

IN THE DISTRICT COURT OF THE UNITED STATES IN THE NORTHERN DISTRICT OF  
OKLAHOMATHE CITY OF MIAMI, OKLAHOMA,  
a municipal corporation, ex rel.,  
W. J. MEREDITH,

Plaintiff,

CIVIL ACTION NO. 364

vs.

C. W. TURNER, 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 herein-after 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 9, 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
So. $\frac{1}{2}$ Lot 6, Block 45	\$ 188.05	Geo. T. Hemmingson
No. $\frac{1}{2}$ Lot 6, Block 45	188.05	C. W. Turner
Lot 16, Block 45	468.13	Mrs. Frank Richardson
Lot 17, Block 45	749.41	Mrs. Frank Richardson
Lot 20, Block 45	1348.92	Joseph John Chandler, a minor, c/o Homer Chandler
Lot 8, Block 46	180.63	Hubert W. Goodwin
Lot 8, Block 48	332.64	John Nidiffer and Ethel Nidiffer, his wife
So. $\frac{1}{2}$ Lot 6, Block 76	30.83	Mildred Phillips
Lot 7, Block 76	53.24	Mildren Phillips
Lot 15, Block 77	467.58	George T. Hemmingson
Lot 5, Block 82	507.27	George T. Hemmingson
Lot 1, Block 83	1107.10	Geo. E. Bomford
Lot 2, Block 83	1024.69	Geo. E. Bomford
Lot 3, Block 83	862.52	Geo. E. Bomford

Lot 6, Block 84	69.97	Lucille Wormington
So. 37 $\frac{1}{2}$ Lot 9, Block 84	29.16	Mary Nell Hickman and Troy Hickman, her husband
Lot 10, Block 84	543.58	Geo. E. Bomford
Lot 21, Block 93	90.30	Oscar Murphy and W. W. Dobs on
Lot 22, Block 93	90.30	Oscar Murphy and W. W. Dobs on
Lot 23, Block 93	90.30	Oscar Murphy and W. W. Dobs on
Lot 14, Block 99	183.44	Lida H. Einsel
Lot 15, Block 99	234.45	Lida H. Einsel
Lot 16, Block 99	108.76	Lida H. Einsel
Lot 15, Block 101	655.92	W. L. Watson
Lot 16, Block 101	655.92	W. L. Watson
Lot 30, Block 102	350.55	Geo. T. Hemmingson
Lot 26, Block 103	45.14	City of Miami, Oklahoma
Lot 27, Block 103	56.23	City of Miami, Oklahoma
Lot 29, Block 104	131.85	Lloyd E. Sullivan
Lot 30, Block 104	157.12	Cecil F. Sullivan
Lot 29, Block 104	159.91	Lloyd E. Sullivan
Lot 30, Block 104	163.31	Cecil F. Sullivan
Lot 9, Block 106	272.26	Lloyd E. Sullivan
Lot 10, Block 106	272.26	Cecil F. Sullivan
Lot 5, Block 107	552.63	Lloyd E. Sullivan
Lot 6, Block 107	828.83	Cecil F. Sullivan
Lot 7, Block 107	909.55	Lloyd E. Sullivan
Lot 8, Block 107	963.00	Cecil F. Sullivan
Lot 13, Block 107	474.70	Lloyd E. Sullivan
So. $\frac{1}{2}$ Lot 3, Block 113	174.13	Cecil F. Sullivan
No. $\frac{1}{2}$ Lot 3, Block 113	174.14	C. V. Carselowey
Lot 5, Block 116	475.69	C. V. Carselowey
Lot 6, Block 116	339.43	Frank and Nelle Nesbitt
Lot 7, Block 116	271.68	Frank and Nelle Nesbitt
Lot 8, Block 116	233.31	Frank and Nelle Nesbitt
Lot 5, Block 117	343.99	Frank and Nelle Nesbitt
Lot 7, Block 117	229.92	L. G. Webb
Lot 5, Block 117	687.32	Effie E. DeTar
Lot 7, Block 117	800.64	Nelle M. Nesbitt
Lot 8, Block 118	56.62	George T. Hemmingson
Lot 17, Block 119	532.29	George T. Hemmingson
Lot 18, Block 119	532.29	George T. Hemmingson
No. $\frac{1}{2}$ Lot 19, Block 119	199.00	Floyd A. Hicks, Orville Kempf
Lot 1, Block 120	154.09	Reuben M. Hale
Lot 2, Block 120	154.09	J. B. Pinnell
Lot 21, Block 120	74.64	Reuben M. Hale
Lot 22, Block 120	53.41	J. B. Pinnell
W. 30 of Lot 10, Block 121	176.87	Mrs. Frank Richardson
Lot 25, Block 123	316.86	Sam and Lucille Fields, his wife.
Lot 26, Block 123	316.86	Sam and Lucille Fields, his wife
Lot 27, Block 124	52.50	Sam and Lucille Fields, his wife
		David A. Dodd and Stella Dodd, his wife, Nancy Rader
		David A. Dodd and Stella Dodd, his wife, Nancy Rader
		Cora Isabell Warrington
		Cora Isabell Warrington
		S. C. Fullerton
		George T. Hemmingson
		George T. Hemmingson
		J. T. Hampton and Cora Hampton

Lot 28, Block 124	73.55
Lot 29, Block 124	224.48
Lot 30, Block 124	268.27
Lot 26, Block 125	22.95
Lot 27, Block 125	28.58
Lot 31, Block 125	896.73
Lot 32, Block 125	876.27
Lot 28, Block 126	538.50
Lot 29, Block 126	538.50
Lot 30, Block 126	746.03
Lot 31, Block 126	692.04
Lot 32, Block 126	692.04
Lot 9, Block 127	292.77
Lot 10, Block 127	292.77
Lot 11, Block 126	242.32
Lot 12, Block 128	339.25
Lot 29, Block 128	490.91
Lot 30, Block 128	584.40
Lot 31, Block 128	630.28
Lot 32, Block 128	630.28
Lot 6, Block 129	309.52
Lot 7, Block 129	395.51
Lot 8, Block 129	420.13
Lot 3, Block 134	120.40
So. 37½ Lot 10, Block 134	805.33
Lot 19, Block 135	400.41
Lot 20, Block 135	336.41
Lot 19, Block 135	480.35
Lot 20, Block 135	480.35
Lot 21, Block 135	702.38
Lot 22, Block 35	702.38
Lot 21, Block 135	491.86
Lot 22, Block 135	351.48
Lot 24, Block 136	42.31
Lot 3, Block 137	805.33
Lot 6, Block 137	483.17
Lot 7, Block 137	386.65
Lot 1, Block 138	780.31
N½ Lot 2, Block 138	390.15
S. ½ Lot 2, Block 138	390.16
Lot 23, Block 138	165.95

J. T. Hampton and Cora Hampton  
 Bella Harnar, James J. Harnar,  
 Daisy Harnar, Ralph Harnar, Dink  
 Harnar, Charles Harnar, Okey  
 Louise Rutherford, Beulah Brown,  
 Juanita Spicer, Curtis Harnar,  
 Davey Harnar and Eula Harnar.  
 Bella Harnar, James J. Harnar,  
 Daisy Harnar, Ralph Harnar, Dink  
 Harnar, Charles Harnar, Okey  
 Louise Rutherford, Beulah Brown,  
 Juanita Spicer, Curtis Harnar, Dav-  
 ey Harnar and Eula Harnar  
 Bert Payton and Martha Payton  
 Bert Payton and Martha Payton  
 W. O. Kemp  
 W. O. Kemp  
 George T. Hemmingson  
 George T. Hemmingson  
 J. B. Pinnell  
 J. B. Pinnell  
 J. B. Pinnell  
 J. H. Taylor  
 J. H. Taylor  
 C. V. Carselowey  
 C. V. Carselowey  
 L. G. Webb  
 L. G. Webb  
 L. G. Webb  
 L. G. Webb  
 Ethel Brown  
 Ethel Brown  
 Ethel Brown  
 Homer E. Kemper and  
 Robert Kemper  
 George T. Hemmingson  
 Mable R. Payton and Reba Mae  
 Payton, a minor  
 Mable R. Payton and Reba Mae  
 Payton, a minor  
 Mable R. Payton and Reba Mae  
 Payton, a minor  
 Mable R. Payton and Reba Mae  
 Payton, a minor  
 Mrs. Frank Richardson  
 J. B. Pinnell  
 Mrs. Geo. T. Webster  
 Mrs. Geo. T. Webster  
 Alta Lee  
 Alta Lee  
 Arthur and Jessie Wagoner,  
 Security Bank and Trust Company  
 George T. Hemmingson

Lot 24, Block 138	165.95	George T. Hemmingson
Lot 6, Block 138	381.63	W. U. Kemp
Lot 17, Block 139	484.06	George T. Hemmingson
Lot 18, Block 139	575.97	George T. Hemmingson
West 2/3 Lot 19, Block 139	463.41	George T. Hemmingson
West 1/2 Lot 20, Block 139	300.66	George T. Hemmingson
West 1/3 Lot 21, Block 139	190.79	George T. Hemmingson
West 1/4 Lot 22, Block 139	82.78	George T. Hemmingson
Lot 11, Block 145	606.98	George T. Hemmingson
Lot 12, Block 145	606.98	M. R. Brents
		M. R. Brents

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, except lots 26 and 27 in Block 103, original Town of Miami owned by the City of Miami, Oklahoma, 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 9 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. That if the judgments with interest, herein granted against Lots 26 and 27, Block 103, original town of Miami, Oklahoma, owned by the City of Miami, Oklahoma, are not paid within thirty (30) days after the entry of this decree, W. J. Meredith, Relator, may file in this cause his motion for a writ of mandamus directing said City of Miami and its officers to pay said judgments.

### IV

That 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 Lot 8 in Block 116, 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

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

JOHN E. RABBIT,	Plaintiff,	)	
		)	
vs.		)	No. 493 Civil
		)	
EMMA HOGSHOOTER, ET AL,	Defendants	)	
		)	
United States of America,	Intervener	)	

JUDGMENT DETERMINING HEIRS AND PARTITION OF LAND

Now on this the 20th day of January, 1941, this cause come on to be heard in open Court before Honorable Royce H. Savage, Judge presiding, and the Intervenor, the United States of America being represented 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 plaintiff, John E. Rabbitt appearing not, but being represented by W. E. Foltz, U. S. Probate Attorney, and the defendants, Emma Rabbitt nee hogshooter and Eli Rabbit appearing in person; and it appearing that legal notice of the time and place of hearing was given by publication to the defendants, the heirs, executors, administrators, trustees, devisees, successors and assigns, claimants and creditors, immediate and remote, whether known or unknown of Jack Rabbit, Cherokee Roll No. 12535, deceased, as shown by affidavit for service by publication, notice issued and published in the Pryor Jeffersonian, a newspaper of general circulation published in Mayes County, Oklahoma, the first publication being on the 19th day of September, 1940, and the last publication being on the 3rd day of October, 1940; proof of publication and affidavit re. mailing copies of petition and notice by publication; and that notice was served on the Superintendent for the Five Civilized Tribes and proof of service was filed and that the United States of America intervened; and that neither of the defendants, the heirs, executors, administrators, trustees, devisees, successors and assigns, claimants, and creditors, immediate or remote, whether known or unknown demurred, answered or otherwise plead within the time prescribed by law, nor appeared at this trial, but wholly defaulted, and the allegations in plaintiff's petition are taken as true and confessed by said defaulting defendants; and the Court finds that it has jurisdiction and defendants, Emma Rabbit nee Hogshooter and Eli Rabbit announce ready for trial and after an examination of the pleadings and papers in this case and after hearing the evidence and testimony of witnesses sworn and examined, the hearing is continued as to plaintiff, John E. Rabbit.

Now on this the 3rd day of February, 1941, this cause come on for further hearing and plaintiff, John E. Rabbit appearing in person and by his attorney, W. E. Foltz, Probate Attorney, further testimony was taken of witnesses sworn and examined, and the Court being fully advised in the premises finds:

That said Jack Rabbit was a full blood Cherokee Indian, Roll No. 12535, and that he died on the 23rd day of September, 1936, intestate, and that at the time of his death he was a permanent resident of Cherokee County, State of Oklahoma; that there has been no administration upon his estate and there is no legal cause for administration, and that he left no estate subject to administration, but that he was seized and possessed of an estate that is subject to distribution to his heirs; that his heirs have not heretofore been determined by a Court of competent jurisdiction, and that this Court has jurisdiction of the settlement of his estate and determination of his heirs for distribution of his estate.

That his estate consists of restricted Indian lands, to-wit:

Southeast Quarter of Southwest Quarter and the Southwest Quarter of Southwest Quarter of Southeast Quarter of Section Seventeen (17), Township Nineteen (19) North, Range Nineteen (19) East; and the South Twenty (20) acres of Lot Three (3) and the Northwest Quarter of the Northeast Quarter of Southeast Quarter; and the Southeast Quarter of Southwest Quarter of Northeast Quarter and the Northwest Ten (10) acres of Lot Three (3), and the Northeast Quarter of Southwest Quarter of Northeast Quarter, and the Northeast Quarter of Northeast Quarter of Southeast Quarter of Section Twenty-seven (27), Township Nineteen (19), North, Range Nineteen (19) East

and that he left no other real or personal property.

The Court further finds that said Jack Rabbit left no descendants by pre-deceased children, but left as his sole and only heirs, his widow, and sons, as follows:

Widow	Emma Rabbit nee Hogshooter, full blood Cher. Indian, roll No. 20,792
Son	Eli Rabbit, full blood Cher. NE.
Son	John E. Rabbit, one-half blood Cher. NE.

and the estate should be distributed to them in equal parts.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the estate of Jack Rabbit, deceased, described as:

Southeast Quarter of Southwest Quarter and the Southwest Quarter of Southwest Quarter of Southeast Quarter of Section Seventeen (17), Township Nineteen (19) North, Range Nineteen (19) East; and the South Twenty (20) acres of Lot Three (3), and the Northwest Quarter of the Northeast Quarter of Southeast Quarter; and the Southeast Quarter of Southwest Quarter of Northeast Quarter and the Northwest Ten (10) acres of Lot Three (3), and the Northeast Quarter of Southwest Quarter of Northeast Quarter, and the Northeast Quarter of Northeast Quarter of Southeast Quarter of Section Twenty-seven (27), Township Nineteen (19) North, Range Nineteen (19) East.

descended to and vested in his heirs, to-wit:

Emma Rabbit nee Hogshooter,	undivided 1/2 interest.
Eli Rabbit	undivided 1/3 interest
John E. Rabbitt	undivided 1/3 interest

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendants, the heirs, executors administrators, trustees, devisees, successors and assigns, claimants and creditors, are in default and that they have thereby confessed they have no interest in and to the estate of Jack Rabbit, deceased, and they are jointly and severally barred and enjoined from claiming or asserting any right, title, equity, or interest of any character in and to said estate.

IT IS FURTHER ORDERED that J. F. Pickens, L. M. Griffith, and Charles L. Bodine be and they are hereby appointed to make partition of said land. A certified copy of this Decree shall be their authority for so doing.

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

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

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Court adjourned to March 28, 1941

On this 28th 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

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

ORDER AUTHORIZING TRUSTEE TO COMPROMISE AND SETTLE DEFICIENCY  
JUDGMENT

On this 28th day of March, 1941, upon the application of J. H. McBirney, for authority to settle and compromise the deficiency judgment; and it appearing that J. H. McBirney, as Successor Trustee, obtained a judgment on the 10th day of April, 1939, against Robert P. Bowland, in the principal sum of Three Thousand Dollars (\$3,000.00) and interest to the date of judgment in the amount of One Thousand Two Hundred Ten & 79/100 Dollars (\$1,210.79), and the further sum of Three Hundred Dollars (\$300.00) as attorney fees, said judgment being entitled to a credit of One Hundred Eighty & 85/100 Dollars (\$180.65), and said judgment to bear interest from its date at the rate of ten per cent (10%) per annum, and further for the foreclosure of a real estate mortgage covering the following described real estate, to-wit:

Lot Twenty Seven (27) in Block Eight (8) in University Park  
Addition to the City of Tulsa, Tulsa County, Oklahoma;

and it appearing that pursuant to appropriate proceedings therefor, the said real estate was sold by the Sheriff of Tulsa County, Oklahoma, on the 6th day of February, 1940, and purchased by said J. H. McBirney, Successor Trustee, for the sum of Three Thousand Dollars (\$3,000.00), which sum was credited upon said judgment, and that thereafter the said trustee sold said real estate for the sum of Three Thousand Five Hundred Dollars (\$3,500.00), being required to pay a real estate brokerage commission in the amount of One Hundred Seventy Five Dollars (\$175.00) for arranging said sale; and it further appearing that J. H. McBirney, Successor Trustee, still has title to said judgment against Robert P. Bowland for the amounts above described, less the credit of Three Thousand Dollars (\$3,000.00); and it further appearing that the said Robert P. Bowland is employed as a clerk at the Skelly Oil Company and receives for his services the sum of One Hundred Fifty Dollars (\$150.00) per month; that the said Robert P. Bowland is supporting his wife, mother and son, and is indebted to others in the approximate sum of Two Hundred Fifty Dollars (\$250.00); and it further appears that it is doubtful whether the said J. H. McBirney, as trustee, can obtain payment and satisfaction of said judgment; and it further appearing that the said Robert P. Bowland has offered the sum of One Hundred Dollars (\$100.00) as payment and satisfaction in full for said deficiency judgment, in order that he may obtain a lot and acquire a home under the terms and provisions of the Federal Housing Act; and it appearing that the trustee has recommended the acceptance of said sum of One Hundred Dollars (\$100.00) as payment and satisfaction for said deficiency judgment, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to settle and compromise the judgment (deficiency) held by the said J. H. McBirney as Successor Trustee against Robert P. Bowland, in cause No. 63798, in the District Court of Tulsa County, Oklahoma, for the sum of One Hundred Dollars (\$100.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver to Robert P. Bowland a satisfaction of judgment in cause No. 63798 District Court of Tulsa County, Oklahoma, upon payment by the said Robert P. Bowland to the said trustee of the sum of One Hundred Dollars (\$100.00), the said Robert P. Bowland to bear all court costs for the filing of said satisfaction of judgment.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 28 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to March 31, 1941

On this 31st 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. M. 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 31st day of March, A. D. 1941, it being made satisfactorily to appear that Chal S. Wheeler is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 351 - Civil
		)
LEON C. PHILLIPS, Individually and as Governor		)
of the State of Oklahoma, et al.,	Defendants.	)

Now on this 31st day of March, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you, in a cause between The United States of America, Plaintiff, and Leon C. Phillips, Individually and as Governor of the State of Oklahoma; Mac Q. Williamson, Individually and as Attorney General of the State of Oklahoma; Louis A. Ledbetter, Individually and as Adjutant General of the National Guard of the State of Oklahoma, et al., Defendants, Civil Action No. 351, wherein the decree of the said District Court granting a preliminary injunction was duly entered in said cause on the 25th day of April, A. D. 1940, which decree is fully set out in the record of said cause in the office of the Clerk of said District Court and is incorporated herein by reference thereto:

as by the inspection of the transcript of the record of the said District Court, which was brought into the SUPREME COURT OF THE UNITED STATES by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears.

AND WHEREAS, in the present term of October, in the year of our Lord one thousand nine hundred and forty, the said cause came on to be heard before the said SUPREME COURT, on the said transcript of record, and was argued by counsel;

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court, in this cause be, and the same is hereby, vacated.







as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Peoria Tribe or Band of Indians by George Sky, Head Man and Chief, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Wea Townsite Company, a corporation, and the unknown heirs, executors, trustees, devisees, administrators and assigns both immediate and remote of William Wea, deceased, appellees, have and recover of and from Peoria Tribe or Band of Indians, by George Sky, Head Man and Chief, appellant, their costs herein.

- - February 24, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 1st day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	APPELLEES
Clerk,	\$- --
Printing Record,	\$- --
Attorney	<u>\$20.00</u>
	\$20.00

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

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

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

H. J. HATFIELD,	Plaintiff, )	
-vs-	)	No. 385 Civil
BROOKS PACKING CO., A CORPORATION,	Defendant. )	

DISMISSAL WITH PREJUDICE

COMES now plaintiff and dismisses herewith this action filed against the defendant herein with prejudice to future filing, acknowledging that full settlement has been made and payment has been received for same for all over-time claimed in said plaintiff's petition and for all attorney fees and that said full settlement has been made in compliance with the request and agreement as made with the claimant and plaintiff herein.

H. J. HATFIELD,  
Plaintiff

APPROVED and cause dismissed with prejudice - Apr. 3, 1941  
ENDORSED: Filed Apr 3 1941  
H. P. Warfield, Clerk  
U. S. District Court H  
ROYCE H. SAVAGE





The court further finds that the said offer of purchase is net to said trustee; that no real estate broker arranged the sale of said real estate, and that no real estate brokerage commission is due and payable in said transaction; that the said offer of purchase approximates the appraised value of said real estate; that said trust estate is in liquidation, and that it is to the best interest of said trust and its beneficiaries to sell said real estate for said consideration and upon said terms; and further finds that the trustee recommends the sale of said real estate for said consideration and upon said terms, and for other good cause,

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

Lot Twenty Two (22) in Block Two (2) in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

to Louis B. Burton and Kathleen J. Burton for the sum of Three Thousand Three Hundred Twenty Five Dollars (\$3,325.00) upon the following terms, to-wit: Seven Hundred Dollars (\$700.00) in cash and the balance of Two Thousand Six Hundred Twenty Five Dollars (\$2,625.00) to be payable in three (3) years as follows: Thirty Five Dollars (\$35.00) per month for thirty-five (35) months and the unpaid balance at the end of the thirty-sixth (36) month, said deferred payments to bear interest at the rate of six per cent (6%) per annum, and said interest to be included in and be a part of said Thirty Five Dollars (\$35.00) monthly payments, and that said deferred payments be secured by a first and prior real estate mortgage covering the real estate hereinabove described.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver a trustee's special warranty deed, transferring and conveying said real estate above described to Louis B. Burton and Kathleen J. Burton upon payment to the said trustee of the said sum of Seven Hundred Dollars (\$700.00) and the execution and delivery of a suitable promissory note evidencing indebtedness for the unpaid purchase price, to-wit: Two Thousand Six Hundred Twenty Five Dollars (\$2,625.00), payable within three (3) years from its date, and providing for interest thereon at the rate of six per cent (6%) per annum, and for monthly payments of Thirty Five Dollars (\$35.00) including interest, for thirty five (35) months, and the balance payable at the end of said thirty-sixth (36) month, and execution and delivery by Louis B. Burton and Kathleen J. Burton of a first and prior real estate mortgage covering said real estate above described, securing said deferred payments.

IT IS FURTHER ORDERED that the sale of the real estate above described by J. H. McBirney, Successor Trustee, to Louis B. Burton and Kathleen J. Burton, be and the same is hereby ratified, approved and confirmed.

F. E. KENNAMER  
United States District Judge

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

WILEY WATASHE, ET AL.,	Plaintiffs, )	
	)	
-vs-	)	No. 1292 - Equity
	)	
NANCY WATASHE, NOW ROLAND, ETC.,	Defendants. )	

Now on this 3rd day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause same being in words and figures as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States, for the Northern District of Oklahoma, before you, or some of you in a cause between Wiley Watashe, Eliza Watashe-Desmond, Lofahye Watashe, Barney Watashe, James Watashe and Martha Watashe-Dunn, plaintiffs, and Nancy Watashe, now Rowland, Johnny Watashe, Lucile Watashe and Jesse Watashe, minors, and Ethel Watashe, Guardian, defendants, No. 1292-Equity, the judgment of the said district court in said cause, entered on May 17, 1940, was in the following words, viz:

\* \* \* \* \*

"Therefore, it is ordered and adjudged by the court that the lots and lands above described cannot be partitioned in kind and that the appraised value thereof as fixed by the commissioners is the sum of Six Hundred Dollars (\$600.00), and no one of said parties having elected to take such lands at such appraised value.

It is further ordered by the court that said lots and lands be sold as upon execution. The court hereby appoints Jno. P. Logan, U. S. Marshall, as special master to conduct such sale of said lands and make his report to this court as upon sale under execution. To which order intervenor objects and exceptions are allowed."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by United States of America agreeably to the Act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed.

-- February 24, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 1st day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF  
Clerk, \$-- --  
Printing Record \$-- --  
Attorney, \$-- --  
\$-- --

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

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

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Court adjourned to April 4, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 4, 1941

On this 4th day of April, 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

Sam Cooper, John Cooper, Kizzie Kelly, John R. Miller, L. O. Lytle and Roy T. Wildman, a co-partnership doing business under the name of Miller, Lytle & Wildman and George H. Jennings, Plaintiffs,

-vs-

Edward Tecumseh, Effie Tecumseh, Mable Tecumseh, Ida Tecumseh, Mary Tecumseh, Israel Tecumseh, Rosella Charles, nee Kelly, Amos Tiger, Josephine Tiger and William Tiger, a minor, Defendants.

CIVIL ACTION ON FILE NO. 273

ORDER REVIVING ACTION

Now on this 4th day of April, 1941, same being one of the regular judicial days of the above entitled court, this cause came regularly on in its order for hearing on the motion of Walter Adelman, executor of the estate of John Cooper, deceased, to revive this action in the name of the said Walter Adelman, executor, as one of the plaintiffs herein. The plaintiffs and the said Walter Adelman, executor, being present by John R. Miller of the law firm of Miller, Lytle & Wildman, their

attorneys. The defendants being present by Whit Y. Mauzy, United States District Attorney and Chester A. Brewer, Deputy United States District Attorney. Said motion was duly presented to the court.

The court finds that all the parties hereto were duly notified of the hearing on said motion at this time and that the said John Cooper departed this life in Tulsa County, State of Oklahoma, as alleged in said petition, and that the said Walter Adelman is the duly appointed, qualified and acting executor of the estate of the said John Cooper, deceased and that this action should be revived in the name of the said Walter Adelman, executor, as one of the plaintiffs herein.

THEREFORE, It is by the Court ordered that this action as to John Cooper, one of the plaintiffs herein who is now deceased, be and the same is hereby revived in the name of Walter Adelman, executor of the estate of the said John Cooper, deceased, and that said Walter Adelman, executor, be and hereby is a party plaintiff herein in the place of the said John Cooper, now deceased, Walter Adelman, executor, granted five (5) days in which to plead herein.

ROYCE H. SAVAGE  
JUDGE

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

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

Sammons-Robertson Company,  
a corporation,

Plaintiff, )

-vs-

) Civil Action No. 443.

Massman Construction Company, a  
corporation, et al.,

Defendants. )

ORDER ENLARGING TIME WITHIN WHICH ALL DEFENDANTS  
EXCEPT RAY McNAUGHTON MAY ANSWER THE PLAINTIFF'S  
COMPLAINT

Now, on this the 4th day of April, 1941, upon application of all the defendants in the above styled cause except Ray McNaughton, and for good cause shown, it is hereby ordered that the time heretofore allowed said defendants within which to answer the plaintiff's complaint is enlarged and extended to and including the 21st day of April, 1941.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 4 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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

Larda Corporation, Incorporated,	Complainant,	)	
		)	
-vs-		)	CIVIL NO. 517
		)	
Grand River Dam Authority, a public corporation,		)	
	Defendant.	)	

ORDER DENYING DEFENDANT'S MOTION TO MAKE COMPLAINT  
MORE DEFINITE AND CERTAIN

NOW, on this the 4th day of April, 1941, coming on for hearing the motion of the defendant, Grand River Dam Authority, a public corporation, praying that the complainant be required to make its complaint filed herein more definite and certain and the court having examined the complaint and heard the statement of counsel finds that said motion should be denied.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by this Court that the defendant's motion, praying that the complainant be required to make its complaint more definite and certain be, and it is hereby, denied and the defendant is given fifteen (15) days from this date to plead or answer.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 7 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

Milton Roe Sabin and Bertha Florence		)	
Sabin,	Plaintiffs,	)	
		)	No. 522 - Civil
-vs-		)	
		)	
Home Owners' Loan Corporation, a corporation, et al,		)	
	Defendants	)	

JOURNAL ENTRY OF JUDGMENT

Now on this 4th day of April, 1941, before the Honorable Royce Savage, Judge of the United States District Court for the Northern District of Oklahoma, there comes on for hearing the plaintiff's motion for permission to amend their amended petition herein and the defendants', Home Owners' Loan Corporation, S. Morton Rutherford, A. Garland Marrs, W. S. Duggins and Cal Crum, motion for summary judgment and the plaintiff, Milton Roe Sabin, being present and representing himself and the plaintiff, Bertha Florence Sabin, being present and representing herself, and the defendants, Home Owners' Loan Corporation, A. Garland Marrs, W. S. Duggins and Cal Crum, appearing by their attorney, O. K. Wetzel, and S. Morton Rutherford, appearing for himself, and the Court being advised in the premises and upon the statements of the plaintiffs' and counsels' for the defendants, finds that the motion of the plaintiffs' to amend their amended petition should be granted and that the motion for the defendants for summary judgment should be passed.



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

CHARLEY THOMPSON,	Plaintiff,	)
		) No. 526 Civil
vs.		)
		)
JOE THOMPSON, et al,	Defendants.	)

O R D E R

Now on this 8th day of April, 1941, this matter having come on before the Court on April 4, 1941, on the motion of the United States of America to quash service of notice on the Superintendent of the Five Civilized Tribes, and the Court, after hearing the arguments of counsel and being fully advised in the premises, finds that said motion to quash service on the Superintendent of the Five Civilized Tribes should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion to quash service of notice on the Superintendent of the Five Civilized Tribes be, and the same is hereby overruled, to which ruling of the Court the United States of America excepts and exceptions are allowed.

IT IS THE FURTHER ORDER of the Court that United States of America have, and is in hereby granted fifteen (15) days from April 4, 1941, within which to plead in this cause of action.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Apr 8 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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

JERRY GOSS, by her father and next friend,	Plaintiff,	)
E. S. GOSS,		) No. 532 Civil
vs.		)
		)
MISSOURI-KANSAS-TEXAS RAILROAD COMPANY, a corporation,	Defendant.	)

O R D E R

Now, on this 4th day of April, 1941, comes on for hearing defendant's motions to require plaintiff Jerry Goss to make more definite and certain her cause of action as set forth in her petition and first amended petition herein, both parties being present by counsel, and the court having seen said motions and heard argument of counsel thereon, and being fully advised in the premises finds that same should be overruled.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the court that defendant's motions to require plaintiff Jerry Goss to make more definite and certain her cause of action as set forth in her petition and first amended petition herein be and they are hereby overruled, to which the defendant excepts.



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

FRANK WILLIAMS, a minor, by his father,	)	
JOHN G. WILLIAMS, as next friend, and	)	
JOHN G. WILLIAMS, Individually,	)	
	)	Plaintiffs,
	)	
vs.	)	
	)	No. 548 Civil
	)	
MISSOURI-KANSAS-TEXAS RAILROAD	)	
COMPANY, a corporation,	)	
	)	Defendant.

O R D E R

Now, on this 4th day of April, 1941, there comes on for hearing defendant's motion to require plaintiff Frank Williams to make more definite and certain his petition herein, both parties being present by counsel, and the court having seen said motion and heard argument of counsel thereon, and being fully advised in the premises finds that same should be overruled.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that defendnt's motion to require plaintiff Frank Williams to make more definite and certain his petition herein, be, and it is hereby overruled, to which the defendant excepts.

It is further considered, ordered and adjudged that the defendant be and it is hereby granted fifteen days from this date in which to plead further or answer.

ROYCE H. SAVAGE  
JUDGE

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

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Court adjourned to April 5, 1941

On this 5th day of April, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

Consolidated Cement Company, a Delaware Corporation,	Plaintiff,	)	
		)	
vs.		)	No. 301 Civil
		)	
Builders' Supply Company, a corporation,	Defendant.	)	

O R D E R

On application of J. M. Chandler as receiver herein therefor, for good cause shown it is hereby ordered:

1. Said receiver is authorized to sell two trucks of said Builders' Supply Com-  
pany, being

- 1 1926 Model 51 White dump truck; and,
- 1 1925 body and frame model 40 D White dump truck,

for the sum of \$125.00, and \$50.00, respectively, said trucks being in dis-use and not required in the conduct of the business of said company.

Dated this 5 day of April, 1941.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 5 1941  
H. P. Warfield, Clerk  
U. S. District Court H.

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Court adjourned to April 7, 1941.

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

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

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMAIN THE MATTER OF THE COMPENSATION AND EXPENSES OF COMMISSIONERS  
APPOINTED BY THIS COURT TO APPRAISE LAND IN THE GRAND RIVER DAM  
AUTHORITY CONDEMNATION CASES NOS. 303 CIVIL, 304 CIVIL AND THE  
MISCELLANEOUS ACCOUNT OF COMMISSIONERSO R D E R

This matter coming on to be heard tis 7th day of April, A. D. 1941, and the Court having examined the claims filed by Commissioners Edward Soph, Henry E. Hoffman and Dan Bishop in Cases Nos. 303 and 304 and the claim for Miscellaneous expenses filed November 14, 1940, finds that the claims of said Commissioners for per diem, expenses and mileage are correct and are due said Commissioners.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the claims of said Commissioners are filed with the Clerk of this Court in Civil Cases Nos. 303 and 304 and Miscellaneous Bill filed November 14, 1940, be and they are hereby approved and allowed and IT IS FURTHER ORDERED by the Court that said Commissioners are allowed the sum of \$10.00 per day each and actual expenses and mileage of five cents per mile actually traveled by each Commissioner while using his own automobile in the performance of his duty as such Commissioner.

IT IS FURTHER ORDERED by the Court that the Grand River Dam Authority deposit with the Clerk of this Court the amount claimed by said Commissioners Edward Soph, Henry E. Hoffman and Dan Bishop as follows:

Civil Case No. 303	\$ 173.80
Civil Case No. 304	95.50
Miscellaneous, per statement filed November 14, 1940	299.55

and that the Clerk of this Court be and he is hereby directed to disburse to each Commissioner the amount due him as shown by the claims of said Commissioner the amount due him as shown by the claims of said Commissioners.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 7 1941  
H. P. Warfield, Clerk  
U. S. District Court ME

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

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

O R D E R

Now, on this 7th day of April, 1941, this matter coming on before me;

IT IS ORDERED that the Receiver, Joseph R. McGraw, be, and he is hereby, authorized and directed to make regular distribution of 25¢ per unit to all unit-holders of Associated Petroleum Properties and Provident Trust, each a Trust Estate, during the month of April, 1941.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 7 1941  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,	)	
		)	
vs.		)	No. 553 Civil
		)	
One 1938 Hudson Sedan Automobile, Motor No.		)	
98945; Harold W. Taylor and Associates Dis-		)	
count Corporation, South Bend, Indiana,	Claimants.	)	

ORDER FOR MONITION

Now on this 7th day of April, 1941, it appearing to the court that the said 1938 Hudson Sedan Automobile, motor No. 98945, was seized on Main Street in the City of Miami, in Ottawa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on February 4, 1941, by Chief of Police, Ira W. Ellis, and members of the Police Department, Marcus Kinney and Noble Anderson, for the City of Miami, Oklahoma, and Shockney B. Wilkerson, Investigator of the Department of Public Safety for the State of Oklahoma, by virtue of authority of their offices and in accordance with the provisions of law in such case made and provided while said automobile was being used by Harold W. Taylor in violation of Section 781, Title 49, United States Code Annotated, to facilitate the transportation, conveyance, concealment, receipt, possession and barter of narcotic drugs, to-wit: One (1) ounce and Ten (10) grains Marihuana, said Marihuana being a part of the plant Cannabis sativa L., without having paid the special Internal Revenue Tax as required by law Sections 3230 and 3231, Title 26, United States Code Annotated, and without having registered as required by Section 3231, Title 26, United States Code Annotated; it further appearing that claimant, Associates Discount Corporation, filed its claim and furnished a satisfactory bond to the United States in the penal sum of Two Hundred Fifty Dollars (\$250.00) with the Collector as provided by Section 1608, Title 19, United States Code Annotated, and that thereupon, the matter was transmitted to the United States Attorney as provided therein, whereupon libelant has instituted libel action herein and request

issuance of monition notofying claimants Harold W. Taylor and Associates Discount Corporation, South Bend, Indiana, of this proceeding, unless notice thereof be waived.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Harold W. Taylor and Associates Discount Corporation, South Bend, Indiana, unless notice thereof be waived, and any other person that might claim any interest in said automobile requiring them to appear in said court on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile should not be forfeited to libelant under provisions of Section 782, Title 49, United States Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Custom and Internal Revenue Laws of the United States.

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

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 7 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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

FRED W. SEYMOUR, TRUSTEE,	Plaintiff, )	
	)	
vs.	)	No. 1277 Equity
	)	
GILMORT OIL COMPANY, a corporation,	Defendant. )	

JOURNAL ENTRY

Now on this 7th day of April, 1941, the above matter comes on for hearing upon the application of Iverson Tool Company praying for an order awarding its possession of certain drilling tools and equipment which are fully described in the application. Claimant, Iverson Tool Company, appears by its attorneys, Duff & Manatt, J. A. Duff making the appearance, and the Receivers of the Gilmort Oil Company appear by Lawrence Mills, one of their attorneys, and Harold Stuart, who represents E. J. Doerner, the other attorney for the Receivers.

Thereupon, applicant presented its evidence, and attorneys for the Receivers resisted said application; and at the conclusion of the evidence, the court finds:

That claimant is not entitled to possession of said property, for lack of sufficient identification, but it further appears to the court that there is located on one of the leases in the hands of the Receivers, a mast which is used in connection with and is really a part of a drilling rig. The identification on said mast is sufficient, but in lieu of the possession thereof, the court finds that said mast is of the value of Fifty Dollars (\$50.00), and awards to Iverson Tool Company a preferred claim with lien upon said mast, in the sum of Fifty Dollars (\$50.00). The court finds that Fifty Dollars (\$50.00) is the reasonable value of said mast, and denies the possession thereof to the claimant.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the court that Iverson Tool Company have, and it is hereby granted and awarded, a first and prior lien and preferred claim upon said mast, which is now in the hands of the Receivers, as security for the payment of said Fifty Dollars (\$50.00), the value of the mast. And when said mast is sold, it shall be sold separate from the other



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

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
vs.		) No. 353 - Civil
		)
Midland Valley Railroad Company,		)
a Corporation,	Defendant.	)

ORDER

Now on this 8th day of April, 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 within 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 April 8, 1941.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff herein, United States of America be, and hereby is granted an extension of fifteen (15) days from April 8, 1941, within which to file an amended complaint herein.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 8 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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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 8th day of April, 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 within 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 April 8, 1941.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff herein, United States of America, be, and hereby is granted an extension of fifteen (15) days from April 8, 1941, within which to file an amended complaint herein.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 8 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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Court adjourned to April 9, 1941





## GREETING:

WHEREAS, lately in the District Court of the United State for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and Lawford L. Browning; Ruby Browning; Bill Boyd; James Jackson; Witt Nickerson; E. W. Shepherd; J. E. Herod, sometimes known as Joe E. Herod; Josie Herod; William Delbert Hopper; A. W. McDonald; A. W. Killion; G. C. McConkey; Saide McConkey; Roy Mathia; Arthur Stanley; George W. Cupp; Mabel Cupp; Herman Jones; Reuben E. Huffaker; Bessie B. Huffaker; O. W. Smithpeter; A. Smithpeter; Orville Brown; Oatis Hugaboom; Commissioners of the Land Office of the State of Oklahoma; the Federal Land Bank of Wichita, Wichita, Kansas, a corporation; The Travelers Insurance Company, a corporation; The Baxter State Bank, a corporation, Baxter Springs, Kansas, sometimes known as the Baxter State Bank of Baxter Springs, Kansas, also known as The Baxter State Bank of Cherokee County, Kansas; Board of County Commissioners of Delaware County, Oklahoma; John Curtis, County Treasurer of Delaware County, Oklahoma; and Russell Doss, County Treasurer of Ottawa County, Oklahoma, defendants, No. 232 Civil, the judgment of the said district court in said cause, entered on April 23, 1940, was in the following words, viz:

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

Tract No. 7 (24 GR-D 1236, 24 GR-D 1270).

$N\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ,  $N\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Lot 1 and Lot 2, less the NW 5 acres, Sec. 27, T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, Delaware County, Oklahoma, containing 76.68 acres more or less

A tract of land, all lying in the  $W\frac{1}{2}$  of Lot 4 and the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 26, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SW corner of the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence Easterly along the South boundary of the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the SE corner thereof; thence N. 0° 02' W. along the East boundary of  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  9.4 feet; thence N. 82° 16' W. 0.9 feet; thence N. 36° 21' N. 18.5 feet; thence N. 42° 40' W. 234.1 feet; thence N. 82° 11' W. 224.5 feet; thence N. 86° 22' W. 148.1 feet; thence N. 35° 56' W. 209.7 feet; thence N. 16° 16' E. 341.4 feet; thence N. 33° 39' E. 403.6 feet; thence S. 70° 37' E. 198.8 feet; thence N. 14° 14' E. 484.9 feet; thence N. 38° 46' E. 26.5 feet; thence N. 36° 38' E. 12.9 feet; thence N. 52° 19' E. 3.1 feet to a point in the East boundary of the  $W\frac{1}{2}$  of Lot 4; thence N. 0° 02' W. along said East boundary a distance of 457.4 feet; thence N. 87° 41' W. 374.5 feet to a point in the North boundary of the  $W\frac{1}{2}$  of Lot 4; thence S. 89° 39' W. along the North boundary of the  $W\frac{1}{2}$  of Lot 4 a distance of 285.8 feet to the NW corner thereof; thence Southerly along the West boundary of the  $W\frac{1}{2}$  of Lot 4 and the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 18.5 acres, more or less;

and

All that certain tract of land situated in T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

The SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, less 3.33 acres Arkansas & Oklahoma R. R. right-of-way containing 36.67 acres, more or less, and any and all reversionary interest in and to the right-of-way of said Arkansas & Oklahoma R. R.;

Said tract No. 7 containing a total of 131.85 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$18,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$5365.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$5365.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$18,850.00, and the amount awarded the owners of said land by the commissioners in the sum of \$13,185.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that O. W. Smithpeter et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-p March 3, 1941.

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

WITNESS the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellees
Clerk,	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

GRAND RIVER DAM AUTHORITY,	Plaintiff,	)
		)
-vs-		) No. 246 - Civil
		)
H. H. THOMPSON, ET AL,	Defendants.	)

Now on this 10th day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and H. H. Thompson; Ora Thompson; Elmer Thompson; Annabell Thompson; Nellie Smith; H.B. Smith; Paschel Thompson; Mrs. Paschel Thompson; Dinmon Thompson; Mrs. Dinmon Thompson; Maude E. Gayman; M. W. Gayman; Claude Harmon; W. M. Kelson; Lewis DuBois; Eva DuBois; William Herman; Cleo Needham; G. D. Needham; Geneva Needham; Mary V. Eighinger; V.E. Tipton; Lydia Tipton; Myrtle V. Aungst; J. W. Williams; Trustee for Myrtle Aungst; Katherine Aungst; R. L. Logan; G. C. Ray, sometimes known as George C. Ray; Mattie E. Ray; John Ray; Roy Wood; Sarah Wood; the same as Sarah E. Wood; W. L. Headlee; Lura Vogle; First National Bank of Grove, a corporation; Federal Surety Company, a corporation; The Travelers Insurance Company, a corporation; Commissioners of the Land Office of the State of Oklahoma; The Federal Land Bank of Wichita, Wichita, Kansas, a corporation; Land Bank Commissioner; Federal Farm Mortgage Corporation, a corporation; The Federal Land Bank of Wichita, Wichita, Kansas, a corporation; agent and attorney-in-fact for Land Bank Commissioner and Federal Farm Mortgage Corporation, a corporation; Corner Stone Bank of Southwest City, Missouri, a corporation; Prospect Company, a corporation; Board of County Commissioners of Delaware County; Russell Doss, County Treasurer of Ottawa County, John Curtis, County Treasurer of Delaware County, Oklahoma, defendants, No. 246 Civil, the judgment of the said district court in said cause, entered on April 23, 1940, was in the following words, viz:

\* \* \* \* \*

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 (17 GR-D 736; 18 GR-D 882; 22 GR-D 1073).

(Clerk's note: the real estate here described in the original judgment being a corresponding description to that previously referred to and described in said original judgment therefore, in the interest of brevity, the description recitals are here omitted.)

Said Tract No. 3 containing 378.10 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the lands herein described by the Grand River Dam Authority,

a public corporation, are assessed at \$30,180.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$1668.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$1668.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$30,180.00, and the amount awarded the owners of said land by the commissioners in the sum of \$28,512.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights, incident to the ownership of said land, including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record of the said District Court which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Lewis DuBois, et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-- March 3, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellees
Clerk,	\$-- --
Printing Record,	\$-- --
Attorney,	\$20.00
	<u>          </u>
	\$20.00

ROBERT S. GARTWRIGHT,  
Clerk of the United States Circuit Court of  
Appeals, Tenth Circuit

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court .B



owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by the court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that G. C. Ray, sometimes known as George C. Ray, et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-- March 3, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellees
Clerk,	\$-- --
Printing Record	\$-- --
Attorney	<u>\$20.00</u>
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA,	Plaintiff, )
	)
-vs-	) No. 246 - Civil
	)
H. H. THOMPSON, ET AL,	Defendant.

Now on this 10th day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and H. H. Thompson et al., defendants, No. 246, Civil, the judgment of the said district court in said cause, on lands known as Roy Wood lands, entered on April 23, 1940, was in the following words viz:

\* \* \* \* \*

It is therefore, considered, ordered and adjudged by the court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 7 (19 GR-D 909; 19 GR-D 912; 19 GR-D 959; 20 GR-D 1008)

(Clerk's Note: The real estate described in the original judgment under the above tract numbers is the same and identical description as that under the corresponding tract numbered in the Petition for Condemnation, and hence in the interest of brevity is here omitted).

Said tract containing 336.0 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$22,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$57.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$57.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$22,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$21,943.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

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

And the judgment of the said district court in said cause on lands known as Sarah Wood lands, entered on April 23, 1940, was in the following words, viz:

\* \* \* \* \*

It is, Therefore, Considered, Ordered and Adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 7 (19 GR-D 912 A; 19 GR-D 958).  
(As Consolidated from Civil No. 266).

(Clerk's Note: The real estate here described in the original judgment being a corresponding description to that previously referred to and described in said original judgment, therefore, in the interest of brevity the description recitals are hereby omitted.)

Said two tracts containing 70.0 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$9,900.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$3,450.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$3,450.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$9,900.00, and the amount awarded the owners of said land by the commissioners in the sum of \$6,450.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land; including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Roy Wood,

et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-- March 3, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellees
Clerk,	\$-- --
Printing Record,	\$-- --
Attorney,	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

GRAND RIVER DAM AUTHORITY,	Plaintiff, )
	)
-vs-	) No. 246 - Civil
	)
H. H. THOMPSON, ET AL,	Defendants. )

Now on this 10th day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and H. H. Thompson, Ora Thompson, Elmer Thompson, Anna bell Thompson, Nellie D. Smith, H. B. Smith, Pascel Thompson, Mrs. Paschel Thompson, Dinmon Thompson, Mrs. Dinman Thompson, Maude E. Gayman, M. W. Gayman, Claude Harmon, W. M. Kelson, Lewis DuBois, Eva DuBois, William Herman, Cleo Needham, G. D. Needham; Geneva Needham, Mary V. Eighinger, V. E. Tipton, Lyde Tipton, Myrtle V. Aungst, J. W. Williams, Trustee for Myrtle Aungst, Katherine Aungst, R. L. Logan, G.C. Ray, sometimes known as George C. Ray, Mattie E. Ray, John Ray, Roy Wood, Sarah Wood, the same as Sarah E. Wood, W. L. Headlee, Lura Vogle, First National Bank of Grove, a corporation, Federal Surety Company, a corporation, The Travelers Insurance Company, a corporation, Commissioners of the Land Office of the State of Oklahoma, The Federal Land Bank of Wichita, Wichita, Kansas, a corporation, Land Bank Commissioner; Federal Farm Mortgage Corporation, a corporation, The Federal Land Bank of Wichita, Wichita, Kansas, a corporation, agent and attorney-in-fact for Land Bank Commissioner and Federal Farm Mortgage Corporation, a corporation, Corner Stone Bank of Southwest City, Missouri, a corporation; Prospect Company, a corporation, Board of County Commissioners of Delaware County, Russell Doss, County Treasurer of Ottawa County, John Curtis, County Treasurer of Delaware County, Oklahoma, defendants, No. 246, Civil, the judgment of the district court in said cause, entered on April 23, 1940, was in the following

words, viz:

\* \* \* \* \*

It is Therefore, Considered, Ordered and Adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 1 (18 GR-D 843, 19 GR-D 960 E & W)

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

Lot 3, the  $W\frac{1}{2}$  of Lot 2, and the W. 9.1 acres of Lot 6 of Sec. 4, T 24 N - R 23 E of the Indian Base and Meridian, containing 68.31 acres, more or less;

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

and

$W\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 33, T 25 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 20.0 acres, more or less; and

SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Lot 5, Lot 6 and Lot 7, Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 98.98 acres, more or less;

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

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that H. H. Thompson, et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation appellant, their costs herein.

-- March 3, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellees		ROBERT B. CARTWRIGHT
Clerk	\$-- --	Attorney \$20.00	Clerk of the United States Circuit Court of
Printing record	\$-- --	\$20.00	Appeals, Tenth Circuit

ENDORSED: Filed Apr 10 1941 H. P. Warfield, Clerk -----



a public corporation, shall have all rights, incident to the ownership of said land, including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that (A. O. Kephart) Sarah E. Buchanan et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, their costs herein.

-- March 3, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	Appellees.
Clerk,	\$00 --
Printing Record	\$-- --
Attorney,	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

GRAND RIVER DAM AUTHORITY,	Plaintiff, )	
	)	
-vs-	)	No. 264 - Civil
	)	
C. M. COPELAND, ET AL.,	Defendants. )	

Now on this 10th day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and C. M. Copeland, et al., defendants, No. 264 Civil, the judgment of the said district court in said cause, entered on April 23, 1940, was in the following words, viz:

\* \* \* \* \*

It is, therefore, Considered, Ordered and Adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (17 GR-D 834; 18 GR-D 880; 18 GR-D 876)

(Clerk's Note: The real estate here described in the original judgment being a corresponding description to that previously referred to and described in said original judgment, and therefore, in the interest of brevity, the description recitals are here omitted.)

Said Tract No. 2, containing a total of 161.0 acres, more or less,

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$18,750.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$730.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$730.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$18,750.00, and the amount awarded the owners of said land by the commissioners in the sum of \$18,020.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record, of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that (C. M. Copeland) E. B. Wensel, the same as E. B. Wensell, et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-- March 3, 1941.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	appellees
Clerk,	\$-- --
Printing Record	\$-- --
Attorney,	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

GRAND RIVER DAM AUTHORITY,	Plaintiff,	)
		)
-vs-		) No. 264 - Civil
		)
C. M. COPELAND, ET AL,	Defendants.	)

Now on this 10th day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and C. M. Copeland, et al., defendants, No. 264 Civil, the judgment of the said district court in said cause, entered on April 23, 1940, was in the following words, viz:

\* \* \* \* \*

It is, therefore, considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project, the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 3 (24 GR-D 1232; 24 GR-D 1233; 19 GR-D 961)

(Clerk's Note: The real estate here described in the original judgment being a corresponding description to that previously referred to and described in said original judgment, and therefore, in the interest of brevity, the description recitals are here omitted.)

Said Tract No. 3, containing 225.48, acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$16,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$425.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$425.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$16,500.00 and the amount awarded the owners of said land by the commissioners in the sum of \$16,075.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

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

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Goldie Newburn et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-- March 3, 1941.

You, therefore, are hereby commanded that such proceedings be had in said cause,

as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	appellees
Clerk,	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

GRAND RIVER DAM AUTHORITY,	Plaintiff, )
	)
-vs-	) No. 277 - Civil
	)
C. D. MITCHELL, ET AL,	Defendants. )

On this 10th day of April, A. D. 1941, is ordered by the Court that the Clerk file and spread the Mandate of record in the above cause, same being in words and figures as follows to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Grand River Dam Authority, a public corporation, petitioner, and C. D. Mitchell, et al., defendants, No. 277, Civil, the judgment of the said district court in said cause, entered on August 6, 1940, was in the following words, viz:

\* \* \* \* \*

It is, therefore, Considered, Ordered and Adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 3 (2 GR-M 101)

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

The SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 1, containing 10.0 acres, more or less; and the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , the W $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , the N $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and the NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , of Sec. 12, containing 85.0 acres, more or less;

All in T 23 N - R 21 E of the Indian Base and Meridian; the whole tract containing in all ninety-five (95.0) acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$7,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$995.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$995.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$7,500.00 and the amount awarded the owners of said land by the commissioners in the sum of \$6,505.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

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

as by the inspection of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Grand River Dam Authority, a public corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that A. M. Burks, sometimes known as A. M. Burke, et al., appellees, have and recover of and from Grand River Dam Authority, a public corporation, appellant, their costs herein.

-- March 3, 1941.

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

WITNESS the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 8th day of April, in the year of our Lord one thousand nine hundred and forty-one.

COSTS OF	APPELLEES
Clerk,	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Apr 10 1941 H. P. Warfield, Clerk U. S. District Court B

MARYLAND CASUALTY CO. ETC.	Plaintiff, )	
	)	
-vs-	)	No. 1290 - Equity
	)	
E. A. KELLEAM, ET AL,	Defendants. )	

Now on this 10th day of April, A. D. 1941, it is ordered by the Court that the Clerk file and spread of record the Mandate in above styled cause, same being in words and figures as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

(SEAL)

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

GREETING:

WHEREAS, lately in the United States Circuit Court of Appeals for the Tenth Circuit in a cause between E. A. Kelleam, Nell Southard, Joe E. Kelleam and J. R. Southard, Jr., Appellants, Maryland Casualty Company of Baltimore, Maryland, Mrs. Ethel Riddler, Mrs. Dorothy Payne, et al., Appellees, No. 2059, wherein the judgment of the said Circuit Court of Appeals, entered in said cause on the 17th day of June, A. D. 1940, is in the following words, viz:

"This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Oklahoma and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Maryland Casualty Company of Baltimore, Maryland, a corporation, Mrs. Ethel Riddler, Mrs. Dorothy Payne, J. K. Perkins, Mrs. F. Bates, Glen Perkins, Bessie Mathews, Mrs. Elouise Kulp, Leggette Hall, Lamar Hall, Marguerite Bradley Kelleam, Mary Kate Hall, Kelleam Hall, Clifford Kelleam, Kathleen Kelleam, Dr. Fannin Kelleam, Francis Kelleam, Mrs. Jimmie Kelleam and Robert Kelleam, appellees, have and recover of and from E. A. Kelleam, Nell Southard, Joe E. Kelleam and Joe R. Southard, Jr., appellants, their costs herein."

as by the inspection of the transcript of the record of the said United States Circuit Court of Appeals which was brought into the SUPREME COURT OF THE UNITED STATES by virtue of a writ of certiorari, agreeably to the act of Congress in such case made and provided, fully and at large appears.

AND WHEREAS, in the present term of October, in the year of our Lord one thousand nine hundred and forty, the said cause came on to be heard before the said SUPREME COURT, on the said transcript of record, and was argued by counsel;

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that the said appellants, E. A. Kelleam, Nell Southard, Joe E. Kelleam, et al., recover against the said appellees Four Hundred Twenty-three Dollars and Eighty-three Cents for their costs herein expended and have execution therefor.

AND IT IS FURTHER ORDERED, that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Oklahoma for further proceedings in conformity with the opinion of this Court.

February 17, 1941.

You, therefore, are hereby commanded that such execution and further proceedings be had in said cause, in conformity with the opinion and judgment of this Court, as according to right and justice, and the laws of the United States, ought to be had, the said writ of certiorari notwithstanding.

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

COSTS OF	Appellants.
Clerk	\$114.25
Printing record	\$289.58
Attorney	\$ 20.00
	<u>\$423.83</u>

CHARLES ELMORE CROPLEY  
Clerk of the Supreme Court of the United States

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1940

Costs of E. A. Kelleam, Nell Southard, Joe E. Kelleam and Joe R. Southard, Jr.,  
in No. 349

1940 October Term - Docketing cause and filing record, \$10.00; appearance, .50, filing precipe and receipt . 50; filing papers, \$9.25; filing briefs, \$20.00; submission, .60, order, .20; filing and recording, .65; certified copy of the order, \$2.50; certificate and seals, \$4.00, argument, .20; judgment \$1.00; filing same, .25; recording, .40; mandate, \$5.00; preparing record for printer, etc. \$58.80; cost of printing record, \$289.58; attorney's docket fee, \$20.00; costs and copy, .40;

423.83  
423.83

FEE BOOK, Page 44 698

Test; CHARLES ELMORE CROPLEY,  
Clerk of the Supreme Court of the United States

By HUGH W. BARR, Deputy

ENDORSED: Filed Apr 10 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to April 11, 1941

On this 11th day of April, 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:

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

Mabel Tiffany, D. N. Tiffany, Dorothy	)	
Jeanette Tiffany, and Martha Lou	)	
Tiffany and D. N. Tiffany, Jr.,	)	
by their next friend and natural guardian,	)	
D. N. Tiffany, Sr.,	)	Civil No. 546
	)	
	)	
-vs-	)	
	)	
Toklan Royalty Corporation, a corporation,	)	
Defendant.	)	

O R D E R

On this 11th day of April, 1941, the motion of Toklan Royalty Corporation to dismiss the complaint herein for failure to state a claim upon which relief can be granted came on for hearing and was presented and argued.

After hearing said arguments, the Court is of the opinion that said motion to dismiss the complaint should be sustained.

IT IS THEREFORE ORDERED AND DECREED that the motion of the defendant, Toklan Royalty Corporation, to dismiss the complaint herein for failure to state a claim upon which relief can be granted, be and the same hereby is sustained, and the complaint in the above action be and it hereby is dismissed.

ROYCE H. SAVAGE  
United States District Judge

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

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

Mabel O. Miller,	Plaintiff,	)	
		)	
v.		)	No. 549 Civil
		)	
Sinclair-Prairie Oil Company,		)	
a corporation, et al.,	Defendants.	)	

O R D E R

Upon stipulation of the parties, and for good cause shown, it is ORDERED that the time within which the defendants in the above entitled action and each of them may move, answer or otherwise plead therein be and the same is hereby extended to and including May 20, 1941.

Dated this 11 day of April, 1941.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 11 1941  
H. P. Warfield, Clerk  
U. S. District Court B

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

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
vs		)	No. 2578 - Law
		)	
CONTINENTAL OIL COMPANY, a		)	
corporation,	Defendant.	)	

ORDER SUSTAINING MOTION TO DISMISS AMENDED COMPLAINT

It appearing to the Court that on the 25th day of April, 1939, the motion of the defendant, Continental Oil Company, to dismiss the amended complaint filed by the plaintiff in the above entitled cause was presented and submitted, and that on the same date the motion to dismiss the amended complaint of the plaintiff in Cause No. 2569-Law, entitled United States of America plaintiff, vs. Sinclair-Prairie Oil Company, a corporation, on the docket of said Court was likewise presented and submitted, and that the questions involved in each of said motions and said amended complaints, respectively, are and were substantially the same;

And it further appearing to the Court that on the 7th day of June, 1939, an order was entered sustaining the defendant's motion to dismiss in each of said cases and thereupon the United States of America, as plaintiff in Cause No. 2569-Law, gave notice of its intention to appeal from said order in said cause to the United States Circuit Court of Appeals for the Tenth Circuit, and on July 10, 1939 by agreement of the parties in Cause No. 2578-Law the order sustaining the motion to dismiss in said Cause No. 2578-Law was vacated and the parties thereto agreed that said motion should be allowed to pend the final disposition on appeal of the motion to dismiss in Cause No. 2569-Law;

And it further appearing that the United States Circuit Court of Appeals for the Tenth Circuit has upheld the action of this Court in sustaining the said motion to dismiss in Cause No. 2569-Law and that the time within which any appeal could be taken from said action of the said Circuit Court of Appeals has long since expired and no appeal has been taken and said judgment has become final.

The Court finds that the motion to dismiss the amended complaint of the plaintiff in Cause No. 2578-Law should be sustained and said Cause be dismissed.

IT IS THEREFORE ORDERED, CONSIDERED AND ADJUDGED that the motion of Continental Oil Company, the above named defendant, to dismiss the amended complaint of the United States of America, as plaintiff, in the above entitled cause be and the same is hereby sustained and said cause is dismissed with prejudice.

This 11th day of April, 1941.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 11 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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. )

O R D E R

This cause came on to be heard on this 11th day of April, 1941, upon the application of Eben L. Taylor, Receiver herein, for an order authorizing the removal of the iron porch or portico now a part of the front of the Alexander Hotel, and to authorize said Receiver to permit the lessees of said hotel building to install in the place thereof such other canopy or awning as may best fit their purposes in the operation of said hotel.

And it appearing to the Court, from the evidence offered in support of said application, that the removal of said iron porch or portico can be effected without damage to said building and with little or no cost or expense to the receivership estate, and that the removal of same and the installation of a new awning or canopy instead thereof will be for the best interests of said building and the hotel business therein now conducted;

IT IS ORDERED that the said Receiver, Eben L. Taylor, be and he is hereby authorized to remove said iron porch or portico from in front of said Alexander Hotel Building, and that upon its removal said Receiver be and he hereby is authorized and directed to permit the present lessees of said hotel building to erect, at their own expense, such canopy or awning, instead of the present front, as they may deem best in the conduct of their hotel business.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 11 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 11th day of April, 1941, upon the application of Eben L. Taylor, Receiver herein, for approval of lease contract made between said Receiver as lessor, and Earl L. Hughes and Eileen Hughes, doing business as Hughes Beauty Academy, as lessees;

And it appearing to the Court from the evidence offered in support of said application, and from an examination of said contract or 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 105 East Third Street in the building



On this 14th day of April, 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

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

-vs-

ORDER RELATING TO SEPARATE AMENDED ANSWER OF O. M. IRELAN  
AND DAISY D. IRELAN, Defendants.

Now on this 1st day of April, 1941, upon the stipulation, in open Court, between counsel for plaintiffs and defendants, O. M. Ireelan and Daisy D. Ireelan, it is by the Court ordered, that the following portion of the answer of J. M. Felkel, defendant, be and the same is hereby made a part of the said defendants' answer, to-wit:

"Further answering defendants say that the cause of action set forth in plaintiff's petition as against these answering defendants is barred by the following provisions of Sec. 101 of the 1931 Oklahoma Statutes, 120 O. S. A. 96:

"Limitation of Actions, Civil Actions, other than for the recovery of real property, can only be brought within the following periods, after the cause of action shall have accrued, and not afterwards:

"First. Within Five years: An action upon any contract, agreement or promise in writing.

"Second. Within three years: An action upon a contract express or implied not in writing; an action upon any liability created by statute other than a forfeiture or penalty.\*\*\*\*\*

"Sixth. An action for relief, not hereinbefore provided for, can only be brought within five years after the cause of action shall have accrued."

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 14 1941  
H. P. Warfield, Clerk  
U. S. District Court JS

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

HAZEL D. WOODWARD BRADSHAW,	Plaintiff,	)
		)
vs.		) NO. 508 CIVIL
		)
UNITED STATES,	Defendant.	)

O R D E R

This matter coming on for hearing this 28th day of March, 1941 upon the motion of the United States to dismiss and the movant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and the plaintiff appearing by her attorney, Harold E. Rorschach and the court being fully advised in the premises finds that said motion should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED that the motion of the United States to dismiss be and the same hereby is overruled, to which action of the court the United States excepts, which exceptions duly allowed.

IT IS FURTHER ORDERED that the United States be and it hereby is granted Thirty (30) days from this date in which to file an answer.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 14 1941  
E. P. Warfield, Clerk  
U. S. District Court B

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

Deshalecoweney (Joe) Hay, Modie Hay,		)
Eva Barnett, nee Hay, and Lofa Hay,	Plaintiffs,	)
		)
-vs-		) No. 521 CIVIL
		)
Sakcota Hay, nee Staley,	Defendant,	)
		)
United States of America,	Intervener.	)

ORDER FOR PARTITION

Now on this 14th day of April, 1941, the above entitled cause comes on regularly for hearing upon the petition of the plaintiffs, the answer and cross-petition of the defendant, and the intervening petition of the United States of America. The plaintiffs appear by their attorney, James J. Mars, the defendant appears by her attorneys, Wilkinson & Smith, and the intervener, United States of America, appears in its own behalf and in behalf of said plaintiffs and said defendant by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, acting under direction of the Attorney General of the United States and at the request of the Secretary of the Interior of the United States, and the Court after hearing the evidence and being fully advised in the premises finds:

That the United States was served with notice and copies of all pleadings in the State Court in the above entitled cause by service of the same upon the Superintendent of the Five Civilized Tribes under the provisions of the Act of Congress of April 12, 1926, (44 Stat. 239) entered its appearance in said cause in the District Court of Creek County, Oklahoma, and removed said cause to this court.

The Court further finds that said intervener in its own behalf and in behalf of said plaintiffs and said defendant is an interested party for the reason that said plaintiffs and said defendant are restricted full blood Indians and under the provisions of the United States of America.

The Court further finds that that part of the real estate involved in this action described as follows, to-wit:

Northwest Quarter of Section 10, Township 17 North, Range 10 East, Creek County, Oklahoma,

was duly allotted to Eggie Hay, a full blood Creek Indian duly enrolled upon the approved rolls opposite no. 6896, who died, intestate, on or about the 14th day of June, 1921; that as heirs of said allottee said plaintiffs inherited and are now the owners in fee simple of an undivided 116/135ths interest in and to said real estate, and that said defendant inherited and is now the owner in fee simple of an undivided 19/135ths interest in and to said real estate.

That the remainder of the real estate involved in this action, to-wit:

Southwest Quarter of Section 201, Township 18 North, Range 11 East, Creek County, Oklahoma,

was duly allotted to John Hay, a full blood Creek Indian duly enrolled upon the approved rolls opposite No. 6895, who died, intestate on or about the 26th day of March, 1938; that as heirs of said allottee said plaintiffs and said defendant inherited and now are the owners in fee simple of an undivided 1/5th interest each in and to said real estate.

The Court further finds that the claim of said defendant for an accounting of the rents, profits and issues under her cross-petition has been amicably settled and compromised and such cause of action should be, and the same is hereby dismissed with prejudice.

The Court further finds that said real estate should be partitioned as prayed for.

IT IS, THEREFORE, by the Court, ORDERED, ADJUDGED and DECREED that the shares of said plaintiffs and said defendant and their respective interests in the aforesaid lands be, and the same are hereby confirmed and that partition of said lands be made accordingly; that E. R. Unger, C. C. Taylor and J. F. Pickens are hereby appointed commissioners, and, upon taking the oath prescribed by law, they shall proceed to make partition and report the same to this court.

IT IS FURTHER ORDERED by the Court that in the event that partition in kind cannot be made without manifest injury, that said commissioners make a valuation and appraisement of said lands and make due return thereof according to law.

IT IS FURTHER ORDERED by the Court that in order to make the relief herein granted adequate and sufficient and for the purpose of granting such other and further relief as may be necessary, jurisdiction is hereby retained in this court to make any other order not inconsistent with this judgment as may be proper.

ROYCE H. SAVAGE  
DISTRICT JUDGE

ENDORSED: Filed In Open Court  
Apr 14 1941  
H. P. Warfield, Clerk  
U. S. District Court H

On this 16th day of April, 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  
A. R. Cottle, Deputy United States Marshal  
Chester A. Brewer, Assistant United States Attorney

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

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

Grand River Dam Authority, a public corporation,	) ) )	Petitioner,	) ) )
-vs-	)		)
Charlotte J. Landrum, et al,	)	Defendants,	)

CIVIL NO. 332  
Tract No. 1 (11 GR-D 548)

AMENDED ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY  
CORRECTING ORDER HERETOFORE MADE ON THE 17th day of March,  
1941, AS TO TRACT NO. 1 (11 GR-D 548)

NOW, on this 16th day of April, 1941, there coming on for hearing the motion of the petitioner, Grand River Dam Authority, a public corporation, praying that the order confirming report of commissioners and journal entry entered herein on the 17th day of March, 1941, be amended and corrected for the following reasons; that in preparing the order and journal entry the defendants and appearances recited in said order of March 17th, 1941, erroneously named the defendants and appearances as to Tract No. 2 (22 GR-D 1052) herein, instead of the defendants and appearances in Tract No. 1 (11 GR-D 548) and that said order confirming report of commissioners and journal entry of March 17th, 1941, should be amended and corrected to speak the truth:

IT IS THEREFORE ORDERED that the order confirming report of commissioners and journal entry dated March 17th, 1941, be, and it is hereby amended and corrected to read as follows, to-wit:

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. 1 (Map No. 11, Tract No. GR-D 548), 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 under 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

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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 (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:

Beginning at the N E corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , thence South-  
erly along the East boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  to the SE  
corner thereof; thence N. 89° 19' W. along the South boundary  
of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 588.9 feet to a point 76.7  
feet East of the SW corner thereof; thence N. 34° 53' E. 28.4  
feet; thence N. 3° 20' E. 149.0 feet; thence N. 25° 27' E. 482.4  
feet; thence N. 9° 58' W. 570.6 feet; thence N. 61° 55' W. 170.0  
feet; thence N. 31° 15' E. 85.2 feet to a point in the North  
boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 84.6 feet East of the NW corner  
thereof; thence S. 39° 19' E. along said North boundary a dis-  
tance of 580.9 feet to the point of beginning, less 1.65 acres  
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 18th 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 $\frac{1}{2}$  NW $\frac{1}{4}$  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:

Beginning at the NE corner of said E $\frac{1}{2}$  SE $\frac{1}{2}$  NW $\frac{1}{4}$ , thence Southerly along the East Boundary of said E $\frac{1}{2}$  SE $\frac{1}{2}$  NW $\frac{1}{4}$  to the SE corner thereof; thence N. 89° 19' W. along the South boundary of said E $\frac{1}{2}$  SE $\frac{1}{2}$  NW $\frac{1}{4}$  a distance of 588.9 feet to a point 76.7 feet East of the SW corner thereof; thence N. 34° 53' E. 28.4 feet; thence N. 3° 20' E. 149.0 feet; thence N. 25° 27' E. 482.4 feet; thence N. 9° 58' W. 570.6 feet; thence N. 61° 55' W. 170.0 feet; thence N. 31° 15' E. 85.2 feet to a point in the North boundary of said E $\frac{1}{2}$  SE $\frac{1}{2}$  NW $\frac{1}{4}$  and 84.6 feet East of the NW corner thereof; thence S. 89° 19' E. along said North boundary a distance of 580.9 feet to the point of beginning, less 1.65 acres K. O. & G. R. Right-ofway, containing 12.65 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 25th day of October, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$810.00, 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  
Apr 16 1941  
H. P. Warfield, Clerk  
U. S. District Court H



TRACT NO. 2 (22 GR-D 1082)

A tract of land, all lying in the E<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> and the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, 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<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> and 500.5 feet North of the SW corner thereof; thence N. 0° 07' W. along the West boundary of the E<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> 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° 20' 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 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 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 of 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 \$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

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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 $\frac{1}{4}$  SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  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. 86° 10' E. 373.7 feet; thence N. 86° 55' E. 293.0 feet; thence S. 72° 28' W. 180.9 feet; thence S. 62° 14' W. 394.3 feet; thence S. 49° 19' W. 79.5 feet; thence S. 0° 26' W. 113.3 feet; thence S. 4° 17' E. 157.1 feet; thence S. 6° 12' E. 151.1 feet; thence N. 21° 51' W. 117.1 feet; thence N. 52° 55' W. 96.3 feet; thence N. 76° 11' W. 117.3 feet; thence N. 18° 16' W. 219.2 feet; thence N. 57° 08' W. 101.9 feet; thence S. 86° 56' W. 153.1 feet; thence N. 72° 07' W. 333.0 feet; thence N. 70° 40' W. 30.7 feet; to the point of beginning, containing 12.0 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 25th day of October, 1940, be, and is hereby confirmed and approved, and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$591.00, 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  
Apr 16 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. 370  
 -vs- ) Tract No. 2  
 United States of America, Lucinda West, now Chambers, et al., )  
 Defendants. )

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO TRACT NO. 2 (Map No. 34, Tract No. GR-D 1728)

NOW, on this 16th day of April, 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 all defendants, appearing by the Honorable Chester A. Brewer, Assistant United States Attorney in and 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. 34, Tract No. GR-D 1728), 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 70 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 (34 GR-D 1728)

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, 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 NW corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  thence N. 89° 53' E. along the North boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 166.0 feet to a point 1153.6 feet West of the NE corner thereof; thence S. 1° 18' E. 145.0 feet; thence S. 25° 28' W. 386.7 feet to a point on the West boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 837.0 feet North of the SW corner thereof; thence N. 0° 21' W. along said West boundary a distance of 493.9 feet to the point of beginning, containing 1.2 acres, more or less,

is in the basin or reservoir area of the Grand River Dam Project, and is below the meander line which

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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 24th day of July, 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 Soper 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 24th day of July, 1940, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon and view and inspect the real property herein described, and did consider the injury which the owners and those having any right, title or interest therein sustained by reason of the appropriation and taking thereof, and did assess damages in the sum of \$60.00 to the owners and those having any right, title or interest therein by reason of the taking of said property for public purposes; and that said commissioners did make and file their report in writing with the Clerk of the United States District Court in and for the Northern District of Oklahoma, on the 25th day of October, 1940.

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

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

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

TRACT NO. 2 (34 GR-D 1728)

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, 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 NW corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$ , thence N. 89° 53' E. along the North boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 152.0 feet to a point 152.6 feet West of the NE corner

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thereof, thence S. 1° 18' E. 145.0 feet; thence S. 25° 28' E. 386.7 feet to a point in the West boundary of said NW 1/4 SE 1/4 and 837.0 feet North of the SW corner thereof; thence N. 0° 21' W. along said West boundary a distance of 493.9 feet to the point of beginning, containing 1.2 acres, more or less.

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

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

ENDORSED: Filed In Open Court  
Apr 16 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. 370  
-vs- ) Tract No. 4  
United States of America, )  
Eliza J. Audrain, et al., ) Defendants.

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY AS TO TRACT NO. 4 (Map No. 48, Tract No. GR-O 433-A)

NOW, on this 16th day of April, 1941, the above entitled cause of action and the report of commissioners filed herein on the 25th day of October, 1940, coming on for consideration, and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and Q. B. Boydston, Assistant Counsel, and the defendants, the heirs, known and unknown, of Henry Hicks, deceased, appearing by the Honorable Chester A. Brewer, Assistant United States Attorney and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the absolute, entire and unencumbered fee simple title to the tract of land described in and known as Tract No. 4 (Map No. 48, Tract No. GR-O 433-A), 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

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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 (48 GR-O 433-A)

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

Lot 3 of Sec. 30, T 27 N - R 24 E of the Indian Base and Meridian, Quapaw Survey, containing six-tenths (0.6) acre, 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,

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 24th day of July, 1940, the Judge of this Court, after considering the petition and application of the petitioner, selected and appointed from the regular jurist 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 24th day of July, 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 \$45.00 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 \$45.00 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. 4 (48 GR-O 433-A)

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

Lot 3 of Sec. 30, T 27 N - R 24 E of the Indian Base and Meridian, Quapaw Survey, containing six-tenths (0.6) acre, 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.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 25th day of October, 1940, be, and is hereby confirmed and approved and that the Grand River Dam Authority, a public corporation, has paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$45.00, 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  
Apr. 16 1941  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
Court adjourned subject to call

REGULAR JANUARY 1941 TERM

THURSDAY, APRIL 17, 1941

On this 17th day of April, 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. Hanzy, 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

R. E. GLDS COMPANY, a corporation, Plaintiff, )

vs. )

No. 302 Civil

The Board of Education of the Town of Wilton,  
of the State of Oklahoma, designated as Independent  
School District #20, Creek County, State of  
Oklahoma, body corporate, et al.,

Defendants. )

ORDER PERMITTING WITHDRAWAL OF ATTORNEYS

On this 17th day of April, 1941, it is ordered that the withdrawal of A. N. Murphy and Charles E. Ecker as attorneys for the complainant be and the same is hereby approved by the Court.

F. E. KENNAMER  
JUDGE

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

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

SALMONS-ROBERTSON COMPANY, a Corporation, Plaintiff, )

vs. )

Case No. 443 Civil

MASSMAN CONSTRUCTION COMPANY, a Corporation, et al., Defendants. )

ORDER GRANTING EXTENSION OF TIME IN WHICH TO ANSWER

Now, on this 16 day of April, 1941, application having been made by the defendants Massman Construction Company, a Corporation, and the eighteen surety company defendants herein, and each of them, for an extension of time in which to answer, the Court well and sufficiently advised in the premises, and for good cause shown, finds that said application should be sustained.

IT IS THEREFORE ORDERED, that said defendants above named be given an extension of time from the 21st day of April, 1941, until the 1st day of May, 1941 in which to file their answers.

ENDORSED: Filed Apr 16 1941  
H. P. Warfield, Clerk, U. S. District Court

ROYCE H. SAVAGE  
Judge

Court adjourned to April 18, 1941

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

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 18, 1941

On this 18th day of April, 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

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

ORDER

Now on this 18th day of April, 1941, the same being a regular judicial day of the above court, the application of Noble C. Hood, receiver of the Seminole Provident Trust, for authority to pay expenses incurred in the operation of the Seminole Provident Trust came on regularly for hearing and the Court, being fully advised in the premises, finds that said application should be in all things allowed; NOW, THEREFORE,

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

- 1. To Fred Daniel & Company, rent for month of April, 1941 \$35.00
2. To Ferne Fulton for stenographic work 10.00
3. To Daniel & Daniel, for professional services in connection with preparation of Federal and State Income Tax Returns for 1940 15.00
4. Cash for Postage 10.00

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

ENDORSED: Filed Apr 18 1941
H. P. Warfield, Clerk
U. S. District Court AC

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 18, 1941

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

Grand River Dam Authority, a  
public corporation,

Petitioner,

-vs-

James W. Elliott, Lena Elliott, et al.,

Defendants.

CIVIL NO. 324

JOURNAL ENTRY OF JUDGMENT OVERRULING DEFENDANTS MOTION FOR NEW  
TRIAL, AND, MODIFYING PREVIOUS ORDER DIRECTING DISTRIBUTION OF  
AWARD AND TAXING COSTS

In the above entitled and numbered cause and pursuant to previous assignments the motion of the defendants James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey, for a new trial came on for hearing and consideration on April 16, 1941, before the court sitting at Vinita, in the Northern District of Oklahoma; said named defendants appearing and being represented by their attorneys Mr. T. A. Chandler and Mr. Clyde Morsey, and the petitioner Grand River Dam Authority, a public corporation, appearing and being represented by its attorneys Mr. Q. B. Boydston and Mr. Jesse L. Ballard.

And the Court, after hearing had on said motion, and being advised in the premises doth find that said motion should be overruled and denied, upon condition, however, that said defendants have of the award money herein One Hundred Dollars (\$100.00), in addition to that allowed and awarded to them under the order of distribution made herein on March 11, 1941.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court, that, the motion of the defendants, James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey, for a new trial herein is overruled and denied; and

It is Further Ordered, that, the Clerk of this court, be, and he is directed to make distribution of the award of commissioners heretofore deposited herein by the plaintiff in the sum of \$2960.00, as follows, to-wit:

- To the defendants, James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey - as damages for wire destroyed - \$50.00
- To the defendants, James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey - the consideration for the land ("Turkey Island") as set forth in the contract of sale and purchase involved herein \$1045.00
- To the defendants James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey - award made in connection with and upon consideration of said defendant's motion for new trial \$100.00
- To the petitioner Grand River Dam Authority \$1765.00

It is Further Ordered, Adjudged and Decreed by the court, that the petitioner pay all costs incurred subsequent to the filing of the report of the commissioners herein by reason of its action herein as reason of its action herein as against the defendants James W. Elliott, Lena Elliott, Clyde Morsey and Susanne Morsey; and

It is Further Ordered, Adjudged and Decreed by the Court, that, the previous order of distribution made herein on March 11, 1941, be and same hereby is changed and modified to conform to and be in all respects consistent with the foregoing provisions of this judgment and decree.

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

ENDORSED: Filed Apr 18 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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

Sammons-Robertson Company, a corporation,  
Plaintiff,

-vs-

Massman Construction Company, a corporation, et al,  
Defendants.

No. 443 Civil

ORDER GRANTING EXTENSION OF TIME IN WHICH TO ANSWER

Now, on this 18th day of April, 1941, application having been made by the defendants, Grand River Dam Authority, a public corporation, W. R. Holway, sole surviving member of the partnership composed of W. R. Holway and H. C. Neuffer, deceased, George W. Schaeffer, Owen L. Buttle, Guy Crouse, H. A. Eichenberger, and Olin Perkins, former members of the Board of Directors of the Grand River Dam Authority, for an extension of time in which to answer the plaintiff's Complaint, and the Court being well and sufficiently advised in the premises, good cause having been shown for such extension and that said application should be sustained;

NOW, THEREFORE, IT IS HEREBY ORDERED that said defendants above named be, and they are hereby, given extension of time from the 21st day of April, 1941, until the 1st day of May, 1941, in which to file their answer or answers.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 18 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

REGULAR JANUARY 1941 TERM

OKLAHOMA

FRIDAY, APRIL 18, 1941

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

Dewey T. Ross Engineering Corporation,	)	
	Plaintiff,	)
-vs-		No. 544 - Civil
Grand River Dam Authority, a corporation,	)	
	Defendant.	)

ORDER GRANTING EXTENSION OF TIME IN WHICH TO PLEAD

Now, on this the 18th day of April, 1941, application having been made by the defendant, Grand River Dam Authority, a corporation, for an extension of time in which to plead in the above entitled cause, and the Court, being well and sufficiently advised in the premises, finds that good cause for such extension has been shown and that said application should be granted.

NOW, THEREFORE, IT IS HEREBY ORDERED that the said defendants, Grand River Dam Authority, a corporation, be, and it is hereby, granted an extension of time from the 18th day of April, 1941, until the 1st day of May, 1941, in which to prepare and file its pleading to plaintiff's Complaint.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 18 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

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

Julius Jacobson, and Augusta Jacobson,	)	
	Plaintiffs,	)
vs.		Civil No. 561
Southwestern Theatres, Inc., a corporation, and Griffith Southwestern Theatres, Inc., a corporation,	)	
	Defendants.	)

O R D E R

For good cause shown the defendant, Southwestern Theatres, Inc., is granted up to and including May 9, 1941 in which to plead in said cause.

Dated this 17th day of April, 1941.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 18 1941  
H. P. Warfield, Clerk  
U. S. District Court AC

On this 21st day of April, 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 E. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 21st day of April, A. D. 1941, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular January 1941 Term of this court, for Petit Jurors for this Regular January 1941 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned as follows:

Paul A. McIntire	J. W. Gump
A. J. Gibson	L. M. Torbet
Wm. Hackney	H. M. Hows
O. L. Ward	Fred B. Koontz
Gus Toney	J. H. Farmer
Clarence E. Stout	Fred W. Cowden
O. H. Stowe	A. L. Derby
James A. Lowe	Jack Triplett
Paul E. Mahaffey	Tom Kirk
Charles B. Fowler	Roy L. Denton
W. D. Ringo	Claud E. Davis
Walter Hood	A. B. C. Dague
George Hook	H. C. Wintz
C. F. Hooper	C. H. Hubbard
T. Blake Dirickson	John Price
Chas. Voelker	George Dupy
Arthur F. Hall	Charley Spratt
Frank O. Botkin	Paul E. Wallman
L. C. Lowery	Lenard Warder
W. M. Wilson	A. J. Mahoney
Bob Hale	Geo. Washburn
Freeman S. Washam	Calloway Wasaey
	C. T. Patton

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

Paul A. McIntire	L. M. Torbet
O. H. Stowe	Fred B. Koontz
Paul E. Mahaffey	J. H. Farmer
W. D. Ringo	A. L. Derby
Walter Hood	H. C. Wintz
T. Blake Dirickson	C. H. Hubbard
L. C. Lowery	Lenard Warder
J. W. Gump	Freeman S. Washam

are excused from service as jurors for the term.

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

Calloway Wasaey	C. T. Patton
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be and they are, hereby, stricken from the list.

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MORNING, APRIL 21, 1941

Whereupon, the balance of said array are accepted as Petit Jurors for this Regular January 1941 Term of said Court.

FILED IN OPEN COURT  
Apr 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

W. E. MEEK, Plaintiff, \*  
vs. \* No. 239  
GEORGE H. MILLER, Defendant. \*

C R D E R

On this 10th day of January, 1941, there came on for hearing the motion of the defendant to set aside the order of this court entered in this cause on the 27th day of December, 1940, dismissing said cause without prejudice to a future action; plaintiff appearing by his attorney, F. A. Bodovitz, and the defendant appearing by his attorney, Irvine E. Ungerman; and the court being fully advised in the premises, finds that the said motion to be set aside the order of dismissal without prejudice, entered herein on the 27th day of December, 1940, should be overruled and denied, and for good cause,

IT IS ORDERED that the motion of the defendant, George H. Miller, to set aside the order entered herein on the 27th day of December, 1940, dismissing said cause without prejudice to a future action, be and the same is hereby overruled and denied.

And it appearing that the defendant herein has taken, and caused to be taken, depositions of witnesses for the trial of this cause, said depositions being on file in the office of the Clerk of this court, upon the oral stipulation of the parties hereto, and as a condition to the entry of the said order herein,

IT IS ORDERED that depositions taken by either of the parties hereto, on file in the office of the Clerk of this court, may be used by either party hereto, in whole or in part, in the trial of the issues involved in this cause, between the parties hereto, in cause No. 69361, District Court of Tulsa County, Oklahoma, subject to the materiality, relevancy and competency of the questions and answers set forth and involved therein, it being stipulated that said depositions may be used to the same effect and extent as if said depositions had been taken in said cause No. 69361, District Court of Tulsa County, Oklahoma, subject to the right of either party to object to the same, or any part thereof, for want of materiality, competency or relevancy.

F. E. KENNAMER  
United States District Court

ENDORSED: Filed Apr 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

REGULAR JANUARY TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 21, 1941

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

UNITED STATES OF AMERICA, Plaintiff, )
vs. ) NO. 437 - CIVIL
MADGE M. CARRIGER, ET AL, Defendants. )

O R D E R

This matter coming on for hearing this 21st day of April, 1941, upon the motion of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the court being fully advised in the premises, finds that said motion of the plaintiff to dismiss should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this cause be and the same hereby is dismissed without prejudice at the cost of the plaintiff.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 21st day of April, 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 the trustee was a real estate mortgage note, executed by H. A. Eichenberger, and Lucy Mae Eichenberger as makers, to the Exchange National Company, for the principal sum of Five Thousand Dollars (\$5,000.00), said note being secured by a first real estate mortgage covering the following described real estate, to-wit:

Lot Twenty Three (23), Block One (1) Reservoir Vier Addition, being a sub-division of all of Block Three (3) of Acre Gardens Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof;

and it further appearing that because of the inability of the trustee to collect said note, he instituted cause No. 88517 in the District Court of Tulsa County, Oklahoma, and obtained judgment therein on the 12th day of March, 1938, after obtaining service upon H. A. Eichenberger and Lucy Mae Eichenberger by publication as provided by the Statutes of the State of Oklahoma, for the service of process upon non-resident defendants, for the principal sum of Four Thousand Seven Hundred fifty nine & 99/100 Dollars

RECEIVED JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 21, 1941

(\$4,750.00), with interest at the rate of  $7\frac{1}{8}\%$  per annum from the 1st day of July, 1932, and the further sum of four hundred seventy five dollars (\$475.00) as attorney fees, and the costs of the action, said for the foreclosure of the real estate mortgage; that pursuant to appropriate proceedings therefor the said real estate was sold by the Sheriff of Tulsa County to satisfy said judgment, and the said J. H. McBirney, Successor Trustee, purchased said real estate at said Sheriff's sale, the amount bid therefor being applied as a credit upon said judgment, and that said sale was duly confirmed by the District Court of Tulsa County, Oklahoma; and the court finds that the said J. H. McBirney, as Successor Trustee, is the present owner of legal title in and to said real estate; and it further appearing that the said J. H. McBirney, Successor Trustee, has an offer from G. W. Reece for the purchase of said real estate and improvements for the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) in cash, and that the said trustee, J. H. McBirney, has notified the members of the Advisory Committee appointed by this court, upon whom notice of proposed sales of real estate of said trust should be given, and that the members of said Advisory Committee have considered said offer of purchase and have approved the same, and have recommended that the said trustee sell said real estate and improvements for said cash consideration; and it further appearing that the said real estate above described is improved with a brick duplex dwelling, each unit containing four (4) rooms, and is further improved with a two-car garage, and the said property is located at 239-241 East Young Place in the City of Tulsa; that the offer for said real estate approximates the appraised value of said real estate and improvements; that said trust estate is in liquidation; that the said trustee has not had a higher or better offer for said real estate and improvements, and that the said trustee has recommended that said real estate and improvements be sold for said cash consideration; and it further appearing that the sale of said real estate was arranged by Mrs. Marion Hall, a real estate broker in the City of Tulsa, who is entitled to compensation for her said services in the event said sale is finally completed, and that the usual and customary compensation for said services is five per cent (5%) of the said sales price, and that Mrs. Marion Hall should be paid the sum of Two Hundred Twelve & 50/100 Dollars (\$212.50) as compensation in full for said services as real estate broker in the event said sale is finally consummated, and for other good cause;

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

Lot Twenty Three (23), Block One (1), Reservoir View Addition, being a sub-division of all of Block Three (3) of Acre Gardens Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

for the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver to G. W. Reece a trustee's special warranty deed, transferring and conveying said real estate and improvements above described to G. W. Reece, upon payment by the said G. W. Reece to J. H. McBirney, Successor Trustee, of the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00).

IT IS FURTHER ORDERED that the sale of the real estate above described by J. H. McBirney, Successor Trustee, to G. W. Reece, for the consideration above set forth, be and the same is hereby confirmed and approved.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to pay to Mrs. Marion Hall the sum of Two Hundred Twelve & 50/100 (\$212.50) as compensation in full for her services as real estate broker herein, in the event the said sale herein is finally consummated.

F. E. KERNAMER  
UNITED STATES DISTRICT JUDGE

ENDO SED: Filed Apr 21 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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

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

ORDER AUTHORIZING TRUSTEE TO PARTIALLY RELEASE JUDGMENT

On this 21st day of April, 1941, upon the application of J. H. McBirney, Successor Trustee, for authority to release a judgment insofar as it covers and affects specific property; and it appearing that on the 10th day of July, 1936, J. H. McBirney, as Successor Trustee, obtained a judgment against R. M. McCreery, Oma McCreery and K. M. Vaughn, in cause No. 58391, District Court of Tulsa County, Oklahoma, for the principal sum of Four Thousand Seven Hundred Seventy One & 78/100 Dollars (\$4,771.78), together with interest to the date of judgment in the amount of One Thousand Two Hundred Ninety Two & 47/100 Dollars (\$1,292.47), plus the sum of One Thousand & 83/100 Dollars (\$1,000.83), advanced for the payment of taxes, and for the further sum of Four Hundred Eighty Five Dollars (\$485.00) as attorney fees, and for costs of the action, together with interest upon said judgment, and for the foreclosure of a real estate mortgage, and that said real estate was sold by the Sheriff of Tulsa County, Oklahoma, and purchased by said trustee, he bidding therefor the sum of Three Thousand Dollars (\$3000.00), which was credited upon said judgment, and that the said J. H. McBirney is the present holder of said deficiency judgment against the said judgment debtors above referred to; and it further appearing that the said K. M. Vaughn, one of the said judgment debtors, was the owner of the

West Half (W<sup>1</sup>/<sub>2</sub>) of Lot Seven (7), in Block One (1), of College Addition to the City of Tulsa, Tulsa County Oklahoma,

which said property consists of a narrow lot with a small house located thereon, having an approximate value of Five Hundred Dollars (\$500.00), which said real estate and the improvements thereon were sold by the County Treasurer of Tulsa County, Oklahoma, to satisfy delinquent and unpaid taxes due thereon, said real estate described herein not constituting any portion of the real estate included in said real estate mortgage foreclosed by the said J. H. McBirney, Successor Trustee, and that the said F. H. Geiler was the purchaser of said real estate at said County Treasurer's sale, and is desirous of curing and correcting the title thereto without the necessity of instituting a suit therefor; and it further appearing that the said F. H. Geiler has offered the sum of Twenty Five Dollars (\$25.00) to said trustee for a partial release of said judgment, and that it is doubtful whether the judgment lien of the said J. H. McBirney, Successor Trustee, is of any value, or that the said J. H. McBirney, Successor Trustee, has any means of enforcing said lien, tax liens being prior to said judgment lien; and it further appearing that the said J. H. McBirney, Successor Trustee, has recommended the acceptance of said sum of Twenty Five Dollars (\$25.00) in payment of said partial release; and it appearing that it is probably to the advantage of said trust estate to accept said sum of Twenty Five Dollars (\$25.00) in payment for said partial release, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to release the judgment obtained by him on the 10th day of July, 1936, against K. M. Vaughn, et al., in cause No. 58391, District Court of Tulsa County, Oklahoma, insofar as the said judgment affects the

West Half (W<sup>1</sup>/<sub>2</sub>) of Lot Seven (7), in Block One (1) College Addition to the City of Tulsa, Tulsa County, Oklahoma.

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

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 21, 1941

West Half (W<sup>1</sup>/<sub>2</sub>) of Lot Seven (7) in Block One (1)  
College Addition to the City of Tulsa, Tulsa County, Oklahoma,

otherwise said judgment to remain in full force and effect.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and execute and deliver a partial release of said judgment insofar as it affects the said real estate above described, upon payment to him of said sum of Twenty Five Dollars (\$25.00) by F. H. Geiler.

F. E. KENNAMER  
United States District Judge

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

Court adjourned to April 22, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 22, 1941

On this 22nd day of April, 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

Grand River Dam Authority, a  
Public Corporation, )  
Plaintiff, )  
vs. ) NO. 322 CIVIL Tract No. 3  
Heirs of Bertha Miller, deceased, et al, )  
Defendants. )

O R D E R

Now on this 21st day of April, 1941, this matter coming on before the Court on the application of the United States of America for an order directing disbursement of the award in this cause of action, and it appearing to the Court that this cause was tried to a jury on March 10, 1941, and the jury returned a verdict in the sum of \$900.00.

And it further appearing to the Court that this tract of land was owned by restricted Five Tribes Indians, and that said funds should be paid to F. W. Sunderwirth, Disbursing Agent for the Five Civilized Tribes;

IT IS THEREFORE THE ORDER of the Court that H. P. Warfield, Clerk of this court, pay to F. W. Sunderwirth, Disbursing Agent for the Five Civilized Tribes the sum of \$900.00, said sum

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

REGULAR JANUARY 1941 TERM

MULLEN, OKLAHOMA

TUESDAY, APRIL 22, 1941

being the verdict of the jury as to the damages to the land involved in this cause of action, for and on behalf of the heirs of Bertha Miller, deceased.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 22 1941  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Grand River Dam Authority, a public corporation, Plaintiff, )  
vs. ) No. 370 CIVIL Tract No. 5.  
United States of America, Robert Whitebird, Jr., et al., Defendants. )

O R D E R

Now on this 21st day of April, 1941, this matter coming on before the Court on the application of the United States of America for an order vacating the judgment entered herein on March 20, 1941, insofar as it renders judgment against the United States of America in the sum of \$378.00, and it appearing to the Court that said order should be made:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment entered herein on March 20, 1941, be, and the same is hereby vacated insofar as the same grants a judgment against the United States of America in the sum of \$378.00.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 22 1941  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Grand River Dam Authority, a public corporation, Plaintiff, )  
-vs- ) No. 370 CIVIL Tract No. 3.  
United States of America, Lawrence Heffelman, et al., Defendants. )

O R D E R

Now on this 21st day of April, 1941, this matter coming on before the Court on the application of the United States of America for an order vacating the judgment entered herein on March 20, 1941, insofar as it renders judgment against the United States of America in the sum of \$280.00, and it appearing to the Court that said order should be made:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment entered herein on March 20, 1941, be, and the case is hereby vacated insofar as the same grants a judgment against the United States of America in the sum of \$300.00.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 22 1941  
H. P. Worfield, Clerk  
U. S. District Court ME

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

Grand River Dam Authority, a  
Public corporation, )  
Plaintiff, )  
No. 370 CIVIL )  
Tract No. 4. )  
vs. )  
Heirs of Henry Hicks, et al, )  
Defendants. )

O R D E R

Now on this 21st day of April, 1941, this matter coming on before the Court on the application of the United States of America for an order directing the disbursement of the funds involved in this cause of action, and it appearing to the Court that the demand for a jury trial filed herein by the Grand River Dam Authority, on October 31, 1940, was on March 18, 1941, withdrawn.

And it further appearing to the Court that an order confirming the Commissioners' report and entering a judgment vesting the title to the land involved herein has been filed, and that said funds in the sum of \$45.00 should be paid to H. A. Andrews, Superintendent of the Quapaw Indian Agency, for and on behalf of the heirs of Henry Hicks, deceased;

IT IS THEREFORE THE ORDER of the Court that H. P. Worfield, Clerk of this Court, pay to H. A. Andrews, Superintendent of the Quapaw Indian Agency, the sum of \$45.00, for and on behalf of said heirs of Henry Hicks, deceased.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 22 1941  
H. P. Worfield, Clerk  
U. S. District Court ME

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

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 22, 1941

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

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

ORDER OF DISMISSAL

Now on this 22nd day of April, 1941, on motion of the plaintiff, the above entitled cause is hereby dismissed without prejudice.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Apr 22 1941  
H. P. Warfield, Clerk  
U. S. District Court JS

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

SOL FREEMAN, Plaintiff, )  
 vs. ) No. 547 Civil  
 WILLIAM BROADHURST and FLOYD BROADHURST, husband and wife, Defendants.

O R D E R

Now on this 22nd day of April, 1941, on application of Eugene O. Monnet, attorney for the defendants herein, and for good cause shown, the court finds that the attorneys for the plaintiff and defendants herein have stipulated and agreed that the defendants be granted an additional ten days within which to plead or answer; NOW, THEREFORE,

IT IS HEREBY ORDERED that the defendants herein be given ten (10) days' additional time within which to file pleading or answer to plaintiff's petition.

Dated, April 22, 1941.

ROYCE H. SAVAGE  
JUDGE OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Apr 22 1941  
H. P. Warfield, Clerk  
U. S. District Court H

RECEIVED JANUARY 1941 TERM

OKLAHOMA

TUESDAY, APRIL 22, 1941

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

Maryland Casualty Company, incor- )  
poration, of Baltimore, Maryland, ) Plaintiff, )  
vs. ) No. 1290 Equity )  
E. A. Kelleam, et al., ) Defendants, )  
Ethel Riddler, et al., ) Cross-Petitioners. )

JOURNAL ENTRY OF JUDGMENT

Now on this, the 22nd day of April, 1941, this cause comes on for final hearing on motion of the defendants, E. A. Kelleam, Neil Southard, R. J. Southard, Jr., and Joe E. Kelleam, for judgment conformable to the opinion of the Supreme Court of the United States.

The plaintiff, Maryland Casualty Company, appears by W. E. Green, its attorney, and the cross-petitioners appear not.

Whereupon, the Court, having considered and said opinion and the mandate conformable thereto, finds that the plaintiff's bill and the cross bill of the cross-petitioners should be dismissed and the receiver discharged and the costs assessed against the plaintiff.

IT IS THEREFORE THE ORDER, JUDGMENT AND DECREE OF THE COURT that the cross petition and cross bill of the cross-petitioners be dismissed; that plaintiff's bill be dismissed; and that the receiver heretofore appointed in this cause be discharged and directed to account for the funds remaining in his hands to the persons lawfully entitled thereto;

AND IT IS FURTHER ORDERED that all costs hereof, including costs in the United States Circuit Court of Appeals, be assessed against the plaintiff, to which plaintiff excepts and exceptions are allowed.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 22 1941  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to April 23, 1941

On this 23rd day of April, 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, 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

VIRGIL C. FIELDS, Administrator of the Estate of Esther Fields, deceased, Plaintiff,  
-vs- No. 469 Civil  
MISSOURI-ARKANSAS TRANSPORTATION COMPANY, LOWELL A. WEBB, and PENNSYLVANIA CASUALTY COMPANY, Defendants.

ORDER OF DISMISSAL

On this twenty-third day of April, 1941, upon the motion of plaintiff, and for good cause shown,  
IT IS ORDERED that this action be dismissed without prejudice and at costs of plaintiff.

F. E. KENNAMER  
JUDGE

ENDOSSED: Filed Apr 23 1941  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to April 24, 1941.

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

REGULAR JANUARY 1941 TERM

OKLAHOMA, OKLAHOMA

THURSDAY, APRIL 22, 1941

On this 23rd day of April, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, not pursuant to adjournment Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Huzy, 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

The Creek Nation of Indians, by Alex Noon, Principal Chief, Plaintiff, )  
vs. ) No. 367 CIVIL  
Sinclair Oil and Gas Company, a Corporation, et al, Defendants. )

C O R D E R

Now on this the 23rd day of April, 1941, for good cause shown the defendant James Isaiah Wallace, the Executor of the Estate of Lete Kolvin Stevens, Deceased, is hereby granted ten days' additional time in which to plead, or twenty days additional time in which to answer, the Cross-petition of defendant Jim Payne Woods.

F. E. KENNAMER  
JUDGE

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

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

OLLIE BLAIR, Plaintiff, )  
-vs- ) No. 460 Civil  
BARTLETT COLLINS COMPANY, Defendant. )

ORDER OF DISMISSAL

On this twenty-fourth day of April, 1941, upon the motion of plaintiff, and for good cause shown,

IT IS ORDERED that this action be dismissed without prejudice and at costs of plaintiff,

F. E. KENNAMER  
JUDGE

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

RECORDED JANUARY 1941

OKLAHOMA

THURSDAY, APRIL 24, 1941

IN SENATE DISTRICT COURT OF THE STATE OF OKLAHOMA  
DISTRICT OF OKLAHOMA

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

-vs-

CIVIL NO. 474

Seneca-Cayuga Tribe of Oklahoma, a  
corporation; United States of America,  
et al., )  
Defendants. )

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY  
AS TO TRACT NO. 1 (Map No. 36, Tract No. GR-D 1912)

NOW, on this 24 day of April, 1941, the above entitled cause of action and the report of commissioners filed herein on the 6th day of January, 1941, 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. 36, Tract No. GR-D 1912), 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 generate 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 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 (36 GR-D 1912)

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 12,  
T 26 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 NE corner of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence Southerly along the East boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  to the SE corner thereof; thence Westerly along the South boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  to the SW corner thereof; thence N. 0° 18' W. along the East boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 582.4 feet to a point 751.5 feet South of the NE corner thereof; thence N. 37° 24' E. 121.0 feet; thence N. 79° 00' E. 444.7 feet; thence N. 28° 52' E. 559.6 feet; thence N. 48° 53' W. 447.4 feet; thence N. 41° 17' W. 256.2 feet; thence N. 9° 41' W. 57.2 feet; thence N. 29° 13' E. 133.0 feet; thence N. 63° 32' E. 396.0 feet; thence N. 3° 31' W. 53.0 feet; thence N. 48° 46' W. 341.4 feet; thence S. 52° 11' E. 133.8 feet; thence S. 17° 53' E. 139.8 feet; thence S. 53° 20' E. 441.2 feet; thence S. 77° 21' E. 133.2 feet; thence S. 42° 16' E. 513.7

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OKLA, OKLAHOMA

THURSDAY, APRIL 18, 1941

feet; thence N. 46° 43' E. 104.3 feet; thence N. 61° 02' E. 392.1 feet; thence S. 87° 29' E. 81.3 feet to a point in the East boundary of said  $SE\frac{1}{4}$   $NE\frac{1}{4}$  and 549.0 feet South of the NE corner thereof; thence S. 0° 16' A. along said East boundary a distance of 786.3 feet to the point of beginning, containing 42.8 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 obtain 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 31st day of December, 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, Glenn W. Keith, Page Crahan and Jacob Smith, 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 3rd day of January, 1941, 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 \$1500.00 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 6th day of January, 1941.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with H. A. Andrews, Superintendent of the Quapaw Indian Agency, for the use and benefit of said owners and those having any right, title or interest in said land, the sum of \$1500.00 as 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. 1 (SEE OK-D 1112)

ALL that part of the  $SE\frac{1}{4}$   $NE\frac{1}{4}$  and the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 12, T 23 N - R 24 E of the Indian area and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

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THURSDAY, APRIL 24, 1941

Beginning at the NE corner of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence Southerly along the East boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  to the SE corner thereof; thence Westerly along the South boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  to the SW corner thereof; thence N. 0° 18' W. along the West boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 582.4 feet to a point 751.5 feet South of the NW corner thereof; thence N. 37° 34' E. 121.0 feet; thence N. 39° 06' E. 444.7 feet; thence N. 25° 52' E. 568.8 feet; thence N. 41° 52' W. 447.4 feet; thence N. 41° 17' W. 256.3 feet; thence N. 9° 51' W. 57.2 feet; thence N. 29° 19' E. 139.0 feet; thence N. 63° 32' E. 396.0 feet; thence N. 3° 11' W. 88.0 feet; thence N. 48° 48' W. 131.4 feet; thence S. 62° 11' E. 132.9 feet; thence S. 13° 38' E. 139.6 feet; thence S. 53° 26' W. 431.6 feet; thence S. 35° 31' E. 145.6 feet; thence S. 53° 23' E. 513.7 feet; thence N. 48° 42' E. 334.3 feet; thence N. 61° 02' E. 292.1 feet; thence N. 57° 29' E. 81.3 feet to a point in the East boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 549.0 feet South of the NE corner thereof; thence S. 0° 15' E. along said East boundary a distance of 786.3 feet to the point of beginning, containing 48.8 acres, more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 6th day of January, 1941, 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 \$1500.00, 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 Apr 24 1941  
H. P. Warfield, Clerk  
U. S. District Court ME

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

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

-vs-

Seneca-Cayuga Tribe of Oklahoma, a )  
corporation; United States of America, et al., )  
Defendants. )

CIVIL NO. 474

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY  
AS TO TRACT NO. 2 (Map No. 56, Tract No. GR-O 749-A)

NOW, to wit: 24 day of April, 1941, the above entitled cause of action and the report of commissioners filed herein on the 6th day of January, 1941, coming on for consideration and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davies, General Counsel, and C. 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 that

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THURSDAY, APRIL 24, 1941

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. 56, Tract No. GR-O 749-A), 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 (56 GR-O 749-A)

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

Lot 7 of Sec. 4, T 27 N - R 23 E of the Indian Base and Meridian, Quapaw Survey, containing forty-six hundredths (0.46) 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,

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 31st day of December, 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, Glenn W. Keith, Page Graham and Jacob Smith, 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 3rd day of January, 1941, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly,

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

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THURSDAY, APRIL 24, 1941

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 \$13.80 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 6th day of January, 1941.

It further appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, has deposited with H. A. Andrews, Superintendent of the Quapaw Indian Agency, for the use and benefit of said owners and those having any right, title or interest therein in said land, the sum of \$13.80, 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. 2 (56 GR-O 749-A)

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

Lot 7 of Sec. 4, T 27 N - R 23 E of the Indian Base and Meridian, Quapaw Survey, containing forty-six hundredths (0.46) acres, more or less,

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

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 6th day of January, 1941, 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 \$13.80, 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

EMBOSSED: Filed Apr 24 1941  
H. F. Warfield, Clerk  
U. S. District Court ME

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

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

- vs -

CIVIL NO. 474

Seneca-Cayuga Tribe of Oklahoma, a  
corporation, United States of America,  
et al., )  
Defendants. )

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL  
ENTRY, AS TO TRACT NO. 3 (Map No. 42, Tract No. GR-O 269  
Map No. 42, Tract No. GR-O 287)

NOW, on this 24 day of April, 1941, the above entitled cause of action and the report of commissioners filed herein on the 5th day of January, 1941, coming on for consideration, and the petitioner, Grand River Dam Authority, a public corporation, appearing by R. L. Davidson, General Counsel, and C. 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. 42, Tract No. GR-O 269 and Map No. 42, Tract No. GR-O 287), 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. 3 (42 GR-O 269  
42 GR-O 287)

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

Lot 12 and the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 6, containing 71.50 acres, more or less; and that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 6, particularly described as follows, to-wit:

Beginning at the NW corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence Southerly along the West boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the SE corner thereof; thence Easterly along the South boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the SE corner thereof; thence N. 0° 21' W. along the East boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 2039.7 feet to a point 301.7 feet

South of the N E corner thereof; thence N. 50° 44' W. 212.7 feet; thence N. 56° 19' W. 505.2 feet; thence N. 67° 36' W. 794.8 feet to a point in the West boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 926.7 feet South of the NW corner thereof; thence S. 0° 21' E. along said West boundary a distance of 404.6 feet to the point of beginning, containing 43.1 acres, more or less,

All in T 26 N - R 24 E of the Indian Base and Meridian, Quapaw Survey; the whole tract containing in all 114.6 acres, more or less,

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

AND

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

Lot 1, Sec. 7, T 26 N - R 24 E of the Indian base and Meridian, Quapaw Survey, containing fifteen (15.0) 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,

The two tracts containing in all 129.6 acres, more or less,

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

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

It further appearing to the Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants herein named have had due and sufficient notice of this action, and of the time and place of the appointment of commissioners as prayed for in petitioner's petition and application; that on the 31st day of December, 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, Glenn W. Keith, Page Crahan and Jacob Smith, 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 3rd day of January, 1941, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did actually go upon the 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 \$5464.15 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 6th day of January, 1941.

RECEIVED JANUARY 1941

OKLAHOMA

THURSDAY, APRIL 24, 1941

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 \$5464.15, 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 defendant 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 (42 GR-O 269  
42 GR-O 287)

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

Lot 12, and the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 6, containing 71.50 acres, more or less; and that part of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$ , and the  $NE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 6, particularly described as follows, to-wit:

Beginning at the NW corner of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$ , thence Southerly along the West boundary of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$  to the SW corner thereof; thence Easterly along the South boundary of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$  to the SE corner thereof thence N.  $0^{\circ}$   $21'$  W. along the East boundary of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$  a distance of 1021.7 feet to a point 201.7 feet South of the NE corner thereof; thence N.  $50^{\circ}$   $44'$  W. 212.7 feet; thence N.  $56^{\circ}$   $19'$  W. 505.3 feet; thence N.  $67^{\circ}$   $36'$  W. 794.5 feet to a point in the West boundary of said  $SE\frac{1}{4}$   $NW\frac{1}{4}$  and 926.7 feet of the NW corner thereof; thence S.  $0^{\circ}$   $21'$  E. along said West boundary a distance of 404.6 feet to the point of beginning, containing 43.1 acres, more or less;

All in T 26 N - R 24 E of the Indian Base and Meridian, Quapaw Survey; the whole tract containing in all 114.6 acres, more or less;

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

AND

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

Lot 1, Sec. 7, T 26 N - R 24 E of the Indian Base and Meridian, Quapaw Survey, containing fifteen (15.0) 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.

the two tracts containing in all 129.6 acres, more or less.

IT IS HEREBY CONSIDERED, ORDERED AND ADJUDGED by this court that the report of the commissioners filed herein on the 6th day of January, 1941, 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 \$3464.15, 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 Apr 24 1941  
H. F. Warfield, Clerk  
U. S. District Court ME

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

Grand River Dam Authority, a public corporation, Petitioner, )  
)  
) CIVIL NO. 474  
)  
)  
)  
)  
Seneca-Cayuga Tribe of Oklahoma, a corporation; )  
United States of America, et al., Defendants. )

ORDER CONFIRMING REPORT OF COMMISSIONERS AND JOURNAL ENTRY  
AS TO TRACT NO. 4 (Map No. 44, Tract No. GR-O 319)

NOW on this 24 day of April, 1941, the above entitled cause of action and the report of commissioners filed herein on the 6th day of January, 1941, 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. 44, Tract No. GR-O 319), 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 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 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 center 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 (44 RR-O 319)

All that part of the S 1/2 NW 1/4 and the N 1/2 SE 1/4 of Sec. 3, T 26 N - R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the South boundary of said N 1/2 SE 1/4 and 1073.6 feet West of the SE corner thereof; thence N. 19° 30' W. along said South boundary a distance of 1513.6 feet to a point 57.6 feet East of the SW corner thereof; thence N. 16° 11' E. 358.3 feet; thence N. 46° 25' E. 108.0 feet; thence S. 32° 43' E. 165.6 feet; thence N. 70° 41' E. 236.4 feet; thence N. 50° 46' E. 177.3 feet; thence N. 33° 40' E. 73.2 feet; thence S. 74° 53' E. 103.0 feet; thence N. 37° 53' E. 123.0 feet; thence N. 29° 27' E. 439.7 feet; thence N. 66° 28' W. 153.4 feet; thence S. 81° 09' E. 156.9 feet; thence N. 11° 41' W. 507.0 feet; thence N. 51° 12' E. 217.0 feet; thence N. 57° 58' E. 898.4 feet; thence S. 43° 00' W. 1215.5 feet; thence N. 73° 58' E. 329.4 feet; thence N. 84° 05' E. 370.6 feet; thence N. 9° 40' E. 208.0 feet; thence N. 42° 22' E. 307.0 feet; thence N. 45° 36' E. 221.2 feet; thence N. 39° 28' E. 232.0 feet; thence N. 41° 24' E. 605.1 feet; thence S. 26° 20' W. 564.9 feet; thence S. 17° 50' W. 301.3 feet; thence S. 18° 46' E. 453.1 feet; thence S. 26° 15' W. 190.3 feet; thence S. 58° 54' W. 274.8 feet; thence S. 22° 45' E. 283.7 feet; thence N. 54° 32' W. 274.0 feet; thence S. 19° 04' W. 230.6 feet; thence S. 38° 04' E. 278.0 feet; thence N. 77° 15' W. 143.0 feet; thence S. 4° 32' E. 367.0 feet; thence S. 15° 52' W. 17.5 feet to the point of beginning, containing 47.3 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 appears 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 appears 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 31st day of December, 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 Glenn W. Keith, Page Crahan and Jacob Smith, 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 3rd day of January, 1941, said commissioners took the oath of office as such commissioners to perform their duties impartially and justly, and did remain in possession and view of the land and property therein 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 the damages in the sum of \$2700.00, to the owners and those having any right, title or interest therein, in and to the taking of said land, and did advise said owners and those having any right, title or interest therein of the taking of said land, and did advise said owners and those having any right, title or interest therein of the amount of the damages assessed by said commissioners, and did file with the Clerk of this Court, on the 10th day of January, 1941,

UNITED STATES DISTRICT COURT  
 DISTRICT OF OKLAHOMA  
 GRAND RIVER DAM AUTHORITY, PETITIONER,  
 vs.  
 JOHN J. JAMES, et al., DEFENDANTS.

It further appearing to the Court that the petitioners, Grand River Dam Authority, a public corporation, was operated with H. A. Andrews, Superintendent of the Grand River Dam Authority, for the use and benefit of said owners and those having any right, title or interest in said lands, the sum of \$2500.00, 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 petition 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 otherwise tried by jury.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the petitioners, 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:

TRACE NO. 4 (44 GR-O 319)

All that part of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  and the N  $\frac{1}{2}$  SE  $\frac{1}{4}$  of Sec. 3, T 26 N - R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the South boundary of said N  $\frac{1}{2}$  SE  $\frac{1}{4}$  and 1073.6 feet West of the SE corner thereof; thence N. 89° 30' W. along said South boundary a distance of 1513.6 feet to a point 67.6 feet East of the SW corner thereof; thence N. 16° 11' E. 358.2 feet; thence N. 46° 25' E. 108.0 feet; thence S. 68° 43' E. 165.8 feet; thence N. 70° 41' E. 236.4 feet; thence N. 50° 48' E. 177.3 feet; thence N. 33° 40' W. 73.2 feet; thence N. 74° 53' E. 103.0 feet; thence N. 37° 53' E. 123.0 feet; thence N. 39° 27' E. 139.7 feet; thence N. 66° 28' W. 153.4 feet; thence S. 81° 09' E. 158.9 feet; thence N. 11° 41' W. 507.0 feet; thence N. 51° 12' E. 217.0 feet; thence N. 37° 58' E. 298.4 feet; thence S. 43° 00' W. 1315.5 feet; thence N. 73° 58' E. 329.4 feet; thence N. 24° 05' E. 300.6 feet; thence N. 9° 40' E. 208.0 feet; thence N. 42° 22' E. 307.0 feet; thence N. 48° 36' E. 221.2 feet; thence N. 39° 29' E. 232.0 feet; thence N. 41° 34' E. 605.1 feet; thence S. 26° 20' W. 564.9 feet; thence S. 17° 50' W. 301.3 feet; thence S. 18° 46' E. 453.1 feet; thence S. 26° 15' W. 190.3 feet; thence S. 58° 54' E. 274.8 feet; thence S. 22° 45' E. 283.7 feet; thence N. 54° 39' W. 274.0 feet; thence S. 19° 04' W. 220.6 feet; thence S. 38° 04' W. 278.0 feet; thence N. 77° 15' W. 143.0 feet; thence S. 4° 32' E. 367.0 feet; thence S. 16° 52' W. 17.5 feet to the point of beginning, containing 47.3 acres, more or less,

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by this Court that the report of the commissioners filed herein on the 6th day of January, 1941, 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 \$2500.00, 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. H. KENNEDY

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

RECORDED: Filed Apr 24 1941  
 H. P. Warfield, Clerk  
 U. S. District Court