said sum of \$536.50 was paid by the Clerk of this Court to H. A. Andrews, Superintendent, Quapaw Indian Agency, and that the Grand River Dam Authority did, on the 31st day of October, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on this the 19th day of March, 1941, this cause coming on for trial in its regular order, whereupon a trial by jury is waived and the matter of the assessment of damages is submitted to the Court without the intervention of a jury, and the Court being advised in open court that all interested parties have agreed that just compensation for the land appropriated in this cause is the sum of \$236.50, finds and assesses the damages to which the land owner is entitled for the appropriation of said land at \$236.50.

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

TRACT NO. 3 (34 GR-D 1738)

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

The $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 11, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, less tract of land particularly described as follows, to-wit:

Beginning at the NE corner of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$; thence Westerly along the North boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ to the NW corner thereof; thence Southerly along the West boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ a distance of 547.8 feet to a point 118.1 feet North of the SW corner thereof; thence N. $76^{\circ} 12' E.$ 292.1 feet; thence N. $85^{\circ} 02' E.$ 949.9 feet; thence N. $84^{\circ} 49' E.$ 88.6 feet to a point in the East boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$; thence Northerly along said East boundary a distance of 391.5 feet to the point of beginning, containing 13.5 acres, more or less,

The total acreage to be acquired being 6.5 acres, more or less.

AND IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the damages sustained by the defendants and the owners of said lands by reason of the taking and appropriating of the lands herein described by the Grand River Dam Authority, a public corporation, are assessed at \$236.50.

And, IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, be, and it is hereby vested with the absolute entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights, incident to the ownership of said land, including the right of immediate possession thereof.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that as the report of the commissioners awarded damages in the sum of \$436.50 and the just compensation for said land fixed herein by the Judge of this Court was in the sum of \$236.50 the petitioner, Grand River Dam Authority, a public corporation, shall have, and it is hereby granted a judgment against the defendants, United States of America; Lawrence Heffelman; Charles William Heffelman; Marno Heffelman; Agnes Heffelman, et al., in the sum of \$300.00, said sum being the difference between the commissioner's award and the compensation fixed herein as above mentioned, and that all costs herein be, and the same are hereby assessed against the petitioner.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that H. A. Andrews, Superintendent, Quapaw Indian Agency, be, and he is hereby directed to refund to the Grand River Dam Authority, a public corporation, the amount of the judgment entered herein in the sum of \$300.00, out of said award previously paid to him, and, in the event of said judgment is not paid, then execution shall issue in the manner prescribed by law.

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

ENDORSED: Filed In Open Court
Mar. 20 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-

United States of America; Robert
Whitebird, Jr., a minor; Flora McBee,
formerly Whitebird, Guardian of Robert
Whitebird, Jr., a minor, et al.,)
Defendants.)

CIVIL NO. 370
TRACT NO. 5 (56 GR-O 760
57 GR-O 783)

J U D G M E N T

NOW, on this 19th day of March, 1941, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Jesse L. Ballard, and the defendants, United States of America; Robert Whitebird, Jr., a minor; Flora McBee, formerly Whitebird, Guardian of Robert Whitebird, Jr., a minor, appearing by the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Ottawa County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation, and to maintain, use and operate all kinds of property, real, personal and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

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

TRACT NO. 5 (56 GR-0 760
57 GR-0 783)

All that part of the NE 10.45 acres, the S. 20.0 acres, and the NW 10.0 acres of Lot 10, Sec. 4, T 27 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, particularly described as follows, to-wit:

Commencing at the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 86° 50' W. 501.4 feet to a point on the meander line on the Right Bank of the Neosho River and the point of beginning; thence S. 11° 34' W. 128.9 feet; thence S. 30° 52' E. 182.6 feet; thence S. 1° 58' W. 228.4 feet; thence S. 66° 05' W. 92.0 feet; thence N. 89° 01' W. 62.5 feet; thence S. 0° 02' W. 182.0 feet; thence S. 51° 22' W. 105.2 feet; thence S. 48° 48' W. 148.3 feet; thence S. 23° 03' W. 40.9 feet; thence N. 1° 24' W. 147.5 feet; thence N. 49° 50' E. 136.6 feet; thence N. 4° 14' E. 454.2 feet; thence N. 86° 01' W. 124.7 feet; thence N. 29° 26' E. to the meander line along the Right Bank of the Neosho River; thence Northeasterly along said meander line to the point of beginning, containing 3.4 acres, more or less.

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

AND

All that part of Lot 7 and Lot 8, the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, T 27 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the West boundary of said Lot 7 and 673.2 feet North of the SW corner thereof; thence S. 70° 49' E. 182.5 feet; thence S. 70° 21' E. 1014.7 feet; thence S. 42° 33' W. 185.6 feet; thence S. 42° 10' W. 128.3 feet; thence S. 74° 08' W. 176.9 feet; thence N. 86° 48' E. 230.4 feet; thence N. 44° 53' E. 235.3 feet; thence S. 40° 13' E. 79.6 feet; thence N. 4° 57' E. 135.3 feet; thence S. 83° 43' E. 272.5 feet; thence S. 84° 02' E. 937.9 feet; thence S. 14° 02' W. 163.5 feet; thence N. 36° 47' E. 118.3 feet; thence N. 14° 10' E. 54.4 feet; thence S. 70° 29' E. 183.5 feet to a point in the East boundary of said Lot 8 and 12.4 feet North of the SE corner thereof; thence Northerly along said East boundary to the meanderline along the Right bank of the Neosho River; thence Northwesterly along said meander line to the West boundary of said Lot 7; thence Southerly along said East boundary to the point of beginning, containing 1.8 acres, more or less,

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

Said tract No. 5, containing a total of 5.2 acres, more or less.

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

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

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

It further appearing that on the 24th day of July, 1940, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, a public corporation, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry E. Hoffman; three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation, irrespective of any benefits accruing to said land from the construction of or proposed construction of the Grand River Dam Project, and thereafter did, on the 25th day of October, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$518.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did on the 6th day of November, 1940, pay into and deposit with the Clerk of this United States District Court in and for the Northern District of Oklahoma, the sum of \$518.00 for the use of the owners of said land, and that thereafter, on the 18th day of February, 1941, said sum of \$518.00 was paid by the Clerk of this Court to H. A. Andrews, Superintendent, Quapaw Indian Agency; and that the Grand River Dam Authority, did on the 31st day of October, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written demand for trial by jury.

And, on this the 19th day of March, 1941, this cause coming on for trial in its regular order, whereupon a trial by jury is waived and the matter of the assessment of damages is submitted to the Court without the intervention of a jury, and the Court being advised in open court that all interested parties have agreed that just compensation for the land appropriated in this cause is the sum of \$140.00, finds and assesses the damages to which the land owner is entitled for the appropriation of said land at \$140.00.

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

TRACT NO. 5 (56 GR-C 760
57 GR-C 783)

All that part of the NE 10.45 acres, the S. 20.0 acres, and the NW 10.0 acres of Lot 10, Sec. 4, T 27 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Commencing at the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 36° 50' W. 501.4 feet to a point on the meander line on the Right bank of the Neosho River and the point of beginning; thence S. 11° 34' W. 128.9 feet; thence S. 30° 52' E. 182.6 feet; thence S. 1° 53' W. 228.4 feet; thence S. 66° 05' W. 92.0 feet; thence N. 20° 01' W. 62.5 feet; thence S. 0° 02' W. 192.0 feet; thence S. 51° 22' W. 105.2 feet; thence S. 48° 48' W. 148.3 feet; thence S. 23° 03' W. 40.9 feet; thence N. 1° 24' W. 147.5 feet; thence N. 49° 50' E. 136.6 feet; thence N. 4° 14' E. 454.2 feet; thence N. 86° 01' W. 124.7 feet; thence N. 29° 26' E. to the meander line along the Right bank of the Neosho River; thence Northeasterly along said meander line to the point of beginning, containing 3.4 acres, more or less,

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

AND

All that part of Lot 7 and Lot 8, the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 5, T 27 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the point in the West boundary of said Lot 7 and 673.2 feet North of the SW corner thereof; thence S. 70° 49' E. 182.5 feet; thence S. 70° 21' E. 1014.7 feet; thence S. 42° 33' W. 185.6 feet; thence S. 42° 10' W. 128.3 feet; thence S. 74° 08' W. 176.9 feet; thence N. 86° 48' E. 230.4 feet; thence E. 44° 53' E. 235.3 feet; thence S. 40° 13' E. 79.8 feet; thence N. 4° 57' E. 135.3 feet; thence S. 33° 43' E. 272.5 feet; thence S. 84° 02' E. 937.9 feet; thence S. 14° 02' W. 163.5 feet; thence N. 35° 47' E. 118.3 feet; thence N. 14° 10' E. 54.4 feet; thence S. 70° 29' E. 183.5 feet to a point in the East boundary of said Lot 8 and 12.4 feet North of the SE corner thereof; thence Northerly along said East boundary to the meander line along the right bank of the Neosho River; thence Northwesterly along said meander line to the West boundary of said Lot 7; thence Southerly along said West boundary to the point of beginning, containing 1.6 acres, more or less,

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

Said tract No. 5 containing a total of 5.2 acres, more or less.

AND IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the damages sustained by the defendants and the owners of said lands by reason of the taking and appropriating of the lands herein described by the Grand River Dam Authority, a public corporation, are assessed at \$140.00.

And, IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, be, and it is hereby vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that as the report of the commissioners awarded damages in the sum of \$518.00, and the just compensation for said land fixed herein by the Judge of this Court within the sum of \$140.00, the petitioner, Grand River Dam Authority,

DISTRICT OF OKLAHOMA

VINITA, OKLAHOMA

THURSDAY, MARCH 20, 1941

REGULAR MARCH 1941 TERM

a public corporation, shall have, and it is hereby granted a judgment against the defendants, United States of America, and Robert Whitebird, Jr., a minor, in the sum of \$378.00, said sum being the difference between the commissioners' award and the compensation fixed herein as above mentioned, and that all costs herein be, and the same are hereby assessed against the petitioner.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that H. A. Andrews, Superintendent, Quapaw Indian Agency, be, and he is hereby directed to refund to the Grand River Dam Authority, a public corporation, the amount of the judgment entered herein in the sum of \$378.00, out of said award previously paid to him, and, in the event said judgment is not paid, then execution shall issue in the manner prescribed by law.

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

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

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

Grand River Dam Authority, a public corporation,)
Plaintiff,)
vs.) No. 474 CIVIL
) [Tract No. 3]
Seneca-Cayuga Tribe of Oklahoma,)
a Corporation, et al,) Defendants.)

o r d e r

Now on this 20th day of March, 1941, this matter coming on before the Court for hearing on the motions of the United States to dismiss the cross petition of Hobart M. Brown, and the cross petition of Beatrice Brown Lankford and Hallie Lankford, the Grand River Dam Authority, appearing by its attorney, Q. B. Boydston, the Seneca-Cayuga Tribe of Oklahoma 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 the defendants, Hobart M. Brown, Beatrice Brown Lankford and Hallie Lankford, appearing by their attorneys, Keith Smith and Frank Nesbitt, and the Court having heard the arguments of counsel and being fully advised in the premises, finds that said motions to dismiss should be sustained.

IT IS THEREFORE THE ORDER of the Court that the motion to dismiss the cross petition of Hobart M. Brown be, and the same hereby is sustained.

IT IS THE FURTHER ORDER of the Court that the motion to dismiss the cross petition of Beatrice Brown Lankford and Halley Lankford be, and the same hereby is sustained, to which rulings of the Court the defendants Hobart M. Brown, Beatrice Brown Lankford and Hallie Lankford except, and exceptions are allowed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Mar 24 1941
H. P. Warfield, Clerk
U. S. District Court B

MISCELLANEOUS - ORDER DISCHARGING PETIT JURY.

On this 20th day of March, A. D. 1941, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged, for this Regular March 1941 Term of this Court at Vinita, Oklahoma, sine die.

MISCELLANEOUS - ORDER TO PAY PETIT JURORS AND WITNESSES THEIR MILEAGE AND PER DIEM.

On this 20th day of March, A. D. 1941, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Regular March 1941 Term of Court, at Vinita, Oklahoma, their mileage and attendance as shown by the Record of Attendance.

Court adjourned subject to call.

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

DEWEY T. ROSS ENGINEERING CORPORATION,)
Plaintiff,)
vs.) Case No. 544 Civ.
GRAND RIVER DAM AUTHORITY, a corporation,)
Defendant.)

ORDER PERMITTING PLAINTIFF TO WITH-DRAW EXHIBITS A, B, C, AND D

Now, on this 20th day of March, 1941, upon application of the plaintiff, and it having been made to appear that the defendant, Grand River Dam Authority, is in possession of the originals of said exhibits, said exhibits having being contracts and very voluminous, plaintiff is hereby permitted to withdraw said exhibits from the files and is required to have said exhibits present at ny and all hearings on this matter.

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

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

Court adjourned subject to call.

On this 21st 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. 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:

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 21st day of March, A. D. 1941, it is ordered by the Court that Robert Stuart be and he is hereby permitted to sign Roll of Attorneys as of date May 1, 1925. (R.H.S. J)

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America,	Libelant,)
)
-vs-)
		) No. 457 Civil
One 1940 Model Chevrolet Sedan)
Automobile, Motor No. 3,132,173, and approximately)
7 gallons of taxpaid intoxicating liquors)
seized therein; Archie Jones and the First)
National Bank of Vinita, Oklahoma,	Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 20th day of March, 1941, this cause having come on before the court, pursuant to regular assignment, Libelant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District; and the Claimant, Archie Jones having heretofore filed his waiver, making his general appearance and disclaiming any interest in and to the said automobile or the intoxicating liquors described therein, and the First National Bank of Vinita, Oklahoma, and H. J. Schroers, having filed their answer, plea in intervention, and appearing by Paul O. Simms, their Attorney, and Libelant and such Claimants having stipulated and agreed as to certain facts and offering evidence as proof of others, and the court, after examining such evidence and hearing the argument of counsel, and being fully advised in the premises, finds that the said automobile, insofar as the interest of Archie Jones is concerned, should be forfeited and that the claim of the said First National Bank of Vinita, Oklahoma, and H. J. Schroers should be denied because claimants failed to comply with Section 40a, Title 27, U. S. C. A.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED By the court that forfeiture herein be, and the same is hereby allowed as to the said described 1940 Model Chevrolet Sedan Automobile, Motor No. 3,132,173, which automobile, is ordered delivered to the libelant and the Treasury Department of the United States for the use of the Bureau of Internal Revenue in the enforcement of the Internal Revenue Laws of the United States.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that forfeiture herein be, and the same is hereby allowed as to the said approximately Seven (7) gallons of intoxicating liquors seized in and with said described automobile, which intoxicating liquors are ordered delivered over to

the Secretary of the Treasury of the United States for proper and lawful disposition.

F. E. KENNAMER
JUDGE

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

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Brandon Barringer, George A. Ritzinger and William W. Allen, Jr.,)
Plaintiff,) No. 484 Civil
vs)
1ST TRACT: W. S. Glasby, et al.,)
Defendants.)

O R D E R

Now on this, the 21st day of March, 1941, there is presented to this Court the Application of the relators herein for an order naming a guardian ad litem for the unknown devisees, heirs at law, executors, administrators, trustees and assigns, immediate and remote, of certain deceased persons, and being duly advised, the Court finds that this is an action in which a guardian ad litem should be appointed, and that C. A. Warren is a suitable person to so act, and should be so appointed.

It is, therefore, ordered and decreed that C. A. Warren be and hereby is appointed guardian ad litem for the unknown devisees, heirs at law, executors, administrators, trustees and assigns, immediate and remote, of:

- | | |
|----------------------|----------------------|
| Rolandus A. Bowden | C. F. Chapman |
| W. N. Fargo | Mary E. Glasby |
| Emma J. Hengst | M. L. Arnett |
| C. Blaine | Vernon William Blake |
| Wm. J. Burnette | M. L. Chance |
| Wm. McKinley Clayton | Clarence Davis |
| W. S. Glasby | J. E. Gootee |
| A. B. Hillerman | W. C. Jucksch |
| Emory Pearson | Frank A. Reynolds |
| O. H. Search | Joseph Walker |
| Luch J. Mizer | Arnetas Neff |
| F. B. Reed | Green Roberts |
| H. M. Walker | |

all of whom are deceased.

ROYCE H. SAVAGE
JUDGE

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

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

HOWARD GRAY, as Executor of the
Estate of Julia S. Pearman, de-
ceased,

)
)
)
Plaintiff,)

) No. 877 Equity
)
)

vs.

EXCHANGE NATIONAL COMPANY, a
corporation, et al,

)
)
)
Defendants.)

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 21st day of March, 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 the following described real estate, to-wit:

Lot Four (4) and the North Half (N $\frac{1}{2}$) of Lot Five (5)
in Block Four (4) of Park Hill Addition to the City of
Tulsa, Tulsa County, Oklahoma, according to the recorded
plat thereof;

and that the said real estate above described constituted an asset of said trust estate, but title thereto was vested in the Exchange Trust Company, of Tulsa, Oklahoma, and that J. H. McBirney, Successor Trustee, acquired title to said real estate from the Bank Commissioner of the State of Oklahoma, who was charged with the liquidation of said Exchange Trust Company, and that J. H. McBirney, as Successor Trustee, is the present legal owner and holder of title in and to the said real estate above described.

The court further finds that the real estate above described constitutes a lot 37 $\frac{1}{2}$ feet in width, and it is improved with a six-room frame dwelling house, containing a small basement and a gas furnace; that the said property shares a driveway with the adjoining lot or parcel of real estate.

The court further finds that the said real estate above described is shown on the books and records of said trust estate to constitute an investment of said trust therein in the amount of Three Thousand Nine Hundred Ninety Three & 16/100 Dollars (\$3,993.16), after crediting said investment with all rents, income and profits therefrom to the date hereof.

The court further finds that the said trustee has held legal title in and to said real estate since January, 1935, and further finds that the said trustee has an offer from Mrs. Jennie Topper for the purchase of said real estate and improvements for the sum of Two Thousand Nine Hundred Dollars (\$2,900.00) in cash; that the proposed sale of said real estate was arranged by Halff & Son, real estate brokers in the City of Tulsa, who will be entitled to the payment of a commission upon said sale in the event the same is consummated, and that reasonable and customary compensation for said services is five per cent (5%) of the sale price of said real estate.

The court further finds that the members of the Advisory Committee have been notified of the offer for the purchase of said real estate above described; that the members of said Advisory Committee have considered said offer and have approved the same, and have recommended that the trustee sell said real estate above described for said cash consideration.

The court further finds that the said real estate above described has been difficult of sale, and that the said trust estate is in liquidation, and that it is probably for the best interest of said trust and its beneficiaries to sell said real estate for said cash consideration, even though financial loss to said real estate is sustained thereby.

and that said liquidating dividend should be paid to the holders of said certificates in proportion to the amounts of said certificates and the unpaid interest to May 1, 1933, upon said certificates, as, heretofore provided in orders entered herein for the payment of liquidating dividends; and it appearing further that the said Trustee has a sufficient amount of cash in order to pay said dividend; and it further appearing that the members of the Advisory Committee have been notified of said application and action of said Trustee in the payment of said dividend, and that the payment of said dividend has the approval of the Advisory Committee appointed to counsel and advise with said Trustee, and upon the said Trustee's application, recommendation and request, and for other good cause,

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

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

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

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

Court adjourned to March 22, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

SATURDAY, MARCH 22, 1941

On this 22nd 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. F. E. Kennamer, and Hon. Royce H. Savage, 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:

On this 24th 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. 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

Henry N. Greis, as Trustee for Deep Rock Oil Corporation,	Flaintiff,)	No. 310 Civil
vs.)		
United States of America,	Defendant.)	

O R D E R

On motion of plaintiff, the above case is hereby dismissed.
Made and ordered entered this 24th day of March, 1941.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Mar 24 1941
H. P. Warfield, Clerk
U. S. District Court AC

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

UNITED STATES OF AMERICA,	Plaintiff,)	No. 323 - Civil
vs.)		
ATCHISON, TOPEKA and SANTA FE RAILWAY COMPANY, a Corporation,	Defendant.)	

O R D E R

NOW, on this 24th day of March, 1941, the above cause came on upon the application 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 fifteen (15) 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 fifteen (15) days from this date within which to file an amended complaint herein.

ENDORSED; Filed Mar 24 1941
H. P. Warfield, Clerk
U. S. District Court H

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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 24th day of March, 1941, the above cause came on upon the application 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 fifteen (15) 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 fifteen (15) days from this date within which to file an amended complaint herein.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Mar 24 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 24th day of March, 1941, the above cause came on upon the application 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 fifteen (15) 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 fifteen (15) days from this date within which to file an amended complaint herein.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
-vs-		) No. 524 CIVIL
)
R. E. Beals, Malinda J. Beals,	Defendants,)

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of March, 1941, this cause came on to be heard before the Honorable Royce H. Savage, Judge presiding, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, and it being shown to the court that the above named defendants and each of them have been regularly served with summons and a copy of the complaint in this case more than Twenty (20) days prior to this date, and it further appearing that they have failed to answer or otherwise plead herein, they are, by the court declared to be in default and the court finds that they are residing in Tulsa, as civilians, are too old to be drafted in the army, and are not now in military service, and that plaintiff is entitled to judgment as demanded in its complaint in this action.

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the court that the plaintiff have and recover judgment against the defendants R. E. Beals and Malinda J. Beals for the sum of One Hundred Thirty Dollars and Thirty-four Cents (\$130.34) with interest thereon at the rate of Six Per Cent (6%) per annum from October 20, 1937, until paid, and the cost of this action.

Let execution issue.

ROYCE H. SAVAGE
JUDGE

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

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

Elizabeth Daniel Wallace, et al.,	Plaintiffs,)
)
vs.		) No. 1244 - Equity
)
Richard T. Daniel, Jr., et al,	Defendants,)

ORDER APPROVING LEASE CONTRACT

This cause came on to be heard on this 24th day of March, 1941, upon the application of Eben L. Taylor, Receiver herein, for approval of lease contract made between said Receiver, as lessor, and Tommy Irvine, as lessee;

And it appearing to the Court from the evidence offered in support of said application and from an examination of said contract of Lease, and the rider attached thereto, a copy of which is attached to the application of said Receiver herein filed as "Exhibit A", that said lease contract provides for the leasing of a ground floor store room at 107 East Third Street in the building known as the R. T. Daniel Building, for a term of two years, beginning April 15, 1941 and ending April 14, 1943, at an agreed total rental of \$3000.00, payable in monthly installments of \$125.00 each, in advance, on the 15th day of each and every month during the entire period covered by this lease, except that

the said lessee shall pay the amount of \$250.00, representing the first and last month's rental under said lease, in advance, upon the approval of said lease; and it further appearing that the terms and conditions of said lease contract are fair and reasonable, and that said contract of lease would be of advantage and benefit to said receivership estate;

IT IS ORDERED that the said lease contract, and the rider attached thereto, entered into between said Eben L. Taylor, Receiver, and the said Tommy Irvine, for the lease of said store room aforesaid, and described in said lease contract, for a term of two years commencing on the 15th day of April, 1941, and ending April 14, 1943, the executed duplicate originals of which are this day endorsed "Approved" by the undersigned Judge of this Court, be, and the same are in all respects hereby approved, confirmed and declared the valid contract of said Receiver on behalf of said receivership estate.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Mar 24 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to March 25, 1941.

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 25, 1941

On this 25th 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. 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 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

I. E. NELSON, Trustee, et al.,

Plaintiffs)

-vs-

) In Equity No. 1266.

SAPULPA GAS COMPANY, et al.,

Defendants.)

O R D E R

NOW, on this 25th day of March, A. D. 1941, this matter comes on for hearing on the verified application of W. B. Harrison for an order directing payment of 51 1/2% of a certain outstanding gold bond. The Court being fully advised in the premises,

IT IS ORDERED that the Clerk be, and he is hereby, directed to pay to W. B. Harrison the applicant, the pro rata distributive share (51 1/2%) of the funds deposited in the Registry of the Court on said Bond No. 321D, being one of the 5% Gold Bonds of the said Sapulpa Gas Company.

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

F. E. KENNAMER
JUDGE

----- Court adjourned to March 26, 1941

On this 26th 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 FOR THE NORTHERN DISTRICT
OF OKLAHOMA

The City of Sand Springs, a Municipal Corporation, ex rel Leonard Versluis,

Complainant and Relator,

) CIVIL ACTION NUMBER 355

vs.

Sand Springs Townsite Company, et al.,

Defendants.

ORDER PERMITTING FILING OF SUPPLEMENTAL COMPLAINT, MAKING
ADDITIONAL PARTY DEFENDANT, AND FOR HEARING APPLICATION
FOR INJUNCTION

It appearing to the court that transactions or occurrences have happened since the filing of the original complaint herein and that Joe T. Parkinson, as County Treasurer of the County of Tulsa, State of Oklahoma, is a necessary party in order that a complete determination may be had of all issues in this cause,

On motion of the complainant, it is ORDERED that Joe T. Parkinson, as County Treasurer of the County of Tulsa, State of Oklahoma, be, and he is hereby made a party defendant in this action; that summons issue to him according to law; that complainant is permitted to file supplemental bill of complaint as to said defendant and that he be required to plead to the same within twenty days from the service of the same upon him.

And complainant having applied, in said supplemental bill of complaint, for an injunction restraining the said county treasurer from advertising, offering for sale or selling at the Tulsa County 1941 Tax Re-sale the lots, tracts or parcels of land included within Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, insofar as the special assessments levied against the same in said street improvement district are concerned,

IT IS ORDERED that said application be set for hearing by the Court in the Federal Court Room at Tulsa, Oklahoma, at 9:00 o'clock A.M., on the 31 day of Mar., 1941, and that written notice of such hearing be served upon said defendant at least 5 days before such date.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court H

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

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

Plaintiff,

vs.

MRS. FRANK RICHARDSON, et al.,

Defendants.

CIVIL ACTION NO. 360

O R D E R

Now on this day this cause comes regularly on for trial, the plaintiff and Relator appearing by his attorney, Justus H. Fugate, and none of the defendants appearing in person or by attorney. The court being duly advised finds that a Military Service affidavit pursuant to the terms of the Soldiers & Sailors Civil Relief Act of 1940, has been filed showing that of the defendants to this cause, relator is unable to determine whether or not defendants Ben Barnhart, and Fay Barnhart are in the military service of the United States.

The court further finds that this is an action to foreclose special assessment paying tax liens, the earliest installment of which liens became past due and delinquent in the year 1932, and that judgment should be entered in this cause foreclosing the lien of such taxes as prayed by the Relator.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that judgment be entered against defendants, Ben Barnhart, Fay Barnhart and Mrs. C. H. Polley, as prayed by Relator.

DONE at Tulsa, Oklahoma, this 26th day of March, A. D. 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court B

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

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

Plaintiff,

vs.

MRS. FRANK RICHARDSON, ET AL.,

Defendants.

CIVIL ACTION NO. 360

FINAL DECREE

Now on this day this cause comes on for final determination on the issues between the Relator, W. J. Meredith, and the defendants to this action and the court having entered its findings of fact and conclusions of law finds that the Relator, W. J. Meredith, is entitled to the relief hereinafter granted.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court as follows,
to-wit:

I.

That all of the outstanding and unpaid City of Miami, Oklahoma, Refunding Street Improvement Bonds, Series 14, dated June 15, 1932, and unpaid interest coupons pertaining thereto are valid and binding obligations of the City of Miami, Oklahoma, which said bonds and the interest thereon are payable from the reassessments and accumulated interest and penalties thereon which have been levied upon the lots and tracts of land benefited and which reassessments, interest and penalties are valid and subsisting liens upon the various lots, tracts and parcels of land.

II.

That Relator is hereby granted judgments for the amounts of the several reassessments including interest and penalties to April 12, 1940, against the following described lots, tracts and parcels of land in the amounts hereinafter severally indicated:

DESCRIPTION OF PROPERTY, ORIGINAL TOWN OF MIAMI	AMOUNT OF JUDGMENT	NAME OF OWNERS AND ENCUMBRANCERS
Lot 4, Block 9	\$413.57	Mrs. Frank Richardson
Lot 5, Block 9	764.50	Mrs. Frank Richardson
Lot 4, Block 9	1022.26	Mrs. Frank Richardson
Lot 5, Block 9	1022.26	Mrs. Frank Richardson
So. 37 $\frac{1}{2}$ of Lot 4, Block 10	488.08	Truman Harsha and Ruth Harsha,
Lot 5, Block 10	302.40	Lucie B. Mabon
Lot 6, Block 10	1230.54	Lucie B. Mabon
Lot 7, Block 10	1480.98	Lucie B. Mabon
Lot 6, Block 11	1363.38	Mrs. Frank Richardson
Lot 13, Block 11	394.88	S. M. and Nancy J. Galloway, Ben Barnhart, Fay Barnhart, Mrs. C. H. Polley
Lot 14, Block 11	1445.23	S. M. and Nancy Galloway Ben Barnhart and Fay Barnhart, Mrs. C. H. Polley
Lot 16, Block 29	193.04	Laura Wilson, R. L. Wilson, Joe Wilson
Lot 7, Block 31	142.06	J. J. Smith and Mrs. J. J. Smith, First National Bank, Miami, Oklahoma, Nettie Groeneman
Lot 8, Block 31	166.70	J. J. Smith and Mrs. J. J. Smith, First National Bank, Miami, Oklahoma Nettie Groeneman
Lot 11, Block 34	944.22	George T. Hemmingson
Lot 1, Block 35	1238.69	George T. Hemmingson
Lot 2, Block 35	1258.40	George T. Hemmingson
Lot 6, Block 35	396.75	George T. Hemmingson
Lot 8, Block 35	1002.12	Mrs. Frank Richardson
Lot 11, Block 35	484.13	Mrs. Frank Richardson
Lot 11, Block 35	955.84	Mrs. Frank Richardson
N. $\frac{1}{2}$ Lot 11, Block 36	374.23	Gladys Hargrove
S. $\frac{1}{2}$ Lot 11, Block 36	374.25	A. L. Commons
Lot 11, Block 37	1161.68	Jack E. Pinnell
Lot 15, Block 37	45.06	Laura Gilstrap
Lot 16, Block 37	302.67	Laura Gilstrap

Lot 15, Block 44	113.65	A. U. Fisher
Lot 4, Block 45	139.04	C. W. Turner
Lot 4, Block 45	638.97	C. W. Turner
Lot 4, Block 52	461.55	Walter Jones
Lot 25, Block 53	36.88	R. W. Skinner
		Commerce Mining and
		Royalty Company
Lot 26, Block 53	36.88	R. W. Skinner
		Commerce Mining and
		Royalty Company
Lot 27, Block 53	31.61	R. W. Skinner
		Commerce Mining and
		Royalty Company
Lot 28, Block 53	21.07	R. W. Skinner
		Commerce Mining and
		Royalty Company

that each of said above stated amounts draws interest at the rate of six per cent (6%) per annum from April 12, 1940, until paid.

III.

That if the judgments herein granted Relator, W. J. Meredith, are not paid within thirty (30) days after the entry of this decree upon motion by Relator, W. J. Meredith, a commissioner shall be appointed and an order of sale issued to him directing that said commissioner shall advertise and sell said property, in manner and form as required by and in accordance with the provisions of the U. S. Code, Title 28, Sections 847 and 849, provided, however, that any sale made by said commissioner shall be promptly reported to this court for confirmation. That said sale shall be for cash provided, however, that fifty per cent (50%) of the amount paid shall be paid cash upon the acceptance of such bid and the balance of fifty per cent (50%) of said purchase price shall be paid upon the confirmation of the sale by the court, provided that at any sale or sales held under the law and this decree, the Relator, W. J. Meredith, shall have the right to bid on any property so being sold and in case Relator's bid is accepted, the amount of the judgment with interest to date of sale herein granted, Relator W. J. Meredith, upon each of the several lots, tracts and parcels of land being owned by Relator, shall be considered as a payment of cash to the extent thereof. However, if Relator's bid is accepted for any lot or parcel of land and deed made to him, his assignee or nominee, upon confirmation of such deed by the court shall surrender, to the Registrar of this court for cancellation and delivery to the City of Miami, Oklahoma, unpaid coupons or bonds of said Series 14 in such proper proportionate amount of the total amount of bonds and interest thereon to April 12, 1940, as the amount of the judgments upon such lots or parcels of land so purchased bears to the total amount of judgments upon all of the lots and parcels of land in said district. That all proceeds received from any such sales shall be immediately reported to this court and paid into the Registry of the court or to the City Clerk of the City of Miami, Oklahoma, or to the Relator, as the court shall direct in its order of confirmation thereof. That said commissioner shall be required to file a bond in such form as may be approved by the court in the principal amount of \$_____, conditioned as the court may approve, which said bond shall be executed by a surety corporation authorized to do business in the State of Oklahoma, the cost of said bond and the principal fee of said commissioner shall be allowed said commissioner by further order of this court.

IV.

That the Phoenix Federal Savings & Loan Association, having filed its disclaimer to this action as to the South 37½ feet of Lot Four (4), Block Ten (10), original Town of Miami, Oklahoma, has no right, title or interest in or to said properties.

V.

That Relator, W. J. Meredith, is hereby granted his costs in this action, which

costs are to be prorated equally against the lots, tracts and parcels of land involved in this action.

MADE AND ENTERED at Tulsa, Oklahoma, this 26 day of Mar. A. D., 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court B

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

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

Plaintiff,

CIVIL ACTION NO. 361

vs.

LAURA A. WILSON, ET AL,

Defendants.

FINAL DECREE

Now on this day this cause comes on for final determination on the issues between the Relator, W. J. Meredith, and the defendants to this action and the court having entered its findings of fact and conclusions of law finds that the Relator, W. J. Meredith, is entitled to the relief hereinafter granted.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court as follows,
to-wit:

I.

That all of the outstanding and unpaid City of Miami, Oklahoma Refunding Street Improvement Bonds, Series 11, dated June 15, 1932, and unpaid interest coupons pertaining thereto are valid and binding obligations of the City of Miami, Oklahoma, which said bonds and the interest coupons are payable from the reassessments and accumulated interest and penalties thereon which have been levied upon the lots and tracts of land benefited and which reassessments, interest and penalties are valid and subsisting liens upon the various lots, tracts and parcels of land.

II.

That Relator is hereby granted judgments for the amounts of the several reassessments, including interest and penalties to April 12, 1940, against the following described lots, tracts and parcels of land in the amounts hereinafter severally indicated:

DESCRIPTION OF PROPERTY, ORIGINAL TOWN OF MIAMI	AMOUNT OF JUDGMENT	NAMES OF OWNERS AND ENCUMBRANCES
Lot 16, Block 29	\$ 154.83	Joe Wilson & R. L. Wilson
So. 1/2 Lot 6, Block 76	25.02	Mildred Phillips
Lot 7, Block 76	78.05	Mildred Phillips
Lot 15, Block 77	1,084.97	George T. Hemmingson
Lot 16, Block 77	289.58	Chas. M. Baum and Frank R. Burns

Lot 15, Block 92	513.88	Fred Victor
Lot 16, Block 92	521.00	Fred Victor
Lot 5, Block 116	599.47	Geo. T. Hemmingson
Lot 6, Block 116	599.47	Geo. T. Hemmingson
Lot 7, Block 116	599.47	Geo. T. Hemmingson
Lot 8, Block 116	421.32	Floyd A. Hicks and Orville Kemp
Lot 13, Block 116	674.15	Floyd A. Hicks, C. M. Bartlett and Orville Kemp
Lot 14, Block 116	688.26	Floyd A. Hicks, C. M. Bartlett, and Orville Kemp
Lot 15, Block 116	695.43	Floyd A. Hicks, C. M. Bartlett and Orville Kemp
Lot 16, Block 116	595.43	Floyd A. Hicks, C. M. Bartlett and Orville Kemp
Lot 9, Block 127	594.95	J. H. Taylor
Lot 10, Block 127	594.95	J. H. Taylor
Lot 29, Block 128	423.93	L. G. Webb
Lot 30, Block 128	423.93	L. G. Webb
Lot 31, Block 128	471.58	L. G. Webb
Lot 32, Block 128	471.58	L. G. Webb
Lot 23, Block 128	625.64	L. G. Webb
Lot 24, Block 128	625.64	Mrs. Frank Richardson
So. 37½ of Lot 10, Block 134	861.76	Mrs. Frank Richardson
Lot 15, Block 134	1,544.99	George T. Hemmingson
Lot 11, Block 135	634.85	Elbert E. and Daisy Bedell
Lot 12, Block 135	658.94	George T. Hemmingson
Lot 13, Block 135	761.88	George T. Hemmingson
Lot 14, Block 135	785.38	George T. Hemmingson
Lot 15, Block 135	789.89	George T. Hemmingson
Lot 16, Block 135	789.89	Fred Evans
E. 37½ of Lot 1, Block 146,	524.21	Fred Evans
Center 37½ of Lot 1, Block 146	524.21	W. O. Kemp
W. 45 of Lot 1, Block 146	639.04	W. O. Kemp
E. 37½ of Lot 2, Block 146	512.93	W. O. Kemp
Center 37½ of Lot 2, Block 146	512.93	W. O. Kemp
W. 45 of Lot 2, Block 146	615.09	W. O. Kemp
E. 37½ of Lot 3, Block 146	498.07	W. O. Kemp
Center 37½ of Lot 3, Block 146	498.07	W. D. Kemp
W. 45 of Lot 3, Block 146	597.98	W. O. Kemp
Lot 4, Block 146	1,538.99	W. O. Kemp
Lot 5, Block 136	1,236.45	J. B. Pinnell
So. ½ of Lot 10, Block 147	708.23	J. B. Pinnell
Lot 11, Block 147	1,377.15	George T. Hemmingson
Lot 12, Block 147	1,537.09	George T. Hemmingson
		Chas. L. Hale

That each of said above stated amounts draws interest at the rate of six per cent (6%) per annum from April 12, 1940 until paid.

III.

That if the judgments herein granted Relator, W. J. Meredith, are not paid within thirty (30) days after the entry of this decree upon motion by Relator, W. J. Meredith, a commissioner shall be appointed and an order of sale issued to him directing that said commissioner shall advertise and sell said property in manner and form as required by and in accordance with the provisions of the U. S. Code, Title 28, Sections 847 and 849, provided, however, that any sale made by said commissioner shall be promptly reported to this court for confirmation. That said sale shall be for cash provided, however, that fifty per cent (50%) of the amount paid shall be paid in cash upon the acceptance of such bid and the balance of fifty per cent (50%) of said purchase price shall be paid upon the confirmation of the sale by the court, provided that at any sale or sales held under the law and this decree, the Relator, W. J. Meredith, shall have the right to bid on any property so being sold and in case Relator's bid is accepted, the amount of the judgment with interest to date of sale herein granted Relator, W. J. Meredith, upon each of the several lots, tracts and parcels of land owned by Relator, shall be considered as a payment of cash to the extent thereof. However, if Relator's bid is accepted for any lot or parcel of land and deed made to him, his assignee or nominee, upon confirmation of such deed by the court shall surrender, to the Registrar of this court for cancellation and delivery to the City of Miami, Oklahoma, unpaid coupons or bonds of said Series 11 in such proper proportionate amount of the total amount of bonds and interest thereon to April 12, 1940, as the amount of the judgments upon such lots or parcels of land so purchased bears to the total amount of judgments upon all of the lots and parcels of land in said district. That all proceeds received from any such sale shall be immediately reported to this court and paid into the Registry of the court or to the City Clerk of the City of Miami, Oklahoma, or to the Relator, as the court shall direct in its order of confirmation thereof. That said commissioner shall be required to file a bond in such form as may be approved by the court in the principal amount of \$_____, conditioned as the court may approve, which said bond shall be executed by a surety corporation authorized to do business in the State of Oklahoma, the cost of said bond and the principal fee of said commissioner shall be allowed said commissioner by further order of this court.

That this action is properly brought and the relief herein obtained by Relator is granted as a proper class action; that Relator, W. J. Meredith, shall, if and when any sums of money are realized by him through the payment of any of the judgments granted in this case or through sale of the property to satisfy the liens of said judgments pursuant to an order of sale issued out of this court, pay into the Registrar of this court, such proper proportionate share of the sums of money realized by said Relator as the amount of the claim of the owners of the said Bond No. 11, bears to the entire amount of the outstanding bonds of said Refunding Street Improvement District No. 11, first deducting therefrom such holders proper proportionate share of the expenses of this litigation and twenty-five per cent (25%) of the amount of said moneys as fees for said lien holder's attorneys.

V.

That F. R. Kittridge and Lots 9 and 10, Block 135, original town of Miami, Oklahoma, and Frances C. Johnson and the Home Owners Loan Corporation and Lots 15 and 16 in Block 127, original town of Miami, Oklahoma, are hereby dismissed from this action without costs for the reason that all amounts due from said property have been paid in full; that the Phoenix Federal Savings & Loan Association, having filed its disclaimer in this action as to Lots 8, 13, 14, 15 and 16 in Block 116, original town of Miami, Oklahoma, has no right, title or interest in or to said properties.

VI.

That Relator, W. J. Meredith, is hereby granted his costs in this action, which costs are to be prorated equally against the lots, tracts and parcels of land involved in this action.

MADE AND ENTERED at Tulsa, Oklahoma, this 26 day of Mar. A. D. 1941.

ROYCE H. SAVAGE

United States District Judge

ENDORSED: Filed In Open Court
Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court B

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

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

Plaintiff,

vs.

J. J. SMITH, et al.,

Defendants.

CIVIL ACTION NO. 362

FINAL DECREE

Now on this day this cause comes on for final determination on the issues between the Relator, W. J. Meredith, and the defendants to this action and the court having entered its findings of fact and conclusions of law finds that the Relator, W. J. Meredith, is entitled to the relief hereinafter granted.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court as follows,
to-wit:

I.

That all of the outstanding and unpaid City of Miami, Oklahoma, Refunding Street Improvement Bonds, Series 15, dated June 15, 1932, and unpaid interest coupons pertaining thereto are valid and binding obligations of the City of Miami, Oklahoma, which said bonds and the interest thereon are payable from the reassessments and accumulated interest and penalties thereon which have been levied upon the lots and tracts of land benefited and which reassessments, interest and penalties valid and subsisting liens upon the various lots, tracts and parcels of land.

II.

That Relator is hereby granted judgments for the amounts of the several reassessments, including interest and penalties to April 12, 1940, against the following described lots, tract, and parcels of land in the amounts hereinafter severally indicated:

DESCRIPTION OF PROPERTY, ORIGINAL TOWN OF MIAMI	AMOUNT OF JUDGMENT	NAMES OF OWNERS AND ENCUMBRANCERS
Lot 7, Block 31	\$144.88	J. J. Smith and Mrs. J. J. Smith, First National Bank, Miami, Oklahoma, Nettie Groeneman
Lot 8, Block 31	160.14	J. J. Smith and Mrs. J. J. Smith, First National Bank, Miami, Oklahoma, Nettie Groeneman
E. 60 of Lot 1, Block 107	459.66	Hubert H. Groeneman, Nettie Groeneman, Alma Groeneman, Armin F. Groeneman
E. 60 of Lot 2, Block 107	459.66	Hubert H. Groeneman, Nettie Groeneman, Alma Groeneman, Armin F. Groeneman
Lot 3, Block 107	1115.95	Frank and Nelle Nesbitt
Lot 4, Block 107	1505.07	Frank and Nelle Nesbitt
Lot 5, Block 107	1660.11	Frank and Nelle Nesbitt
Lot 6, Block 107	1737.63	Frank and Nelle Nesbitt
Lot 7, Block 107	1594.06	Frank and Nelle Nesbitt

Lot 8, Block 107	\$1639.79	Frank and Nelle Nesbitt
Lot 9, Block 108	1506.57	J. B. Pinnell
Lot 10, Block 108	1506.57	J. B. Pinnell
Lot 12, Block 108	1506.57	Frank Nesbitt
Lot 13, Block 108	1662.18	Frank Nesbitt
Lot 14, Block 108	1739.89	Frank Nesbitt
Lot 12, Block 112	983.50	Mrs. Frank Richardson
Lot 15, Block 112	1202.89	Chas. L. Hale
Lot 16, Block 112	1202.89	Lee Thompson
So. $\frac{1}{2}$ Lot 3, Block 113	278.94	Effie E. DeTar and Geo. A. DeTar
No. $\frac{1}{2}$ Lot 3, Block 113	278.94	Nelle M. Nesbitt

That each of said above stated amounts draws interest at the rate of six per cent (6%) per annum from April 12, 1940 until paid.

III

That if the judgments herein granted Relator, W. J. Meredith, are not paid within thirty (30) days after the entry of this decree upon motion by Relator, W. J. Meredith, a commissioner shall be appointed and an order of sale issued to him directing that said commissioner shall advertise and sell said property in manner and form as required by and in accordance with the provisions of the U. S. Code, Title 28, Sections 847 and 849, provided, however, that any sale made by said commissioner shall be promptly reported to this court for confirmation. That said sale shall be for cash provided, however, that fifty per cent (50%) of the amount paid shall be paid in cash upon the acceptance of such bid and the balance of fifty per cent (50%) of said purchase price shall be paid upon the confirmation of the sale by the court, provided that at any sale or sales held under the law and this decree, the Relator, W. J. Meredith, shall have the right to bid on any property so being sold and in case Relator's bid is accepted, the amount of the judgment with interest to date of sale herein granted, Relator, W. J. Meredith, upon each of the several lots, tracts and parcels of land being owned by Relator, shall be considered as a payment of cash to the extent thereof. However, if Relator's bid is accepted for any lot or parcel of land and deed made to him, his assignee or nominee, upon confirmation of such deed by the court shall surrender to the Registrar of this court for cancellation and delivery to the City of Miami, Oklahoma, unpaid coupons or bonds of said Series 15, in such proper proportionate amount of the total amount of bonds and interest thereon to April 12, 1940, as the amount of the judgments upon such lots or parcels of land so purchased bears to the total amount of judgments upon all of the lots and parcels of land in said District. That all proceeds received from any such sales shall be immediately reported to this court and paid into the Registry of the court or to the City Clerk of the City of Miami, Oklahoma or to the Relator, as the court shall direct in its order of confirmation thereof. That said commissioner shall be required to file a bond in such form as may be approved by the court in the principal amount of \$_____, conditioned as the court may approve, which said bond shall be executed by a surety corporation authorized to do business in the State of Oklahoma, the cost of said bond and the principal fee of said commissioner shall be allowed said commissioner by further order of this Court.

IV

That Relator, W. J. Meredith, is hereby granted his costs in this action, which costs are to be prorated equally against the lots, tracts and parcels of land involved in this action.

MADE AND ENTERED at Tulsa, Oklahoma, this 26 day of Mar., A. D. 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court B

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

THE CITY OF MIAMI, OKLAHOMA, a municipal corporation, ex rel., W. J. MEREDITH,)	
)	
Plaintiff,	)	NO. 363 CIVIL ACTION
)	
vs.)	
)	
S. M. GALLOWAY, et al.,)	
)	
Defendants.)	

O R D E R

Now on this day this cause comes regularly on for trial, the plaintiff and Relator appearing by his attorney, Justus H. Fugate, and none of the defendants appearing in person or by attorney. The court being duly advised finds that a Military Service affidavit pursuant to the terms of the Soldiers & Sailors Civil Relief Act of 1940, has been filed showing that of the defendants to this cause, relator is unable to determine whether or not defendants Ben Barnhart and Fay Barnhart are in the military service of the United States.

The court further finds that this is an action to foreclose special assessment paving tax liens, the earliest installment of which liens became past due and delinquent in the year 1932, and that judgment should be entered in this cause foreclosing the lien of such taxes as prayed by the Relator.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY the court that judgment be entered against defendants, Ben Barnhart, Fay Barnhart and Mrs. C. H. Polley, as prayed by Relator.

DONE at Tulsa, Oklahoma, this 26th day of March, A. D. 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court B

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

THE CITY OF MIAMI, OKLAHOMA, a municipal corporation, ex rel., W. J. MEREDITH,)	
)	
Plaintiff,	)	CIVIL ACTION NO. 363
)	
-vs-)	
)	
S. M. GALLOWAY, et al.,)	
)	
Defendants.)	

FINAL DECREE

Now on this day this cause comes on for final determination on the issues between the Relator, W. J. Meredith, and the defendants to this action and the court having entered its findings of fact and conclusions of law finds that the Relator, W. J. Meredith, is entitled to the relief hereinafter granted.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court as follows,
to-wit:

I.

That all of the outstanding and unpaid City of Miami, Oklahoma Refunding Street Improvement Bonds, Series 17, dated June 15, 1932, and unpaid interest coupons pertaining thereto are valid and binding obligations of the City of Miami, Oklahoma, which said bonds and the interest thereon are payable from the reassessments and accumulated interest and penalties thereon which have been levied upon the lots and tracts of land benefited and which reassessments, interest and penalties are valid and subsisting liens upon the various lots, tracts and parcels of land.

II.

That Relator is hereby granted judgments for the amounts of the several reassessments, including interest and penalties to April 12, 1940, against the following described lots, tracts and parcels of land in the amounts hereinafter severally indicated:

DESCRIPTION OF PROPERTY, ORIGINAL TOWN OF MIAMI	AMOUNT OF JUDGMENT	NAMES OF OWNERS AND ENCUMBRANCERS
Lot 10, Block 11	\$807.38	George T. Hemmingson
Lot 13, Block 11	717.44	S. M. and Nancy J. Galloway, Mrs. C. H. Polley, Fay Barnhart, Ben Barnhart.
Lot 14, Block 11	962.99	S. M. and Nancy J. Galloway, Mrs. C. H. Polley, Fay Barnhart, Ben Barnhart.
Lot 11, Block 34	1085.10	George T. Hemmingson
Lot 8, Block 48	425.98	John Nidiffer and Ethel Nidiffer, his wife.
N. 12 $\frac{1}{2}$ Lot 17, Block 82	279.93	Elmer Isern
S. 37 $\frac{1}{2}$ Lot 17, Block 82	839.80	J. H. Taylor
Lot 18, Block 82	1119.73	J. H. Taylor

That each of said above stated amounts draws interest at the rate of six per cent (6%) per annum from April 12, 1940 until paid.

III.

That if the judgments herein granted Relator, W. J. Meredith, are not paid within thirty (30) days after the entry of this decree upon motion by Relator, W. J. Meredith, a commissioner shall be appointed and an order of sale issued to him directing that said commissioner shall advertise and sell said property in manner and form as required by and in accordance with the provisions of the U. S. Code, Title 28, Sections 847 and 849, provided, however, that any sale made by said commissioner shall be promptly reported to this court for confirmation. That said sale shall be for cash provided, however, that fifty per cent (50%) of the amount paid shall be paid in cash upon the acceptance of such bid and the balance of fifty per cent (50%) of said purchase price shall be paid upon the confirmation of the sale by the court, provided that at any sale or sales held under the law and this decree, the Relator, W. J. Meredith, shall have the right to bid on any property so being sold and in case Relator's bid is accepted, the amount of the judgment with interest to date of sale herein granted, Relator, W. J. Meredith, upon each of the several lots, tracts and parcels of land being owned by Relator, shall be considered as a payment of cash to the extent thereof. However, if Relator's bid is accepted for any lot of parcel of land and deed made to him, his assignee or nominee, upon confirmation of such deed by the court shall surrender, to the Registrar of this court for cancellation and delivery to the City of Miami, Oklahoma, unpaid coupons or bonds of said Series 17, in such proper proportionate amount of the total amount of bonds and interest thereon to April 12, 1940, as the amount of the judgments upon such

lots or parcels of land so purchased bears to the total amount of judgments upon all of the lots and parcels of land in said District. That all proceeds received from any such sales shall be immediately reported to this court and paid into the Registry of the court or to the City Clerk of the City of Miami, Oklahoma, or to the Relator, as the court shall direct in its order of confirmation thereof. That said commissioner shall be required to file a bond in such form as may be approved by the court in the principal amount of \$ _____, conditioned as the court may approve, which said bond shall be executed by a surety corporation authorized to do business in the State of Oklahoma, the cost of said bond and the principal fee of said commissioner shall be allowed said commissioner by further order of this court.

IV.

That Relator, W. J. Meredith, is hereby granted his costs in this action, which costs are to be prorated equally against the lots, tracts and parcels of land involved in this action.

MADE and ENTERED at Tulsa, Oklahoma, this 26 day of Mar., A. D. 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 26 1941
H. P. Warfield, Clerk
U. S. District Court B

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

THE CITY OF MIAMI, OKLAHOMA, a municipal corporation, ex rel., W. J. MEREDITH, Plaintiff,)
)
) CIVIL ACTION NO. 364
)
 vs.)
)
 C. W. TURNER, ET AL., Defendants.)

O R D E R

Now on this day this cause comes regularly on for trial, the plaintiff and the Relator, appearing by his attorney, Justus H. Fugate, and none of the defendants appearing in person or by attorney. The court being duly advised finds that a Military Service affidavit pursuant to the terms of the Soldiers & Sailors Civil Relief Act of 1940, has been filed showing that of the defendants to this cause, relator is unable to determine whether or not defendant Charles Harnar, Curtis Harnar, Mary Nell Hickman and Troy Hickman, are in the military service of the United States.

The court further finds that this is an action to foreclose special assessment paving tax liens, the earliest installment of which liens became past due and delinquent in the year 1932, and that judgment should be entered in this cause foreclosing the lien of such taxes as prayed by the Relator.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that judgment be entered against defendants, Charles, Harnar, Curtis Harnar, Mary Nell Hickman and Troy Hickman, prayed by Relator.

DONE at Tulsa, Oklahoma, this 26th day of March, A. D. 1941.

ENDORSED: Filed In Open Court
Mar 26, 1941
H. P. Warfield, Clerk
U. S. District Court B

ROYCE H. SAVAGE
United States District Judge