

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

Sammons-Robertson Company,
a corporation,

Plaintiff,

No. 443 Civil

vs

Massman Construction Company, a
corporation, et al,

Defendants.

O R D E R

Now this 7th day of November, 1941, this matter comes on for hearing on the motion of Ray McNaughton, a defendant herein, to suppress the depositions of F. C. Sammons, F. H. Robertson, Frank B. Daniel, P. J. Kyle, Frank R. Palmer, Dewey T. Hogue, C. M. Crabtree, and Lucian Sammons, which depositions were filed herein on October 10, 1941. The parties litigant appear by their respective attorneys of record whereupon said motion was presented to and considered by the Court, and the Court being well advised of the premises:-

IT IS ORDERED that said depositions be and they hereby are suppressed as to the defendant, Ray McNaughton as chairman and a member of the Board of Directors of the Grand River Dam Authority, a corporation, and as to Ray McNaughton personally, to which the plaintiff and other defendants herein are allowed an exception.

ROYCE H. SAVAGE
JUDGE

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

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

ANNIE WATASHE, NEE JACK, ET AL,

Plaintiffs,

-vs-

FANNIE CROSBY, NEE JACK, et al,

Defendants.

No. 617 CIVIL

THE UNITED STATES OF AMERICA,

Intervenor.

JOURNAL ENTRY FOR JUDGMENT, FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR PARTITION

NOW on this 22nd day of October, 1941, the same being one of the regular judicial days of the above entitled court, this cause came regularly on in its order for hearing; the plaintiffs being represented by their attorney, James J. Mars; the defendant, Fannie Crosby, nee Jack, by her attorney, T. L. Blakemore; the defendant, Daniel L. Vaden, a minor, by his guardian ad litem, M. S. Robertson, United States Probate Attorney; and defendants, H. E. Rosschach and Margaret Rosschach, represented by Harold E. Rosschach; and the United States of America, Intervenor, by its attorney, Whit V. Maury, United States District Attorney; and all parties announced ready.

I and II of the separate answer of defendants, H. E. Rorschach and Margaret Rorschach were considered by the court as a motion to dismiss, upon the contention that the premises and lands were not subject to partition and could not be partitioned under the Act of Congress and applicable laws, being restricted and tax exempt, and for the further reason that the restrictions had not been removed by the Secretary of the Interior; and that the petition of plaintiffs did not state sufficient facts to constitute grounds upon which relief could be granted them. The court, having heard the argument in support of same and being fully advised, overruled the contention of the defendants, H. E. Rorschach and Margaret Rorschach, and ordered that the case proceed to trial.

All parties having announced ready, their evidence was submitted to the court and a stipulation of facts and the sworn testimony of H. E. Rorschach was submitted, and thereupon all parties rested.

The Court after hearing all parties, after due consideration and being fully advised in the premises, finds the facts to be as follows:

Phillip Jack was a full-blood Creek Indian appearing opposite Roll No. 6903, and was allotted, by reason of said blood and enrollment, the following described land located in Creek County, Oklahoma, to-wit:

The West Half of the Northwest Quarter (NW $\frac{1}{4}$)
of Section Seventeen (17), Township Eighteen
(18) North, Range Eleven (11) East.

II.

That the above described land was set aside as tax-exempt, pursuant to the Act of Congress, of May 10, 1928;

III.

That Phillip Jack died intestate in Creek County, Oklahoma, March 30, 1918, seized and possessed of the above described land; and left as his sole and only heirs: Dillie Jack Creek Roll No. 7852, his widow by a second marriage, and his five children, not enrolled; Fannie Jack, now Crosby, Sam Jack, Annie Watashe nee Jack, Wiley Jack, and Susie Jack, each of whom inherited an one-sixth (1/6th) interest in the above described tract of land.

IV.

That Dillie Jack, the widow, sold her undivided interest in said tract of land, December 14, 1920, and caused the conveyances to be approved by the County Court of Creek County, Oklahoma, to D. J. Nichols, who conveyed his rights and interest therein to Tillie Nichols, who conveyed same to the defendant herein H. E. Rorschach, who owns same subject to the mineral deed he gave to Margaret Rorschach, defendant, and said interest of one-sixth is now owned by said H. E. Rorschach and Margaret Rorschach as aforesaid, as pleaded in the petition for partition.

V.

That Susie Jack died intestate in Creek County, Oklahoma, December 14, 1929, leaving as her sole and only heir defendant, Daniel Lee Vaden, a minor, who inherited and is owner of her said one-sixth interest.

VI.

The Court further finds that the heirs of Phillip Jack, deceased, have been duly and regularly determined by the County Court of Creek County, Oklahoma, and the above named widow and children were decreed to be the sole and only heirs of Phillip Jack, deceased, and in the same

action 4372 the said County Court determined the heirs of Susie Jack, deceased, in the manner provided by law, and found that the minor, defendant herein, Daniel Lee Vaden was the sole and only heir of Susie Jack and took by inheritance her undivided one-sixth interest in the estate of Phillip Jack.

VII.

That this action was instituted in the District Court of Creek County, Oklahoma, and upon application of the United States of America, Intervenor herein, was properly removed to this court, and that this court has jurisdiction to hear and determine this action.

VIII.

The plaintiffs in their petition, the Intervenor in complaint in intervention, and defendants in answers, except defendants H. E. Rorschach and Margaret Rorschach, join in asking for partition of the premises; and said defendants, H. E. Rorschach and Margaret Rorschach, in answer filed October 17, 1941, contend that the premises and lands are not subject to partition and cannot be partitioned under the Acts of Congress and the applicable laws, being restricted and tax exempt and further the Secretary of the Interior has not removed the restrictions thereon, and the partition of plaintiffs does not state facts sufficient to constitute grounds upon which relief can be granted against them.

CONCLUSIONS OF LAW

1. That the lands involved in this action are subject to partition by the District Court of Creek County, Oklahoma, according to and subject to the laws of the State of Oklahoma providing for the partition of real estate under Section 2 of the Act of June 14, 1918; and that the removal of this action to the United States District Court for the Northern District of Oklahoma vests jurisdiction in this Court to decree and order the partition of the lands involved herein.

2. That the contentions of defendants, H. E. Rorschach and Margaret Rorschach are not tenable and should be overruled. That the plaintiffs, intervenor, and defendants are entitled to a decree of partition and commissioners to make partition should be appointed to make partition of the lands involved under the laws of the State of Oklahoma.

3. That a sale of lands under partition proceedings is an alienation of such land.

DECREE

Therefore, it is by the court considered, adjudged and decreed, upon the findings of fact and conclusions of law, after due consideration, that the contentions and objections of the defendants, H. E. Rorschach and Margaret Rorschach, be and they are hereby overruled, denied and disallowed by the court, and it is further ordered, considered, adjudged and decreed, that the lands involved in this action, to wit:

The West Half ($\frac{W}{2}$) of the Northwest Quarter ($\frac{NW}{4}$) of Section Seventeen (17), Township Eighteen (18) North, Range Eleven (11) East, containing 80 acres more or less,

in Creek County, State of Oklahoma, be, and the same are hereby partitioned in kind to the plaintiffs and defendants herein according to their respective interests as found and herein set forth, to wit: to the plaintiffs, Annie Matasoe, nee Jack, Sam Jack, Wiley Jack, and the defendants, Fannie Crosby, nee Jack, Daniel Lee Vaden, an one-sixth ($\frac{1}{6th}$) interest each in said land according to the

The Court further finds that 35.5 gallons of liquor were stolen from said defendant, which liquor was of a value of \$165.65.

The Court further finds that the United States of America is indebted to the plaintiff for storage of said liquor in the sum of \$98.14, which amount should be off-set against the amount of the defendant owes the United States of America and would leave a balance due the plaintiff herein in the sum of \$67.54.

IT IS THEREFORE THE JUDGMENT OF THE COURT that the plaintiff have and recover judgment against the defendant Federal Storage and Van Co., Inc., in the sum of \$67.54, with interest thereon at the rate of six percent per annum from March 2, 1940, until paid, and for the costs of this action for which let execution issue.

ROYCE H. SAVAGE
JUDGE

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

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

OLEVA McMURRY,

Plaintiff,

vs

)
)
) No. 659 Civil
)
)

G. G. NUTTON, et al,

Defendants.

O R D E R

Now this 7th day of November, 1941, this matter comes on for hearing in its regular order of setting on the motion docket on the motion of the Hartford Accident and Indemnity Company of Hartford, Connecticut, a corporation, asking that plaintiff's action herein be dismissed. The parties litigant appear by their respective attorneys of record whereupon said motion is presented to and considered by the Court, and the Court being well advised of the premises:-

IT IS ORDERED that the motion to dismiss herein filed by the above named defendant be and the same is overruled, to which ruling said defendant is allowed an exception. The defendant, Hartford Accident and Indemnity Company of Hartford, Connecticut, a corporation is given 10 days from this date to file answer herein.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to November 12, 1941

On this 12th day of November, 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. Manzy, 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

Marion Henry Gooch,	Plaintiff,)	
)	
v.		)	No. 580 - Civil
)	
S. J. Ballinger, et al,	Defendants.)	

ORDER FOR PHYSICAL EXAMINATION OF PLAINTIFF

The defendants having, by their counsel, A. A. Davidson, heretofore at a pre-trial conference in this cause, at which counsel for plaintiff were also present, orally moved the Court for an order of the court for a physical examination of the plaintiff by a physician, and for good cause then shown:

It is now ordered that Marion Henry Gooch, the plaintiff in the above entitled cause, submit himself to Allen C. Kramer, a Physician, at his office Medical Arts Bldg., Tulsa, Oklahoma, on the 17th day of November, 1941, at one o'clock P.M. for a physical examination with respect to his physical condition, particularly as to the acromion process and whether it has been fractured and also as to his claim that he cannot raise his left arm on account of injury to the deltoid muscle resulting from a fall, and as to whether he is permanently crippled and unfit to perform manual labor as a result of physical injuries.

The defendants will be required to advance to plaintiff, or to his counsel on his behalf, the sum of \$10.00, the cost of transportation of plaintiff from his home and his return thereto.

Dated this 10 day of November, 1941.

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

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

Court adjourned to November 13, 1941

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

CLYDE ALEXANDER,

Plaintiff,

vs.

No. 159 - Civil

PHILLIPS PETROLEUM COMPANY, a corporation,
and REDA PUMP COMPANY, a corporation, Defendants.

S. N. VAN WERT,

Plaintiff,

vs.

No. 160 - Civil

PHILLIPS PETROLEUM COMPANY, a corporation,
and REDA PUMP COMPANY, a corporation, Defendants.

O R D E R

NOW on this 14 day of November, 1941, upon Motion of the plaintiffs and upon oral application of the Reda Pump Company, third party plaintiff and for good cause shown, it is hereby ORDERED that the time for filing the record of plaintiffs and of third party plaintiff in this cause on appeal and for docketing the action in the appellate court be, and the same hereby is, extended for a period of forty (40) days from and after November 17, 1941.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Nov 14 1941
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to November 15, 1941.

On this 15th day of November, 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

ELLA SAWNEY, Plaintiff,)
)
 v.) No. 562 Civil
 J. M. Downing, E. A. Downing, et al., Defendants.)
 United States of America, Intervener.)

O R D E R

Now on this 15 day of November, 1941, this matter coming on before the court on the application of the United States of America to withdraw its complaint in intervention filed herein on the 13th day of May, 1941, and it appearing to the court that said application should be granted.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and hereby is granted permission to withdraw its complaint in intervention filed herein on the 13th day of May, 1941, and file a motion to dismiss.

ROYCE H. SAVAGE
JUDGE

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

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

James Marshall and Noah Hagie, Plaintiffs,)
)
 v.)
 Ben Hagie, Anderson Hagie, Mary Fox, nee) No. 616 Civil
 Marshall, Bettie Marshall, Charles Marshall,)
 a minor, Mary Fox, Guardian and)
 the unknown heirs of Martha Hagie, nee)
 Snow, nee Marshall, Defendants.)
 United States of America, Intervener.)

O R D E R

Now on this 15th day of November, 1941, this matter coming on before the court on the application of the United States of America to withdraw its complaint in intervention filed herein on the 9th day of August, 1941, and it appearing to the court that said application should be granted,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and hereby is granted permission to withdraw its complaint in intervention filed herein on the 9th day of August, 1941, and file a motion to dismiss.

ROYCE H. SAVAGE
JUDGE

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

IN THE UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT
OF OKLAHOMATHE LINCOLN NATIONAL LIFE INSURANCE
COMPANY,

Plaintiff,

No. 873 Equity

vs.

EXCHANGE NATIONAL COMPANY,

Defendant.

ORDER AUTHORIZING EXECUTION OF QUIT CLAIM DEED

THIS CAUSE COMING on to be heard on this the 15 day of November, 1941, on the verified application of T. P. Farmer, as receiver of Exchange National Company for an order authorizing, directing and empowering him to make, execute and deliver to Fred W. Steiner a quit claim deed covering the following described premises:

Lots 1, 3, 4, 5, 6, 7, 9, 10 and 14 in Block 9 Reservoir
Hill Addition to the City of Tulsa, Tulsa County, Oklahoma,

upon the delivery to him of the sum of \$25.00, and the court having read said application and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the application of T. P. Farmer, as receiver of Exchange National Company, be and the same is hereby sustained, and the said T. P. Farmer, as Receiver of Exchange National Company be and he is hereby directed, authorized and empowered to make, execute and deliver to Fred W. Steiner a quit claim deed covering the above described premises, upon the payment to him of the sum of \$25.00, and the said T. P. Farmer be and he is hereby directed, authorized and empowered to do all things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

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

Court adjourned to November 17, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, NOVEMBER 17, 1941

On this 17th day of November, 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. Kauzy, United States Attorney
John P. Logan, United States Marshal

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 17th day of November, A. D. 1941, it being made satisfactorily to appear that W. A. Carlile 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.

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 17th day of November, A.D. 1941, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Special March 1941 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned as follows:

Sidney M. Witt
Jay Reniker
William D. Crow
Jack McNair
Lord Bowyer
Charlie J. Grimes
R. H. Siegfried
C. L. Hardy
Ray Coats
John Hix
George Roark
W. E. Hisson
Ewan E. Estes
E. A. Lamm
Jennings B. Jones
J. O. Jones
Al Morton
L. H. Hand
Ernest Koester
Floyd E. Neil
J. G. Snodderly
John Snyder
Joe S. Stewart
David Clegg
Arthur H. Chapman

Earl Caton
J. E. Smith
K. D. Harris
Marvin Laws
J. M. Bowser
Earl Corbin
W. L. Dumas
Vernon Crouch
Phillip Smith
Joe Myers
William W. Henry
John A. Robinson
Charles Klein
R. W. P.atchett
John B. Maxwell
Carl Schubert
Haskell Guitha
Jess Osborne
Wallace R. Finney
Dell Foulton
D. W. Stevenson
Ben Hanan
Floyd Shrum
Harvey Wilson
Lewis Moffitt

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

Charlie J. Grimes
C. L. Hardy
George Roark
E. A. Lamm
J. O. Jones
Al Morton
Ernest Koester
Joe S. Stewart
David Clegg
J. E. Smith
Marvin Laws

J. M. Bowser
W. L. Dumas
William W. Henry
John A. Robinson
R. W. Patchett
Haskell Guitha
Wallace R. Finney
Dell Foulton
D. W. Stevenson
Ben Hanan
Floyd Shrum

Lewis Moffitt

are excused from service as Jurors for the term.

And thereupon, it is ordered by the Court that Earl Caton who was not served is hereby stricken from the jury roll.

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

ENDORSED: Filed In Open Court
Nov 17 1941
H. P. Warfield, Clerk
U. S. District Court B

MISCELLANEOUS - ORDER FOR ADDITIONAL PETIT JURORS.

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

ORDER FOR ADDITIONAL PETIT JURORS

On this 17th day of November, A. D. 1941, it appearing to the Court that there are not sufficient jurors in the panel, it is ordered that the Marshal of said District summon from the bystanders eight (8) good and lawful men, duly qualified, to serve as Petit Jurors for this Regular January 1941 Term at Tulsa, to report for such service at 1:30 o'clock P.M.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed In Open Court
Nov 17 1941
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - ORDER EMPANELING ADDITIONAL PETIT JURORS.

On this 17th day of November, A. D. 1941, comes the Marshal and makes return on the Order for Additional Petit Jurors heretofore issued out of the Court directing the Marshal to summon from the bystanders eight (8) good and lawful men, duly qualified, to serve as Petit Jurors. Thereupon the Marshal returns the names of Luther E. Warren, Abe Smith, Lloyd White, William Frug, Mert Hillard, John F. Holt, M. R. Kennedy and J. R. Hambrick, who are examined by the Court and all are accepted as petit jurors by the Court with the exception of Luther E. Warren and Mert Hillard for this Regular January 1941 Term of Court.

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

Grand River Dam Authority, a public corporation,

Petitioner,

CIVIL NO. 329

-vs-

Part of Tract No. 8 (56 GR-O 754 X)

PeterBarehead, United States of America, Alex H. Hendricks, et al.,

Defendants.

J U D G M E N T

NOW, on this 16th day of April, 1941, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Jesse L. Ballard; the defendant, United States of America, appearing by the Honorable Chester A. Brewer, Assistant United States Attorney in and for the Northern District of Oklahoma, and W. E. Foltz, Assistant Probate Attorney, Five Civilized Tribes; and the defendant, Alex H. Hendricks, appearing by his counsel of record, S. R. Lewis, and it appearing to this court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Ottawa County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

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

PART OF TRACT NO. 8 (56 GR-O 754- X)

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

The South one-half of the North 2.50 acres of Lot 3, Sec. 3, T 27 N - R 26 E of the Indian Base and Meridian, Cherokee Survey, containing four and twenty-five hundredths (4.25) acres, more or less,

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

Said Part of Tract No. 8 (56 GR-O 754-X), containing a total of 4.25 acres, more or less,

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

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

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

It further appearing that on the 12th day of April, 1940, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, a public corporation, has the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Sopa, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 20th day of July, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$435.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 26th day of August, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$435.00 for the use of the owners of said land, and that the petitioner did, on the 16th day of July, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 13th day of March, 1941, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths, say:

"We, the jury in the above entitled case duly impaneled and sworn, upon our oaths assess damages at \$318.75."

which verdict was returned on the 13th day of March, 1941.

The petitioner filed its motion praying that judgment be entered in its favor, and against the defendants, United States of America, and Alex H. Hendricks, for the sum of \$106.25, said sum being the difference between the award of commissioners and the verdict of the jury, together with interest thereon from the 26th day of August, 1940, said date being the day that the commissioner award was deposited with the Clerk of this Court for the use and benefit of said defendant, and that the costs accruing subsequent to the filing of the report of commissioners be assessed and taxed against the defendants hereinabove named.

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:

PART OF TRACT NO. 8 (56 GR-O 754 X)

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

The South one-half of the North 8.50 acres of Lot 3, Sec. 3, T 27 N - R.23 E of the Indian Base and Meridian, Cherokee Survey, containing four and twenty-five hundredths (4.25) acres, more or less,

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

Said Part of Tract no. 8 (56 GR-O 754 X) containing a total of 4.25 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 \$318.75.

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

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner is entitled to recover a judgment for the difference between the award of the commissioners and the verdict of the jury; and that the petitioner is not entitled to recover a judgment against the defendant, United States of America, and is not entitled to recover a judgment against the defendants for the costs accruing subsequent to the filing of the report of commissioners.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that as the report of the commissioners filed herein was in the sum of \$425.00, and the verdict of the jury returned hereon was in the sum of \$318.75, the petitioner, Grand River Dam Authority, a public corporation, shall have, and it is hereby granted judgment against the defendant, Alex H. Hendricks, in the sum of \$106.25, said amount of \$106.25 being the difference between the commissioners' award and the verdict of the jury above mentioned, for which said sum execution shall issue in the manner prescribed by law.

The petitioner excepts to the ruling and order of this Court refusing to enter judgment in its favor and against the defendants for the costs accruing subsequent to the filing of the report of commissioners, and in refusing to allow interest on said judgment from the date that the commissioners' award was deposited with the Clerk of this Court, and in refusing to enter judgment against the United States of America, and exceptions are allowed by the Court.

F. E. KENKAMER
JUDGE

ENDORSED: Filed Nov 17 1941
E. P. Warfield, Clerk
U. S. District Court

IN THE UNITED STATES DISTRICT COURT, FOR THE NORTHERN DISTRICT
OF OKLAHOMAW. B. Miller and W. R. Wilkinson, in person
and for all persons similarly situated,

Plaintiffs,

vs.

No. 515-Civil

Nash-Finch Company,

Defendant.

J U D G M E N T

This suit coming on for hearing this 17th day of November, 1941, and there having been filed herein a stipulation of the parties hereto signed by their respective counsel and attorneys of record, and the court having considered said stipulation of fact and the statement of counsel, and being in all fully advised, finds:

1. That a good faith controversy exists between the plaintiffs and the defendant as to whether the plaintiffs or any of them are entitled to any additional compensation under the provisions of the Fair Labor Standards Act of 1938. Plaintiffs and each of them assert that they are entitled to additional compensation. Defendant denies that it owes plaintiffs or any of them anything whatsoever by reason of anything whatsoever.

2. That employment contracts mentioned in defendant's answer and attached as exhibits thereto were entered into between defendant and the plaintiffs and each of them, on or about the date which each of the contracts bears, as alleged in defendant's answer.

3. Under the stipulation and statement of counsel it is impossible for the court to determine whether (a) Plaintiffs worked any overtime; (b) Plaintiffs or any of them have any sum whatsoever due; (c) Defendant owes plaintiffs or any of them any sum whatsoever.

4. The basis for fully and finally settling the claims of the plaintiffs and each of them as set forth in the stipulation is fair and just and reasonable.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that the following persons have and recover from the defendant for the amounts stated, to-wit:

W. B. Miller	\$20.00
W.R. Wilkinson	75.00
John Williams	75.00
George Hardin	75.00
J. A. Puett	20.00

and that judgment is entered against defendant in favor of the attorney for plaintiffs for the sum of \$85.00.

ROYCE H. SAVAGE
United States District Judge

ENCLOSED: Filed Nov 17 1941
H. F. Warfield, Clerk
U. S. District Court KE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMAHOWARD 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 SETTLE AND COMPROMISE
INDEBTEDNESS

On this 17th day of November, 1941, upon the application of J. H. McBirney, Successor Trustee, for authority to settle and compromise mortgage indebtedness; and it appearing that among the assets coming into the hands of the said trustee was a note executed by Mary Daniel, now Mary Salasco, to the Exchange National Company, dated September 13, 1927, for the principal sum of Six Thousand Five Hundred Dollars (\$6,500.00), upon which there was due the sum of Five Thousand Two Hundred Twenty Four & 12/100 Dollars (\$5,224.12), said indebtedness being secured by a first and prior real estate mortgage covering the following described real estate, to-wit:

Lot Five (5), Block Three (3), Brady Heights Addition to the
City of Tulsa, Tulsa County, Oklahoma;

and it further appearing that the said lot above described was 50' x 117.7', and is improved with a frame dwelling house located upon the front of said lot, and a small frame store building containing two or three rooms for dwelling, located at the rear of said lot; that the maker of said note obtained a loan from the Home Owners' Loan Corporation and secured the same by a mortgage upon the East 60 feet of Lot 5 above described, and the said trustee released the said mortgage insofar as it covered and affected the said East 60 feet of Lot 5 above described, upon payment to him of the proceeds of the loan obtained by Mary Salasco from the Home Owners' Loan Corporation, and that the said trustee retained a mortgage upon the West 57.7 feet of Lot 5 above described, upon which is located the small store building, securing the unpaid balance of Fifteen Hundred Dollars (\$1500.00); and it further appearing that the maker of said mortgage has paid the interest thereon at the rate of six per cent (6%), and has reduced the principal of said loan to the sum of Nine Hundred Seventy Eight & 32/100 Dollars (\$978.32); and it further appearing that the maker of said mortgage has offered to pay the sum of Five Hundred Dollars (\$500.00) in cash, as payment and satisfaction in full for said mortgage indebtedness; and it further appearing that the trustee has notified a majority of the members of the Advisory Committee appointed and designated by the court, upon whom notice shall be given of transactions involving said trustee, and that the majority of the members of said Committee have considered said proposal and have recommended to the trustee that he accept the sum of Five Hundred Dollars (\$500.00) as payment in full for said mortgage indebtedness; that the minority member of said Advisory Committee has not been notified of said proposed offer of compromise, and has not considered the same, because of his absence from the City of Tulsa, but that a majority of said Committee have been notified and have approved said proposed compromise; and it further appearing that the Trustee, J. H. McBirney, has recommended the acceptance of said compromise; and it appearing that the said improvements upon the premises securing said indebtedness are in a bad state of repair; that the said real estate will probably not sell for the sum of Five Hundred Dollars (\$500.00) in cash, and that a foreclosure proceeding would result in delay and probably not obtain a sum greater than Five Hundred Dollars (\$500.00) for said trustee estate; and it further appearing that said trust is in liquidation and that the said note and mortgage securing the same could not be sold for a sum in excess of Five Hundred Dollars (\$500.00) in cash, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to settle, compromise and adjust the indebtedness of Mary Salasco, to-wit: the principal

sum of Nine Hundred Seventy Eight & 32/100 Dollars (\$978.32), for the sum of Five Hundred Dollars (\$500.00), provided the same is payable in cash upon the delivery of the cancelled note and release of mortgage.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to to surrender to Mary Salasco the note executed by her, evidencing an indebtedness of Fifteen Hundred Dollars (\$1500.00); upon which there is due the principal sum of Nine Hundred Seventy Eight & 32/100 Dollars (\$978.32), and that he execute and deliver a release of the real estate mortgage covering the West 57.7 feet of Lot 5, Block 3, Brady Heights Addition to the City of Tulsa, Tulsa County, Oklahoma, upon payment to him by Mary Salasco of the sum of Five Hundred Dollars (\$500.00).

F. E. KENFAMER
United States District Judge.

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

Court adjourned to November 18, 1941

On this 18th day of November, 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. Kauzy, 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

Agricultural Insurance Company, et al,)	
	)	Plaintiffs,
vs	)	No. 597 Civil
R. J. Allison Company, Inc., et al,)	
	)	Defendants.

ORDER OF DISMISSAL

Now on this 18 day of November, 1941, the above cause comes on for hearing upon the motion of the plaintiffs to dismiss said action herein, without prejudice, and the Court finds that said said motion should be sustained and said cause dismissed without prejudice.

IT IS, THEREFORE, ORDERED by the Court that said cause be and the same is hereby dismissed, without prejudice, at the cost of the plaintiffs.

ROYCE H. SAVAGE
Judge.

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

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

FRANK McINTOSH,

Plaintiffs,)

vs.

) No. 688 Civil

VINNIE BALLOU, ET AL.,

Defendants.)

O R D E R

Now on this 18th day of November, 1941, this matter coming on before the court on the motion to quash service of notice on the Superintendent of the Five Civilized Tribes filed herein by the United States of America, the plaintiff appearing by Ernest R. Brown, his attorney, and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and Chester A. Brewer, Assistant United States Attorney for said District, and the court having heard the arguments of counsel and being fully advised in the premises, finds that said motion should be sustained and this cause remanded to the District Court of Mayes County, Oklahoma,

IT IS THEREFORE THE ORDER OF THE COURT that the motion to quash service of notice on the Superintendent of the Five Civilized Tribes be and the same hereby is sustained, and it is the further order of the court that this cause of action be remanded to the District Court of Mayes County, Oklahoma, to which ruling of the court plaintiff excepts and exceptions are allowed.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to November 19, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

WEDNESDAY, NOVEMBER 19, 1941

On this 19th day of November, 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, Honorable 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 OKLAHOMARECONSTRUCTION FINANCE CORPORATION,
a corporation,

Plaintiff,

-vs-

No. 505 - Civil

WERTZBERGER DEBRICK COMPANY, a corporation,
et al.,

Defendants.

ORDER FOR DISTRIBUTION OF FUNDS

This cause coming on for hearing this date, upon the verified Return of Sale and Petition for Distribution of Funds filed by M. C. TRIMBLE, the duly appointed, qualified and acting Receiver herein, and the Court, after statement of counsel, and being well and sufficiently advised in the premises, finds that the funds now in possession of said Receiver should be disbursed as prayed for in said petition; and for good cause shown, it is, by the Court,

ORDERED:

(1) That the actions and conduct of said M. C. TRIMBLE, Receiver herein, in the sale of said real estate and leasehold estate, at private sale, to Jacob Fell, for a consideration of \$10,250.00, are, in all things, approved and confirmed,

(2) That the said M. C. Trimble, Receiver, shall disburse the funds realized from the sale of the property involved herein, and now remaining in his possession, as follows, to-wit:

To:

Clerk, U. S. District Court - Costs accrued and accruing	\$41.25	
United States Marshal	3.40	
Daily Legal News - Publication Costs	35.50	
Appraisers	30.00	
Ralph M. Darnell and Ben O. Kirkpatrick - Real Estate Commission of 5%	<u>512.50</u>	\$617.65

To:

Reconstruction Finance Corporation on its Judgment, as follows:		
Principal amount of judgment	\$11,904.40	
Interest at 5% for six months to November 12, 1941	297.61	
Attorneys' Fee	600.00	
Reimbursable expense paid since date of Judgment	121.25	
Salary of Watchman, Two Months	80.00	
Additional Attorneys' fee to the plaintiff for reimbursement to its attorneys for unusual and extraordinary services performed in connection with the receivership	<u>75.00</u>	\$13,078.26
Less Amount heretofore paid		<u>5,716.00</u>
		\$ 7,362.26

To:

County Treasurer, Tulsa County, Oklahoma,
in payment of taxes, as follows:

Real Estate

1939-1940	\$197.31 plus Penalty
1941	111.00

Personal

1940	\$66.05 plus Penalty
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(3) The remainder of the funds in the hands of said Receiver shall be disbursed and paid to Noble C. Hood, Trustee, in Bankruptcy for the Wertzberger Derrick Company,

(4) Said Receiver shall be under no further liability or obligation for the payment of the 1939 taxes upon personal property, and if there is any obligation for the payment of same, such obligations shall be assumed by the said Noble C. Hood, Trustee in Bankruptcy for the Wertzberger Derrick Company.

(5) Upon payment of the sums hereinabove mentioned, said Receiver shall forthwith file in this cause his final report.

ENTERED this the 19th day of November, 1941.

ROYCE H. SAVAGE
United States District Judge

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

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 Discount Corporation, South Bend, Indiana,
Claimants.

JOURNAL ENTRY OF JUDGMENT

Now on this 19th day of November, 1941, this cause of action having come on before the Court, libelant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, and the claimant, Associates Discount Corporation, South Bend, Indiana, appearing by its attorneys, Cumby and Warren, and the claimant, Harold W. Taylor having heretofore filed his general appearance and disclaimed any interest, right or title in and to the aforesaid described automobile, and it further appearing to the Court that a petition for rescission or mitigation of the forfeiture herein has been

submitted by the claimant, Associates Discount Corporation, to the Department of Justice, and that on November 13, 1941, such petition, by said Department, was favorably considered and allowed, conditioned upon payment of all storage charges and other expenses incident to the seizure herein, and the Court being otherwise fully advised in the premises, finds that a forfeiture should be decreed insofar as the right, interest and title of the said Harold W. Taylor is concerned, and that said forfeiture should be remitted and mitigated as to the right, title and interest of the claimant, Associates Discount Corporation, South Bend, Indiana, upon its payment of all storage charges and expenses incident to the seizure herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be and the same is hereby allowed as to the said described 1938 Hudson Sedan automobile, Motor No. 98945, insofar as the right, title and interest of said claimant, Harold W. Taylor, is concerned.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that such forfeiture be and the same is hereby remitted and mitigated, upon payment by the claimant, Associates Discount Corporation, of all storage charges and expenses incident to the seizure of said automobile, and that upon compliance of such condition and the payment thereof, the United States Marshal for the Northern District of Oklahoma is hereby directed to release and deliver over said described automobile to the claimant, Associates Discount Corporation.

ROYCE H. SAVAGE
JUDGE

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

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

Brocker Engineering Company, a
Michigan corporation, Plaintiff,

vs

CIVIL NO. 646

Grand River Dam Authority, a corporation
organized under the laws of Oklahoma, et al.,
Defendants.

ORDER ENLARGING TIME WITHIN WHICH THE DEFENDANT, GRAND RIVER
DAM AUTHORITY, MAY PLEAD TO PLAINTIFF'S PETITION

For good cause shown IT IS ORDERED that the Defendant, Grand River Dam Authority, be and it is hereby allowed twenty (20) days from and after November 23, 1941, in which to plead to or answer the Plaintiff's Complaint in the above cause.

Dated November 18, 1941.

ROYCE H. SAVAGE
J U D G E

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

Relief Act of 1940 has been observed and the conditions thereof complied with and it further appearing to the satisfaction of the court that said cause was originally instituted in the District Court of Delaware County, Oklahoma, within the jurisdiction of this court in cause numbered 4726 and said cause duly removed from said court to this court in the manner and form provided by law, each and all of which are approved, and the heirs, executors, administrators, devisees, trustees, creditors and assigns immediate and remote, known and unknown, of Ned Chicken, Cherokee Roll number 32190 deceased, each having been three times called aloud at the bar of the court to appear, plead, answer, except or demur and each coming not are each adjudged wholly in default.

WHEREUPON the court proceeds to hear the testimony of witnesses sworn and examined in open court, and finds that all the issues generally in favor the plaintiff, and against the intervenor, and being fully advised in the premises:

THE COURT DOETH THEREFORE ADJUDGE AND DECLARE, and it is hereby Ordered, Adjudged and Decreed:

That Ned Chicken, during his lifetime, was a full blood Cherokee Indian, duly enrolled as such, opposite Cherokee Roll Number 32190; that as such member of said tribe of Indians he was entitled to participate in the distribution of the average allotable lands of said tribe and had conveyed to him the following described real property and premises, situated in Delaware County, Oklahoma, to-wit:

The West Half of the Northwest Quarter, and
the Northeast Quarter of the Northwest Quarter,
and the Northwest Quarter of the Northeast Quarter,
of Section 11, Township 22 North, Range 2E, East
of the Indian Base and Meridian.

That while the owner thereof and on or about the 26th day of August, 1937, the said Ned Chicken, Cherokee Roll number 32190, departed this life married and intestate, and left surviving him the following named persons who inherited the whole of his estate, in the proportion set opposite his, or her, name, to-wit:

Jennie Chicken, enrolled as Jennie Doublehead, full-
blood Cherokee Indian, appearing opposite Roll No.
32773, widow, One-Half interest

Ga-Lo-La-Di Chicken, full-blood Cherokee Indian
appearing opposite Roll No. M-4327, son, One-half interest

That he left no other child, or children, or the issue of any deceased child, or children, and the above named persons inherited the whole of his estate exclusively.

That the title to, and to the hereinabove described real property and premises he, and the same is hereby quieted and confirmed in the plaintiff, Ga-Lo-La-Di Chicken, and Jennie Chicken, now Doublehead, subject only to existing valid leases thereagainst, as against the other defendants, and each of them, and any and all persons claiming by, through, from or under them or either of them, since the date of the commencement of this action.

That in the event the land involved herein cannot be partitioned in kind and the same is sold at partition sale, that the funds derived from said sale be paid to the Superintendent of the Five Civilized Tribes for and in behalf of the restricted Indians involved in this action.

That the United States of America objected to the jurisdiction of the Court as to partition on the grounds that the State court had no jurisdiction over this action and that the Federal court, therefore, obtain no greater jurisdiction on removal, and on the further grounds that the United States of America is an indispensable party to this cause of action and the Court took said objections under advisement.

Quarter of the Northwest Quarter, of Section 15, Township 31 North, Range 21 East, Hayes County, State of Oklahoma, was allotted to

said Tyannee Grass, now deceased, as her proportionate part of the lands of the Cherokee Nation of Indians; and that she was a full blood Cherokee Indian, and enrolled as such opposite Roll No. 14,656; that she was the mother of the plaintiff Ezekiel Big Acorn, and the defendant Pollie Budder, nee Big Acorn, both of whom are full blood Cherokee Indians, plaintiffs named appearing opposite Cherokee Indian Roll No. 18,581, and the defendants named appearing opposite Cherokee Indian Roll No. 18,582; that the father of said children was Jesse Big Acorn, who was lawfully married to said decedent, and as a result of said marriage plaintiff and defendant herein were born.

The court further finds that the decedent Tyannee Grass, was lawfully divorced from her said husband Jesse Big Acorn, and that she thereafter married one William Grass, to which marriage one child, viz, James W. Grass, was born; that he died in the year 1911, being about seventeen years of age at the time of his said death, that he had never been married, and left no issue or descendant or descendants of issue, never having been married, that the said James W. Grass, her son, and William Grass, her second husband both died a long time prior to the death of the said Tyannee Grass; that her said first husband, Jesse Big Acorn, the father of the plaintiff and the defendant herein departed this life many years prior to the death of said Tyannee Grass.

The court further finds that the defendants, named as the Unknown Heirs of the estate of Tyannee Grass, deceased, have no right, title or interest in and to the land involved herein and any adverse claim, right or title, claimed or asserted by them or either of them, against the known heirs, the plaintiff and the defendant herein, are void and should be so declared, and the title to the land involved in this action should be quieted in said plaintiff and defendant and all of the said Unknown claimants should be barred and enjoined from claiming or asserting any adverse claim thereto.

The court further finds that no administration was had over the estate of the said Tyannee Grass, deceased, in the County Court of Hayes County, Oklahoma, the court having jurisdiction of the settlement of her estate, and that more than three years have elapsed since her death, and that there is now no cause or reason for administration of her estate, and the District Court of Hayes County, Oklahoma, had jurisdiction of this action, and, upon transfer of the same this court, this court obtained jurisdiction of the same, and is now vested with full and complete jurisdiction of the parties and the subject matter of the same; that that the said transfer was made in accordance with the provisions of Section 7, of the Act of Congress of April 12, 1926 (44 Stat. 230), notice of the pendency of this action having been served on the Superintendent of the Five Civilized Tribes, Muskogee, Oklahoma, as provided by said act of Congress in like cases made and provided.

The court further finds that the plaintiff and the defendant are entitled to partition of the real estate involved herein, so that each might have a one-half thereof in value, in severalty, if the same can be made without manifest injury to said estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that the findings heretofore made, be, and the same are hereby made the judgment of this court.

It is further ordered, adjudged and decreed by the court, that the plaintiff Ezekiel Big Acorn, and the defendant Pollie Budder, nee Big Acorn, are entitled to partition of the lands involved in this action and hereinbefore described, including all mineral rights in and under the same, so that each of them may have and hold a one-half thereof in severalty, and that Benjamin F. Smith, Walter Kay, and William Panton, dis-interested freeholders of Hayes County, Oklahoma, be and they are hereby appointed Commissioners to partition said land, if the same can be done without manifest injury to the interests of the parties hereto, plaintiff and defendant; otherwise to make an appraisement and valuation thereof and to file their report forthwith, and the Hon. H. P. Warfield, Clerk, of this court, is directed to issue to said Commissioners, a writ of partition, directing them to make said partition or appraisement and valuation, without unnecessary delay.

It is further ordered, adjudged and decreed by the court, that the title of the plaintiff Ezekiel Big Acorn, and the defendant Pollie Budder, nee Big Acorn, in and to the land involved herein, and hereinafter described, be quieted in them against the adverse claims of the Unknown heirs of the estate of the said Tyannee Grass, deceased, and the said Unknown Claimants are hereby forever barred and enjoined from claiming or asserting any adverse right, title or interest in and to the said lands involved herein, adverse to the right, title and interest of the said plaintiff Ezekiel Big Acorn, and the defendant Pollie Budder, nee Big Acorn, the parties to this action.

It is further ordered by the court that the expense of making the said partition or appraisement, be taxed as costs in this action to be equally paid by the plaintiff and the defendant.

It is the further order of the court that if the land involved cannot be partitioned in kind and is sold, that the funds derived from said sale be paid to the Superintendent of the Five Civilized Tribes for the use and benefit of the restricted Indians involved.

It is further ordered, adjudged and decreed by the court, that the plaintiff and the defendant, the known heirs of said decedent, as her surviving children are her sole and only heirs, and upon her death, succeeded to and became the owners of said land in equal one-half portions, the said land having been allotted to her by the Cherokee Nation, and was owned and occupied by her at the time of her death.

It is further ordered, adjudged and decreed by the court, that this decree be binding in all respects on the United States of America, to the same intent as such decree is binding on all other parties to this action, as provided by the act of Congress of April 12, 1926, notice pursuant thereto having been served on the Supt. of the Five Civilized Tribes, at Muskogee, Oklahoma.

IT IS FURTHER ORDERED, adjudged and decreed by the court, that the publication service against the Unknown heirs of the estate of Tyannee Grass, deceased, defendants herein, made in the Mayes County Democrat, proof of said publication having been filed herein, be and the same is in all things approved and confirmed, and that the service of Notice of the Superintendent of the Five Civilized Tribes, at Muskogee, Oklahoma, as made and returned by the United States Marshal of the Eastern District of Oklahoma, be and the same is in all things approved and confirmed, and said service is adjudged to be valid and perfect, and made in accordance with the provisions of the Acts of Congress in like cases made and provided, and in conformity with the Act of Congress of April 12, 1926.

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

endorsed; Filed Nov 19 1941
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to November 24, 1941

On this 24th day of November, 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, present and presiding and Hon. F. E. Kennamer, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 24th day of November, A. D. 1941, it being made satisfactorily to appear that Ernest H. Burt 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 this Court.

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

ORDER FOR PETIT JURY

On this 24th day of November, A. D. 1941, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Fifty-five (55) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular November 1941 Term of this Court to be held at Miami, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Miami, Oklahoma, in the Northern District of Oklahoma, on Monday, December 8, 1941, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for said District at the Regular November 1941 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

ODIS GREECE,	Plaintiff,)
)
-vs-		) Civil No. 601
)
M. A. ROSS, d/b/a/ Tulsa)
Rendering Company,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

THIS CAUSE COMING on to be heard before the undersigned Judge of The United States District Court for the Northern District of Oklahoma, this 24th day of November, 1941, upon an oral application of the plaintiff and the defendant in the above styled cause, the parties hereto submitting a stipulation and agreement and requesting the court to enter judgment thereupon in the sum of \$100.00 for unpaid overtime compensation and an additional equal amount of \$100.00 as liquidated damages in favor of the plaintiff for his claim under the Fair Labor Standards Act of 1938, as set forth in his complaint heretofore filed in this cause, and for the further sum of \$200.00 attorney's fee for the attorneys of said plaintiff as provided for in Section Sixteen of said Act, the court being fully advised in the premises, upon consideration, finds that said stipulation and agreement should be approved and judgment entered thereupon.

It is, therefore, ORDERED, ADJUDGED and DECREED that said plaintiff be and he is hereby granted a judgment against said defendant in the sum of \$100.00 for unpaid overtime compensation and the sum of \$100.00 for liquidated damages as provided for by Section Sixteen of the Fair Labor Standards Act of 1938;

IT IS FURTHER ORDERED that said plaintiff have judgment against said defendant in the sum of \$200.00 for a reasonable attorney's fee as provided for in the aforesaid Act; and that the costs accrued shall be paid by the plaintiff, except the sum of \$5.00 heretofore paid by the defendant, and agreed to be paid as provided in the aforesaid stipulation of agreement.

ROYCE H. SAVAGE
Judge of the United States District Court

ENDORSED: Filed Nov 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

City of Tulsa, Oklahoma, a Municipal
corporation, Plaintiff,

-vs-

Henry Cohen and Jeanette Beck, Executors,
of the Estate of Aaron Cohen, deceased;
M. W. Smittle; Edith H. Smittle; D. A.
Biles; John M. Ingram; S. R. Lewis, and
Water Improvement District No. 5, Tulsa
County, Oklahoma, a municipal corporation,
Defendants.

NO. 603 - Civil

JUDGMENT

Be it remembered that on this 24 day of November, 1941, the same being one of the regular judicial days of the regular term of said court, this cause came on for hearing in its regular order according to assignment. Plaintiff appearing by E. M. Gallaher, City Attorney, and the defendants, Henry Cohen and Jeanette Beck, Executors of the Estate of Aaron Cohen, Deceased, appearing by their attorney, Max G. Cohen; Water Improvement District No. 5, Tulsa County, Oklahoma, a municipal corporation, appearing by its attorney, George B. Schwabe; and it appearing to the court that the defendants, M. W. Smittle, Edith H. Smittle, D. A. Biles, John M. Ingram and S. R. Lewis, named in the caption hereof were served in said cause and have defaulted herein. Whereupon, the court examined the notice and service thereof and finds that each and all of said defendants were duly and legally served with notice as required by law, or duly and legally waived service as provided by law, all of which is hereby approved, and that said defendants are in court for all purposes in connection herewith. It appearing to the court that Aaron Cohen, the principal defendant in said cause of action who filed and owner of the land and premises herein involved, departed this life since the institution of said action, to-wit: on the 7th day of August, 1941, and that the death of said defendant has been suggested and Henry Cohen and Jeanette Beck, Executors of his said Estate, have been substituted as defendants in his stead, and the court finds that the said Henry Cohen and Jeanette Beck are the duly appointed, qualified and acting Executors of the Estate of Aaron Cohen, deceased. The court thereupon examined all the proceedings in condemnation had herein and finds that the same are regular, sufficient and legal and the same are hereby approved.

It appearing that the commissioners, heretofore duly appointed by the court and qualified as provided by law, did, on the 27th day of June, 1941, duly and legally inspect said land so taken and appropriated and assess the injury and damage thereto, because of said appropriation, in the sum of \$7,000.00, which said report and award was filed and deposited with the Clerk of said court in said cause. Thereafter, on the 24th day of July, 1941, the defendant, Aaron Cohen, filed with the Clerk of said court objections to the commissioners' report and a written demand for a trial by jury provided by law. The court finds that the plaintiff and said appearing defendants, and each of them, this day in open court, have stipulated and agreed to try said issues of fact, raised by said demand for jury trial, to the court in the same manner and to the same effect as if tried by jury, and said appearing defendants, and each of them, hereby waive right to have said issues or cause submitted to a jury. Whereupon, Henry Cohen and Jeanette Beck, Executors of the Estate of Aaron Cohen, deceased, offered and introduced their evidence under their demand for trial by jury and the issues raised thereby, and Water Improvement District No. 5, Tulsa County, Oklahoma, a municipal corporation, defendant, offered and introduced its evidence, and there being no other or further testimony offered, the court, as the trier of facts, finds that said claimants of said land have sustained, by reason of said appropriation of said land, injury and damage, irrespective of any benefits from the improvements proposed, in the sum of \$9,525.00, and that said sum represents the fair, cash market value of said real estate and premises. That said property is necessary for public use and that the taking and condemnation of said property is a legal and proper exercise of the right of eminent domain.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the injury and damage, irrespective of any benefits from the improvements proposed, sustained by said claimants, of said land or their interest therein, because of the appropriation thereof, is, and is hereby adjudged to be, the sum of \$9,525.00, which said sum has been deposited with the Clerk of said court in said cause by the plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the full and complete fee simple title and estate in and to the following described real estate, so taken and appropriation, as herein set out,

West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section Twenty-four (24), Township Twenty (20) North, Range Thirteen (13) East, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof,

did, upon the payment of said sum or sums, now or heretofore deposited with the Clerk of said court vest in the City of Tulsa, Oklahoma, a municipal corporation, and the said City of Tulsa, Oklahoma, is hereby adjudged to have acquired said real estate and the fee simple title thereto, exclusive of any and all other claims made, or that might be made, thereto and that each and all of said defendants their executors, administrators, trustees and assigns, be, and they are, forever barred from claiming any right, title or interest in and to said real estate herein specifically described, and the title to said land and premises is quieted in the City of Tulsa, Oklahoma, a municipal corporation, as against each and all of the defendants named in the caption hereof, or any person claiming by, through or under them.

IT IS FURTHER ORDERED AND DECREED BY THE COURT that out of the funds so deposited with the Clerk of said court, as aforesaid, there be distributed and paid to Henry Cohen and Jeanette Beck, Executors of the Estate of Aaron Cohen, deceased, defendants, the sum of \$9,000.00, and that said defendants be reimbursed by said plaintiff for cost herein expended, in addition thereto, in the sum of \$43.00, and that there be distributed and paid to the defendant, Water Improvement District No. 5, Tulsa County, Oklahoma, a municipal corporation, the sum of \$525.00, all in full and complete satisfaction of all claims, liens, interests or estate in and to said premises.

IT IS FURTHER ORDERED AND DECREED BY THE COURT that the cost of this action, including attorney's fee of \$50.00 to be paid to George B. Schwabe, attorney for Water Improvement District No. 5, Tulsa County, Oklahoma, a municipal corporation, be taxed to the plaintiff.

ROYCE H. SAVAGE
JUDGE

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

VERDICT

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

SUSAN J. COLLIER, Plaintiff,)
-vs-)
J. J. NEWBERRY COMPANY, incorporation,) Case No. 619 Civil
Defendant.)

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

designated as Tract No. B-25, and more particularly hereinafter described, at the time of the filing of the Declaration of Taking No. 1 by the petitioner were as follows: Roscoe E. Seever and Winnie B. Seever, his wife, and Marion Wilson and Mrs. Marion Wilson, his wife (tenants), and that said persons are the only ones entitled to participate in the funds accruing from this particular tract.

(2) The rightful owners and claimants to the real estate involved in this proceeding and designated as Tract No. B-25, and more particularly hereinafter described, have filed written stipulations herein, wherein it is agreed that the fair, cash, market value of said tract No. B-25, exclusive of crops, shall be in the total sum of Thirty Two Thousand Six Hundred Sixty Five and no/100 Dollars (\$32,665.00) and that the fair, cash, market value of the crops growing upon said tract shall be in the sum of One Thousand Four Hundred Ninety Two and 50/100 Dollars (\$1,492.50), or a total sum of Thirty Four Thousand One Hundred Fifty Seven and 50/100 Dollars (\$34,157.50).

(3) The United States of America did on October 6, 1941, file its Declaration of Taking No. 1 herein, and paid to the Clerk of this Court, for the use and benefit of the person entitled thereto, the sum of Twenty Five Thousand and no/100 Dollars (\$25,000.00) for said estate in said real estate designated as Tract No. B-25 involved in this proceeding, and more particularly hereinafter described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Stipulations and written pleadings herein are final, and the fair, cash, market value, as set out and fixed in said Stipulations and pleadings, is final as to the particularly described lands and values and estates therein taken, all as follows, to-wit:

Tract No. B-25

The South Half of the Northeast Quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$) of Section Nine (9); the Southwest Quarter (SW $\frac{1}{4}$); the West Half of the Southeast Quarter ($W\frac{1}{2}$ SE $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 480 acres, more or less, in fee simple title, a total, fair, cash, market value of

\$34,157.50

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on October 6, 1941, upon the depositing of the sum of Twenty Five Thousand and no/100 Dollars (\$25,000.00) with the Registry of this Court for the above described tract of land, the filing of the Declaration of Taking No. 1 herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon depositing the additional sum of Nine Thousand One Hundred Fifty Seven and 50/100 Dollars (\$9,157.50) with the Clerk of this Court, as the Registrar of said Court, the said lands and estate herein taken, as hereinabove specifically set out, will be deemed to be condemned and taken for the uses and purposes of the United States of America, and that the right to compensation in the full amount of Thirty Four Thousand One Hundred Fifty Seven and 50/100 Dollars (\$34,157.50) will vest in the persons lawfully entitled thereto.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) No. 652 - Civil
)
15,500 Acres of land, more or less,)
situate in Mayes County, State of Oklahoma,)
and John M. Niehaus, Jr., et al,	Respondents.)

ORDER DISTRIBUTING FUNDS

Now on this 24 day of November, 1941, there comes on for hearing application of the respondents for distribution of the money deposited herein as just compensation for Tract No. B-25 involved in this proceeding. The Court hears evidence and finds that said money should be distributed to the following persons and in the following amounts, to-wit:

To Mr. and Mrs. Marion Wilson	\$	777.50
To The Federal Land Bank and Roscoe E. Seever		1,200.00
To Roscoe E. Seever and Winnie B. Seever		23,122.50

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Clerk of this Court issue his checks payable as follows, to-wit:

To Mr. and Mrs. Marion Wilson	\$	777.50
To The Federal Land Bank and Roscoe E. Seever		1,200.00
To Roseoe E. Seever and Winnie B. Seever		23,022.50

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall make no charge as commission or poundage for the handling and distribution of these funds.

ROYCE H. SAVAGE
JUDGE

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

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

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

ORDER AUTHORIZING EXECUTION OF QUIT CLAIM DEED

THIS CAUSE COMING on to be heard on this the 24th day of November, 1941, on the application of T. P. Farmer, as receiver of Exchange National Company, for authorization to execute a quit claim deed covering the following described premises located in the City of Prague, Oklahoma:

- Lots 1 to 13 inclusive, Lot 16, Lots 19 to 22 inclusive, Block 9,
- Lots 13 and 14, Block 25,
- Lots 13 to 19 inclusive, Block 33,
- Lots 3 to 14 inclusive, Block 33
- Lots 5 and 6 Block 39
- Lots 10, 11 and 12, Block 42,
- Lots 1 to 5 inclusive, Block 44,
- Lot 24 in Block 61,
- OLots 1 to 7 inclusive, Block 71
- Lots 6, 7, and 8 Block 2
- Lots 4, 5, and 6 Block 19,

upon the payment to him of the sum of \$25.00 and the court having read said application and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said T. P. Farmer, as receiver of Exchange National Company be and he is hereby directed, authorized and empowered to execute and deliver to W. E. Wells a quit claim deed covering the above described premises, upon the payment to him, the said receiver, of the sum of \$25.00, and the said T. P. Farmer, be and he is hereby directed, authorized and empowered, as such receiver, to do all things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

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

Court adjourned to November 26, 1941

On this 26th day of November, 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:

VERDICT

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

MARION HENRY GOOCH,	Plaintiff,)	
)	
-vs-		)	Case No. 580 Civil
)	
H. J. BALLENGER and FRANK YOUNG and JOE YOUNG, doing business as Harrison Oil Company,	Defendant.)	

We, the jury in the above-entitled case, duly empaneled and sworn, upon our oaths find for the plaintiff, and assess damages at Four Hundred and no/100 DOLLARS.

PHILIP A. SMITH
Foreman

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

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

United States of America,	Plaintiff,)	
)	
vs		)	NO. 644 CIVIL
)	
Alvin Newport and H. D. Williams, et al,	Defendants.)	

ORDER OF DISMISSAL

Now on this 26th day of November, 1941, this matter coming on before the Court upon the motion of the plaintiff, United States of America by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney in and for said District, and it appearing to the Court that said defendants Alvin Newport and H. D. Williams could not be found in the Northern District of Oklahoma and therefore have not been served with copy of the Complaint and summons in the above cause, and that plaintiff now has no information as to the whereabouts of said defendants, and that said cause of action should be dismissed as to defendants Alvin Newport and H. D. Williams,

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

EVELYN SEBER, otherwise known as Osharsha
John, Jimmie Powshiek, and Juanita Deere,
now McIntosh, Flaintiffs,

- vs -

Board of County Commissioners of the County of
of Creek, State of Oklahoma, a municipal cor-
poration; H. L. Payne, County Treasurer of the
County of Creek, State of Oklahoma, J. Clyde Staiger
County Assessor of the County of Creek, State of
Oklahoma, and W. B. Key, County Clerk, County of
Creek, State of Oklahoma, Defendants.

No. 436 - Civil

ORDER EXTENDING TIME WITHIN WHICH TO LODGE
APPEAL IN THE TENTH CIRCUIT COURT OF APPEALS

Now on this 29th day of November, 1941, the defendants' application for extension of time within which to lodge appeal in the Tenth Circuit Court of Appeals comes on to be heard.

For good cause shown said application for extension of time is granted, and the defendants are hereby given thirty (30) days from November 30, 1941, within which to docket this case and file record herein on appeal with the Clerk of the United States Circuit Court of Appeals for the Tenth Circuit.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Nov 29 1941
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to December 1, 1941

On this 1st day of Decemter, 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:

U. S. MARSHAL'S OATH OF OFFICE, NORTHERN DISTRICT OF OKLAHOMA

I, Jno. P. Logan, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; SO HELP ME GOD.

JNO. P. LOGAN

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. DISTRICT JUDGEDATED OF BIRTH Apr. 6, 1861
Dated of entry on duty - Dec. 1, 1941ENDORSED: Filed Dec 1 1941
H. P. Warfield, Clerk
U. S. District Court

BOND = U. S. MARSHALS (Corporation)

KNOW ALL MEN BY THESE PRESENTS

THAT WE, Jno. P. Logan, as principal, and The Ohio Casualty Insurance Company, a corporation created and existing under the laws of the State of Ohio, as sureties, are held and firmly bound unto the United States of America in the full and just sum of Twenty-five thousand dollars, lawful money of the United States, to be paid to the United States; for which payment, well and truly to be made the said Jno. P. Logan binds himself, his heirs, executors, administrators, and the said The Ohio Casualty Insurance Company binds itself, its successors, and assigns, firmly by these presents.

Signed with our hands and sealed with our seals this 29th day of November, in the year one thousand nine hundred and forty-one.

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH, that whereas the President of the United States hath, pursuant to law, appointed the said Jno. P. Logan, to be Marshal of the United States for the Northern District of Oklahoma commencing with the 1st day of December, 1941, as by a commission to him bearing date the 1st day of December, 1941, more fully appears.

NOW, THEREFORE, if the said Jno. P. Logan, by himself and by his deputies shall faithfully perform all the duties of the said office of Marshal, then this obligation to be void; otherwise, to remain in full force and virtue.

Signed, sealed, and delivered in the presence of
CHESTER A. BREWER WHIT Y. MAUZY
As to Principal

FLO MILLER as to surety

ENDORSED: Filed Dec 1 1941 H. P. Warfield Clerk
U. S. District CourtJNO. P. LOGAN (SEAL)
Principal
THE OHIO CASUALTY INSURANCE COMPANY (SEAL)
By Walter O. Essman, It's Attorney in fact.

OATH OF VIRGIL B. STANLEY, Deputy U. S. Marshal.

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Virgil B. Stanley, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter. SO HELP ME GOD.

VIRGIL B. STANLEY

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. District Judge

Tulsa, Oklahoma, December 1, 1941.

I certify that the above-named Virgil B. Stanley, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

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

OATH OF URIAH S. LEAHY, DEPUTY U. S. MARSHAL

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Uriah S. Leahy, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter: SO HELP ME GOD.

URIAH S. LEAHY

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. District Judge

Tulsa, Oklahoma, December, 1, 1941.

I certify that the above-named Uriah S. Leahy, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

endorsed; Filed Dec 1 1941
H. P. Warfield, Clerk
U. S. District Court

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Ann Irene Doling, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter. SO HELP ME GOD.

ANN IRENE DOLING

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
United States District Judge

Tulsa, Oklahoma, December 1, 1941.

I certify that the above-named Ann Irene Doling, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

endorsed: Filed Dec 1 1941
H. P. Warfield, Clerk
U. S. District Court

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, John C. Tucker, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter. SO HELP ME GOD.

JOHN C. TUCKER

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. District Judge

Tulsa, Oklahoma, December 1, 1941.

I certify that the above-named John C. Tucker, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

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

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Albert R. Cottle, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter: SO HELP ME GOD.

ALBERT R. COTTLE

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. District Judge

Tulsa, Oklahoma, December 1, 1941.

I certify that the above-named Albert R. Cottle, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

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

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Lurline G. Davidson, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter. SO HELP ME GOD.

LURLINE G. DAVIDSON

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

Tulsa, Oklahoma, December 1, 1941.

I certify that the above-named Lurline G. Davidson, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
UNITED STATES MARSHAL

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

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Austin Whitaker, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; SO HELP ME GOD.

AUSTIN WHITAKER

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. DISTRICT JUDGE

Tulsa, Oklahoma, Dec. 1, 1941.

I certify that the above-named Austin Whitaker, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

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

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, John Rainey, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to entered: SO HELP ME GOD.

JOHN RAINEY

Sworn to and subscribed before me, this 1st day of December, 1941.

F. E. KENNAMER
U. S. DISTRICT JUDGE

Tulsa, Oklahoma, December 1, 1941.

I certify that the above-named John Rainey, Deputy Marshal, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN
United States Marshal

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

BOND-ASSISTANT DISBURSING OFFICER
(When surety is a corporation)

#373663

KNOW ALL MEN BY THESE PRESENTS:

That We Albert R. Cottle, of Tulsa, Oklahoma, as principal, and Maryland Casualty Company, Baltimore, Maryland, as surety, are held and firmly bound unto the UNITED STATES OF AMERICA, in the full and just sum of Five Thousand Dollars (\$5,000.00), lawful money of the United States; for which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors and administrators, successors and assigns, firmly by these presents.

Sealed with our seals, and dated this 12th day of November, 1941.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas the above bounded principal has been designated assistant disbursing officer to John P. Logan, U. S. Disbursing Officer at Tulsa, Oklahoma in the Department of Justice, and has accepted said designation:

NOW, THEREFORE, if the said assistant disbursing officer shall and do all times during his remaining on duty as assistant disbursing officer faithfully discharge the duties to which he may be assigned, according to the laws of the United States and regulations made in conformity therewith, safely keeping and correctly paying out all sums of public or other money which may come into his custody and/or control from time to time by virtue of his said designation as assistant disbursing officer, without loaning, using, depositing in bank, or exchanging for other

funds than as allowed by law, and shall render true and correct accounts through the accounts of the said principal disbursing officer of all such public or other moneys, then this obligation to be void and of no effect; otherwise to remain in full force and virtue.

The rate of premium on this bond is \$1.35 per thousand; the annual premium on this bond is \$6.75, as shown by premium receipt hereto attached.

Signed, sealed, and delivered in the presence of -

A. B. EDMUNDS, JR.
Tulsa, Okla.

ALBERT R. COTTLE (SEAL)
Principal

A. K. MATTHEWS
Oklahoma City, Okla.

MARYLAND CASUALTY COMPANY (Corporate Seal)
By G. O. SHACKELFORD
Attorney in fact

(SEAL)

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

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

D. B. Hellard, Plaintiff,)

v.)

Ethleene Fulsom, now Bevenue, Anderson
Allen, otherwise known as Anderson Char-co-
te-ten-na, Sako-tah Hay, nee Staley, De-
shalecowney Hay, otherwise known as Joe
Hay, Modie Hay, Eva Barnett, nee Hay,
and Lofa Hay, Defendants,)

No. 664 Civil

United States of America, Intervener.)

O R D E R

Now on this 1st day of November, 1941, this matter coming on before the Court on the application of the United States of America for an order permitting it to withdraw its Answer in Intervention filed herein on October 6, 1941, and to file forthwith a Complaint in Intervention, and it appearing to the Court that said application should be granted,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted permission to withdraw its Answer in Intervention filed herein on October 6, 1941, and to file forthwith a Complaint in Intervention in this cause of action.

F. E. KENNAMER
JUDGE

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

DATED at Tulsa, Oklahoma, this 1st day of December, 1941.

F. E. KENNAMER
United States District Judge

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

Court adjourned to December 2, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 2, 1941

On this 2nd day of December, 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 CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT DENVER, COLORADO
FORTY-THIRD DAY, SEPTEMBER TERM, FRIDAY, NOVEMBER 28th, A. D. 1941

PRESENT: Honorable Orie L. Phillips, Senior Circuit Judge,
Honorable J. Foster Symes, District Judge,
And other officers as noted on the 2nd day of September, A. D. 1941.

Before Honorable Orie L. Phillips Circuit Judge and Honorable J. Foster Symes, District Judge.

Grand River Dam Authority, a
public corporation,

Appellant,

2438 vs.

A. O. Kephart, Lucille Ahniwake
Miller, et al.,

Appellees.

)
)
) No. 263 Civil Tract 2
) Appeal from the District Court of the
) United States for the Northern District
) of Oklahoma.

This cause came on to be heard on the motion of appellant to docket the case and dismiss the appeal herein and was submitted to the court.

On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby granted, that appellant may docket the cause instanter, which is accordingly done, and that the appeal in this cause be and the same is hereby dismissed out of this court at the costs of appellant.

It is further ordered by the court that the clerk of this court forthwith transmit to the clerk of the District Court of the United States for the Northern District of Oklahoma a

certified copy of this order.

A true copy as of record,

TESTE:

ROBERT B. CARTWRIGHT, Clerk

(SEAL)

ENDORSED: Filed Dec 2 1941
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT DENVER, COLORADO
FORTH-THIRD DAY, SEPTEMBER TERM, FRIDAY, NOVEMBER 28th, A. D. 1941

PRESENT: Honorable Orie L. Phillips, Senior Circuit Judge,
Honorable J. Foster Symes, District Judge,
And other officers as noted on the 2nd day of September, A. D. 1941.

Before Honorable Orie L. Phillips, Circuit Judge, and Honorable J. Foster Symes,
District Judge.

Grand River Dam Authority, a
public corporation,

Appellant,

)
) No. 322- Civil Tract 3
)

2439 vs.

) Appeal from the District Court of the
) United States for the Northern District
) of Oklahoma.
)

William H. Kneeland, United
State of America, Sam Bony, Emma Raven,
Arcenie Lincoln, Nannie Lincoln, Mary
Blackbird Lincoln, et al.

Appellees.

This cause came on to be heard on the motion of appellant to docket the cause and
dismiss the appeal herein and was submitted to the court.

On consideration whereof, it is now here ordered by the court that the said motion
be and the same is hereby granted, and that appellant may docket the cause instanter, which is
accordingly done, and that the appeal in this cause be and the same is hereby dismissed out of this
court at the costs of appellant.

It is further ordered by the court that the clerk of this court forthwith trans-
mit to the clerk of the District Court of the United States for the Northern District of Okla-
homa a certified copy of this order.

A true copy as of record.

TESTE:

ROBERT B. CARTWRIGHT
Clerk

ENDORSED: Filed Dec 2 1941
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL
CIRCUIT SITTING AT DENVER, COLORADO
FORTY-THIRD DAY, SEPTEMBER TERM, FRIDAY, NOVEMBER 23th, A. D. 1941

PRESENT: Honorable Orie L. Phillips, Senior Circuit Judge,
Honorable J. Foster Symes, District Judge,
And other officers as noted on the 2nd day of September, A. D. 1941.

Before Honorable Orie L. Phillips, Circuit Judge, and Honorable J. Foster
Symes, District Judge

Grand River Dam Authority, a public corporation,	Appellant,	)	No. 329 Civil Tract 7
2437	vs.	)	Appeal from the District Court of the United States for the Northern District of Oklahoma
Peter Barehead, Cornelius Buzzard, et al,	Appellees.)	

This cause came on to be heard on the motion of the appellant to docket the cause and
dismiss the appeal heren and was submitted to the court.

On consideration whereof, it is now here ordered by the court that the said motion be
and the same is hereby granted, that appellant may docket the cause instanter, which is accordingly
done, and that the appeal in this cause be and the same is hereby dismissed out of this court at the
costs of appellant.

It is further ordered by the court that the clerk of this court forthwith transmit to
the clerk of the District Court of the United States for the Northern District of Oklahoma a certi-
fied copy of this order.

A true copy as of record,

TESTE:

ROBERT B. CARRERIGHT
Clerk

ENDORSED: Filed Dec 2 1941
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT DENVER, COLORADO
FORTY-THIRD DAY, SEPTEMBER TERM, FRIDAY, NOVEMBER 23th, A. D. 1941.

PRESENT: Honorable Orie L. Phillips, Senior Circuit Judge.
Honorable J. Foster Symes, District Judge,
And other officers as noted on the 2nd day of September, A. D. 1941.

Before Honorable Orie L. Phillips, Circuit Judge, and Honorable J. Foster Symes,
District Judge

Grand River Dam Authority, a public corporation,	Appellant,	)	No. 370 Civil Tract 1
2436	vs.	)	Appeal from the District Court of the United States for the Northern District of Oklahoma
United States of America, Clarence Winney, Seneca Allottee, No. 12, et al,	Appellees.)	

This cause came on to be heard on the motion of the appellant to docket the case and dismiss the appeal herein and was submitted to the court.

On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby granted, that appellant may docket the cause instanter, which is accordingly done, and that the appeal in this cause be and the same is hereby dismissed out of this court at the costs of appellant.

It is further ordered by the court that the clerk of this court forthwith transmit to the clerk of the District Court of the United States for the Northern District of Oklahoma a certified copy of this order.

A true copy as of record,

TESTE:

ROBERT B. CARTWRIGHT

Clerk

ENDORSED: Filed Dec 2 1941
H. P. Warfield, Clerk
U. S. District Court H

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT DENVER, COLORADO
FORTY-THIRD DAY, SEPTEMBER TERM, FRIDAY, NOVEMBER 28TH, A. D. 1941

PRESENT: Honorable Orie L. Phillips, Senior Circuit Judge,
Honorable J. Foster Symes, District Judge,
And other officers as noted on the 2nd day of September, A. D. 1941.

Before Honorable Orie L. Phillips, Circuit Judge, and Honorable J. Foster Symes, District Judge.

Grand River Dam Authority,
a public corporation

Appellant,

) No. 392 - Civil Tract 7

2435 vs.

) Appeal from the District Court of the United States for the Northern District of Oklahoma

United States of America, Bushyhead O'Field,
Mary Jane O'Field, a minor, Kenneth O'Field,
a minor, Ruth O'Field, a minor, et al.,

Appellees.

This cause came on to be heard on the motion of appellant to docket the cause and dismiss the appeal herein and was submitted to the court.

On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby granted, that appellant may docket the cause instanter, which is accordingly done, and that the appeal in this cause be and the same is hereby dismissed out of this court at the costs of appellant.

It is further ordered by the court that the clerk of this court forthwith transmit to the clerk of the District Court of the United States for the Northern District of Oklahoma a certified copy of this order.

A true copy as of record,

TESTE:

ROBERT B. CARTWRIGHT,

Clerk

ENDORSED: filed Dec 2 1941
H. P. Warfield, Clerk U. S. District Court H

Court adjourned to Dec 4, 1941

On this 4th day of December, 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

PETER J. DIEDERICH and ROSE)	
DIEDERICH,)	
	)	No. 555 CIVIL
)	
v.)	
)	
AMERICAN NEWS COMPANY, doing)	
business as Osage News Agency,)	
Defendant.)	

ORDER ALLOWING PROSECUTION OF APPEAL IN FORMA PAUPERIS

THIS CAUSE coming on to be heard on this 4th day of December, 1941, on the application of Rose Diederich, on her own behalf and on behalf of her co-complainant, Peter J. Diederich and T. Austin Gavin, one of the attorneys of said Complainants, seeking an order of this Court permitting the prosecution of the appeal herein, to the Tenth Circuit Court of Appeals, in forma pauperis, and the court having read said verified application herein seeking said relief, and finding that it has jurisdiction to entertain the same, and that the appeal being prosecuted by said Complainants has been taken in good faith, and that said Complainants are unable to pay fees or costs, or for the printing in the Appellate Court, or give security therefor, and that said Complainants believe in good faith that they are entitled to seek on said appeal such redress as they may show themselves entitled, and the court, finding that the said Application truly reflects the condition of the record thus far made in this cause;

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that said verified Application of said Rose Diederich, on her own behalf and on behalf of her co-complainant, Peter J. Diederich, and one of their attorneys, T. Austin Gavin, should be and the same is hereby sustained.

IT IS THE FURTHER ORDER, JUDGMENT, and DECREE of the court that said Complainants shall be permitted to prosecute their appeal in this court without being required to prepay fees or costs, or for the printing of the record in the Appellate Court, or giving security therefor.

ROYCE H. SAVAGE
United States District Judge

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

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

PETER J. DIEDERICH and ROSE
DIEDERICH,

Plaintiffs,

v.

AMERICAN NEWS COMPANY, doing business
as Osage News Agency,

Defendants.

No. 555 Civil.

ORDER EXTENDING TIME

THIS CAUSE coming on to be heard on this the 4th day of December, 1941, on the application of the Complainants for an order extending their time in which to lodge their appeal in the Circuit Court of Appeals for the Tenth Circuit, and for good cause the court finds that said application should be sustained.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED and DECREED that the application of the Complainants, Peter J. Diederich and Rose Diederich for an order extending their time to December 26, 1941, within which to lodge their appeal in the Circuit Court of Appeals for the Tenth Circuit, be and the same is hereby sustained.

ROYCE H. SAVAGE
United States District Judge

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

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

Miss Flora Calvert,

Plaintiff,)

-vs-

) No. 600 Civ.

J. B. Kurn, et al.,

Defendants.)

JOURNAL ENTRY OF JUDGMENT

This cause coming on to be heard this 2nd day of October, 1941, the plaintiff appearing in person and by her attorneys, B. A. Hamilton, and L. O. Melone, defendants appearing by their attorneys, Doerner, Rinehart & Stuart and Cruce, Satterfield & Grigsby; and all parties having announced ready for trial, a jury of twelve men was selected and sworn according to law to try the issues. Thereupon, the plaintiff commenced the introduction of her evidence; thereafter and prior to the time that plaintiff rested, defendants requested the Court and jury to view the premises involved at the point where plaintiff contended she was injured, which request, without objection on the part of plaintiff, was granted and thereupon the Court and jury did view said premises and point of plaintiff's injuries and thereafter returned to the Courtroom; whereupon the plaintiff resumed the introduction of her evidence and rested; whereupon the defendants, and each of them, separately moved for a directed verdict, and after argument before the Court on such motions, the Court reserved his ruling on such motions and ordered the trial of the issues continued; and thereupon the defendants introduced their evidence and rested, and after the close of

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America, Libelant,

vs.

One 1940 Ford Coach Automobile, Motor No. 18-5,885,439, and approximately 39 gallons of Assorted Taxpaid Intoxicating Liquors seized therein; Horace (Heinie) Hinds, and the Banker's Investment Company of Tulsa, Oklahoma, Claimants.

No. 720 Civil

ORDER FOR MONITION

Now on this 4th day of December, 1941, it appearing to the court that the said 1940 Ford Coach Automobile, Motor No. 18-5,885,439, with approximately Thirty-nine (39) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point on United States Highway No. 66 about Four (4) miles West of the town of Vinita, in Craig County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this court, on October 23, 1941 by R. A. West and Roy B. Mogridge, Investigators for the Department of Public Safety of the State of Oklahoma, by virtue of authority of their said office, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Horace (Heinie) Hinds for transportation of such intoxicating liquors from Joplin, Missouri into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Horace (Heinie) Hinds and the Banker's Investment Company of Tulsa, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

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

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to December 5, 1941

On this 5th day of December, 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

THE CREEK NATION OF INDIANS, BY ALEX NOON, PRINCIPAL CHIEF,	Plaintiff,)	
)	
vs.		)	No. 367 - Civil
)	
NANCY BARNETT, nee Grayson, et al.,	Defendants.)	

O R D E R

NOW on this 5th day of December, 1941, there comes on for hearing pursuant to assignment the Motion of C. H. Rosenstein Amicus Curiae, to Quash and Dismiss as to Minnehoma Oil and Gas Company, Minnehoma Oil Company, Reserve Petroleum Corporation and Reserve Development Company.

The Court, after considering the statements of counsel, the proof offered in support of such Motion and the argument of counsel, finds that said Motion should be sustained as to Minnehoma Oil and Gas Company, Minnehoma Oil Company and Reserve Petroleum Corporation (the correct corporate name of which is Reserve Petroleum Company), and that said Motion should be taken under advisement as to Reserve Development Company.

It is, therefore, ORDERED and DECREED that the Motion heretofore filed in this cause by C. H. Rosenstein as Amicus Curiae to Quash the Service upon Minnehoma Oil and Gas Company, Minnehoma Oil Company and Reserve Petroleum Corporation (the correct corporate name of which is Reserve Petroleum Company but which company was served herein as Reserve Petroleum Corporation) should be sustained and that the purported summons heretofore issued in this cause on the Cross Claim of Jim Payne Woods be and the same hereby is quashed as to Minnehoma Oil and Gas Company, Minnehoma Oil Company and Reserve Petroleum Corporation (whose correct corporate name is Reserve Petroleum Company) and that this action be and the same hereby is dismissed as to said named corporations because of the lack of jurisdiction of this Court over said named corporations.

It is FURTHER ORDERED and DECREED that said Motion be and the same hereby is taken under advisement by the Court as to Reserve Development Company.

ROYCE H. SAVAGE
District Judge

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

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

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

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECREE

Now on this 21st day of July, 1941, the above entitled cause coming on for trial upon the merits, pursuant to regular assignment, and the above named plaintiffs appearing by their attorneys of record, Simms & Simms, and the above named defendant appearing by its attorneys of record, I. D. Lockewitz and C. A. Kothe; whereupon, plaintiffs introduced their evidence and rested; and thereupon, said defendant moved the Court to render judgment in favor of said defendant and against said plaintiffs, and upon consideration of said evidence the Court makes the following finds of fact, to-wit:

FINDINGS OF FACT

1. The Court finds that the above named plaintiffs are the owners of the real estate and premises mentioned and described in plaintiff's petition.
2. The Court finds that the defendant has for many years last past and is now operating oil and gas wells upstream and within the watershed of said plaintiffs' premises, and that it has and continues to permit oil field waste to escape from its leasehold estates and to flow on, over and across a portion of plaintiffs' said real estate and premises.
3. The Court finds that as a result of the escape of oil field waste from the defendant's leases, a portion of plaintiffs' said real estate and premises has been injured to some extent, not exceeding the sum of Five Hundred Dollars (\$500.00), the amount testified to by the plaintiff, Green Patton.
4. The Court finds that it would cost the defendant at least the sum of Fifty Thousand (\$50,000) Dollars to prevent the future escape of oil field waste from its leases and to abate the nuisance complained of.
5. The Court finds that plaintiffs' damages can be easily and readily ascertained, and that the defendant is solvent and can be readily made to respond to the payment of damages in an action for damages.

CONCLUSIONS OF LAW

The Court concludes as a matter of law that it would be wholly inequitable to compel the defendant to abate the nuisance complained of by the plaintiffs, for the reason that the cost and expense to the defendant of abating such nuisance would amount to, at least, the sum of \$50,000.00 whereas, the plaintiff, Green Patton, has testified that his damages will not exceed the sum of \$500.00.

JUDGMENT

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED by the Court that plaintiffs herein take nothing in this action against the defendant; that the equitable relief prayed for by the plaintiffs is hereby denied; that plaintiffs' petition, and each and every cause of action therein stated or attempted to be stated, be, and the same is hereby, dismissed, with prejudice, and that t

defendant recover from the plaintiffs its costs herein laid out and expended.

ROYCE H. SAVAGE
JUDGE

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

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

Don Cramer, Plaintiff,)
vs.) No. 588 Civil
Harmon & Whitehill, Inc., Defendant.)

O R D E R

The motion of the defendant for a new trial and to have verdict and judgment entered thereon set aside, and for judgment in accordance with defendant's motion for directed verdict, denied.

Dated this 5th day of December, 1941.

ROYCE H. SAVAGE
United States District Judge

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

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

JOHNNY PLUMMER by his father and
next friend, William Plummer, Complainant,)
vs.) No. 625 C
SLOAN'S MOVING & STORAGE COMPANY,
a corporation, Defendant.)

O R D E R

Now on this 3rd day of December, 1941, this matter comes on to be heard upon the application of the defendant for an order requiring the complainant herein to submit to a physical and mental examination; and the court being fully advised in the premises, is of the opinion that the complainant herein should submit to such physical and mental examination.

IT IS THEREFORE ORDERED THAT the complainant shall submit himself for a mental and physical examination at Tulsa, Oklahoma, on or before December 8th, 1941, at ___M., by Dr. Ned R. Smith and Dr. A. H. Davis, to the end that a neurological examination, x-ray of the skull, and

examination of eye grounds may be made.

IT IS FURTHER ORDERED that notice of this order be given to complainant and his counsel by the defendant.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

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

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

LINCOLN NATIONAL LIFE INSURANCE CO., Plaintiff,)
)
v.) EQUITY NO. 873
)
EXCHANGE NATIONAL COMPANY, Defendant.)

ORDER APPROVING FINAL REPORT OF RECEIVER

THIS CAUSE coming on to be heard on this the 5th day of December, 1941, at the hour of 10:00 o'clock A.M., the same being one of the regular court days of this Court, and having been regularly set for hearing on the Final Report of T. P. Farmer, as Receiver for Exchange National Company, and the approval thereof and allowance of fees therein, and it first having been duly established to the satisfaction of the Court that Notice of said hearing had been regularly given as by order of court required, proof of publication thereon having been introduced, and it further appearing to the Court that no objections have been filed to said Final Report, and T. P. Farmer being present in person and by his counsel, T. Austin Gavin, and John Rogers appearing on behalf of J. A. Chapman, one of the creditors in this cause, thereupon said final report was by the Court considered, and said Report having been fully and finally examined by the Court, the Court finds that said final report of the said T. P. Farmer as Receiver for Exchange National Company, be and the same is in all respects approved.

IT IS THEREFORE THE ORDER, JUDGMENT and DECREE of the Court that the final report of T. P. Farmer, as Receiver for Exchange National Company, heretofore filed in this cause be, and the same is hereby approved.

Thereupon the Court considered the question of the allowance of the final fee to the said T. P. Farmer, as such Receiver for Exchange National Company, and the final fee for T. Austin Gavin as attorney for the said T. P. Farmer as said Receiver, and no objection having been made either to the allowance of said fees or the amounts thereof;

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that the said T. P. Farmer, as Receiver for Exchange National Company be, and he is hereby allowed as a final fee for services in this cause, the sum of Ten Thousand Dollars (\$10,000).

IT IS THE FURTHER ORDER, JUDGMENT, and DECREE of this Court that T. Austin Gavin as attorney for said Receiver shall be allowed as his final fee in this cause the sum of Six Thousand Seven Hundred Fifty Dollars (\$6,750).

Thereupon the said Receiver having announced to the Court that he had on hand certain incidentals such as office furniture, and car, and other small personal property which the

said Receiver indicated that he could sell for a price consistently with the true value thereof;

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED and DECREED that the said T. P. Farmer, as said Receiver, be and he is hereby directed, authorized, and empowered to sell said latter described personal property consistent with representations made thereon by said Receiver to the Court, and after said sale to report the same to the Court.

IT IS THE FURTHER ORDER, JUDGMENT and DECREE of the Court that after said sale and said report to the Court, the said Receiver shall be finally discharged and his bond and bondsmen exonerated.

IT IS THE FURTHER ORDER, JUDGMENT, and DECREE of the Court that the said T. P. Farmer as said Receiver, shall and may pay from funds on hand in said Receiver estate, to himself, the sum of Ten Thousand Dollars (\$10,000) as above provided, and to the said T. Austin Gavin as above described, the sum of Six Thousand Seven Hundred Fifty (\$6,750).

IT IS THE FURTHER ORDER, JUDGMENT, and DECREE of the Court that as and when said fees have been paid, the said T. P. Farmer as said Receiver for said Exchange National Company, shall be and he is hereby directed, authorized, and empowered to distribute to all creditors whose claims have been approved their ratable portion of the balance remaining.

IT IS THE FURTHER ORDER, JUDGMENT, and DECREE of the Court that the said T. P. Farmer as said Receiver shall do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of this Order.

F. E. KENNAMER
United States District Judge

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

Court adjourned to December 6, 1941

On this 6th day of December, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, 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 OKLAHOMA

J. R. Caudle, Jr., and Jones Richard Caudle,)	
suing herein for the use and benefit of J. R.)	
Caudle, Jr.,)	
	)	Plaintiffs,
)	
vs	)	No. 700 Civil
)	
Metropolitan Life Insurance Company, a corporation,)	
	)	Defendant.
)	
Sadie Ward, administratrix of the estate of James)	
D. Ward, deceased,	)	Third Party Defendant.

ORDER OVERRULING MOTION TO QUASH AND TO DISMISS
AND GRANTING TEMPORARY INJUNCTION

Now on this 22nd day of December, 1941, there coming on for hearing the application of the defendant Metropolitan Life Insurance Company for a temporary injunction, plaintiffs appearing by one of their attorneys, Gentry Lee, the defendant Metropolitan Life Insurance Company appearing by one of its attorney, G. Ellis Gable, and the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, appearing by her attorneys, Sanders & Scott, by A. P. Smith; and the court, after hearing argument of counsel and being well and sufficiently advised in the premises, finds that the defendant Metropolitan Life Insurance Company is entitled to a temporary injunction as enjoining the plaintiffs, J. R. Caudle Jr., and Jones Richard Caudle, suing herein for the use and benefit of J. R. Caudle, Jr., and the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, from prosecuting any action against the defendant Metropolitan Life Insurance Company on the policy of life insurance referred to in plaintiffs' complaint; there also coming on for hearing the motion of the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, to quash the summons and to dismiss, and the court, after hearing argument of counsel and being well and sufficiently advised in the premises, finds that said motions aren't well taken and should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that a temporary injunction be and the same is hereby granted and the plaintiff herein, J. Caudle, Jr., and Jones Richard Caudle, suing herein for the use and benefit of J. R. Caudle, Jr., and the defendants Sadie Ward, administratrix of the estate of James D. Ward, deceased, and each of them, are hereby enjoined from instituting or prosecuting any suit for the collection of any amount due on the insurance policy involved herein issued by the defendant Metropolitan Life Insurance Company on the 20th day of June, 1916, upon the life of James D. Ward, being policy numbered 1,773,809A, for the sum of Ten Thousand Dollars (\$10,000.00) in any court or jurisdiction except the United States District Court for the Northern District of Oklahoma, pending final disposition of this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the motion to quash summons and the motion to dismiss for lack of jurisdiction of the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, be and the same are hereby overruled, and upon the application of said defendant she is hereby allowed twenty days from this date in which to answer.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court LN

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

J. R. CAUDLE, Jr., and Jones Richard Caudle,)	
suing herein for the use and benefit of J. R.)	
Caudle, Jr.,)	
	)	No. 700 - Civil
Plaintiffs,)	
vs.)	
)	
Metropolitan Life Insurance Company, a corporation,)	
Defendant.)	

ORDER MAKING SADIE WARD, ADMINISTRATRIX OF THE
ESTATE OF JAMES D. WARD, DECEASED, PARTY
DEFENDANT

Now on this 6th day of December, 1941, upon application of the defendant Metropolitan Life Insurance Company, and for good cause shown,

IT IS ORDERED, ADJUDGED AND DECREED By the Court that Sadie Ward, administratrix of the estate of James D. Ward, deceased, be and she is hereby made a party defendant in the above cause.

IT IS FURTHER ORDERED that there be served upon her summons, third party complaint and counterclaim for interpleader, and temporary restraining order requiring her to appear in this cause as provided by law.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Dec 6 1941
H. P. Warfield, Clerk
U. S. District Court M E

Court adjourned to December 8, 1941.

On this 8th day of December, 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

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.)

ORDER ALLOWING FINAL FEE

On this 8th day of December, 1941, this matter comes on before me, the undersigned Judge of this Court; and the court having heard the statement of the parties interested, and having read the application, and having considered the same, and being familiar with the facts and circumstances,

IT IS ORDERED that an additional allowance in the amount of \$2500.00, the same to be a final allowance, is hereby made in favor of the applicant, Henry L. Fist; said sum to be in addition to the partial allowance heretofore made to him.

IT IS FURTHER ORDERED that the Receiver, Joseph R. McGraw shall pay said allowance out of the funds on hand belonging to this estate.

F. E. KENNAMER
Judge of this court

ENDORSED: Filed Dec 8 1941
H. P. Warfield, Clerk
U. S. District Court B

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

M. P. PERRY, TRUSTEE,	Plaintiff,)
)
vs.		) No. C-285
)
Associated Petroleum Properties, a trust)
estate, et al,	Defendants.)

ORDER ALLOWING CLAIM OF OKLAHOMA TAX COMMISSION

Upon the application of the receiver herein the claim of Oklahoma Tax Commission as and for all corporation license taxes for the years beginning July 31, 1935 and ending June 30, 1941, upon the account of Provident Trust, be and the same is hereby fixed and allowed in the sum of One Hundred Dollars (\$100.00).

IT IS FURTHER ORDERED that Joseph R. McGraw, receiver, shall forthwith pay the sum so allowed and that upon such payment the excess of said claim above the amount allowed and paid shall be forever barred.

Dated at Tulsa, Oklahoma this 8th day of December, 1941.

ENDORSED: Filed Dec 8 1941
H. P. Warfield, Clerk
U. S. District Court B

F. E. KENNAMER
United States District Judge

Court adjourned to December 12, 1941.

On this 8th day of December, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma sitting in Regular November 1941 Term at Miami, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - REPORT OF REGISTRY FUND.

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

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

Sir:

In accordance with the law, I hereby respectfully report the condition of the Registry Fund of the United States District Court for the Northern District of Oklahoma at the close of business December 6, 1941;

Balance in the First National Bank & Trust Company of Tulsa, Oklahoma, at the close of business March 1, 1941.		\$19,320.19
Received since March 1, 1941;		
March 5, 1941	Grand River Dam Authority	5,464.15
	" " " "	54.64
April 2, 1941	" " " "	500.00
	" " " "	5.00
April 19, 1941	" " " "	680.00
	" " " "	6.80
April 23, 1941	I. J. Buck	491.00
May 2, 1941	Supt. of Insurance, State of New York for Southern Surety Company,	15.00
May 15, 1941	W. P. Smith, U. S. Commissioner,	1,000.00
May 16, 1941	" " " " "	500.00
May 22, 1941	C. W. Benedick,	1,200.00
June 30, 1941	City of Tulsa,	7,000.00
July 16, 1941	Byron V. Boone, Special Master,	108.96
	" " " " "	108.96
July 17, 1941	H. P. Warfield, Clerk	3.00
	" " " "	4.00
Aug. 12, 1941	Atlas Life Insurance Company	5,000.00
Aug. 14, 1941	J. M. Humphreys, Referee in Bankruptcy	55.55
Aug. 15, 1941	Fourth National Bank, Tulsa, Oklahoma,	32.50
Aug. 22, 1941	Jno. P. Logan, U. S. Marshal	1,300.00
Sept. 22, 1941	Prudential Insurance Company	1,823.52
	" " " "	862.57
Oct. 4, 1941	Grand River Dam Authority	100.00
	" " " "	60.00
	" " " "	1.60
Oct. 6, 1941	Treasurer of the United States	61,290.00
	" " " " "	2,200.00

Oct. 10, 1941	Treasurer of the United States	3,930.00
Oct. 17, 1941	" " " " "	51,668.00
Oct. 20, 1941	" " " " "	79,490.00
Oct. 29, 1941	" " " " "	11,330.00
Nov. 4, 1941	City of Tulsa,	2,600.00
Nov. 8, 1941	Harry Kingrey	1,500.00
Nov. 24, 1941	Louise M. Swindell,	250.00
Dec. 6, 1941	Coakley, McDermott and Gable	<u>6,196.51</u>
		<u>\$266,151.95</u>

Disbursed since March 1, 1941:

March 8, 1941	Enoch M. Lusk, Receiver	509.85
	H. P. Warfield, Clerk	5.15
March 12, 1941	County Treasurer, Delaware County,	44.63
	Grand River Dam Authority,	144.00
	R. M. Kneeland, Guardian	11.37
	H. P. Warfield, Clerk	2.00
March 20, 1941	Agnes Funeral Home	510.00
March 25, 1941	W. B. Harrison	13.26
	H. P. Warfield, Clerk	.13
April 1, 1941	V. T. Ward,	8.33
	H. P. Warfield, Clerk	.08
April 3, 1941	First National Bank, Winfield, Kansas,	484.60
	H. P. Warfield, Clerk,	4.90
	H. A. Andrews, Supt. Quapaw Indian Agency	5,464.15
	H. P. Warfield, Clerk	54.64
	The Chas. Schlear Motor Car Co.	13.86
	H. P. Warfield, Clerk	.14
April 18, 1941	James W. Elliott, et al	1,195.00
	Grand River Dam Authority	1,727.00
	H. P. Warfield, Clerk	66.70
April 23, 1941	F. W. Sunderwirth, Disbursing Agent	900.00
	H. P. Warfield, Clerk	9.00
	H. P. Warfield, Clerk	.45
April 29, 1941	Grand River Dam Authority	1,800.00
	H. P. Warfield, Clerk	18.00
May 6, 1941	Carpathia Reirton, et al,	651.80
	F. W. Sunderwirth, Disbursing Agent	810.00
	H. P. Warfield, Clerk	14.62
	Alfred M. Pearson,	121.52
	Zora Boyd,	121.52
	Youra Jones,	121.52
	Hattie Pearson,	40.50
	Pearl Smith,	40.51
	Laura Oyler,	40.51
	H. P. Warfield, Clerk	4.91
May 9, 1941	J. B. Wise & Elsie Wise,	680.00
	H. P. Warfield, Clerk	6.80
	Grand River Dam Authority,	225.00
	H. P. Warfield, Clerk	2.25
	Grand River Dam Authority	738.20
	H. P. Warfield, Clerk	7.38
May 15, 1951	F. W. Sunderwirth, Disbursing Agent	500.00
	" " " "	100.00
	" " " "	38.89
	" " " "	3,300.00
	H. P. Warfield, Clerk	39.39

DISTRICT OF OKLAHOMA

REGULAR NOVEMBER 1941 TERM

MIAMI, OKLAHOMA

MONDAY, DECEMBER 8, 1941

May 22, 1941	W. P. Smith, U. S. Commissioner	495.00
	H. P. Warfield, Clerk	5.00
June 18, 1941	Charlotta J. Landrum	193.85
	James Steed	193.84
	Paul S imms	96.92
	Carey Caldwell	96.92
	County Treasurer, Delaware County,	228.47
	H. P. Warfield, Clerk	8.10
Aug. 13, 1941	Grand River Dam Authority	820.00
	H. P. Warfield, Clerk	8.20
Aug. 20, 1941	Grand River Dam Authority,	550.00
	H. P. Warfield, Clerk	5.50
Aug. 25, 1941	Supt. Five Civilized Tribes	1,075.29
	H. P. Warfield, Clerk	224.71
Sept. 2, 1941	Atlas Life Insurance Company	37.00
	Rogers, Stephenson & Dickason	250.00
Sept. 4, 1941	Wylam Masonic Lodge #492 A. F. & A. M.	148.50
	H. P. Warfield, Clerk	1.50
Sept. 6, 1941	Eugene Mittmore,	813.31
	R.A. Haines	254.92
	H. P. Warfield, Clerk	10.79
Sept. 17, 1941	Boyd Barber & Mrs. Kelly Barber	990.00
	H. P. Warfield, Clerk	10.00
Oct. 3, 1941	Roy C. Witte,	13.86
	Effie L. Rogers	13.86
	H. P. Warfield, Clerk	.28
Oct. 17, 1941	G. Ellis Gable	192.92
	" " "	140.59
Oct. 18, 1941	Wesley M. Smith, Administrator	45.00
Nov. 3, 1941	Eben L. Taylor	116.25
	H. P. Warfield, Clerk	1.17
Nov. 24, 1941	Mr. & Mrs. Marion Wilson	777.50
	The Federal Land Bank & Roscoe E. Seever	1,200.00
	Roscoe E. Seever & Winnie B. Seever,	23,022.50
	Henry Cohen, etc. et al.,	9,000.00
	Water Improvement District No. 5	525.00
	George B. Schwabe	50.00
	H. P. Warfield, Clerk	25.00
Dec. 4, 1941	Harry Kingrey	1,485.00
	H. P. Warfield, Clerk	15.00
	Check No. 584 issued to County Treasurer	
	Delaware County canceled Aug. 2, 1941	20.00
	Cash (check) in office vault	6,196.51
	Balance in cash and on deposit in the First National Bank	
	and Trust Company, Tulsa, Oklahoma, at the close of business	
	December 6, 1941	<u>196,240.32</u>
		<u>\$266,151.95</u>

Respectfully submitted,

H. P. WARFIELD, CLERK

Approved; December 8, 1941

ROYCE H. SAVAGE

U. S. District Judge

ENDORSED: Filed In Open Court

Dec 8 1941

H. P. Warfield, Clerk

U. S. District Court

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 8th day of December, A. D. 1942, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors, for this Regular November 1941 Term of Court, at Miami, Oklahoma, Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Homer I. Cullison
Joseph D. Davis
W. J. Davis
Everett Rowe
C. W. Doornfos
Frank Roe
Francis Rose
W. P. Rumsey
J. E. Sanger
E. A. Dawson
Otto Davis
Roy Devine
M. E. Hopkins
Claude N. Russell
H. E. Ketcher
Jess Venator
Paul C. Campbell
E. V. Hendren, Sr.
Frank Johnson
Curtis Greer
A. J. Brown
J. E. Richardson
Ralph Carmen
John Cheever
Fred G. Drummond
C. P. Chouteau
Williw Carpenter

Roy J. Peters
H. K. Mathers
Carl Geiger
Thomas A. Creekmore
J. B. Cruikshanks
Geo. Leshner
Clyde Cohea
John Crotzer
Sam Campbell
Ira D. Crews
Lowery Leforce
C. W. Cotton
A. L. Cole
William L. Watkins
Forest Corlett
Jess I. Croninger
E. W. Clark
J. F. Coffey
Chas. W. Butner
Earl Ramey
H. R. Coldren
Mack Williams
J. Clabern Mitchell
Clarence Clinton
E. M. Connelly
M. T. Cottrell
Curtis L. Dale

Tom Proctor

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

Joseph D. Davis
W. J. Davis
Frank Roe
W. P. Rumsey
H. E. Ketcher
E. V. Hendren, Sr.
Frank Johnson
Curtis Greer

A. J. Brown
Ralph Carmen
John Cheever
Roy J. Peters
H. K. Mathers
J. B. Cruikshanks
Geo. Leshner
Clyde Cohea

C. W. Cotton
A. L. Cole
William L. Watkins
Earl Ramey
Mack Williams
J. Clabern Mitchell
Curtis L. Dale
Tom Proctor

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 not served

Claude N. Russell
Carl Geiger

Sam Campbell
M. T. Cottrell

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

REGULAR NOVEMBER 1941 TERM

DISTRICT OF OKLAHOMA
MIAMI, OKLAHOMA

MONDAY, DECEMBER 8, 1941

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

ENDORSED: Filed In Open Court
Dec 8 1941
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to December 11, 1941.

REGULAR NOVEMBER, 1941 TERM

MIAMI, OKLAHOMA

THURSDAY, DECEMBER 11, 1941

On this 11th day of December, A. D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular November 1941 Term at Miami, 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:

VERDICT

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

JOHNNY PLUMMER, by his father and next friend, William Plummer, Plaintiff,)
vs.) Case No. 625 Civil
Sloans Moving and Storage Company, a corporation, Defendant.)

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

FRED G. DRUMMOND,
foreman.

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

Court adjourned to December 12, 1941.

On this 12th day of December, 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

The City of Barnsdall, a)
Municipal Corporation, Plaintiff,)
vs) No. 697
Cities Service Oil Company,)
a Corporation, et al, Defendants.)

ORDER GRANTING ADDITIONAL TIME FOR DEFENDANTS TO FILE BRIEFS

Now on this 12th day of December, 1941, the Application of the defendants for additional time to prepare and file briefs coming before me and the court having read said application and being advised in the premises finds that additional time should be granted as requested.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants and each of them for good cause shown be granted an additional 20 days from the 15th day of December, 1941, in which to prepare and file their briefs in resistance to the motion to remand filed by the plaintiff

F. E. KENNAMER
United States District Judge

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

Court adjourned to December 13, 1941.

On this 12th day of December, A.D. 1941, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular November 1941 Term at Miami, 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:

ISCELLANEOUS - ADMISSION TO BAR.

On this 12th day of December, A. D. 1941, it being made satisfactorily to appear that R. B. Loofbourrow 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.

VERDICT

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

LEVA McMURRY,	Plaintiff,)	
)	
vs.		)	Case No. 659 Civil
HARTFORD ACCIDENT and INDEMNITY)	
CO. of HARTFORD, CONN. a Corp.)	
	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, and assess damages at One Thousand DOLLARS, in addition to amount already received.

J. F. COFFEY
Foreman.

FILED In Open Court
Dec 12 1941
H. P. Warfield, Clerk
U. S. District Court H

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

SOUTH PENN OIL COMPANY, a corporation, GARNET)	
OIL COMPANY, a corporation, ROSWELL OIL &)	
DEVELOPMENT COMPANY, a corporation, KATHLEEN)	
H. WILSON and JOHN K. BRIGHT,	Plaintiffs,)
)
v.)
)
PHILLIPS PETROLEUM COMPANY, a corporation, SINCLAIR)	
PRAIRIE OIL COMPANY, a corporation, PRAIRIE OIL AND)	
AS COMPANY, a corporation, and CONSOLIDATED)	
OIL COMPANY, a corporation,	Defendants.)

ORDER EXTENDING TIME OF DEFENDANT PHILLIPS PETROLEUM COMPANY TO ANSWER

This matter coming on for hearing on the oral application of defendant Phillips Petroleum Company for an extension of time in which to answer and the plaintiffs, by and through their counsel, Ray S. Fellows, Esq., having consented to such extension, being fully advised in the premises, finds that such extension should be granted.

IT IS, THEREFORE, ORDERED that defendant Phillips Petroleum Company be and it hereby

s granted an extension of time in which to answer in the above-entitled cause until and including the 31st day of December, 1941.

ROYCE H. SAVAGE
United States District Judge

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

ISCELLANEOUS - ORDER DISCHARGING PETIT JURORS.

On this 12th day of December, A. D. 1941, it is ordered by the Court that all petit Jurors be, and they are, hereby discharged for this Regular November 1941 Term of this Court at Miami, Oklahoma.

ISCELLANEOUS - ORDER TO PAY PETIT Jurors and witnesses mileage and per diem.

On this 12th day of December, A. D. 1941, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Regular November 1941 Term of Court their mileage and attendance as shown by the Record of Attendance.

Court adjourned subject to call.

On this 13th day of December, 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

ADE V. PURDIN, Guardian of ALBERT E.)	
MULKS, an Incompetent,	) Plaintiff,	
vs.	)	CIVIL ACTION NO. 421
UNITED STATES OF AMERICA,	) Defendant.	

JUDGMENT

This cause coming on to be heard on the 13th day of December, 1941, upon a stipulation of facts duly filed herein, a trial by jury having been expressly waived in writing by the plaintiff Ade V. Purdin, appearing by W. L. Bagleton and T. L. Blakemore, his attorneys, and the defendants,

and the defendant, United States of America, appearing by Whitfield Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, the Court, having been fully advised in the premises, hereby finds, orders and adjudges as follows:

That the Court has jurisdiction of this cause and of the parties thereto;

That the insured, Albert E. Fulks, entered the military service of the United States on June 18, 1918, and was honorably discharged therefrom on November 20, 1918, under a certificate of disability; that while in the said service the insured applied for, and was granted a contract of war risk term insurance in the sum of \$10,000 effective July 1, 1918, and paid premiums thereon to include the month of November, 1918;

That the insured, on May 18, 1931, filed in the Veterans Administration a claim for insurance benefits, demanding administrative payment thereof; that the said claim was denied on December 12, 1932, notice of which denial was mailed on December 14, 1932 to the insured; that thereafter, on February 24, 1939, Wade V. Purdin was appointed and qualified as guardian of the insured by the County Court of Creek County, State of Oklahoma, and is still acting in that capacity; that on April 12, 1939, the above guardian filed in the Veterans Administration a claim for insurance benefits, demanding administrative payment thereof; that the said claim was finally denied on June 4, 1940, notice of which denial was mailed on the same date to the said guardian, who on July 13, 1940, brought this action for the purpose of recovering insurance benefits alleged to be due under the said \$10,000 contract of war risk term insurance;

That there is some evidence tending to support the claim of the plaintiff and also evidence tending to refute the same;

That the plaintiff, Wade V. Purdin, as guardian of the insured, has submitted an offer to compromise all the rights, claims and interests of the insured under the said contract of war risk term insurance sued upon in this action, for the sum of Seven Thousand Five Hundred Dollars (\$7,500), in full settlement and satisfaction thereof, which offer to compromise was authorized and approved by the Court of Creek County, State of Oklahoma; that the acceptance of the aforesaid compromise offer has been recommended by the United States Attorney for the Northern District of Oklahoma, and approved by the Attorney General of the United States, who has consented and agreed to the entry of a judgment for said amount in favor of the plaintiff and against the United States of America;

That the said offer to compromise is fair, equitable and just, both to the aforesaid plaintiff and to the United States of America, and the compromise of this suit by the payment of Seven Thousand Five Hundred Dollars (\$7,500) to the plaintiff, Wade V. Purdin, as guardian of the insured, by the defendant, United States of America, is lawful and is made in accordance with the provisions of c. 101, Section 1, 48 Stat. 302; 38 U. S.C. 445-b, as amended by Public No. 434, 1st Session, 75th Congress, (c. 34, 52 Stat. 81);

That the plaintiff has employed W. L. Eagleton and T. L. Blakemore as his attorneys in this action who are entitled to receive ten per cent of the amount to be paid as reasonable compensation for their services herein.

IT IS, THEREFORE, ORDERED AND ADJUDGED, by consent of W. L. Eagleton and T. L. Blakemore, counsel for the plaintiff, and by consent of Whitfield Y. Mauzy, United States Attorney for the said District, that the plaintiff, Wade V. Purdin, as guardian of the insured, have and recover from the defendant, United States of America, the sum of Seven Thousand Five Hundred Dollars (\$7,500) in full settlement and satisfaction of all the rights, claims, and interests of the insured under the said contract of war risk term insurance herein sued upon; and that W. L. Eagleton and T. L. Blakemore, attorneys for the plaintiff, be paid ten per cent of the amount of this judgment as reasonable attorneys' fees, to be deducted from the amount herein adjudged to be paid to the plaintiff;

That of the amount so deducted there to be paid to W. L. Bagleton the sum of Three Hundred Seventy Five & No/100 (\$375.00), and to T. L. Blakemore the sum of Three Hundred Seventy Five & NO/100 Dollars (\$375.00).

Dated this 13 day of Dec., 1941.

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

ENDORSED: Filed Dec 13 1941
H. P. Warfield, Clerk
U. S. District Court B

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

James S. Chalmers, as Administrator of the)
estate of Elizabeth Chalmers, deceased.)
Plaintiff,)
vs.) No. 511 Civil
Guy A. Thompson, as Trustee of Missouri)
Pacific Railroad Company, a corporation,)
Defendant.)

O R D E R

On application of the plaintiff in the above-entitled and numbered action, and for good cause shown, it is hereby ordered by the court that the ten days period of time which this court on December 4, 1941, granted for the filing of an amendment to plaintiff's petition specifying the dates and circumstances under which accidents occurred previous to March 12, 1939, at the railroad crossing in controversy be and it is hereby extended for an additional period of ten days.

It is further ordered that the clerk of this court mail instantler to counsel for the defendant a copy of this order.

Dated this 13 day of December, 1941.

ROYCE H. SAVAGE
Judge

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

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

Ted DeWitt, as Administrator of the Estate)
of Teddie Joy DeWitt, deceased,)
Plaintiff,)
vs)
Guy A. Thompson, as Trustee of Missouri) No. 512 Civil
Pacific Railroad Company, a corporation)
Defendant.)

O R D E R

On application of the plaintiff in the above entitled and numbered action, and for good cause shown, it is hereby ordered by the court that the ten days period of time which this court on December 4, 1941, granted for the filing of an amendment to plaintiff's petition specifying the dates and circumstances under which accidents occurred previous to March 12, 1939, at the railroad crossing in controversy be and it is hereby extended for an additional period of ten days.

It is further ordered that the clerk of this court mail instanter to counsel for the defendant a copy of this order.

Dated this 13 day of December, 1941.

/s/ Royce H. Savage
Judge.

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

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

Marion Henry Gooch,)
Plaintiff,)
vs) Civil Action No. 580
H. J. Ballenger, Frank Young, and Joe)
Young,) Defendants.)

JOURNAL ENTRY OF JUDGMENT ON VERDICT

On this 26th day of November, 1941, came plaintiff in person, and by his attorneys, C. S. Fenwick, and Bailey E. Bell, and also came the defendants H. J. Ballenger, Frank Young, and Joe Young, in their own person, and by their attorneys A. A. Davidson and Arbaugh, and this cause came on for trial in it's regular order before a jury of twelve good men, who being empanelled duly, and sworn, well and truly to try the issues joined between plaintiff, and the defeddants, and a true verdict render according to the evidence; and having heard the evidence, the charge of the Court and the argument of counsel upon their oaths sayd:

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, and assess damages at Four Hundred and no/100 Dollars.

PHILIP A. SMITH, Foreman

Now on this 15th day of December, 1941, the above entitled matter coming on for hearing on the application of defendant Spartan Aircraft Company for an enlargement of time in which it may answer the plaintiff's complaint filed herein, and on good cause the court finds that said application should be allowed.

It is, therefore, ordered, judged and decreed that the defendant Spartan Aircraft Company be and it is hereby granted twenty days additional time from this date in which to file and serve its answer to the plaintiff's complaint filed herein.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to December 16, 1941

On this 16th day of December, 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, _____ Judge, present and presiding.

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

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

MISCELLANEOUS - OATH OF DEPUTY U. S. MARSHAL, RAYMOND R. YOUNG.

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Raymond R. Young, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter: SO HELP ME GOD.

RAYMOND R. YOUNG

Sworn to and subscribed before me, this 1st day of December, 1941.
My com. exp. 1-5-44

DOROTHY LONGERAN, Notary Public

I certify that the above named Raymond R. Young, SPECIAL Deputy United States Marshal, One dollar per year, entered upon the performance of his official duties the 1st day of December, 1941.

JNO. P. LOGAN, United States
Marshal

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

Court adjourned to December 17, 1941.

On this 17th day of December, 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 entered, to-wit:

CELLANEUS - OATH OF THOMAS PRESTON WARREN.

DEPUTY U. S. MARSHAL'S OATH OF OFFICE
FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Thomas Preston Warren, do solemnly swear that I will faithfully execute lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office in which I am about to enter: SO HELP ME GOD.

THOMAS PRESTON WARREN

Sworn to and subscribed before me, this 17th day of December, 1941.

ROYCE H. SAVAGE
U. S. JUDGE

at Tulsa, Okla., December 17, 1941.

I certify that the above-named Thomas Preston Warren, Salaried Deputy Marshal, appeared upon the performance of his official duties the 17th day of December, 1941.

JNO. P. LOGAN
United States Marshal

RECORDED: Filed Dec 17 1941
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to December 18, 1941.

On this 18th day of December, 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 ordered, to-wit:

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

UNITED STATES OF AMERICA,	Petitioner)
)
vs.		) No. 652 - Civil
)
500 acres of land, more or less, situate)
Mayes County, Oklahoma, and John M.)
haus, Jr., et al.,	Respondents.)

JUDGMENT ON STIPULATION

Now on this 18th day of December, 1941, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the stipulation agreement entered into by and between the petitioner and the respondents Dalphurs L. Williams and Nellie C. Williams as to the real estate involved in this proceeding and designated herein as Tract No. A-1, and hereinafter specifically described. The said parties appear in person and by counsel and agree in open Court that the Stipulation shall be approved.

Thereupon, the Court proceeded to hear and pass upon said application and all other matters herein involved and finds that:

- (1) The rightful owners and claimants to the real estate involved herein and designated as Tract No. A-1, and more particularly hereinafter described, at the time of the filing of Declaration of Taking No. 1 by the petitioner were as follows: Dalphurs L. Williams and Nellie C. Williams, and that said persons are the only ones entitled to the benefit of the funds accruing from said particular tract.
- (2) The rightful owners and claimants to the real estate involved in this proceeding and designated as Tract No. A-1, and more particularly hereinafter described, have filed a written Stipulation herein, wherein it is agreed that the fair, cash, market value of said Tract No. A-1, exclusive of crops, shall be in the total sum of Three Thousand Three Hundred Forty and no/100 Dollars (\$3,340.00), and that the fair, cash, market value of the crops growing upon said tract shall be in the sum of Seven Hundred Forty-one and no/100 Dollars (\$741.00), or a total sum of Four Thousand Eighty-one and no/100 Dollars (\$4,081.00).
- (3) The United States of America did on October 6, 1941, file its Declaration of Taking No. 1 herein, and paid to the Clerk of this Court, for the use and benefit of the persons entitled thereto, the sum of Three Thousand and no/100 Dollars (\$3,000.00) for said estate in said real estate designated as Tract No. A-1 involved in this proceeding, and more particularly hereinafter described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Stipulation and written pleadings herein are final, and the fair, cash, market value, as set out and fixed in said Stipulation and pleadings, is final as to the particularly described lands and values and estates therein taken, as follows, to-wit:

Tract No. A-1

All that part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) lying East of Highway No. 69 right-of-way, and all that part of the Southwest 10.0 acres of Lot One (1), (also described as the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) lying East of Highway No. 69 right-of-way, and all that part of the East 17.76 acres of Lot One (1) lying South and East of the City of Tulsa Water Line right-of-way, all in Section One (1), Township Twenty (20) North, Range Eighteen (18) East, Mayes County, Oklahoma, containing 58 acres, more or less, in fee simple title, a total, fair, cash, market value of.....\$4,081.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the above described and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on October 6, 1941, upon the depositing of the sum Three Thousand and no/100 Dollars (\$3,000.00) with the Registry of this Court for the above described tract of land, and the filing of Declaration of Taking No. 1 herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there shall be deposited the additional sum of One Thousand Eight -one and no/100 Dollars (\$1,081.00), with the Clerk of this Court, as the Registry of said Court, for the use and benefit of the rightful claimants and persons entitled thereto.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
 JUDGE

CORSED: Filed Dec 18 1941
 H. P. Warfield, Clerk
 U. S. District Court B

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

UNITED STATES OF AMERICA,	Petitioner)
)
vs.		) No. 652 - Civil
)
500 acres of land, more or less, situate)
Mayes County, Oklahoma, and John M. Niehaus,)
, et al,	Respondents.)

ORDER DISTRIBUTING FUNDS

Now on this 18 day of December, 1941, there comes on for hearing the application of the respondents for distribution of the money deposited herein as just compensation for act No. A-1 involved in this proceeding. The Court hear evidence and finds that said money should be distributed to the following persons and in the following amounts, to-wit:

County Treasurer of Mayes County, Oklahoma ..\$	7.32
The Federal Land Bank of Wichita and Dalphurs	
L. Williams and Nellie C. Williams.....\$	319.64

East of the City of Tulsa Water Line Right-of-way, all in Section 1, Township 20 North, Range 18 East, Mayes County, Oklahoma, said land containing 58 acres, more or less.

Tract No. B-10

All that part of the South Half of the Southeast Quarter of the Northeast Quarter ($S\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$), and of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter ($NE\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$), which lies West of Pryor Creek, all in Section 3, Township 20 North, Range 19 East, Mayes County, Oklahoma, containing 19.5 acres, more or less.

Tract No. B-15

West Half of the Northwest Quarter of the Northeast Quarter ($W\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$), and Southeast Quarter of the Northwest Quarter of the Northeast Quarter ($SE\frac{1}{4} NW\frac{1}{4} NE\frac{1}{4}$), Section 10, Township 20 North, Range 19 East, less and except 2.5 acres out of the Southeast corner of the above-described land, which exceptions are more particularly described as follows:

Beginning at a point 20 chains East and 12 chains South of the Quarter Section corner between Section 3 and Section 10, Township 20 North, RANGE 19 East; thence South 4.47 chains; thence West 4.475 chains; thence North 4.47 chains; thence East 4.475 chains to the point of beginning, containing 2 acres, more or less; also excepting the .5 of an acre tract described as beginning at the Southeast corner of the $NW\frac{1}{4} NE\frac{1}{4}$ of said Section 10; thence North 147.3 feet; thence West 147.3 feet; thence South 147.3 feet; thence East 147.3 feet to the point of beginning; all the above-described land being in Mayes County, Oklahoma, and containing 27.5 acres, more or less.

ROYCE H. SAVAGE
JUDGE

ORSED: Filed Dec 18 1941
H. P. Warfield, Clerk
U. S. District Court B

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

UNITED STATES OF AMERICA, Petitioner,)
vs.) No. 652 - Civil
15,500 acres of land, more or less, situate)
in Mayes County, Oklahoma, and John M.)
Niehaus, Jr., et al, Respondents.)

AMENDMENT TO JUDGMENT ON DECLARATION OF TAKING NO. 3

Now on this 18 day of December, 1941, comes on for hearing the application of the United States of America for an amendment to the Judgment on Declaration of Taking No. 3. The Court considers the matter and finds that there has been filed herein an Amendment to Declaration of Taking No. 3, correcting the description of the tract of land designated as Tract No. A-4.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Judgment on Declaration of Taking No. 3 filed herein and all other pleadings filed herein are hereby amended so that the real estate taken by these proceedings designated as Tract No. A-4 shall be correctly described as follows, to-wit:

Tract No. A-4

West Half of the Northwest Quarter of the Northeast Quarter ($W\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$); North Half of the Northeast Quarter of the Northwest Quarter ($N\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$); the South 20 acres of Lot 4; and the North 17.22 acres of Lot 4; all in Section 5, Township 20 North, Range 19 East, Mayes County, Oklahoma, containing 73.96 acres, more or less.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-) No. 652 - Civil
15,500 acres of land, more or less, situate)
in Mayes County, Oklahoma, and John M.)
Niehaus, Jr., et al, Respondents.)

AMENDMENT TO JUDGMENT ON DECLARATION OF TAKING NO. 4

Now on this 18 day of December, 1941, comes on for hearing the application of the United States of America for an amendment to the Judgment on Declaration of Taking No. 4.

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

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

THURSDAY, DECEMBER 18, 1941

The Court considers the matter and finds that there has been filed herein an Amendment to Declaration of Taking No. 4, correcting the description of certain tracts of land designated as Tracts Nos. A-34 and A-26.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Judgment on Declaration of Taking No. 4 filed herein and all other pleadings filed herein are hereby amended so that the real estate taken by these proceedings designated as Tracts Nos. A-34 and A-26 shall be correctly described as follows, to-wit:

Tracts Nos. A-34 & A-26

NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$; West 24.4 acres of Lot 1;
SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; all in Section 7, Township 20 North, Range
19 East, Mayes County, Oklahoma, containing 50.6 acres,
more or less.

ROYCE H. SAVAGE
JUDGE

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

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

Oleva McMurry,)
Plaintiff,)
)
-vs-) No. 659 Civil
)
G. G. Hutton, and the "Hartford Accident)
and Indemnity Company of Hartford, Conn.")
Defendant.)

JOURNAL ENTRY

Now this 11th day of December, 1941, the same being a day of the regular November 1941 Term of said court, sitting in the city of Miami, Ottawa County, and within the Northern Judicial District of the State of Oklahoma, the parties appear in person and by their respective attorneys of record and announce ready for trial. Thereupon a jury of twelve lawful men were impaneled and sworn to try said cause; thereupon the parties litigant made their respective opening statements to the jury through their attorneys of record; thereupon witnesses were sworn, and the plaintiff introduced her evidence and did rest. Thereupon the defendant demurred to the plaintiff's evidence and upon due consideration the demurrer to the evidence was overruled and the defendant allowed an exception. The hour of 5 o'clock P.M. having arrived, the court admonished the jury as required by law and adjourned the further hearing of the cause to December 12, 1941 at 9:30 o'clock A.M.

Now this 12th day of December, 1941, the parties litigant and their attorneys of record appear, whereupon the defendant introduced its testimony and rested, thereupon the plaintiff introduced her rebuttal evidence and rested and both sides finally closed. Thereupon the parties litigant waived argument to the jury, the court instructed the jury on the law and the jury did retire in charge of their sworn bailiff to deliberate on said cause in private. After due deliberation, the jury returned into the court with their verdict, which verdict, omitting the caption is as follows to wit: -

We, the jury, impaneled and sworn in the above entitled cause do upon our oaths find for the plaintiff and assess her damages at \$1000.

J. F. COFFEY, foreman.

Said verdict was read in open court, in the presence of the court, the jury, the parties litigant and their attorneys, the same was announced by the jury to be its verdict and said verdict was ordered to be received, filed and made a part of the records of this cause and said jury was discharged from the further hearing of said cause. On motion made in open court by the plaintiff

IT IS ADJUDGED AND DECREED upon the verdict of the jury that plaintiff have judgment against the defendant for the sum of \$1000 with interest thereon at 6% per annum from this the 12th day of December, 1941 until paid and the costs of this action, to all of which the defendant is allowed an exception.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Dec 18 1941
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to December 19, 1941

On this 19th day of December, A. D. 1941, the District Court of the United States for the Northern District Court of the United States, sitting in Regular January 1941 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 19th day of December, A.D. 1941, it being made satisfactorily to appear that Lynn Adams is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

Consolidated Cement Company, a
 Delaware corporation,

Plaintiff,

No. 201 - Civil

-vs-

Builders' Supply Company, a
 corporation,

Defendant.

O R D E R

On application of J. M. Chandler, Receiver herein, and for cause shown, the court fixes the compensation of the said J. M. Chandler as Receiver for the Builders' Supply Company and as Manager of the Builders' Supply Company and of the Builders' Concrete Company for the calendar year 1941 in the sum of Twenty Four Hundred Dollars (\$2400.00), and directs the payment thereof out of the assets of the Builders' Supply Company. This compensation is awarded under paragraph 9 of contract bearing date October 1, 1940 which has been made a part of the files of this case.

ROYCE H. SAVAGE
 DISTRICT JUDGE

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

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

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

CIVIL ACTION NUMBER 355

vs.

Sand Springs Townsite Company, et al,
 Defendants.

D E C R E E

On this 28th day of October, 1941, this cause comes on for decision; the complainant and relator appearing by their attorneys Chal S. ~~White~~ and L. W. Randolph; the defendants, Sand Springs Townsite Company, Sand Springs Securities Company, Mary Phillips, Walter B. Harris, Erma Harris, Trustees of the Church of Christ, Sadie A. Willis (who is the same person named in the complaint as Sada A. Willis and Mrs. Sadia A. Willis), Owen A. Giles, Deborah Jacobs, Elmer Bales, Harry Bales, S. L. Evans, O. O. Jobe, Rachel Donell, H. T. Morrison, Mildren Craddock, George Petros, Julia R. Schiefelbusch, Laura A. Tingley, J. N. Stevens, Gid S. Rowe and Mary Ellen O'Bryan having filed answers and appearing herein by their attorney, Paul P. Pinkerton; the defendant, F. G. Stricker, having filed answer and appearing by her attorney, Marvin T. Johnson; the defendant Mary Rankin having filed answer and appearing by her attorney, Luther P. Lane; the defendant W. H. Lothman having filed answer and appearing by his attorney John W. McCune; the defendants W. M. Jeffrees and G. C. Denton having filed their petition of intervention and appearing by their attorney, R. R. Linker;

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, DECEMBER 19, 1941

The defendants, Anna Belle Geer, R. F. Henshaw, W. C. Magness, Geo. H. Horn, Dulcie M. Bartlett, Board of County Commissioners of Tulsa County, Oklahoma, Alice Cash, Margaret Cash, Sarah Bales, Federal Savings & Loan Association, Mrs. Nora Petros, Trustees for Stockholders of Tulsa Building & Loan Association, Ross Dunbar, Rachel Trent, Tulsa Exchange Company, Wesley C. Harvey, Minnie Harvey, S. D. Harvey and Home Federal Savings & Loan Association, having wholly failed to appear and plead or otherwise defend in accordance with the rules, although their time to so plead or otherwise defend has long since passed, and the relator having filed herein an affidavit in compliance with the Soldiers' and Sailors' Civil Relief Act, it is, by the court, ordered that judgment and decree by default be entered against said defendants.

And the court having made and filed herein findings of fact and conclusions of law upon the pleadings, evidence and admissions of counsel in open court,

It is, therefore, by the court, ORDERED, ADJUDGED AND DECREED that the City of Sand Springs, Oklahoma, a municipal corporation, on the relation of Leonard Versluis, has and is hereby decreed to have a first lien, prior and superior to any interest therein of the defendants in the findings of fact or herein named, upon each of the lots, parcels or tracts of real estate in the causes of action of the complaint and hereinafter described, in the amounts set forth, by virtue of the unpaid installments of assessments levied against the same in Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, together with interest at the rate of six per cent per annum from the date of the filing of the complaint herein, to-wit, the 1st day of April, 1940; that the descriptions of the various lots, tracts of parcels of real estate, the amount of the lien adjudged there against and the names of the respective defendants interested therein, are as follows, to-wit:

CAUSE NUMB ER	DESCRIPTION OF PROPERTY	DEFENDANTS	UNPAID ASSESS- MENTS	PENALTY	AMOUNT OF JUDG- MENT LIEN
2	Lot 10, Block 23, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Townsite Company,	\$246.19	128.45	374.64
"	Lot 11, Block 23, Second Sunrise Addition to Sand Springs, Oklahoma	Sand Springs Town- site Company,	252.51	131.74	384.25
"	Lot 15, Block 23, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	299.45	156.23	455.68
"	Lot 16, Block 23, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	325.44	169.79	495.23
"	Lot 17, Block 23, Second Sunrise Addition to Sand Springs, Oklahoma.	Sand Springs Town- site Company,	360.91	188.30	549.21

4	Lot 9, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	121.88	63.59	185.47
"	Lot 10, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	125.60	65.53	191.13
"	Lot 11, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma	Sand Springs Town- site Company,	112.14	50.95	163.09
"	Lot 12, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	115.55	53.49	168.04
"	Lot 13, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	147.46	76.93	224.39
5	Lot 14, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Mary Phillips	163.94	85.53	249.47
"	Lot 15, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Mary Phillips,	186.72	97.42	284.14
6	Lot 16, Block 22, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	221.10	115.24	336.34
"	Lot 19, Block 21 Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	163.91	85.52	249.43
"	Lot 21, Block 21, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	135.72	70.81	206.53
"	Lot 22, Block 21, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	131.52	68.62	200.14
"	Lot 23, Block 21 Second Sunrise Addition to Sand Springs, Oklahoma.	Sand Springs Town- site Company,	125.35	65.60	190.95

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

REGULAR JANUARY 1941 TERM

FRIDAY, DECEMBER 9, 1941

6	Lot 9, Block 20, Second Sunrise Addition to Sand Springs, Oklahoma,	SandSprings Town- site Company,	141.93	82.90	224.83
"	Lot 10, Block 20, Second Sunrise Addition to Sand Springs, Oklahoma,	Sand Springs Town- site Company,	146.36	85.48	231.84
7	Lot 13, Block 21, Second Sunrise Addition to Sand Springs, Oklahoma,	F. G. Stricker and Anna Bell Geer	132.30	75.84	208.14
"	Lot 14, Block 21. Second Sunrise Addition to Sand Springs, Oklahoma,	F. G. Stricker, Anna Bell Geer	164.54	85.84	250.38
8	Lot 17, Block 21, Second Sunrise Addition to Sand Springs, Oklahoma,	R. F. Henshaw, W. N. Sommers,	252.87	147.69	400.56
"	Lot 18, Block 21, Second Sunrise Addition to Sand Springs, Oklahoma,	R. F. Henshaw, W. N. Sommers	213.50	124.70	338.20
9	Lot 5, Block 55, Second West Side Addition to Sand Springs, Oklahoma,	A. N. Akers	146.70	47.62	194.32
10	Lot 6, Block 55, Second West Side Addition to Sand Springs, Oklahoma,	W. C. Magness,	318.21	185.87	504.08
11	Lot 7, Block 55, Second West Side Addition to Sand Springs, Oklahoma	Trustees of the Church of God	275.98	123.38	401.36
"	Lot 8, Block 55, Second West Side Addition to Sand Springs, Oklahoma,	Trustees of the Church of God	361.29	164.14	525.43
12	Lot 9, Block 24, First West Side Addition to Sand Springs, Oklahoma,	W. H. Lothman, Ross B. Van Tassell	484.50	282.99	767.49
12	Lot 10, Block 24, First West Side Addition to Sand Springs, Oklahoma	W. H. Lothman, Ross B. Van Tassell,	369.88	216.64	586.52

14	Lot 12, Block 24 First West Side Addition to Sand Springs, Oklahoma	Board of County Comaissioners, Tulsa County, Okla- homa, and Frank Dunn,	291.39	170.19	461.58
15	Lot 5, Block 24, City of Sand Springs, Oklahoma,	Rachel Donnell	171.52	77.92	249.44
16	Lot 6, Block 24, City of Sand Springs, Oklahoma,	Walter B. Harriss Erna L. Harris	245.25	143.24	388.49
17	Lot 7, Block 24, City of Sand Springs, Oklahoma,	W. H. Lothman,	283.63	165.66	449.29
"	Lot 8, Block 24, City of Sand Springs, Oklahoma,	W. H. Lothman	363.58	212.36	575.94
19	Lot 2, Long Acre Addition to Sand Springs, Oklahoma,	Mrs. Sadie A. Willis,	333.04	173.76	506.80
20	Lot 4, Long Acre Addition to Sand Springs, Oklahoma,	Sand Springs Townsite Company	92.67	18.02	110.69
21	Lot 1, Block 3, First Sunrise Addition to Sand Springs, Oklahoma,	Rosetta McDonald,	97.51	50.87	148.38
"	Lot 2, Block 3, First Sunrise Addition to Sand Springs, Oklahoma,	Rosetta McDonald,	265.20	154.90	420.10
22	Lot 3, Block 3, First Sunrise Addition to Sand Springs, Oklahoma,	Sada A. Willis (or Sadie A. Willis),	171.09	74.01	215.86
23	Lot 5, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Margaret Cash, Alice Cash,	141.85	74.01	215.86
"	Lot 6, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Margaret Cash, Alice Cash,	135.89	70.89	206.78
24	North 10 Feet of Lot 21, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Delia T. Purdy	23.08	5.94	29.02

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TULSA, OKLAHOMA

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24	Lot 22, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Delia T. Purdy,	58.36	15.01	73.37
25	Lot 23, Block 2 First Sunrise Addition to Sand Springs, Oklahoma,	Owen A. Gills	116.05	52.72	168.77
"	Lot 24, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Owen A. Gills	120.95	54.95	175.90
"	Lot 25, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Owen A. Gills	128.63	58.44	187.07
"	Lot 26, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	Owen A. Gills	145.88	66.27	212.15
26	Lot 27, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	S. L. Evans, O. O. Jobe,	225.66	131.80	357.46
"	Lot 28, Block 2, First Sunrise Addition to Sand Springs, Oklahoma,	S. L. Evans, O. O. Jobe,	265.92	155.32	421.24
27	Lot 7, Block 56, Second West Side Addition to Sand Springs, Oklahoma,	J. D. Lancaster	154.18	90.05	244.23
"	North 10 Feet of Lot 8, Block 56, Second West Side Addition to Sand Springs, Oklahoma,	J. D. Lancaster,	60.67	35.43	96.10
30	Lot 1, Block 18, City of Sand Springs, Oklahoma,	Mary E. Halm	300.68	156.87	457.55
31	Lot 10, Block 10, City of Sand Springs, Oklahoma	Elmer Bales Harry Bales, Sarah Bales and Deborah A. Jacobs	227.59	103.40	330.99

32	Lot 4, Block 18, City of Sand Springs, Oklahoma,	May Florence Cole	137.24	72.39	209.63
34	Lot 5, Block 18, City of Sand Springs, Oklahoma,	Mildred Craaduck N. T. Morrison	125.89	40.86	166.75
36	Lot 11, Block 18 City of Sand Springs, Oklahoma,	Mrs. Nora Petros, Trustees for Stock- holders Tulsa Building and Loan Association	76.29	14.83	91.12
37	Lot 14, Block 18 City of Sand Springs, Oklahoma,	J. H. Brakeman	134.84	43.76	178.60
38	Lot 15, Block 18, City of Sand Springs, Oklahoma,	George Petros, Herman B. Roach,	230.51	104.73	335.23
"	Lot 16, Block 18, City of Sand Springs, Oklahoma,	George Petros, Herman B. Roach	295.79	134.38	430.17
39	Lot 6, Block 14, City of Sand Springs, Oklahoma,	Julia R. Schiefelbusch	78.47	22.98	101.45
40	Lot 5, Block 15, City of Sand Springs, Oklahoma,	Gibson Dunbar Rosa Dunbar, Russell Dunbar	71.58	13.92	85.50
41	Lot 12, Block 15, City of Sand Springs, Oklahoma,	Rachel Trent	218.48	113.99	332.47
42	Lot 11, Block 21, City of Sand Springs, Oklahoma,	Laura A. Tingley	46.10	6.12	52.22
"	Lot 12, Block 21, City of Sand Springs, Oklahoma,	Laura A. Tingley	47.80	6.29	54.09
43	Lot 15, Block 21 City of Sand Springs, Oklahoma.	Tulsa Exchange Company	303.81	177.45	481.26
"	Lot 16, Block 21, City of Sand Springs, Oklahoma,	Tulsa Exchange Company,	333.75	194.92	528.65
45	Lot 7, Block 22, City of Sand Springs, Oklahoma,	Wesley C. Harvey Minnie Harvey, S. D. Harvey,	88.20	17.15	105.35

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

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FRIDAY, DECEMBER 19, 1941

48	Lot 9, Block 23, City of Sand Springs, Oklahoma,	Mary Ellen O'Bryan	398.02	232.47	630.49
49	Lot 10, Block 23, City of Sand Springs, Oklahoma,	Mary Rankin	282.08	179.49	461.57
50	Lot 11, Block 23, City of Sand Springs, Oklahoma,	C. E. Martz Nellie Martz	76.75	14.93	91.68
51	North 10 Feet of Lot 21, Block 26, City of Sand Springs, Oklahoma,	Katherine Blaine Sand Springs Town- site Company,	51.42	30.03	81.45
"	Lot 22, Block 26, City of Sand Springs, Oklahoma	Katherine Blaine SandSprings Town- site Company,	129.91	75.87	205.78
52	Lot 5, Block 50, City of Sand Springs, Oklahoma,	Sand Springs Townsite Company,	106.71	55.67	162.38
"	Lot 8, Block 50, City of Sand Springs, Oklahoma,	SandSprings Townsite Company,	141.02	73.57	214.59
52	Lot 9, Block 50, City of Sand Springs, Oklahoma,	Sand Springs Town- site Company,	69.60	36.31	105.91
"	Lot 10, Block 50, City of Sand Springs, Oklahoma,	Sand Springs Town- site Company,	106.71	55.67	162.38
"	Lot 11, Block 50, City of Sand Springs, Oklahoma,	Sand Springs Town- site Company	106.71	55.67	162.38
"	Lot 12, Block 50, City of Sand Springs, Oklahoma,	Sand Springs Town- site Company,	106.71	55.67	162.38
53	Lot 13, Block 50, City of Sand Springs, Oklahoma	George Rose, Roslee Rose Will- iams and Reka Price, Trustees Penticostal Holi- ness Church,	121.96	71.23	193.19
"	Lot 14, Block 50, City of Sand Springs, Oklahoma,	George Rose Roslee Rose Will- iams and Reka Price, Trustees Penticostal Holi- ness Church,	121.96	71.23	193.19

54	West 19 Feet of Lot 18, Block 36, City of Sand Springs, Oklahoma,	Sand Springs Security Company	51.14	16.60	67.74
"	East $2\frac{1}{2}$ Feet of Lot 19, Block 36, City of Sand Springs, Oklahoma,	Sand Springs Security Company,	6.91	2.24	9.15

together with costs of \$2.00 assessed against each of said separate tracts or parcels of land.

It is further ORDERED that if any of the amounts of liens so adjudged against of said lots, tracts or parcels of real estate be not paid within six months from this date, an order of sale shall issue by the clerk of this court to Byron V. Boone, as Special Master, for the sale of such lots or tracts in the manner and form as in sales of real estate under execution, but subject to the existing and unpaid advalorem taxes and special assessments thereon not hereby foreclosed; and on confirmation of said sale or sales, the respective defendants named in each of said causes of action and whose names are hereinabove set forth opposite the descriptions of the respective tracts of real estate impressed with the respective liens, and all persons claiming through or under them since the institution of this action, shall be barred and foreclosed of and from all right, title or interest therein.

It is further ORDERED that the order of sale above referred to shall be issued upon the praecipe therefor filed by the owner of any outstanding and unpaid bond of Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, or of any interest therein.

It is further ORDERED that prior to the issuance of order of sale for any of said tracts of real estate, any of the liens fixed and decreed herein may be satisfied by payment of the amount thereof together with interest to the date of payment, and costs adjudged, to the City Clerk of the City of Sand Springs, Oklahoma, said sums to be by him received in full satisfaction and settlement of said lien and so noted upon his street assessment record, and said city clerk shall thereupon remit to the clerk of this court such costs as may be by him so collected and deposit the remainder of said collections in the fund collected and held for the payment of the outstanding bonds and coupons of Street Improvement District Number 7 of said City of Sand Springs, Oklahoma.

It is further ORDERED that all sums collected by the clerk of this court in satisfaction of any judgment entered herein, or by the special master upon the sale of any of said tracts of real estate, after the payment of the costs of the action and of said sale, shall be paid to the City Treasurer of the City of Sand Springs, Oklahoma, to become a part of the fund for the payment of all bonds issued in said Street Improvement District Number 7 of said city, and the interest thereon, as provided by law; provided, however, that any sums of money coming into the hands of the special master as the result of such sale or sales, in excess of the respective judgment liens, interest, costs of the action and of the sale, shall be by him deposited with the clerk of this court to await the further order of the court.

It is further ORDERED that costs in the sum of \$2.00 be assessed against each of the following described lots, tracts or parcels of real estate upon which installments of assessments levied in said street improvement district were delinquent and sued upon in this action but which delinquent installments were paid during the pendency hereof and prior to judgment, to-wit:

Cause No. 13: Lot 11, Block 24, First West Side Addition to the City of Sand Springs, Oklahoma;

Cause No. 18: Lot 1, Long Acre Addition to the City of Sand Springs, Oklahoma;

Cause No. 32: Lot 4, Block 18, City of Sand Springs, Oklahoma;

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

FRIDAY, DECEMBER 19, 1941

- Cause No. 33: Lot 3, Block 18, City of Sand Springs, Oklahoma;
 Cause No. 35: Lot 7, Block 18, City of Sand Springs, Oklahoma;
 Cause No. 44: Lot 17, Block 21, City of Sand Springs, Oklahoma;
 Cause No. 46: Lot 8, Block 22, City of Sand Springs, Oklahoma;
 Cause No. 47: Lot 9, Block 22, City of Sand Springs, Oklahoma;
 Cause No. 52: (Tract No. 7): Lot 23, Block 21, City of Sand Springs, Oklahoma.

It is further ORDERED AND ADJUDGED that Chal S. Wheeler and L. W. Randolph, as attorneys for the relator herein, be, and they are hereby allowed attorneys' fees for the prosecution of this cause in the amount of twenty per cent of all sums collected and payable since the institution of this action on bonds of Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, other than those bonds held by the relator, the bonds against which such fees are allowed being Bonds Numbers 58 to 63, inclusive, 65 to 69 inclusive, and 82 to 101 inclusive; and that the attorneys' fees herein allowed as against Bonds Numbers 58, 59 and 60 be paid entirely out of the amount payable upon Bond Number 61.

It is further ORDERED that out of the funds coming into his hands from the payment and collection of assessments in said street improvement district or payment or collection of judgments hereby entered, the City Treasurer of the City of Sand Springs, Oklahoma, after payment of the attorneys' fees herein allowed, shall first pay and retire all unpaid interest coupons which were attached to the bonds of said series, if any there be, and upon and after payment of all evidences of interest accrued prior to the maturity of the bonds, shall apply said funds to the payment of the outstanding bonds of said series, with interest to date of payment according to law, in their numerical order.

It is further ORDERED that the restraining order heretofore issued in this cause on the 17th day of March, 1941, restraining and enjoining the City Treasurer of the City of Sand Springs, Oklahoma, from disbursing funds on hand or collected in said street improvement district until the further order of the court, be, and the same is hereby dissolved.

It is further ORDERED, ADJUDGED AND DECREED that the assessments levied in Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, against the following described lots, tracts or parcels of land, to-wit:

CAUSE NUMBER	DESCRIPTION OF PROPERTY
2	Lots 13 and 14, Block 23, Second Sunrise Addition to the City of Sand Springs, Oklahoma;
2	Lots 10 and 11, Block 23, same addition;
3	Lot 12, Block 23, Second Sunrise Addition to the City of Sand Springs, Oklahoma;
20	Lots 5, 6, 7 and 8, Long Acre Addition to the City of Sand Springs, Oklahoma;

be, and such assessments are hereby decreed to be invalid in their entirety and are hereby set aside cancelled and held for naught; and the City Clerk of the City of Sand Springs, Oklahoma, is ordered and directed to revise and correct the street assessment record of said street improvement district so that such assessments will be shown to be cancelled and expunged therefrom.

It is further ORDERED that when distribution shall have been made of funds in the hands of the County Treasurer of Tulsa County, Oklahoma, resulting from resales or subsequent commissioners' sales of the lots or tracts described in Causes of Action Numbers 7, 11, 12, 13, 16 and 38 and 48

of the complaint and hereinabove set forth, such lots or tracts shall, prior to the issuance of any order of sale thereof, be credited with the portion of such fund applicable to each lot or tract; and such credit shall be first applied to the extinguishment of the amount of the installment of assessment against the same for the year 1931, with proper penalty to the date of resale, and if any surplus remains it shall be credited upon installments which were due and payable in the succeeding year or years, with penalty added to the date of resale from which such credit shall have been obtained.

It is further ORDERED that the Court retain jurisdiction of this cause as to all matters not herein finally adjudicated.

ROYCE H. SAVAGE
JUDGE

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

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

Willard Saxby Townsend and John L.)
Yancey, Plaintiff,)
) No. 452 Civil
vs.)
)
Tulsa Union Depot Company, a)
Delaware Corporation, Defendant.)

C R D E R

On application of the defendant and for good cause shown the defendant is hereby permitted to file an amended answer instanter in the above case.

Dated at Tulsa, Oklahoma this 19 day of December, 1941.

ROYCE H. SAVAGE
DISTRICT JUDGE

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

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

RECONSTRUCTION FINANCE CORPORATION, a corporation,	Plaintiff,	) No. 505 - Civil
-vs-		
WERTZBERGER DERRICK COMPANY, a corporation, et al.,	Defendants.)

ORDER APPROVING RECEIVER'S FINAL REPORT

This matter coming on for hearing this date upon the motion of the plaintiff herein for approval of the final report of the Receiver, M. C. Trimble, filed herein, and to discharge said Receiver, M. C. Trimble, and exonerate the surety on his bond; and the plaintiff appearing by counsel, Bohanon & Adams, the Court proceeded to examine said final report, and it appearing the said M. C. Trimble, as Receiver, has well and truly accounted for each and every part of said estate coming into his possession, and that no profit has been made by him, and that all duties and obligations imposed upon him by order of the Court appointing him as Receiver herein, have been faithfully fulfilled and discharged, and that there are no further duties or obligations to be performed in said cause; and there being no objections to said final report, it is, by the Court,

ORDERED, ADJUDGED AND DECREED:

- (1) That all the acts and conduct of said M. C. Trimble, the duly appointed, qualified and acting Receiver herein, performed by him in the discharge of the duties imposed upon him by the order appointing him as such Receiver, and all his monthly reports and final report filed herein, be, and the same are hereby, in all things, settled, allowed and approved, according to the terms and tenor thereof.
- (2) That said M. C. Trimble, Receiver herein, has fully and faithfully discharged the duties of his trust, and he is hereby wholly and absolutely discharged from all further duties and responsibilities as such Receiver, and the said M. C. Trimble, Receiver, and the surety upon his bond, are hereby released from any liability to be hereinafter incurred,

ENTER: December 19, 1941.

ROYCE H. SAVAGE
United States District Judge

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

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

PETER J. DIEDERICH and ROSE DIEDERICH,)	
)	
Plaintiffs,)	
vs.	)	No. 555 Civil
)	
AMERICAN NEWS COMPANY, doing business)	
as Osage News Agency,)	
Defendant.)	

JOURNAL ENTRY OF JUDGMENT

This cause coming on to be heard on this the 6th day of May, 1941, and Complainants being present in person and by their counsel, T. Austin Gavin and Wendell B. Barnes, and the defendant being present by its representatives and R. D. Hudson and a jury having been empaneled to try the issues in said cause, and opening statements having been made and testimony having been adduced by Complainants, at the conclusion of said testimony the defendant interposed the following motion:

"Comes now the defendant at the conclusion of the plaintiffs case, and moves the court to direct the jury to return a verdict in favor of the defendant, and for grounds of said motion states:

That all of the evidence introduced by the plaintiffs is wholly insufficient to establish a cause of action in favor of the plaintiffs and against this defendant, and that all of the evidence introduced by the plaintiffs shows without dispute that if the defenct existed as complained of in the plaintiffs' petition, that the risk created by said defect was knowingly assumed by the deceased as a matter of law under the evidence introduced.

And for the further reason that all of the evidence introduced without dispute shows that plaintiffs' decedent was guilty of contributory negligence as a matter of law in operating the automobile at a speed of fifty miles an hour upon highway which was at that time wet and slick, under all of the testimony in the case.

And for the further reason that the plaintiffs have not created sufficient facts from which the inference of negligence can be properly deduced, but that all of the evidence introduced by the plaintiffs creates a situation justifying the conclusion of non-liability of the defendant as readily as it creates the deduction of liability."

argument having been heard in support of said motion and against the same, the Court finds that said motion should be and the same is hereby sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said defendants motion quoted hereinabove, interposed by said defendant at the close of Complainants' testimony in this cause, be and the same is hereby sustained and Complainants' cause of action be and it is hereby dismissed at Complainants' costs.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to December 20, 1941.

On this 20th day of December, 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 OKLAHOMA

Evelyn Seber, otherwise known as)	
Osharsha John, Jimmie Powshiek and)	
Juanita Deere, now McIntosh,	)	Plaintiffs,
)	
v.	)	No. 436 Civil
)	
Board of County Commissioners of the County)	
of Creek, State of Oklahoma, et al,)	
	)	Defendants.

ORDER SUBSTITUTING W. HOWARD SEAY AS COUNTY ASSESSOR OF CREEK COUNTY AS DEFENDANT IN THE ABOVE STYLED AND NUMBERED CAUSE IN LIEU AND INSTEAD OF J. CLYDE STAIGER, HIS PREDECESSOR IN OFFICE.

Now on this 20 day of December, 1941, the Application of defendants to substitute W. Howard Seay as County Assessor of Creek County, Oklahoma, in lieu and instead of J. Clyde Staiger who formerly occupied such County Assessor's office, comes on for special hearing before this court, and for good cause shown, the court finds that said application should be granted.

It is, therefore, ordered, adjudged and decreed by this court that W. Howard Seay, the present duly elected, qualified and acting County Assessor of Creek County, Oklahoma, be substituted in lieu and instead of J. Clyde Staiger whose name is shown as the County Assessor of Creek County, Oklahoma, one of the defendants in the above styled and numbered cause.

ROYCE H. SAVAGE
District Judge

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

Court adjourned to December 22, 1941.

On this 22nd day of December, A. D. 1941, the District Court of the United States 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 entered, to-wit:

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

N. LAURISCH, TRUSTEE,	Plaintiff,)	
)	
vs.		)	No. 205 Civil
)	
N. THOMPSON, et al,	Defendants.)	

ORDER APPROVING FINAL REPORT OF RECEIVER AND ALLOWING FEES TO RECEIVER AND HIS ATTORNEY

NOW ON THIS THE 22ND DAY OF DECEMBER, 1941, the same being a regular judicial day of the January, 1941 Term of the above indicated court, the final report and application of Noble C. Hood, Receiver of Seminole Provident Trust, a Trust Estate, and said Receiver's application to settle judgment against C. T. Thompson, coming on regularly for hearing, and the Court having heard the testimony of witnesses and arguments of counsel, being fully advised in the premises and finding-

1. That notice of this said hearing has been given as provided by law and the orders of this Court.
 2. That the said Final Report of said Receiver filed with the Clerk of this Court December 8, 1941 should be approved.
 3. That Noble C. Hood should be paid a sum, in addition to the money already paid to him as temporary Receiver's fees, the sum of \$900.00, plus the assignment of the \$500.00 C. T. Thompson note.
 4. That the attorney for said Receiver, Eugene O. Monnet, should be allowed as a final fee as attorney for said Receiver, the sum of \$1200.00 in addition to the temporary fees heretofore paid to him by the Receiver under order of this court.
 5. That the application of said Receiver to settle the judgment against C. T. Thompson should be approved.
 6. That said Receiver should, after first paying all administration expense, costs of printing and mailing notices of this hearing, and costs of issuing and mailing checks to the unit holders, pay and distribute the balance of the monies in said receivership estate to the unit holders whose names are set forth in the schedule thereof attached to his said final report, in the portions of 1/4431 part of said monies to each share or unit holder held by said unit holders;
- THEREFORE,

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

1. That the Final Report of said Receiver is hereby approved.

2. That Noble C. Hoodo Receiver of said Seminole Provident Trust, a Trust estate, allowed as his final fee as such receiver, in addition to the temporary receiver's fee heretofore to him, the sum of \$900, plus the assignment of the \$500.00 note due said receiver from C. T. Thompson; which the Court finds is reasonable and just.

3. That Eugne O. Monnet, attorney for said receiver, be allowed a final fee, in addition to the temporary allowance heretofore paid to him, the sum of \$1,200.00, which the court finds reasonable and just.

4. That the application of said Receiver to settle his judgment against C. T. Thompson be and the same is hereby approved and he is authorized and directed to fully release and satisfy judgment against said Thompson upon payment by said Thompson to said Receiver of the sum of \$500.00 and delivery to him of his promissory note in the amount of \$500.00, bearing 6% interest from date until paid, and due on or before one year from date.

5. That said Receiver is hereby authorized and directed to distribute and pay unto the unit holders of said Seminole Provident Trust, a trust estate, as shown and set forth in the Schedule of Profits attached to said final report of said Receiver, 1/4431 part of the net monies of said Receiver's estate (after first deducting and paying all administration costs, plus estimated costs of issuing and mailing said checks) for each unit thereof outstanding.

6. That upon consummation of said payment said Receiver shall make a supplemental report showing his final expenditures, which report is hereby set for hearing on January 19th, 1942 at 10 O'clock A.M., at the Court room of this court in the Federal Building, Tulsa, Oklahoma, at which time the Court will hear and pass upon said report and determine the question of discharging said Receiver and releasing his bondsmen.

7. Said Receiver is further authorized and directed to forthwith pay all sums of money from said receivership funds hereby authorized.

Dated, this 22nd day of December, 1941.

F. E. KENNAMER
F. E. Kennamer, United States District
Judge for the Northern District of Okla.

RECORDED: Filed Dec 22 1941
H. P. Warfield, Clerk
U. S. District Court B

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

B. BLAKE,)
Plaintiff,)
)
vs.)
) No. 212 Civil)
)
WHEATLEY BROTHERS PUMP & VALVE)
FACTURERS, a corporation, and)
WHEATLEY,)
Defendants.)

ORDER OF DISMISSAL

Upon motion of plaintiff to the above entitled cause, and for good cause shown, it is ordered that the above entitled cause be, and the same is hereby dismissed without prejudice at plaintiff's cost.

On consideration thereof the court finds:

1. That all of the parties named, including the said defendants, Winnie Barker and Hancock, are before the court for trial and determination of the issues herein.

2. That in the manner provided by the laws of the State of Oklahoma the City of Shidler by appropriate proceedings created its street improvement district No. 2, described as follows:

Cosden Avenue from the center line of First Street to the center line of Grand Street,

which said improvement district was at all times and now is within the corporate limits of said municipality; that thereafter and in keeping with the duly enacted ordinances and resolutions of said city the said street was paved and improved by appropriate proceedings, and there were certain benefit assessments made against each lot of land located within the said district and subject to assessment and the unpaid amount of each assessment is a valid and subsisting lien on each lot so assessed.

3. That the said City of Shidler, as it was authorized by statute to do, issued its street improvement bonds in said district in the aggregate sum of \$34,146.46.

4. That the relator is the owner and holder of the bonds as alleged in his bill of complaint.

5. That at the time of the filing of this cause of action there were delinquent special assessment installments against the various lots described in plaintiff's bill of complaint that said installments had been delinquent for a period exceeding twelve months next preceding the filing of this action.

6. That all of the allegations made as to each particular cause of action, except amounts named therein, are found to be true.

7. That of the coupons originally attached to the bonds issued, all have been paid except those coupons now belonging to the relator, the intervener and the other appearing defendants.

That the relator herein is the owner and holder of said coupons in the aggregate par value of \$3,030.00; that the intervener, Frank L. Divall, is the owner and holder of said outstanding coupons in the par value of \$450.00 and that the other appearing defendants are the owners and holders of the remainder of said outstanding coupons in the par value of \$3,150.00; and that said coupons bear interest at the rate of 6% from their respective due dates, making the net value of the said outstanding coupons at this time in the sum of \$9,271.35. That bonds No. 1 to 6 were paid in regular course; that the relator and the intervener and the other appearing defendants herein are the owners and holders of bonds No. 7 to 17, inclusive, and also of 33 other bonds of higher serial numbers. That from the collections made either by payment of the installments of special assessments or from money derived from judgment in foreclosure in causes of action similar to this, interest coupons are first paid and then the bonds serially. From the evidence introduced herein, that the fair cash market value of the various properties, with improvements thereon included herein, is as follows, to wit:

- Lot 13, Block 106, the sum of \$450.00
- Lot 14, Block 106, the sum of \$450.00
- Lot 15, Block 106, the sum of \$ 5.00
- Lot 16, Block 106, the sum of \$100.00
- Lot 17, Block 106, the sum of \$100.00
- Lot 18, Block 106, the sum of \$ 5.00
- Lot 19, Block 106, the sum of \$ 5.00
- Lot 20, Block 106, the sum of \$ 5.00
- Lot 21, Block 106, the sum of \$ 50.00

Lot 22, Block 106, the sum of \$ 5.00
 Lot 23, Block 106, the sum of \$ 50.00
 Lot 24, Block 106, the sum of \$ 50.00
 Lot 1, Block 107, the sum of \$550.00
 Lot 2, Block 107, the sum of \$550.00
 Lot 3, Block 107, the sum of \$350.00
 Lot 4, Block 107, the sum of \$350.00
 Lot 5, Block 107, the sum of \$500.00
 Lot 6, Block 107, the sum of \$500.00
 Lot 7, Block 107, the sum of \$ 5.00
 Lot 8, Block 107, the sum of \$ 5.00
 Lot 9, Block 107, the sum of \$ 5.00
 Lot 10, Block 107, the sum of \$ 5.00
 Lot 11, Block 107, the sum of \$ 5.00
 Lot 12, Block 107, the sum of \$290.00
 Lot 1, Block 108, the sum of \$ 5.00
 Lot 2, Block 108, the sum of \$150.00
 Lot 3, Block 108, the sum of \$ 5.00
 Lot 4, Block 108, the sum of \$450.00
 Lot 5, Block 108, the sum of \$ 5.00
 Lot 6, Block 108, the sum of \$375.00
 Lot 7, Block 108, the sum of \$375.00
 Lot 8, Block 108, the sum of \$ 5.00
 Lot 9, Block 108, the sum of \$525.00
 Lot 10, Block 108, the sum of \$525.00
 Lot 11, Block 108, the sum of \$400.00
 Lot 12, Block 108, the sum of \$550.00
 Lot 13, Block 108, the sum of \$550.00
 Lot 14, Block 108, the sum of \$175.00
 Lot 15, Block 109, the sum of \$800.00
 Lot 16, Block 109, the sum of \$350.00
 Lot 17, Block 109, the sum of \$350.00
 Lot 18, Block 109, the sum of \$350.00
 Lot 19, Block 109, the sum of \$150.00
 Lot 20, Block 109, the sum of \$150.00
 Lot 21, Block 109, the sum of \$375.00
 Lot 22, Block 109, the sum of \$375.00
 Lot 23, Block 109, the sum of \$175.00
 Lot 24, Block 109, the sum of \$175.00
 Lot 25, Block 109, the sum of \$ 5.00
 Lot 26, Block 109, the sum of \$200.00
 Lot 27, Block 109, the sum of \$ 5.00
 Lot 28, Block 109, the sum of \$ 5.00
 Lot 15, Block 120, the sum of \$200.00
 Lot 16, Block 120, the sum of \$200.00
 Lot 17, Block 120, the sum of \$ 5.00
 Lot 18, Block 120, the sum of \$ 5.00
 Lot 19, Block 120, the sum of \$ 5.00
 Lot 20, Block 120, the sum of \$ 5.00
 Lot 21, Block 120, the sum of \$ 5.00
 Lot 22, Block 120, the sum of \$ 5.00
 Lot 23, Block 120, the sum of \$ 5.00
 Lot 24, Block 120, the sum of \$450.00
 Lot 25, Block 120, the sum of \$450.00
 Lot 26, Block 120, the sum of \$450.00
 Lot 27, Block 120, the sum of \$ 5.00

- Lot 28, Block 120, the sum of \$ 5.00
- Lot 1, Block 121, the sum of \$300.00
- Lot 2, Block 121, the sum of \$200.00
- Lot 3, Block 121, the sum of \$ 5.00
- Lot 4, Block 121, the sum of \$300.00
- Lot 5, Block 121, the sum of \$200.00
- Lot 6, Block 121, the sum of \$ 5.00
- Lot 7, Block 121, the sum of \$ 5.00
- Lot 8, Block 121, the sum of \$ 5.00
- Lot 9, Block 121, the sum of \$ 5.00
- Lot 10, Block 121, the sum of \$ 5.00
- Lot 11, Block 121, the sum of \$400.00
- Lot 12, Block 121, the sum of \$400.00
- Lot 13, Block 121, the sum of \$500.00
- Lot 14, Block 121, the sum of \$500.00.

of said lots being in the South Side Plat of Shidler, an addition to the City of Shidler. That there is a substantial amount of unpaid ad valorem taxes against a large portion of the lots above described. In setting the values of the lots and the improvements thereon the court has not deducted therefrom the unpaid ad valorem taxes.

8. That from the evidence introduced herein, in the year 1935 the city hall of the City of Shidler, Oklahoma, was destroyed by fire; that many of the records with reference to the payment of installments on the various lots included in said paving district were destroyed; that on account of the destruction and loss of said records it has been difficult for the parties hereto to arrive at the amount of unpaid assessments against the various lots. The appearing parties have made effort to arrive at the amount unpaid and delinquent and have informed the court that they have agreed that there is due and unpaid on each of the lots described in plaintiff's bill of complaint including the amendment thereto filed on July 25, 1941, the sum of \$44.00. From all of the evidence produced and from the agreement of the parties, the court therefore finds that there is due and unpaid against each of the lots described in said bill of complaint and said amendment the sum of \$44.00 and that the said amount is and constitutes a valid lien against each of said lots prior and superior to all other liens except that for general or ad valorem taxes.

9. That under the statutes in such cases made and provided the owner or owners of any of the lots hereinbefore described have and hereby are granted the right at any time within six months from the date hereof to redeem said lots by paying to the clerk of this court the amount found due, to wit: the sum of \$44.00 per lot and upon such payment each lot for which same was made shall be forever redeemed and discharged from the said paving tax liens and from this foreclosure. In the event payment for any lot be not made within six months from this date, then and in that event the judgment against said lot shall bear interest at the rate of 6% from this date.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that as to each of said lots hereinbefore enumerated, judgment be and hereby is rendered in the sum of \$44.00 as a complete judgment for all amounts due under said special assessment, and that such sum be and hereby is found, determined and decreed to be a lien upon said lot and improvements thereon prior and superior to all other liens except as valorem taxes, and such lien be and hereby is decreed foreclosed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as to each of said lots the owner or owners of same on or before the expiration of six months from the date hereof be and hereby are permitted to redeem such lot or lots of and from the lien herein determined and decreed to exist, by paying to the clerk of this court the said amount due upon each lot, and upon the payment of such redemption money to the clerk the said clerk shall make appropriate certification thereof to the County Treasurer Osage County, Oklahoma, that such redemption money has been paid, and that such redemption has been made pursuant to the order and decree of this court in full and complete discharge of the delinquent special assessment lien on and against the said lot or lots so redeemed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the payment of the said redemption by each lot so redeemed be and hereby is declared forever discharged from and free from any claim lien by reason of delinquent special assessment installments mentioned in the bill of complaint hereinbefore scheduled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED in the event redemption herein be not made hereinbefore provided that upon written praecipe therefor the clerk shall issue a special execution order of sale, as to one or more of the several lots, said execution or order of sale to be directed to a special master in chancery appointed by this court, directing and commanding him to sell, after appraisal, free and clear of all mortgages, liens, charges and encumbrances, subject, however, to existing general or ad valorem taxes, the real estate so described in said praecipe and in said execution, or order of sale, and that such lots therein described be sold in the manner provided by said praecipe; the proceeds arising from such sale shall be disbursed and paid out by the said special master as directed and upon confirmation by this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this cause of action shall be borne proportionately by the various lots against which judgment has herein been rendered.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event of the sale of any of said lots by special master as herein provided the costs created by said sale shall be assessed proportionately against the proceeds of the lots so sold.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that other than the payment of costs as hereinbefore provided, all money paid to the clerk of this court in the redemption of lots hereinbefore provided shall be paid by him to the city treasurer of the City of Shidler and the said city treasurer is hereby directed from the payment of money received by him from the clerk of this court to redeem at par value the coupons of the relator herein and the intervener herein. If there be any balance due after the payment to the relator and the intervener for the redemption of their coupons at par value the said treasurer shall retain the same in the special paving fund for said paving district No. 10 to be used according to the law of the State of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that in the event of said property is sold by a special master appointed by this court he shall pay the net proceeds of said sale to the city treasurer of the City of Shidler, Oklahoma, to be by said city treasurer disbursed and used in the same method as hereinbefore provided.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the purchaser of any of said lots at said sale shall take the title to said lots and the improvements thereon, free and clear of all liens, claims, demands, mortgages, equities or charges owned or possessed by the defendants, as well as the heirs, executors, administrators, successors, grantees and assigns of said parties, or any parties claiming an interest therein subsequent to the filing of this cause of action and title to the same hereby is quieted in the said purchaser or purchasers. Upon confirmation of said sale by the court a special master appointed herein is hereby directed to make, execute and deliver to the respective purchaser or purchasers deed conveying the lots so sold.

ROYCE H. SAVAGE
 JUDGE

FORSEED: Filed Dec 22 1941
 H. P. Warfield, Clerk
 U. S. District Court LN

CITY OF SAPULPA, CREEK COUNTY, OKLAHOMA,
as shown by the recorded plat thereof:

OWNER: Chester Bartlett

<u>BARTLETT ADDITION</u>		<u>Principal</u>		
<u>Lot</u>	<u>Block</u>	<u>1924 to 1933, incl.</u>	<u>Penalty</u>	<u>Total</u>
of 2	6	\$249.38	\$357.42	\$606.80
3	6	498.80	714.21	1,213.01
3	1	422.59	605.68	1,028.27
4	1	487.65	605.68	1,028.27
5	1	487.65	698.94	1,186.59
6	1	487.65	698.94	1,186.59
7	1	487.65	698.94	1,186.59
8	1	487.65	698.84	1,186.59

OWNER: R. A. Sellers

<u>ORIGINAL PLAT</u>		<u>Principal</u>		
<u>Lot</u>	<u>Block</u>	<u>1929 to 1933, incl.</u>	<u>Penalty</u>	<u>Total</u>
30' of S. 56.7'	of 4 68	\$ 54.40	\$ 60.60	\$ 115.00
13.4' of 4	68	36.41	40.54	76.95
36.6' of 4	68	99.64	110.98	210.62

OWNERS: H. L. Simpson and R. S. Brown

50' of W. 100'				
S. 56.7' of 3	68	48.63	54.17	102.80
50' of W. 100'				
6	68	172.44	192.09	364.53

OWNER: Laura L. Gilbert

		<u>Principal</u>		
		<u>1930 to 1933, incl.</u>		
13.3' of S. 38.6'				
16	67	28.35	29.74	58.09
13.4' of 17	67	29.19	30.61	59.80
25.3' of 16	67	52.54	55.12	107.66
		<u>1929 to 1933, incl.</u>		
50' of 16	67	308.11	343.26	651.37

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the lien of the plaintiff for the said delinquent special assessments for the years above noted be, and the same hereby is, established as a valid first lien against the property described, subject only to the sale of said real estate as hereinafter provided and subject to existing ad valorem taxes and special assessments included herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the payment of said judgment herein above rendered to the City Treasurer of Sapulpa, Oklahoma, the assessments, interest and penalties, as above set forth, for the respective years above, shall be by the County Treasurer marked paid and satisfied on his records and tax rolls, where so certified by the City Treasurer.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the said first and second lien of said plaintiff be and the same is hereby foreclosed and in the event said defendants fail to pay said judgment above rendered within six (6) months after the date of the rendition hereof, an order of sale shall issue directing the sale of said real estate and the foreclosure of the said special assessments, and that such sale be had with appraisal subject to existing ad valorem taxes and special assessments and that the proceeds arising from said sale be applied as follows:

- (1) In payment of the costs of this action and the costs of said sale;
- (2) In payment of the judgment hereinabove rendered, principal, penalty and interest, which shall be paid to the City Treasurer of the City of Sapulpa, Oklahoma, and by him certified to the County Treasurer of Creek County, Oklahoma.
- (3) That the residue, if any, be paid to the Clerk of this Court to await the further order of this Court.

IT IS FURTHER ORDERED AND ADJUDGED BY THE COURT that, from and after the sale of said real property under and by virtue of this judgment and decree, said defendants, and each and every person claiming under them, or any of them, since the filing of the complaint herein, be and they are forever barred and foreclosed of and from and every lien upon, right, title, interest, estate or equity of, in or to said real estate, or any part thereof except the lien, interest or estate accruing by virtue of existing ad valorem taxes and special assessments, and reserving to the proper tax-collecting authorities the right to foreclose the same in the manner provided by law.

IT IS FURTHER ORDERED AND ADJUDGED BY THIS COURT that the County Treasurer of Creek County, Oklahoma, not accept the special assessment taxes merged in judgment in this action without first receiving also the payment of all the costs accrued to the date of such offer or payment of such special assessments.

ROYCE H. SAVAGE
JUDGE

RECORDED: Filed Dec 22 1941
H. P. Warfield, Clerk
U. S. District Court B

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

THE MATTER OF THE ESTATE OF DENNIS WILSON, DECEASED,) NO. 557 Civil

O R D E R

Now on this 29 day of December, 1941, this matter having come on before the court on December 22, 1941, on the motion of Reed Wilson to remand, and also upon the motion of Sallie Niece Wilson for permission to intervene, Reed Wilson appearing by his attorney Dick Rice; Verna Stinnett appearing by her attorney Frank Nesbitt; Marie Knight Wilson appearing by her attorney Lee Welch; Sallie Niece Wilson appearing by her attorneys Bailey E. Bell and C. S. Fenwick; Wesley Ross Wilson appearing by his attorney Al Commons; and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said District, and the court having heard the arguments of counsel and being fully advised in the premises, finds that said motion to remand should be overruled, and that said motion of Sallie Niece Wilson for leave to intervene should be overruled;

YEAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, DECEMBER 22, 1941

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

ED STATES OF AMERICA,	Petitioner,)
)
vs.)
		) No. 652 - Civil
00 acres of land, more or less,)
ate in Mayes County, Oklahoma,)
John M. Niehaus, Jr., et al.,	Respondents.)

JUDGMENT ON STIPULATION

Now on this 22 day of December, 1941, there comes on for hearing, pursuant to calendar assignment, the application of the petitioner herein for a judgment approving the stipulation agreement entered into by and between the petitioner and the respondent, C. L. Hunt, as to the real estate involved in this proceeding and designated herein as Tract No. C-28, and hereinafter specially described. The said parties appear in person and by counsel and agree in open Court that the stipulation shall be approved.

Thereupon, the Court proceeded to hear and pass upon said application and all other matters herein involved and finds that:

(1) That the said C. L. Hunt was at the time of the filing of the Declaration of Taking No. 5 by the petitioner herein the rightful owner and claimant to the real estate involved herein designated as Tract No. C-28 and more particularly hereinafter described, and that the said C. L. Hunt is the only person entitled to the benefit of the funds accruing from this particular tract.

(2) The said C. L. Hunt, the rightful owner and claimant to the real estate involved in this proceeding and designated as Tract No. C-28, more particularly hereinafter described, filed a written Stipulation herein, wherein it is agreed that the fair, cash, market value of said tract No. C-28 shall be in the total sum of Six Hundred and Eighty Five and no/100 Dollars (\$685.00) there being no value allowed for growing crops upon said premises.

(3) The United States of America did on the 20th day of October, 1941, file its Declaration of Taking No. 5 herein, and paid to the Clerk of this Court, for the use and benefit of the persons entitled thereto, the sum of Six Hundred and no/100 Dollars (\$600.00) for said estate in said real estate designated as Tract No. C-28 herein involved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Stipulation and written findings herein are final, and the fair, cash, market value, as set out and fixed in said Stipulation pleadings, is final as to the particularly described lands and values and estates therein taken, as follows, to-wit:

Tract No. C-28

The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
and the North Half of the Northwest Quarter of the Southeast
Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Nineteen (19), Township
Twenty (20) North, Range Nineteen (19) East, Mayes County,
Oklahoma, containing 60 acres, more or less, in fee simple
title, a total, fair, cash, market value of \$685.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the above designated described real estate, and the estate therein taken by these eminent domain proceedings, was vested in the United States of America on the 20th day of October, 1941, upon the depositing of the sum of Six Hundred and no/100 Dollars (\$600.00) with the Registry of this Court for the above described tract of land, and the filing of Declaration of Taking No. 5 herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there shall be deposited the additional sum of Eighty-five and no/100 Dollars (\$85.00) with the Clerk of this Court, as the Registrar said Court, for the use and benefit of the rightful claimants and persons entitled thereto.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE

ORSED: Filed Dec 22 1941
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.)
	) No. 652 - Civil
500 acres of land, more or less,)
state in Mayes County, Oklahoma,)
John M. Niehaus, Jr., et al,)

JUDGMENT ON STIPULATION

Now on this 22 day of December, 1941, there comes on for hearing, pursuant to court assignment, the application of the petitioner herein for a Judgment approving the stipulation agreement entered into by the petitioner and the respondents, T. C. Bowling and Susie Kate Bowling, to the real estate involved in this proceeding and designated herein as Tract No. A-43, and hereinafter specifically described. The said parties appear in person and by counsel and agree in open Court that the Stipulation shall be approved. Thereupon, the Court proceeded to hear and pass upon said litigation and all other matters herein involved, and finds that:

(1) The rightful owners and claimants to the real estate involved herein and designated as Tract No. A-43, and more particularly hereinafter described, at the time of the filing Declaration of Taking No. 2 by the petitioner were as follows: T. C. Bowling and Susie Kate Bowling, and that said persons are the only ones entitled to the benefit of the funds accruing for said particular tract.

(2) The rightful owners and claimants to the real estate involved in this proceeding and designated as Tract No. A-43, and more particularly hereinafter described, have filed a written stipulation herein, wherein it is agreed that the fair, cash, market value of said tract A-43, exclusive of crops, shall be in the total sum of \$2,400.00 and that the fair, cash, market value of the crops growing upon said tract shall be in the sum of \$192.00, making a total sum of \$2,592.00 for said Tract No. A-43.

(3) The United States of America did on the 6th day of October, 1941, file a Declaration of Taking No. 2 herein, and paid to the Clerk of this Court, for the use and benefit of the persons entitled thereto, the sum of \$2,200.00 for said estate in said real estate designated as Tract No. A-43 involved in this proceeding, and more particularly hereinafter described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Stipulation and written

To T. C. Bowling, Susie Kate Bowling, Lena E. Haas, Morris Haas, and County Treasurer of Mayes County, Oklahoma, \$2,200.00

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Clerk of this Court be his check payable as follows, to-wit:

To T. C. Bowling, Susie Kate Bowling, Lena E. Haas, Morris Haas, and County Treasurer of Mayes County, Oklahoma, \$2,200.00

it is further ORDERED that said Clerk shall make no charge as commission or poundage for the filing and distribution of said funds.

ROYCE H. SAVAGE JUDGE

ORDERED: Filed Dec 22 1941 H. P. Warfield, Clerk U. S. District Court H

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

UNITED STATES OF AMERICA, Petitioner vs. No. 652 - Civil 100 acres of land, more or less, situate in Mayes County, Oklahoma, and John M. Haas, Jr., et al, Respondents.

ORDER APPOINTING COMMISSIONERS

On this 22 day of Dec., 1941, the above cause comes on for hearing upon the petition of the United States of America for an order appointing commissioners in said cause. And it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain lands hereinafter described, and that the acquisition of said lands is necessary for the United States of America in carrying on and establishing the Oklahoma Ordnance Plant at Choteau, Oklahoma, for such other uses as may be authorized by Congress or by Executive Order, under and by reason of an Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. sec. 258a), and acts supplementary thereto and amendatory thereof, and under the further authority of the Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (Stat. 241), and April 11, 1918 (40 Stat. 518, U.S.C. 171), which act authorizes the acquisition of land for military purposes, and the Act of Congress approved April 5, 1941 (Public 29 - 77th Congress), which act appropriated funds for such purposes.

Said lands are described as follows:

Tract No. A-1

All that part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) lying East of Highway No. 69 Right-of-way, and all that part of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter (SW 1/4 NE 1/4 NE 1/4) lying East of Highway No. 69 Right-of-way, and all that part of the East 17.76 acres of Lot One (1) lying South and East of the City of Tulsa Water Line Right-of-way, all in Section One (1),

LAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, DECEMBER 22, 1941

Township Twenty (20) North, Range Eighteen (18) East, situate in Mayes County, Oklahoma, and containing 58 acres, more or less.

Tract No. A-4

The West Half of the Northwest Quarter of the Northeast Quarter ($\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), the North Half of the Northeast Quarter of the Northwest Quarter ($\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$), the South 20 acres of Lot Four (4), and the North 17.22 acres of Lot Four (4), all in Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 73.96 acres, more or less.

Tract No. A-5

Lot One (1), and the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), in Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 78.68 acres, more or less.

Tract No. A-7

The Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the South Half of the Northeast Quarter of the Northwest Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) (sometimes described as South 20 acres of Lot 3), in Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres more or less.

Tract No. A-8

The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), in Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. A-10

The South Half of the Southeast Quarter of the Northeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), and the East Half of the Northeast Quarter of the Southeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), in Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. A-14

That part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) in Section One (1), Township Twenty (20) North, Range Eighteen (18) East, Mayes County, Oklahoma, lying East of U. S. Highway No. 69, containing 6 acres, more or less.

TRACT NO. A-15

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section One (1), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. A-16

The Northwest Quarter of the Southwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$) of Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. A-17

The West Half of the Northwest Quarter of the Southwest Quarter ($W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$) of Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. A-20

The Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$) of the North Half of the Southwest Quarter of the Southeast Quarter ($N\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$), in Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. A-20-A

The Southeast Quarter of the Northwest Quarter of the Southwest Quarter ($SE\frac{1}{4} NW\frac{1}{4} SW\frac{1}{4}$) of Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. A -22

The South Half of the Southeast Quarter of the Southeast Quarter ($S\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$) of Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, less 1 square acre in the Southeast corner thereof for school, containing 19 acres, more or less.

TRACT NO. A-24

The East Half of the Southeast Quarter of the Southwest Quarter ($E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) of Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. A-25

That part of the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$) of Section Twelve (12), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, which lies East of U. S. Highway No. 69, being more particularly described as follows: Beginning at the Southeast Corner of said $NW\frac{1}{4} NE\frac{1}{4}$ of Section 12, thence West 607 feet to the East line of the highway right-of-way, thence in a Northeasterly direction along said highway 1350.5 feet to a point on the North line of said Section 12, thence

East 376 feet to the Northeast corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, thence South 80 rods to the point of beginning, containing 13.3 acres, more or less.

TRACTS NOS. A-26 & A-34

The Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$), the West 24.4 acres of Lot One (1), and the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), all in Section Seven (7), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50.6 acres, more or less.

TRACT NO. A-26

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), and the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), in Section Seven (7), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. A-30

The North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. A-31

The South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. A -32

The East Half of the Southeast Quarter of the Northwest Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, containing 20 acres, more or less.

TRACT NO. A -37

The South 20.20 acres of Lot Two (2), and all of Lot Three (3), in Section Seven (7), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60.60 acres, more or less.

TRACT NO. A-36

The Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) (being lot Four), less .71 acres deeded for State Highway, all in Section Seven (7), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 249.69 acres, more or less.

TRACT NO. A-39

The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. A-41

The Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, RANGE Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. A -43

The South Half of the Northeast Quarter of the Southeast Quarter ($S\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$), the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$) and the East Half of the Southwest Quarter of the Southeast Quarter ($E\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$), all in Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. A-44

The West Half of the Southwest Quarter of the Southeast Quarter ($W\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$), and the East Half of the Southeast Quarter of the Southwest Quarter ($E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$), in Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. B-1

The Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$), the Northwest Quarter ($NW\frac{1}{4}$), the Southwest Quarter ($SW\frac{1}{4}$), the West Half of the Southwest Quarter of the Southeast Quarter ($W\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$), and the West Half of the Northwest Quarter of the Southeast Quarter ($W\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$), and the Northeast Quarter of the Northwest Quarter of the Southeast Quarter ($NE\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$) of Section Four (4), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 450 acres, more or less.

TRACT NO. B-3

The Southwest Quarter of the Northeast Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$), the South Half of the Northwest Quarter of the Northeast Quarter ($S\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter of the Northeast Quarter ($NW\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$), the North Half of the Southwest Quarter of the Northeast Quarter ($N\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$), the Northwest Quarter ($NW\frac{1}{4}$), the South Half of the Northwest Quarter of the Southeast Quarter ($S\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$), the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$), the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$), and the Southwest Quarter ($SW\frac{1}{4}$) of Section Three (3); and the West Half of the Northwest Quarter of the Southwest Quarter ($W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section Two (2), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 540 acres, more or less.

TRACT NO. B-4

The North Half ($N\frac{1}{2}$) of Lot One (1) (otherwise described as North Half of Northeast Quarter of Northeast Quarter), and the North Half ($N\frac{1}{2}$) of Lot Two (2) described as North Half of Northwest Quarter of Northeast Quarter), of Section Three (3), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. B-5

That part of the West Half ($W\frac{1}{2}$) of Lot Four (4), Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, lying East of the creek, containing 8 acres, more or less.

TRACT NO. B-6

Lot Three (3), and the East Half ($E\frac{1}{2}$) of Lot Four (4), Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. B-9

The Southeast Quarter of the Northeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$) of Section Three (3), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. B-10

All of that part of the South Half of the Southeast Quarter of the Northeast Quarter ($S\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$) and of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter ($NE\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$) which lies West of Pryor Creek, all in Section Three (3), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 19.5 acres, more or less.

TRACT NO. B-15

The West Half of the Northwest Quarter of the Northeast Quarter ($W\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$) and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter ($SE\frac{1}{4} NW\frac{1}{4} NE\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, less and except 2.5 acres out of the Southeast corner of the above-described land, which exceptions are more particularly described as follows: Beginning at a point 20 chains East and 12 chains South of the Quarter Section corner between Section 3 and Section 10, Township 20 North, Range 19 East; thence South 4.47 chains; thence West 4.475 chains; thence North 4.47 chains; thence East 4.475 chains to the point of beginning containing 2 acres, more or less; also excepting the .5 of an acre tract described as beginning at the Southeast corner of $NW\frac{1}{4} NE\frac{1}{4}$ of said Section 10; thence North 147.3 feet; thence West 147.3 feet; thence South 147.3 feet; thence East 147.3 feet; to the point of beginning; all of the above described land being in Mayes County, Oklahoma, and containing 27.5 acres, more or less.

TRACT NO. B-16

The North Half of the Northeast Quarter of the Northeast Quarter ($N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter of the Northeast Quarter ($NE\frac{1}{4}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. B-20

The West Half of the Northeast Quarter of the Northwest Quarter ($W\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. B-21

The Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}$ $NW\frac{1}{4}$) and the East Half of the Southwest Quarter of the Northwest Quarter ($E\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$) of Section Eleven (11), and the South Half of the Northeast Quarter of the Northeast Quarter ($S\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$) of Section Ten (10), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. B-22

Beginning at a point 20 chains West and 12 Chains South of the Northeast corner of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, thence South 4.47 chains, thence West 4.475 chains, thence North 4.47 chains, thence East 4.475 chains, to the point of beginning, lying in Section Ten (10) Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 2 acres, more or less.

TRACT NO. B-23

Beginning at the Southeast corner of the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}$ $NE\frac{1}{4}$), thence North 147.3 feet; thence West 147.3 feet, thence South 147.3 feet, thence East 147.3 feet to the point of beginning, containing 0.5 acre, and described as the Southeast one-half acre of the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}$ $NE\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma.

TRACT NO. B-24

The West Half of the Southwest Quarter of the Northeast Quarter ($W\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter of the Northeast Quarter ($NE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. B-25

The South Half of the Northeast Quarter ($S\frac{1}{2}$ $NE\frac{1}{4}$) of Section Nine (9) and the Southwest Quarter ($SW\frac{1}{4}$) of the West Half of the Southeast Quarter

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(W $\frac{1}{2}$ SE $\frac{1}{4}$), and the Northwest Quarter (NW $\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 480 acres, more or less.

TRACT NO. B-30

The Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. B-32

The North Half of the Northwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. B-34

The East Half of the Northeast Quarter of the Northwest Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$), the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. B-35

All of Lots One (1) and Two (2), the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 138.55 acres, more or less.

TRACT NO. B-38

The Southwest Quarter of the Northwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. B-39

The Southwest Quarter of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. B-40

The North Half of the Southeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

of Section Ten (10) Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. B-41

The South Half of the Southeast Quarter of the Southeast Quarter ($S\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$) of Section Ten (10), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. B-43

The East Half of the Southeast Quarter of the Southwest Quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. B-44

The Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}$ $NW\frac{1}{4}$), the North Half of the Southwest Quarter of the Northwest Quarter ($N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$), and Southwest Quarter of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$) of Section Sixteen (16); and the North Half of the Southeast Quarter of the Northeast Quarter ($N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$), the Southeast Quarter of the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$), and the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$) of Section Seventeen (17); all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 140 acres, more or less.

TRACT NO. B-46

The West Half of the Northeast Quarter ($W\frac{1}{2}$ $NE\frac{1}{4}$), the East Half of the Southeast Quarter of the Northwest Quarter ($E\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$), and the Southwest Quarter of the Southeast Quarter of the Northwest Quarter ($SW\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$), all in Section Sixteen (16), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 110 acres, more or less.

TRACT NO. B-2

The Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$) of Section Thirteen (13), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. C-6

The Southeast Quarter of the Southwest Quarter of the Northeast Quarter ($SE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

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TRACT NO. C-7

The South Half of the Northwest Quarter ($S\frac{1}{2}$ NW $\frac{1}{4}$) of Section Seventeen (17) Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. C-9

The North Half ($N\frac{1}{2}$) of Lot Three (3), Section Eighteen (18), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-10

The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eighteen (18), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. C-16

The Southeast Quarter of the Northeast Quarter of the Southeast Quarter ($SE\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-17

The South Half of the Southeast Quarter of the Southeast Quarter ($S\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-21

Lot One (1) of Section Nineteen (19) Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 39.58 acres, more or less.

TRACT NO. C-26

The Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ NW $\frac{1}{4}$), the North Half of the Northwest Quarter of the Northwest Quarter ($N\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), and the Southwest Quarter of the Northwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), all in Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. C-28

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ SE $\frac{1}{4}$) and the North Half of the Northwest Quarter of the Southeast Quarter ($N\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Nineteen (19), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. C-29

The North Half of the Northwest Quarter of the Southwest Quarter ($N\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$), the North Half of the South Half of the Northwest Quarter of the Southwest Quarter ($N\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$), the West Half of the Northeast Quarter of the Southwest Quarter ($W\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter of the Southwest Quarter ($SE\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), the North Half of the Southeast Quarter of the Southwest Quarter ($N\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$), the West Half of the Northwest Quarter of the Southeast Quarter ($W\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$), and the Northwest Quarter of the Southwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$), all in Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 110 acres, more or less.

TRACT NO. C-30

The Southeast Quarter of the Northeast Quarter of the Southeast Quarter ($SE\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), the West Half of the Northeast Quarter of the Southeast Quarter ($W\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), and the East Half of the Northwest Quarter of the Southeast Quarter ($E\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$), of Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. C-32

The East Half of the Southeast Quarter of the Southeast Quarter ($E\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-33

The Northwest Quarter of the Southeast Quarter of the Southeast Quarter ($NW\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter of the Southeast Quarter ($NE\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-35

The Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4}$ SE $\frac{1}{4}$) of Section Nineteen (19), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. C-36

The West Half of the Southwest Quarter of the Southeast Quarter ($W\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) in Section Twenty-four (24), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-46

The East Half of the Northeast Quarter ($E\frac{1}{2}$ NE $\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$ NE $\frac{1}{4}$), the South Half of the Northwest Quarter of the Northeast Quarter ($S\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), the Northeast Quarter

of the Southeast Quarter of the Northwest Quarter ($NE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$), the West Half of the Southeast Quarter of the Northwest Quarter ($W\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), and that part of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4}$), lying North and East of the Highway, all in Section Thirty (30), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 204.62 acres, more or less.

TRACT NO. C-47

The Southeast Quarter of the Northeast Quarter of the Northwest Quarter ($SE\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$) of Section Thirty (30), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-50

The North Half of the Northeast Quarter of the Northeast Quarter ($N\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-five (25), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-55

Beginning at a point 3.165 chains South and 3.165 chains West of the Quarter Section corner between Sections Twenty-eight (28) and Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East; thence West 3.165 chains thence South 3.165 chains, thence East 3.165 chains, thence North 3.165 chains to the point of beginning, in Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 1.02 acres, more or less.

TRACT NO. D-3

The West Half of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4}$) of Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. D-5

The East Half of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4}$) and the Northeast Quarter of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$) less $1\frac{1}{2}$ acres reserved for school purposes in the Northeast corner of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$), Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing $88\frac{1}{2}$ acres, more or less.

TRACT NO. D-7

The Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$) and Lot Four (4) of Section Eleven (11); and the North Half of the Northwest Quarter of the Northeast Quarter ($N\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$), Lot Two (2), the Northeast Quar-

ter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$), the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), and the Southeast Quarter of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$), less $16\frac{1}{2}$ feet off the East side of the East Half of the East Half of the Northwest Quarter ($E\frac{1}{2} E\frac{1}{2} NW\frac{1}{4}$) for roadway purposes, and all that part of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter of the Northwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) lying East of Pryor Creek, in Section Fourteen (14), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 144.05 acres, more or less.

TRACT NO. D-8

The South Half of the Northwest Quarter of the Northeast Quarter ($S\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$), the Northwest Quarter of the Southwest Quarter of the Northeast Quarter ($NW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$), the West Half of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter of the Northeast Quarter ($SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$); all in Section Fourteen (14), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 44 acres, more or less.

TRACT NO. D-18

The Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) and the East Half of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter ($E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$), in Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 15 acres, more or less.

TRACT NO. D-21

That part of the East Half of the Southeast Quarter of the Southwest Quarter ($E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$) lying West of Pryor Creek, in Section Fourteen (14), Township Twenty (20) North, Range Nineteen East of the Indian meridian, situate in Mayes County, Oklahoma, containing 7 acres, more or less.

TRACT NO. D-22

The Southwest Quarter of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$), the West Half of the West Half of the Southeast Quarter ($W\frac{1}{2} W\frac{1}{2} SE\frac{1}{4}$), the Northeast Quarter of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$), all that part of the East Half of the Southwest Quarter of the Southwest Quarter ($E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$) lying South and East of Pryor Creek, and all that part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) lying South and East of Pryor Creek, in Section Fourteen (14); and the East Half of the Northeast Quarter of the Northwest Quarter ($E\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter of the Northwest Quarter ($SW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$), the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), and all of that part of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter ($NW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter of the Northwest Quarter ($NE\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$) and the Southeast Quarter of the Northwest Quarter of the Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) lying

South and East of Pryor Creek, in Section Twenty-three (23), all in Township Twenty (20) North, Range Nineteen (19) East, Mayes County, Oklahoma, and containing 148.5 acres, more or less.

TRACT NO. D-23

Lots Six (6) and Seven (7) and the East Half of the West Half of the Southeast Quarter ($E\frac{1}{2} W\frac{1}{2} SE\frac{1}{4}$) of Section Fourteen (14); and all that part of Lot Six (6) lying in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter ($NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$) (6.90 acres), and the West Half of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4}$), and Lot Two (2) (19.35 acres) and Lot Three (3) (12.20 acres), in Section Twenty-three (23), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 18.75 acres, more or less.

TRACTS NOS. D-26 & D-36

The Northwest Quarter of the Northeast Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$), the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$), the Northeast Quarter of the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$), and the Northwest Quarter of the Southeast Quarter of the Northeast Quarter ($NW\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$), all in Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. D-26

The North Half of the Northwest Quarter of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. D-30

The East Half of the Northeast Quarter of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$) and the North Half of the Southeast Quarter of the Northeast Quarter ($N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$), and also a strip 33 feet wide off the North side of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 41 acres, more or less.

TRACT NO. D-31

The Southwest Quarter of the Northeast Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$) and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter ($SE\frac{1}{4} NW\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. D-33

The Northeast Quarter of the Northwest Quarter of the Southwest Quarter ($NE\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-35

The South Half of the Southeast Quarter of the Northwest Quarter ($S\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$), the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ NW $\frac{1}{4}$), the North Half of the Southwest Quarter ($N\frac{1}{2}$ SW $\frac{1}{4}$) and the North Half of the South Half of the Southwest Quarter ($N\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 180 acres, more or less.

TRACT NO. D-36

The Southeast Quarter of the Northwest Quarter of the Northwest Quarter ($SE\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$), the South Half of the Northeast Quarter of the Northwest Quarter ($S\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$), the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the West Half of the Southwest Quarter of the Northeast Quarter ($W\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. D-39

That part of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter ($SE\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter of the Northwest Quarter ($NE\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) lying North and West of Pryor Creek, the Southwest Quarter ($SW\frac{1}{4}$) less the Northwest Quarter of the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$), The Southeast Quarter of the Southwest Quarter of the Northwest Quarter ($SE\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$), the South Half of the Southeast Quarter of the Northwest Quarter ($S\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$ SE $\frac{1}{4}$), the South 3.9 acres of Lot Six (6), Lot Seven (7), in Section Twenty-three (23), containing 260.75 acres, more or less; and the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}$ NW $\frac{1}{4}$), Lot Three (3), Lot Four (4), Lot Five (5), and Lot Seven (7), in Section Twenty-six (26), containing 116.75 acres, more or less; and the East 9.9 acres of Lot One (1), the East Half of the Northeast Quarter of the Northeast Quarter ($E\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) in Section Twenty-seven (27), containing 29.9 acres, more or less; all of the above described land being in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 407.4 acres, more or less.

TRACT NO. D-40

The North Half of the Southeast Quarter ($N\frac{1}{2}$ SE $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. D-41

The Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter of the Southeast Quarter ($NE\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-two (22); and the Northwest Quarter of the Northeast Quarter of the Northeast Quarter ($NW\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-seven (27); all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. D-43

The South Half of the South Half of the Southwest Quarter ($S\frac{1}{2} S\frac{1}{2} SW\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. D-44

The Northeast Quarter of the Southeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-45

The Northwest Quarter of the Southeast Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4} SE\frac{1}{4}$) and the South Half of the Southeast Quarter of the Southeast Quarter ($S\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. D-47

The Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. D-48

The Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$) and the East Half of the Northeast Quarter of the Northwest Quarter ($E\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$) of Section Twenty-seven (27), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. D-49

The North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$) (also described as the North 20 acres of Lot 3), of Section Twenty-seven (27), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. D-50

The Southwest Quarter of the Northeast Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$), the West Half of the Northeast Quarter of the Northwest Quarter ($W\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$), the West Half of the Northwest Quarter ($W\frac{1}{2} NW\frac{1}{4}$), the West 11.80 acres, of Lot one (1), all of Lot Two (2), the South 19.10 acres of Lot Three (3), all of Lot Four (4), all of Lot Nine (9), and the South Half of the Northwest Quarter of the Southwest Quarter ($S\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$), all in Section Twenty-seven (27), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 237.75 acres, more or less.

TRACT NO. D.-51

The Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. D-58

The Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$), the South Half of the Northwest Quarter of the Southeast Quarter ($S\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$), and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. D-59

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. A-2

The Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$), and Lots Two (2), Three (3), Four (4) and Five (5) of Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 228.38 acres, more or less.

TRACT NO. A-6

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$), and the East 19.16 acres of Lot Two (2) (also described as the East Half of the Northwest Quarter of the Northeast Quarter), in Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 99.16 acres, more or less.

TRACT NO. A-9

The North Half of the Southeast Quarter of the Northeast Quarter ($N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$) of Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. A-11

The West Half of the Northeast Quarter of the Southeast Quarter ($W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$), the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter of the Southwest Quarter ($NW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$), Lot Six (6) (also described as the Northwest Quarter of the Southwest Quarter), and the East 20 acres of Lot Seven (7), (also described as the East Half of the Southwest Quarter of the Southwest Quarter), and the

Southwest 10.19 acres of Lot Seven (7) (also described as the Southwest Quarter of the Southwest Quarter of the Southwest Quarter), all in Section Six (6), Township Twenty (2) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 180 acres, more or less.

TRACT NO. A-12

The Northwest Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$) of Section One (1), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 39.5 acres, more or less.

TRACT NO. A-13

All that part of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter ($SE\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$) of Section One (1), Township Twenty (20), North, Range Eighteen (18) East of the Indian Meridian, lying East of the right-of-way of State Highway No. 69, situate in Mayes County, Oklahoma, and containing .5 acres, more or less.

TRACT NO. A-18

The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$) and the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$) of Section Five (5), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, containing 80 acres, more or less,

TRACT NO. A-23

The Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$) and the North Half of the Southeast Quarter of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$) of Section Six (6), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. A-27

The Northwest Quarter of the Southwest Quarter of the Northeast Quarter ($W\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$) and the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$) of Section Seven (7), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma.

TRACT NO. A-33

The Southwest Quarter of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. A-35

The Southeast 10 acres of Lot One (1) (also described as the Southeast Quarter of the Northwest Quarter of the Northwest Quarter) and the Northeast 10 acres of Lot Two (2) (also described as the Northeast

Quarter of the Southwest Quarter of the Northwest Quarter), in Section Seven (7), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. A-36

The East Half of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4}$), the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$), and all that part of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$) and the Northwest Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$) lying East of the Missouri-Kansas & Texas Railroad right-of-way, in Section Twelve (12), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 166 acres, more or less.

TRACT NO. A-40

The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. A-42

The North Half of the Northeast Quarter of the Southeast Quarter ($N\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. A-45

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) and the West Half of the Southeast Quarter of the Southwest Quarter ($W\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$) of Section Eight (8), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. A-48

All that part of the Northwest 7.78 acres of Lot One (1) East of U. S. Highway No. 69 right-of-way and South of City of Tulsa Water line right-of-way, in Section One (1), Township Twenty (20) North, Range Eighteen (18) East of the Indian Base and Meridian, situate in Mayes County, Oklahoma, and containing .7 acre, more or less.

TRACT NO. B-7

All of that part of the East Half of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4}$) lying South and West of the City of Pryor water and power lines in Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 15 acres, more or less.

TRACT NO. B-8

Lot Two (2) and the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$

NE $\frac{1}{4}$), and the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$), and also a tract of land containing approximately 12 acres described as follows, to-wit: beginning at a point where Pryor Creek cuts the North line of Section 2, 80 feet East of the Northwest corner of said Section 2, thence Southeasterly along Pryor Creek to the Quarter Section line, thence West along said Quarter Section line 335 feet to the West Section line of said Section 2, thence North along said Section line 1310.5 feet to the Northwest corner of said Section 2, thence East along the North line of Section 2, 80 feet to the point of beginning, all in Section Two (2); and also a tract of land containing approximately 10.5 acres, beginning at a point 1310.5 feet South of the Northeast corner of Section 3, which is the Quarter Section line, thence West along said Quarter Section line 359 feet to Pryor Creek, thence meandering South along said Pryor Creek to the Half Section line of said Section 3, thence East along said Half Section line 460 feet to the East Quarter corner of said Section 3, thence North along said Section line 1320 feet to point of beginning, in Section Three (3), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing in all 162.5 acres, more or less.

TRACT NO. B-11

The South Half of the Southwest Quarter of the Northeast Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), and the North Half of the Northwest Quarter of the Southeast Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Three (3), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. B-13

The West Half of the Northeast Quarter of the Northwest Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$), the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 110 acres, more or less.

TRACT NO. B-14

The North Half of the North Half of the Northeast Quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$), the Southwest Quarter of the Northwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), the East Half of the Northeast Quarter of the Northwest Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$), and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 100 acres, more or less.

TRACT NO. B-17

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and the East Half of

the Northwest Quarter of the Southwest Quarter ($E\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 100 acres, more or less.

TRACT NO. B-18

The West Half of the Southeast Quarter ($W\frac{1}{2}$ SE $\frac{1}{4}$), and all that part of the East Half of the Southeast Quarter ($E\frac{1}{2}$ SE $\frac{1}{4}$) lying South and West of the City of Pryor Water and Power lines, in Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 140 acres, more or less.

TRACT NO. B-26

The North Half of the Northwest Quarter of the Southeast Quarter ($N\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. B-27

The Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ NW $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter of the Southwest Quarter ($NE\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. B-28

The Southwest Quarter of the Northeast Quarter of the Southwest Quarter ($SW\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest Quarter of the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$), the South Half of the Northwest Quarter of the Southwest Quarter ($S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter of the Southwest Quarter ($NW\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 90 acres, more or less.

TRACT NO. B-29

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ SE $\frac{1}{4}$), the North Half of the Southeast Quarter of the Southeast Quarter ($N\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$), the South Half of the Northwest Quarter of the Southeast Quarter ($S\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$), and the East Half of the Northeast Quarter of the Southwest Quarter ($E\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 100 acres, more or less.

TRACT NO. B-33

The Northwest Quarter of the Northeast Quarter of the Southwest Quarter ($NW\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. B-37

The Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$) and the East Half of the Southwest Quarter of the Southwest Quarter ($E\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$) of Section Eleven (11), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. B-42

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4} SE\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$) of Section Nine (9), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. B-45

The Northwest Quarter of the Southeast Quarter of the Northwest Quarter ($NW\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$) of Section Sixteen (16), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. B-47

The Southeast Quarter of the Southwest Quarter of the Northwest Quarter ($SE\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$) of Section Sixteen (16), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-1

The North Half of the Northwest Quarter of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NW\frac{1}{4} NE\frac{1}{4}$) of Section Thirteen (13), Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian, less 4.68 acre railroad right-of-way, situate in Mayes County, Oklahoma, containing 25.32 acres, more or less.

TRACT NO. C-3

The North Half of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4}$), the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$), and the East Half of the Southwest Quarter of the Southeast Quarter ($E\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$) of Section Thirteen (13); and the Northeast Quarter ($NE\frac{1}{4}$), the North Half of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4}$), the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$), and the East Half of the Southwest Quarter of the Southeast Quarter ($E\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-four (24), all in Township Twenty (20) North, Range Eighteen (18) East of the Indian Meridian; and the North Half ($N\frac{1}{2}$), the East Half of the Southeast Quarter ($E\frac{1}{2} SE\frac{1}{4}$), the South Half of the Southwest Quarter ($S\frac{1}{2} SW\frac{1}{4}$), and the South Half of the Northwest Quarter of the Southwest Quarter ($S\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$) of Section Eighteen (18); and the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4} NE\frac{1}{4}$), the North Half of the Southeast Quarter of the Northeast Quarter ($N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$), the South Half of the Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4}$), the Southwest Quarter ($SW\frac{1}{4}$),

the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$), and the South Half of the Northwest Quarter of the Southeast Quarter ($S\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$) of Section Nineteen (19) E11 in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, less M. K. & T. Railroad right-of-way and U. S. Highway No. 69 right-of-way, situate in Mayes County, Oklahoma, and containing 1309.12 acres, more or less.

TRACT NO. C-4

The North Half of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. C-11

The West Half of the Southeast Quarter ($W\frac{1}{2} SE\frac{1}{4}$) of Section Eighteen (18), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. C-12

The Northwest Quarter of the Northeast Quarter of the Southwest Quarter ($NW\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-13

The East Half of the Northeast Quarter of the Southwest Quarter ($E\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter of the Southwest Quarter ($SW\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter of the Southwest Quarter ($NW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$), and the East Half of the Northwest Quarter of the Southwest Quarter ($E\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$), of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. C-14

The Northeast Quarter of the Southeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-15

The Southwest Quarter of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$), the North Half of the Northeast Quarter of the Southeast Quarter ($N\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter of the Southeast Quarter ($SW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$), the North Half of the Southeast Quarter of the Southwest Quarter ($N\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$), and the West Half of the Southeast Quarter ($W\frac{1}{2} SE\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 140 acres, more or less.

TRACT NO. C-18

The South Half of the Southeast Quarter of the Southwest Quarter ($S\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-19

The West Half of the Northwest Quarter of the Southwest Quarter ($W\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}$ $SW\frac{1}{4}$) of Section Seventeen (17), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. C-24

The Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}$ $NE\frac{1}{4}$), the West Half of the Northeast Quarter of the Northeast Quarter ($W\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$), the South Half of the Northeast Quarter ($S\frac{1}{2}$ $NE\frac{1}{4}$), the Southeast Quarter of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$), and the Northeast Quarter of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$) of Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 160 acres, more or less.

TRACT NO. C-25

The East Half of the Northeast Quarter of the Northeast Quarter ($E\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$) of Section Twenty (20), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-27

The South Half of the Southeast Quarter of the Northeast Quarter ($S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$) of Section Nineteen (19) East, Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-31

The Northeast Quarter of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$) of Section Twenty (20) Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-37

The West 20.07 acres of Lot One (1) (also described as the West Half of the Northwest Quarter of the Northwest Quarter) of Section Thirty (30), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma.

TRACT NO. C-38

The East 20 acres of Lot One (1) (also described as the East Half of

the Northwest Quarter of the Northwest Quarter), the North Half of the Northeast Quarter of the Northwest Quarter ($N\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter of the Northwest Quarter ($SW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$), and the North Half of the Northwest Quarter of the Northeast Quarter ($N\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$) of Section Thirty (30), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 70 acres, more or less.

TRACT NO. C-39

The South Half of the South Half of the Northwest Quarter of the Southwest Quarter ($S\frac{1}{2} S\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$), the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$), the Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$), and the Southeast Quarter of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) of Section Twenty (20); and the Northwest Quarter of the Northeast Quarter of the Northwest Quarter ($NW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$), the Northwest Quarter of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$), the East Half of the Northeast Quarter of the Northwest Quarter ($E\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter of the Northwest Quarter ($SW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$), the East Half of the Northwest Quarter of the Northwest Quarter ($E\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$), the Southwest Quarter of the Northwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$), the North Half of the Southwest Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), and all that part of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) lying North of the Creek, in Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 179 acres, more or less.

TRACT NO. C-40

The Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4}$) and the West Half of the Northeast Quarter of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. C-41

The Northeast Quarter of the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-42

The Southeast Quarter of the Northeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-43

The West Half of the Southeast Quarter of the Northeast Quarter ($W\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range

Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. C-44

The Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$) and all that part of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$) lying North of State Highway No. 33, in Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East, situate in Mayes County, Oklahoma, and containing 63.47 acres, more or less.

TRACT NO. C-45

All of that part of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4}$) lying North of Highway No. 33 right-of-way, and all of that part of the North Half of the Northeast Quarter of the Southwest Quarter ($N\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$) lying North and East of Highway No. 33 right-of-way, and the Southwest Quarter of the Southeast Quarter of the Northwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$), and that part South of the Creek in the Southwest corner of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 59 acres, more or less.

TRACT NO. C-48

The Southeast Quarter of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) of Section Thirty (30), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. C-49

The West Half of the Northeast Quarter of the Southeast Quarter ($W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$) and the Southeast Quarter of the Northeast Quarter of the Southeast Quarter ($SE\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-nine (29), less 1.2 acres, more or less, for right-of-way, to State of Oklahoma, in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 28.80 acres, more or less.

TRACT NO. C-52

One-half acre in the Northeast Quarter of the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, in Mayes County, Oklahoma; said one-half acre lying North and East of Public Highway No. 33.

TRACT NO. C-53

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, less 1.99 acres for Highway No. 33 right-of-way, situate in Mayes County, Oklahoma, and containing 38.01 acres, more or less.

TRACT NO. C-54

The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) of Section Twenty-eight (28), and the Northeast Quarter of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$) less 1 acre in the center thereof which is reserved for cemetery purposes, in Section Twenty-nine (29), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 49 acres, more or less.

TRACT NO. C-57

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-1

The East Half of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4}$), the Southeast Quarter ($SE\frac{1}{4}$), the East Half of the Northeast Quarter of the Southwest Quarter ($E\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$), and the Northwest Quarter of the Northeast Quarter of the Southwest Quarter ($NW\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$) of Section Sixteen (16); and the Southeast Quarter of the Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4} SE\frac{1}{4}$) of Section Nine (9); and the Northwest Quarter of the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} NW\frac{1}{4} SW\frac{1}{4}$) of Section Fifteen (15), and the West Half of the Northwest Quarter of the Northwest Quarter ($W\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$), the Northeast Quarter of the Northwest Quarter of the Northeast Quarter ($NE\frac{1}{4} NW\frac{1}{4} NE\frac{1}{4}$), and the Northwest Quarter of the Northeast Quarter of the Northeast Quarter ($NW\frac{1}{4} NE\frac{1}{4} NE\frac{1}{4}$), of Section Twenty-one (21), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 330 acres, more or less.

TRACT NO. D-2

The Northwest Quarter ($NW\frac{1}{4}$) of Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 160 acres, more or less.

TRACT NO. D-4

The Northeast 1.5 acres of Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, described as beginning at the Northeast corner of said Section, thence South 208 feet, thence West 312 feet, thence North 208 feet, thence East 312 feet to point of beginning, containing 1.5 acres, more or less, and situate in Mayes County, Oklahoma.

TRACT NO. D-6

The Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4}$), less 33 feet off the South side of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) and less that part of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) lying East of Pryor Creek, in Section Fourteen (14), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 36.5 acres, more or less.

TRACT NO. D-10

All of that part of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) lying West of Pryor Creek, in Section Fourteen (14), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 7.5 acres, more or less.

TRACT NO. D-11

The Northwest Quarter of the Southwest Quarter of the Northwest Quarter ($NW\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$) and the South 33 feet of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter ($SW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) in Section Fourteen (14), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10.5 acres, more or less.

TRACT NO. D-14

The West Half of the Southeast Quarter ($W\frac{1}{2} SE\frac{1}{4}$), the Northeast Quarter of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$), and its East Half of the Southeast Quarter of the Southwest Quarter ($E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$) of Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 110 acres, more or less.

TRACT NO. D-16

The West Half of the West Half of the Southwest Quarter ($W\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$), the East Half of the Northwest Quarter of the Southwest Quarter ($E\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$), the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$), the East Half of the Southwest Quarter of the Southwest Quarter ($E\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$), and the Southwest Quarter of the Northeast Quarter of the Southwest Quarter ($SW\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$) of Section Sixteen (16), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 130 acres, more or less.

TRACT NO. D-17

The South 2 acres of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$), the Northeast Quarter of the Southwest Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$), the Southwest Quarter of the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$) and the West Half of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter ($W\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$) of Section Fifteen (15), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 27 acres, more or less.

TRACT NO. D-19

All that part of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) lying West of Pryor Creek, and all of the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section Fourteen (14); and all of that part of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter ($NW\frac{1}{4} NE\frac{1}{4} NW\frac{1}{4}$) lying West of Pryor Creek, of Section Twenty-three (23), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridia, situate in Mayes County, Oklahoma, and containing 53.56 acres, more or less.

TRACT NO. D-20

The East Half of the Southwest Quarter of the Northwest Quarter ($E\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$), the East Half of the Northwest Quarter of the Southwest Quarter ($E\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$), the West Half of the Northeast Quarter of the Southwest Quarter ($W\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter of the Southwest Quarter ($SE\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), and the Northwest Quarter of the Southeast Quarter of the Southwest Quarter ($NW\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Fourteen (14), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 80 acres, more or less.

TRACT NO. D-27

The Northwest Quarter of the Northeast Quarter of the Northwest Quarter ($NW\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-29

The Southwest quarter of the Northwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-32

The Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$ NE $\frac{1}{4}$) less one acre off the North side thereof, and that part of the East Half of the Southeast Quarter of the Northwest Quarter ($E\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) lying east of the roadway, all in Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 49 acres, more or less.

TRACT NO. D-34

The South Half of the Southeast Quarter of the Northeast Quarter ($S\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-one (21), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 60 acres, more or less.

TRACT NO. D-37

The East Half of the Southwest Quarter of the Northeast Quarter ($E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter of the Northeast Quarter ($SW\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. D-42

The South Half of the Southwest Quarter of the Southeast Quarter ($S\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northwest Quarter of the Southeast Quarter of the Southeast Quarter ($NW\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 30 acres, more or less.

TRACT NO. D-46

All of the West Half ($W\frac{1}{2}$) of Section Twenty-one (21), except the Northeast Quarter of the Northwest Quarter of the Southwest ($NE\frac{1}{4} NW\frac{1}{2} SW\frac{1}{4}$) and that part of the East Half of the Southeast Quarter of the Northwest Quarter ($E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$), lying East of the road, and the West Half of the Southeast Quarter ($W\frac{1}{2} SE\frac{1}{4}$) of Section Twenty-one (21), and the West Half of the Northeast Quarter ($W\frac{1}{2} NE\frac{1}{4}$), the Northeast Quarter of the Northwest Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4}$), the Northeast Quarter of the Northwest Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$), the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), and the Southeast Quarter of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) of Section Twenty-eight (28), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 540 acres, more or less.

TRACT NO. D-52

The Southwest Quarter of the Southeast Quarter of the Northwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-53

The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$) and the Northeast Quarter of the Southeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 50 acres, more or less.

TRACT NO. D-54

The Northeast Quarter of the Northwest Quarter of the Southeast Quarter ($NE\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less.

TRACT NO. D-55

The Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

TRACT NO. D-56

The North Half of the Northwest Quarter of the Southwest Quarter ($N\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$) of Section Twenty-seven (27), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

TRACT NO. D-57

The Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 40 acres, more or less.

Tract No. D-60

The West Half of the Southeast Quarter of the Southwest Quarter (W¹/₂ SE¹/₄ SW¹/₄) of Section Twenty-eight (28), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 20 acres, more or less.

The petitioner has been unable to acquire said property by private purchase and heretofore instituted said proceedings for the taking of said lands by eminent domain.

It further appears that it is necessary, convenient and expedient in the furtherance of justice that said commissioners be appointed to appraise said real estate at this time without further delay.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that William L. Mayes, of Mayes County, Oklahoma, Charles C. Weber, of Tulsa County, Oklahoma, and Elmer Vick, of Tulsa County, Oklahoma, disinterested freeholders of said district and not interested in any like question, be, and they are hereby, appointed as commissioners to forthwith inspect said real property hereinabove described and consider the fair, cash, market value of the estate therein taken and award said fair, cash, net value to the respondents in this cause.

Said commissioners are hereby authorized, empowered and directed to forthwith take the oath prescribed by law and to immediately inspect said property and make their report herein as provided by law.

ROYCE H. SAVAGE
JUDGE

ORDERED: Filed Dec 22 1941
H. P. Warfield, Clerk
U. S. District Court H

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

R. Caudle, Jr., and Jones Richard Caudle,
acting herein for the use and benefit of J. R.
Caudle, Jr., Plaintiffs,

vs.

Metropolitan Life Insurance Company, a corporation,
Defendant.

Sadie Ward, administratrix of the estate of James
D. Ward, deceased, Third Party Defendant.

)
)
)
)
) No. 700 Civil

ORDER OVERRULING MOTION TO QUASH AND TO DISMISS AND GRANTING
TEMPORARY INJUNCTION

Now on this 22nd day of December, 1941, there coming on for hearing the application of the defendant Metropolitan Life Insurance Company for a temporary injunction, plaintiffs appearing by one of their attorneys, Gentry Lee, the defendant Metropolitan Life Insurance Company appearing by one of its attorneys, G. Ellis Gable, and the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, appearing by her attorneys, Sanders & Scott, by A. P. Smith; and the court,

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

MONDAY, DECEMBER 22, 1941

After hearing argument of counsel and being well and sufficiently advised in the premises, finds that defendant Metropolitan Life Insurance Company is entitled to a temporary injunction enjoining plaintiffs J. R. Caudle, Jr., and Jones Richard Caudle, suing herein for the use and benefit of J. R. Caudle, Jr., and the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, from prosecuting any action against the defendant Metropolitan Life Insurance Company on the policy of insurance referred to in plaintiffs' complaint; there also coming on for hearing the motion of the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, to quash the summons and dismiss, and the court, after hearing argument of counsel and being well and sufficiently advised in the premises, finds that said motions are not well taken and should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that a temporary injunction be and the same is hereby granted and the plaintiffs herein, J. Caudle, Jr., and Jones Richard Caudle, suing herein for the use and benefit of J. R. Caudle, Jr., and the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, and each of them, are hereby enjoined from instituting or prosecuting any suit for the collection of any amount due on the insurance policy involved herein issued by the defendant Metropolitan Life Insurance Company on the 20th day of June, 1916, upon the estate of James D. Ward, being policy numbered 1,773,609A, for the sum of Ten Thousand Dollars (\$10,000.00) in any court or jurisdiction except the United States District Court for the Northern District of Oklahoma, pending final disposition of this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the motion to quash the summons and the motion to dismiss for lack of jurisdiction of the defendant Sadie Ward, administratrix of the estate of James D. Ward, deceased, be and the same are hereby overruled, and upon the application of said defendant she is hereby allowed twenty days from this date in which to answer.

ROYCE H. SAVAGE
United States District Judge

FORWARDED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to December 24, 1941

REGULAR JANUARY 1941 TERM

TULSA, OKLAHOMA

WEDNESDAY, DECEMBER 24, 1941

On this 24th day of December, 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 ordered, to-wit:

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

ESS S. CHALMERS, as Administrator
the Estate of Elizabeth Chalmers,
deceased, Plaintiff,

vs.

No. 511 Civil

A. Thompson, as Trustee of Missouri
Pacific Railroad Company, a corporation,
Defendant.

O R D E R

On application of the plaintiff in the above entitled and numbered action, and for the cause shown, it is hereby ordered by the court that the ten days period of time which this court granted December 4, 1941, granted for the filing of an amendment to plaintiff's petition specifying the facts and circumstances under which accidents occurred previous to March 12, 1939, at the railroad crossing in controversy, and which period of time was ordered by this court on December 13, 1941, be extended an additional ten days, and it is hereby further extended for an additional period of ten days.

It is further ordered that the clerk of this court mail instant to counsel for the defendant a copy of this order.

Dated this 24 day of December, 1941.

ROYCE H. SAVAGE
JUDGE

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

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

Edie DeWitt, as Administrator of the Estate
of Edie Joy DeWitt, deceased, Plaintiff,

vs.

No. 512 Civil

A. Thompson, as Trustee of Missouri
Pacific Railroad Company, a corporation,
Defendant.

O R D E R

On application of the plaintiff in the above entitled and numbered action, and for the cause shown, it is hereby ordered by the court that the ten days period of time which this court granted December 13, 1941, granted for the filing of an amendment to plaintiff's petition specifying the facts and circumstances under which accidents occurred previous to March 12, 1939, at the railroad crossing in controversy, and which period of time was ordered by this court on December 13, 1941, to be extended an additional ten days, and it is hereby further extended for an additional period of ten days.

It is further ordered that the Clerk of this court mail instanter to counsel for defendant a copy of this order.

Dated this 24 day of December, 1941.

ROYCE H. SAVAGE
JUDGE

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

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

A. COYLE,)
Plaintiff,)
)
-vs-) No. 589 Civil
)
)
Atchison, Topeka and Santa Fe Railroad)
Company, a corporation,)
Defendant.)

JOURNAL ENTRY OF JUDGMENT

This cause came on for trial the 24th day of December, 1941, pursuant to agreement between the parties plaintiff and defendant, the plaintiff appearing by her attorney W. Lee Johnson, the defendant appearing by its attorneys Biddison & Rheam; and the parties agreed in open court to said cause to the court, as to all questions of law and fact, and waived a trial by jury; and the court, after considering the statements of the parties, and being advised fully in the premises, finds that the plaintiff is entitled to recover judgment for the amount of Three Thousand Dollars (\$3,000.00) the costs herein; and further finds that said judgment takes into consideration the counter-claim of the defendant.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the court that the plaintiff, A. Coyle, do have and recover of and from the defendant, The Atchison, Topeka and Santa Fe Railway Company, the sum of Three Thousand Dollars (\$3,000.00) together with the costs of this action.

ROYCE H. SAVAGE
JUDGE

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

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

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

ORDER AUTHORIZING EXECUTION OF RELEASE
OF SECOND MORTGAGE

THIS CAUSE COMING on to be heard on this the 24th day of December, 1941, on the application of T. P. Farmer as Receiver of Exchange National Company for authority to make, execute and deliver a release of second mortgage covering the following described premises:

North Half of Southeast Quarter; Southeast Quarter
of Southeast Quarter of Section 13, Township 12 North,
Range 15 East, McIntosh County, Oklahoma,

and the payment to him of the sum of \$15.00 and the court having read said application and being fully advised in the premises, and finding that it has jurisdiction to entertain said application and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the application of T. P. Farmer as Receiver of Exchange National Company, be and the same is hereby sustained, and the said T. P. Farmer, as receiver of Exchange National Company be and he is hereby directed, authorized and empowered to make, execute and deliver a release of the second mortgage covering the above described premises, upon the payment to him of the sum of \$15.00, and the said T. P. Farmer, as such receiver, and he is hereby directed, authorized and empowered to do all other things necessary and proper in order effectually to accomplish the letter and spirit of the application and this order.

ROYCE H. SAVAGE
United States District Judge

ORDERED: Filed Dec 24 1941
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to December 26, 1941

REGULAR JANUARY 1941 TERM TULSA, OKLAHOMA FRIDAY, DECEMBER 26, 1941

On this 26th day of December, 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 ordered, to-wit:

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

UNITED STATES OF AMERICA,

Plaintiff,

vs

No. 652 Civil

W M. NIEHAUS, Jr., et al,

Defendants.

ORDER GRANTING IMMEDIATE POSSESSION

Now on this 26th day of December, 1941, there is presented to the Court proper application of the United States of America for an order granting immediate possession of the following described premises, to-wit:

The Southwest Quarter of the Northeast Quarter, and all that part of the Northwest quarter of the Southeast Quarter lying North of State Highway No. 33, all in Section 29, Township 20 North, Range 19 East of Indian Base and Meridian, in Mayes County, State of Oklahoma.

The Court finds that under Section 171, Title 50 of the United States Code annotated Secretary of War, and his Agents representing the United States of America are entitled to the full, complete and exclusive immediate possession of said real estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Canaro C. Smith, the reputed grantor of said premises, together with all persons occupying the same by, through or under the said Canaro C. Smith, or any and all other persons who may be in the possession of said lands, are hereby ordered to surrender, vacate and deliver up full, complete, immediate possession of said premises, without delay.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States Marshall for the Northern District of Oklahoma be directed to place the proper officials of the War Department, acting under the direction of the Secretary of War in full and complete possession of said premises immediately.

ROYCE H. SAVAGE
JUDGE

ORDERED: Filed Dec 26 1941
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to December 29, 1941

On this 29th day of December, A. D. 1941, the District Court of the United States the Northern District of Oklahoma, sitting in Regular January 1941 Term at Tulsa, met pursuant 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
ered, to-wit:

CELLANEOUS - OATH OF HORACE V. PARKER.

DEPUTY U. S. MARSHAL'S OATH OF OFFICE FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, Horace V. Parker, do solemnly swear that I will faithfully execute all lawful cepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the ted States, and true returns make, and in all things well and truly, and without malice or par- lity, perform the duties of the office of Deputy United States Marshal of the Northern District Oklahoma, during my continuance in said office, and take only my lawful fees; that I will support an end the Snstitution of the United States against all enemies, foreign and domestic; and I will bear e faith and allegiance to the same; that I take this obligation freely, without any mental reservati purpose of avasion; and that I will well and faithfully discharge the duties of the office upon whic n about to enter: SO HELP ME GOD.

HORACE V. PARKER

rn to and subscribed before me, this 26th day of December,

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

sa, Okla. Dec. 25, 1941

I certify that the above-named Horace V. Parker, Special or temporary Deputy Mar- l, entered upon the performance of his official duties the 26th day of December, 1941.

JNO. P. LOGAN
United States Marshal

ORSED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court

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

ND RIVER DAM AUTHORITY, A Public corporation,

-vs-

ES W. ELLIOTT, LENA ELLIOTT, CLYDE MORSEY,
ANNA MORSEY, L. O. ENGLEBRECHT: SARAH ENGLE-
CHT, A. M. LANDMAN, Superintendent for the Five
ilized Tribes: CHEROKEE NATION OF INDIANS; THE
TED SRIIBE OF SENECA AND SHAWNEE INDIANS, H. A.
REWS, Superintendent for the Quapaw Indian
ncy; UNITED STATES OF AMERICA, and RUSSELL DOSS,

NO. 324 CIVIL

(Cont'd)

nty Treasurer of Ottawa County, Oklahoma, and)
ECA NATION OR TRIBE OF INDIANS, Defendants.)

ORDER AS TO ORIGINAL EXHIBITS

On motion of the United States of America, defendant in the above-entitled action, is hereby ordered that the Clerk of this Court shall transmit all of the original exhibits in this action to the Circuit Court of Appeals for the Tenth Circuit in lieu of copies, to be retained by the said Circuit Court of Appeals until disposition of the appeal.

F. E. KENNAMER
United States District Judge

ORSEED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court JS

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

FRY T. ROSS ENGINEERING COR-
PORATION, a corporation,

Plaintiff,

-versus-

GRAND RIVER DAM AUTHORITY, a public
corporation, and HARTFORD ACCIDENT
INDEMNITY COMPANY, a corporation,

Defendants.

No. 544 Civil

ORDER FOR TAKING OF DEPOSITION OF CAPTAIN CHESTER M. DAVIS

On this 29th day of December, 1941, this matter coming on to be heard upon the application of the defendant Grand River Dam Authority for an order for the taking of the deposition of Captain Chester M. Davis, of the Junior Officers' Training Center, Camp Bullis, Boerne, Texas, and it appearing to the Court that the defendant Grand River Dam Authority has heretofore given notice of the time and place of the taking thereof to opposite parties to this cause, and that said proposed witness is a member of the armed forces of the United States and an officer in the United States Army, and is a material witness in behalf of the defendant Grand River Dam Authority;

It is therefore ORDERED that the deposition of said Captain Chester M. Davis be taken at the instance of the defendant Grand River Dam Authority at Camp Bullis, Boerne, Texas, on the 9th day of January, 1942, commencing at the hour of 10:00 o'clock A.M., the taking thereof to be continued until the same is completed and otherwise upon the conditions and terms as set forth and provided in the notice to take depositions served by said defendant Grand River Dam Authority upon the plaintiff, defendant Hartford and Indemnity Company, and the interveners herein.

Dated this 29 day of December, 1941.

ROYCE H. SAVAGE
District Judge

ORSEED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court

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

A. B. McKEE,	Plaintiff,)
)
vs.		) No. 565 Civil
)
MIDLAND VALLEY RAILROAD COMPANY, a corporation,	Defendant.)

JUDGMENT

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT, that the plaintiff Cora B. Mc- take nothing by virtue of this action and that judgment be and it is hereby rendered in favor of defendant Midland Valley Railroad Company, a corporation, and against said plaintiff Cora B. Mc- , and that defendant recover of the plaintiff its costs herein laid out and expended. To all of ch the plaintiff excepts.

IT IS FURTHER ORDERED BY THE COURT that if said property is not later within a rea- able length of time, used for railroad purposes that plaintiff shall have the right to re-file suit same.

F. E. KENNAMER
JUDGE

ORSED: Filed Jan 8 1942
H. P. Warfield, Clerk
U. S. District Court

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

BERT N. COLLIER,	Plaintiff,)
)
vs.		) No. 630
)
J. NEWBERRY and Company, a Corporation,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

On the 24th day of November, 1941, came on the above styled case for trial, the intiff being present in person and represented by his attorney, C. S. Fenwick, and the defendant ng represented by its attorney, Truman B. Rucker, the jury being empaneled to well and truly try issues in said cause, thereupon the plaintiff introduced his evidence, the defendant then intro- ed its evidence, the plaintiff introduced his rebuttal evidence and both parties rested, thereupon defendant moved for a directed verdict, the court reserved its ruling on this motion, the cause argued by both the attorney for the plaintiff and the attorney for the defendant, the court in- uted the jury and after due and proper deliberation the jury returned the following verdict in court: "We, the jury, being duly empaneled sworn to try the issues in the above entitled cause, upon our oath find for the defendant. Signed: Vernon Crouch, Foreman."

It appearing the time within which to file a motion for new trial has expired, no ion having been filed, nor an extension of time requested, it is hereby ordered, adjudged and decreed

the final judgment be, and it hereby is rendered for the defendant.

Dated this 29 day of December, 1941.

ROYCE H. SAVAGE
United States District Judge

ORSED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.		)	No. 652 - Civil
)	
500 acres of land, more or less, situate)	
Mayes County, Oklahoma, and John M. Niehaus,)	
, et al,	Respondents.)	

ORDER MAKING PARTIAL DISTRIBUTION OF FUNDS

Now on this 29 day of December, 1941, there comes on for hearing the application of respondents, Fred Walker and Bessie Walker, for partial distribution of the funds deposited herein just compensation for Tract No. B-35 involved in this proceeding.

The court hears evidence and finds that there has been deposited in the Registry of said Court as the estimated compensation for said Tract B-35 the sum of \$3,100.00. The Court further finds that the said Fred Walker and Bessie Walker have entered into a Stipulation with the United States of America, wherein they stipulated and agreed that the value of the crops growing upon said lands designated as Tract B-35, together with any and all damage occasioned to the said Fred Walker and Bessie Walker, as tenants, at the time and by reason of the government taking possession of said lands and crops, is and was of the fair, cash, market value of \$1,442.00.

The Court further finds that there should be distributed to the said Fred Walker and Bessie Walker at this time the sum of \$800.00.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Clerk of this Court issue check at this time payable as follows, to-wit:

To Fred Walker and Bessie Walker	\$800.00
----------------------------------	----------

it is further ORDERED that said Clerk shall make no charge as commission or poundage for the handling and distribution of said funds.

IT IS FURTHER ORDERED that this cause is held open for the entering of such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE

ORSED: Filed Dec 29 1941
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to December 30, 1941.

On this 31st day of December, 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. Maury, United States Attorney
John P. Logan, United States Marshal

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

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

AS LIFE INSURANCE COMPANY, a corporation,	) ) )	NO. 639 - CIVIL
Plaintiff,)	
vs.)	
H. HAUGH, GUARDIAN OF RICHARD CARROON, ET AL,)))	
	Defendants.)	

ORDER PERMITTING WILBUR F. PELL ADMINISTRATOR
OF THE ESTATE OF MARY FRANCES CARROON TO FILE
ANSWER AS AN INTERVENING DEFENDANT

This matter coming on for hearing before me the undersigned Judge of the District Court of the United States for the Northern District of Oklahoma on this 31 day of December, 1941, upon application of Wilbur F. Pell as Administrator of the estate of Mary Frances Carroon to file an answer as an intervening defendant and the court being advised finds that permission to intervene should be granted.

It is therefore ordered that the said Wilbur F. Pell, administrator of the Estate of Mary Frances Carroon, be and is hereby granted permission to intervene as a defendant and to file an answer in said cause within five days and that all other parties are granted twenty days to plead there-

ROYCE H. SAVAGE
Judge of the United States District Court

ORSED: Filed Dec 31 1941
H. P. Warfield, Clerk
U. S. District Court B

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

N. RICHARDSON,	Plaintiff,)
)
vs.		) No. 643 - Civil
)
K. & T. Railroad Co.,)
corporation,	Defendant.)

O R D E R

Now, on this third day of October, 1941, comes on for hearing defendant's motion to dismiss, the plaintiff being represented by his attorneys, Elmore A. Page, and Paul L. Olney, and defendant being represented by its attorneys, John E. M. Taylor, and Lloyd W. Jones, and the court having seen said motion, and heard argument of counsel thereon, takes said motion under advisement and grants to the defendant fifteen days to file brief of authorities, and the plaintiff fifteen days thereafter to file his brief of authorities.

Now, on this 31st day of December, 1941, said motion to dismiss comes on for decision by the court, both parties being represented by counsel, and the court having considered the facts, and being fully advised in the premises, finds that defendant's motion to dismiss should be denied.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the court that the Defendant's motion to dismiss be and it is hereby sustained, and that this cause be and it is hereby dismissed with prejudice, at plaintiff's costs.

ROYCE H. SAVAGE
JUDGE

RECORDED: Filed Jan 6 1942
H. P. Warfield, Clerk
U. S. District Court b

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

Prudential Insurance Company of America, a corporation,	Plaintiff,)
)
vs.		) No. 675 - Civil
)
H. Haugh, Administrator of the Estate)
Mary Frances Carroon, deceased, et al,)
	Defendants.)

ORDER PERMITTING WILBUR F. PELL ADMINISTRATOR OF THE
ESTATE OF MARY FRANCES CARROON TO INTERVENE AS
A DEFENDANT

This matter coming on for hearing before the undersigned Judge of the United District Court for the Northern District of Oklahoma, on this 31 day of December, 1941, upon application of Wilbur F. Pell as Administrator of the Estate of Mary Frances Carroon for leave of the Court to intervene as a defendant and the court being advised finds that leave should be granted.

