

CONTINUED FROM JOURNAL 4.

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

ORDER FOR PETIT JURY

On this 25 day of May, A. D. 1942, 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 (50) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1942 Term of this Court to be held at Tulsa, 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 Tulsa, Oklahoma, in the Northern District of Oklahoma, on Tuesday, the 9th day of June, A. D. 1942 at 9:00 o'clock A.M. (WAR TIME) then and there to serve as Petit Jurors of the United States in and for said District at the Regular January 1942 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed May 26 1942
H. P. Warfield, Clerk
U. S. District Court

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

Grand River Dam Authority, a public corporation,)	
	)	Petitioner,
)	
-vs-)	
	)	CIVIL NO. 322
	)	Tract No. 3
	)	(10 GR-D 492-A)
William H. Kneeland; United States of America; Sam Bony; Emma Raven; Arcenie Lincoln; Nannie Lincoln; Mary Blackbird Lincoln, et al.,)	
	)	Defendants.

SUPPLEMENTAL JUDGMENT

On this the first day of May, 1942, there came on for hearing an application for a supplemental judgment in the above entitled cause, for the reason that the judgment of the 16th day of April, 1941, failed to show that Nannie Lincoln, one of the defendants in the above entitled cause, was deceased, and that said judgment failed to show her heirs who inherited her part in the lands involved in this action; and the heirs of Nannie Lincoln appearing by Chester A. Brewer, Assistant United States Attorney, and W. E. Foltz, United States Probate Attorney, and the Grand River Dam Authority appearing by its counsel, J. B. Boydston; and after testimony being taken the Court finds:

That said Nannie Lincoln then Stick was a full-blood Cherokee Indian, enrolled opposite No. 30,508, and that she was a resident of Sequoyah County, Oklahoma, and that she died on the ___ day of _____ 1939, intestate; that there has been no administration upon her estate nor cause for administration; that her heirs have not been judicially determined, and that this Court has jurisdiction to determine said heirs.

The Court finds that at the time of the death of said Nannie Lincoln then Stick, she left her surviving no issue by pre-deceased children, but left as her sole and only heirs who inherited her estate in the following proportions:

- 2nd Hus. Jack Stick, full blood Cherokee, Roll No. 30588, 1/4 Int.
- Dau., Bessie McNask nee Bird, full blood Cherokee Indian NE, Age 25, 1/4 Int.
- Dau., Katie Stealer nee Bird, full blood Cherokee Indian NE, Age 23, 1/4 Int.
- Son, Calvin Stick, full blood Cherokee NE, Age 17, 1/4 Int.

and that said heirs inherited the interests Nannie Lincoln had in and to the lands allotted to Bertha Miller, Cherokee Roll No. 17803, involved in the above entitled action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the interests of Nannie Lincoln then Stick in and to the moneys derived by condemnation of the lands in the above entitled cause, heretofore paid into the office of the Superintendent for the Five Civilized Tribes, descended to and vested in her heirs as follows:

- Jack Stick an undivided 1/4 interest
- Bessie McNask nee Bird an undivided 1/4 interest
- Katie Stealer nee Bird an undivided 1/4 interest
- Calvin Stick an undivided 1/4 interest

all full blood Cherokee Indians, and that the Superintendent for the Five Civilized Tribes be, and he is hereby, authorized and directed to distribute the part due the estate of Nannie Lincoln then Stick to said heirs.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 25 1942
H. P. Warfield, Clerk
U. S. District Court B

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

The Grand River Dam Authority, a public corporation, Plaintiff,)
)
 -vs-) Civil 329 Tract No. 3
)
 Peter Bearhead, Dave Downing, et al., Defendants.)

SUPPLEMENTAL JUDGMENT

On this First day of May, 1942, there came on for hearing the application of Dave Downing for a Supplemental Judgment in the above entitled cause, for the reason that the Judgment of the 12th day of March, 1941, failed to show the names of the heirs of Lizzie Constitution, deceased, who owned the above numbered tract, and to whom the proceeds of the condemnation of said tract should be paid; and the heirs of said Lizzie Constitution appearing by Chester A. Brewer, Assistant United States Attorney, and W. E. Foltz, United States Probate Attorney, and Grand River Dam Authority appearing by its counsel, G. B. Boydston, and after testimony being taken, the Court finds:

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

Mabel O. Miller,

Plaintiff,

v.

Sinclair Prairie Oil Company, a corporation; Gulf Oil Corporation, a corporation; Mid-Continent Petroleum Corporation, a corporation; Cromwell-Franklin Oil Company, a corporation; Carter Oil Company, a corporation; Continental Oil Company, a corporation; Empire Oil & Refining Company, a corporation; Standard Oil Company of Kansas, a corporation; Phillips Petroleum Company, a corporation; Twin State Oil Company, a corporation; and Sun Oil Company, a corporation;

Defendants.

No. 549 Civil

J U D G M E N T

The action above entitled and numbered came on for trial on April 20, 1942; and, the same having been tried and argued, and the court having made and filed its findings of fact and conclusions of law herein, and having found the issues of fact and of law in favor of the defendants:

Now, on this 25 day of May, 1942, it is by the court CONSIDERED, ORDERED, ADJUDGED AND DECREED that the plaintiff take nothing by this action, and that the defendants and each of them go hence without day, and that they recover of the plaintiff all their costs herein laid out and expended.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25 1942
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.

15,500 acres of land, more or less,
situate in Mayes County, Oklahoma, and
John M. Niehaus, Jr., et al,

Respondents.

No. 652 - Civil

ORDER OF DISMISSAL AS TO CERTAIN TRACTS

Now on this 25 day of May, 1942, it being made to appear to the Court that certain tracts have been acquired by direct purchase from the owners thereof, and that no cause exists for the continuance of this case as regards said tracts:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT this cause be and the same is hereby dismissed as to the following tracts:

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 Base and Meridian, situate in Mayes County, Oklahoma, and containing 10 acres, more or less;

Tract No. B-2

Lot One (1), otherwise described as the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4} NE\frac{1}{4}$); and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4}$); and 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 Four (4), Township Twenty (20) North, Range Nineteen (19) East of the Indian Base and Meridian, containing 100.57 acres, more or less, situate in Mayes County, Oklahoma;

Tract No. E-8

The South Half of the Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4}$) of Section Two (2); 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 Two (2), Township Twenty (20) North, Range Nineteen (19) East, 80 feet East of the Northwest Corner of said Section Two (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 Two (2); Thence North along said Section line 1310.5 feet to the Northwest Corner of said Section Two (2); Thence East along the North line of said Section 2, 80 feet to the point of beginning; 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, Township 20 North, Range 19 East, 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 Three (3); Thence East along said half section line 460 feet to the East Quarter corner of said Section Three (3); Thence North along said Section line 1320 feet to point of beginning, containing in all 102.5 acres, more or less, situate in Mayes County, Oklahoma; and Lot 2; and the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$) of Section Two (2); Township Twenty (20) North, Range Nineteen (19) East of the Indian Base and Meridian, containing 80.02 acres, more or less, situate in Mayes County, Oklahoma;

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 Base and Meridian, less 1.99 acres, for highway #33 right-of-way, situate in Mayes County, Oklahoma, containing 38.01 acres, more or less;

Tract No. C-57

Tract No. D-52

Tract No. D-54

The Northeast Quarter of the Northwest Quarter of the Southeast Quarter ($NE\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$); and the Southwest Quarter of the Southeast Quarter of the Northwest Quarter ($SW\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$) and 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, Township Twenty (20) North, Range Nineteen (19) East of the Indian Base and Meridian, containing 30 acres, more or less, 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, Section Fourteen (14), Township Twenty (20) North, Range Nineteen (19) East of the Indian Base and Meridian, containing Thirty-six (36) and one-half ($1/2$) acres, more or less, situate in Mayes County, Oklahoma;

Tract No. D-17

The South two (2) acres of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$); and the Northeast Quarter of the Southwest Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$); and 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 Base and Meridian, containing 27 acres, more or less, situate in Mayes County, Oklahoma.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25 1942
H. P. Warfield, Clerk
U. S. District Court H

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

Mitchell Knighten, Plaintiff,)

vs.)

Sinclair Prairie Oil Company, a corporation,)
Minnehoma Oil and Gas Company, a corporation,)
Reserve Development Company, a corporation,)
Willie Mayweather, Floyd Mayweather, Ozora)
Alexander Lee, Leroy Alexander, Vida Marshall,)
Felix Alexander, Isadora Buckner, Booker J.)
Williams, Henry H. Vincent, Tommy Cully,)
Anna C. Corbin, Odessa Cully, Opal Cully,)
Mrs. V. P. Crane, Margaret Witt, Ophelia)
Payne, Lucy Payne, O'dell Glass, Osceola)
Glass, Artynsia Glass, Veta Victoria Glass,)
John Fay, Jack Bruner, Claudia Edwards, Irene)
Bruner, now Edwards, Thelma Bruner, Katie)
Bruner, now Beard, Horace Bruner, Elmer Bruner,)
Caesar Bruner, Herbert Brown, Thurman Brown,)
Marietta Lewis, Jessie James, Rosie James,)
Edmon James, Edna James, Polly Ransom (Pollyann)
Ransom), Josephine Bruner (Josie Bruner), David)
Davis (Bolegs) Dorothy Fields, nee Bolegs,)
Ivella Ever Watt, Myrtle Irene Watt, Laverta)
C. Watt, Vivian N. Watt, Catherine Watt, Felix)
Bruner and Jessie Bruner.)
The Atlantic Refining Company, a corporation,)
J. Paul Getty, executor, or whoever may be or)
become representative of the estate of Sarah)
C. Getty, deceased.)
Marvin T. Johnson, Chas. B. Rogers, John L.)
Ward, John L. Ward, Jr., and W. B. Blair,)
Herman D. Cornell, Trustee for Kathryn Cornell,)
Bardon Oil Company, V. V. Harris, C. B. Hyde,)
H. G. Barnard, H. G. Hammons, M. P. Mathis,)
Pearlie Buck, Anglin and Stevenson, F. P. Swan,)
Alfred Stevenson, W.T. Anglin, G. R. Eckles,)
Administrator of the estate of J. D. Boxley,)
deceased, and Fannie C. Holman, Defendants.)

No. 694 Civil

ORDER EXTENDING TIME WITHIN WHICH TO PLEAD

In accord with stipulation filed herein, and for good cause shown, the defendants, Anglin and Stevenson, Alfred Stevenson, W. T. Anglin, Pearlie Buck, V.V. Harris, C. B. Hyde, M. P. Mathis, F. P. Swan, Fannie C. Holman, George R. Eckles, Administrator of the Estate of John D. Boxley, deceased, H. G. Barnard, and Herman D. Cornell, Trustee for Kathryn Cornell, are hereby given until the 30th day of May, 1942, within which to plead to the Amended Complaint together with the various additional amendments thereto of the plaintiff filed herein.

DATED this 25 day of May, 1942.

ROYCE H. SAVAGE

Judge of the District Court of the United States for the Northern District of Oklahoma

ENDORSED: Filed May 25 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

Evlo Refining and Marketing Company, a corporation,)))	
	Plaintiff,	No. 738 Civil
vs)	
)	
Great Northern Life Insurance Company, a corporation,)))	
	Defendant.	

ORDER DISMISSING CAUSE WITH PREJUDICE

On this 25 day of May, 1942, this matter comes on to be heard upon the application of the plaintiff for an order dismissing the above styled and numbered cause with prejudice, and plaintiff appearing by its attorney, S. J. Clendinning, and the defendant by its attorney, Henry S. Griffing, and the court being well and sufficiently advised,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the above styled and numbered cause be and hereby is dismissed with prejudice to the bringing of any other or further actions, all at the cost of the defendant.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25, 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

Vernon Harris and Frank Ginnis,	Plaintiffs,)
))
vs.	)	No. 754
))
Wickham Packing Company, a Corporation,)	
	Defendants.)

ORDER EXTENDING TIME TO FILE REPLY BRIEF

Now on this 25th day of May, 1942, this matter coming on to be heard on application of the defendant for an extension of time in which to file reply brief, and after being fully advised in the premises and after due consideration thereof, it is the opinion of the court that said time should be granted.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the defendant be given until June 1st, 1942, within which to file said brief.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 25 1942
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)	
		)	CIVIL NO. 778
GEORGE NEWMAN, Guardian of Peter Captain,)	
Osage Allottee No. 898, CONTINENTAL CASUALTY)	
COMPANY, and UNITED STATES FIDELITY &)	
GUARANTY COMPANY,	Defendants.)	

O R D E R

NOW On this 25 day of May, 1942,

IT IS ORDERED that the defendants, and each of them, are hereby granted an extension of time to and including the 29th day of May, 1942, within which to answer in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25 1942
H. P. Warfield, Clerk
U. S. District Court LN

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)	
)	
vs.		)	No. 786 Civil
)	
H. R. Graffham,	Defendant.)	

D I S M I S S A L

Now on this 25 day of May, 1942, this matter comes regularly on before the Court upon the application of the plaintiff for the dismissal of this cause of action, and it appearing that the defendant has tendered, and the plaintiff has accepted, payment in full settlement of its claims and the costs accrued in this action, and that this cause should be dismissed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that this cause of action be, and the same is, hereby dismissed at the cost of the defendant.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25, 1942
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. 789 Civil)

One 1942 Ford Pick-up Truck, Motor No.
BB18-6,865,814, and approximately 184
gallons of assorted taxpaid intoxicating
liquors seized therein; R. D. Hendrickson and
Robert Lee Peterson, Claimants.

O R D E R

Now on this 25 day of May, 1942, this matter comes regularly on before the Court, upon application of libelant for a correction in the Journal Entry of Judgment entered herein on May 8, 1942, insofar as same directs disposition of said described motor vehicle and it appearing to the Court that said motor vehicle was ordered delivered to the Treasury Department for the official use of the Internal Revenue, which is not in agreement with the Director's application on file herein, and that same should be corrected to correspond therewith.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the order as reflected in the Journal Entry of Judgment herein entered on May 8, 1942, directing that said motorvehicle be delivered to the Treasury Department for the use of the Bureau of Internal Revenue in the enforcement of the Internal Revenue Laws, pursuant to Section 304 of the Liquor Law Repeal and Enforcement Act, together with all of its equipment and accessories, be, and the same is hereby set aside and vacated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said 1942 Ford Pick-up Truck, Motor No. BB18-6,865,814, be, and the same is hereby ordered delivered to the Chief Clerk, Treasury Department, Washington, D. C., or his duly authorized representative, for official use, pursuant to Section 304 of the Liquor Law Repeal and Enforcement Act, together with all of its equipment and accessories.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25 1942
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. 802 CIVIL
Phylis Brokey, E. B. Richardson, and unknown)
heirs, executors, administrators, devisees,)
trustees, and assigns, immediate and remote,)
of Mabel Brokey, deceased,	Defendants.)

O R D E R

Now on this 25th day of May, 1942; this matter comes on before the court upon application of Wm. Knight Powers, Assistant United States Attorney in and for the Northern District of Oklahoma, for an order incurring the expense of service by publication in the above-entitled cause, and it appearing to the court that on the 24th day of April, 1942, plaintiff filed in this court its complaint against said defendants alleging that plaintiff's ward, Phillip Brokey, was the owner of and in actual and peaceable possession of the following described premises, to-wit:

Lot Twelve (12), Block Twelve (12), Riverside Drive Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the third amended recorded plat thereof,

and that the District Court of Tulsa County, on the 10th day of August, 1927, in an action therein styled, "Mabel Brokey v. Phillip Brokey", an action praying for a divorce between said parties in the District Court of Tulsa County, ordered the above described premises to be the separate property of the said Mabel Brokey in contravention of the Act of Congress of February 27, 1925; that some time in May, 1930, the said Mabel Brokey died intestate in Tulsa County, Oklahoma, and that there-upon no judicial determination as to who is or are or were the heir or heirs entitled to participate in the distribution of such estate, and that this is one of the class of cases prescribed by the statutes of the State of Oklahoma in which service by publication may be had, and it further appearing to the court that said plaintiff has made diligent search and is unable to ascertain the names or whereabouts of the heirs, executors, administrators, devisees, trustees and assigns of Mabel Brokey, deceased,

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff herein, United States of America, be and it is hereby ordered and directed to incur the necessary expense for service by publication herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 25 1942
H. P. Warfield, Clerk
U. S. District Court AC

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

Helen L. Avery,	Plaintiff,)
)
v.		) No. 809 Civil
)
Gordon Denton, Executor of the Estate)
of Mollie Davis, and Millie Wilson, now)
Harjo,	Defendants.)

O R D E R

Now on this 25 day of May, 1942, this matter coming on before the court on the application of the United States of America for additional time to plead in this cause of action, and it appearing to the court that this is an action in which service of notice has been had on the Super- of the Five Civilized Tribes pursuant to the provisions of the Act of Congress of April 12, 1926, and that certain information is required by the United States in order to plead in this action, and that such information has not been obtained and that the time should be extended for the United States to plead herein,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from May 26, 1942, within which to plead in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25 1942
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to May 26, 1942

On this 26th day of May, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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:

W. A. Cooper;
 Mary May Rogers, now Hopkins;
 Katherine Madigan;
 Kathryn Madigan;
 Thomas P. Madigan;
 Henry W. Madigan;
 Ann M. Madigan;
 James L. Madigan;
 C. F. Stryker;
 Phil W. Samuel;
 Eva Rogers and E. W. Frey, if living, or if deceased, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any;
 Aetna Life Insurance Company, a corporation;
 Continental-American Life Insurance Company, a corporation;
 Land Bank Commissioner;
 Federal Farm Mortgage Corporation, a corporation;
 The Federal Land Bank of Wichita, a corporation, agent and attorney-in-fact for Land Bank Commissioner and Federal Farm Mortgage Corporation, a corporation; and
 the known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, and their spouses, if any, of David W. Rogers, Cherokee Roll No. 13355, deceased; of Mary Rogers, deceased; of Claude Rogers, deceased; of William N. Rogers, deceased; of A. F. McCullough, deceased; of T. W. Madigan, deceased; of William H. Madigan, deceased; of David W. Ragsdale, deceased; of Rutha Ragsdale, deceased;

are non-resident of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above-named defendants, and any and all other persons, firms, corporations or legal entities claiming any interest whatever in the real estate herein described and involved, to be served by publication.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in The Pryor Jeffersonian a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before the 20th day of July, 1942, the petitioner, United States of America will, on the 20th day of July, 1942, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court for the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement, upon, over and across the lands involved herein, and that said defendants, and each of them, may be present, if they so desire.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed May 26 1942
 H. P. Warfield, Clerk
 U. S. District Court LN

----- Court adjourned to May 27, 1942

On this 26th day of May, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1942 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

Benjamin B. Ballenger, Deputy Clerk

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

W. M. DAVIS,	Plaintiff,)	
)	
vs.		)	No. 726 - Civil
)	
Massman Construction Company, a corporation,	Defendant.)	

J U D G M E N T

On this 26th day of May, 1942, the motion of defendant for judgment on the pleadings coming on for hearing pursuant to regular setting and notice, plaintiff did not appear in person or by counsel, the Honorable Harve N. Mangley, attorney for plaintiff, having advised the court by letter that he could not be present but suggesting that the matter be heard. The defendant appeared by its attorneys, Ames, Monnet, Hayes & Brown, and the court after examining the pleadings and orders of the State Industrial Commission of the State of Oklahoma made and entered in the case of William M. Davis, Claimant, vs. Massman Construction Company, Respondent, and Travelers Insurance Company, Insurance Carrier, No. B-30209, is of the opinion that defendant's motion should be sustained, for the reason that the State Industrial Commission, having jurisdiction thereof, has passed upon plaintiff's claim and denied the same, and that such adjudication is final and binding upon the plaintiff and this court has no jurisdiction of the cause of action asserted herein.

IT IS THEREFORE ORDERED AND ADJUDGED that the motion of defendant for judgment on the pleadings be, and the same is, hereby sustained, and IT IS ORDERED AND ADJUDGED that plaintiff take nothing herein, and that defendant have its costs.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jun 1 1942
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned subject to call.

On this 27th day of May, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 Term at Tulsa, met pursuant to adjournment, Hon. Royce E. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	NO. 110 CIVIL
)	
BOARD OF COUNTY COMMISSIONERS of Osage)	
County, State of Oklahoma, LIVINGSTON)	
HALL, County Treasurer of Osage County,)	
State of Oklahoma, and L. D. SCUTER, County)	
Assessor of Osage County, State of Oklahoma,)	
	Defendants.)	

D E C R E E

This matter coming on for hearing this 26 day of May, 1942, and the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendants and each of them appearing by their counsel, Jesse J. Warten, and the court after the introduction of the evidence and after being fully advised in the premises, finds that there was purchased from restricted funds of Harold Lasarge, Osage allottee No. 2152, the following described real estate, to-wit:

West half of Southeast Quarter of Southwest Quarter and Northeast Quarter of Southeast Quarter of Southwest quarter of Section Thirty (30), Township Twenty-three (23) North, Range Nine (9) East, Osage County, State of Oklahoma,

which real estate is restricted against alienation without the consent and approval of the Secretary of the Interior.

That said real estate is the homestead of Harold Lasarge and has been duly certified to be exempt under the provisions of the Act of Congress of May 19, 1937 (50 Stat. 198), and that said property is exempt from taxation for the year 1937 and as long as the same remains the homestead of Harold Lasarge.

The court further finds that said property was properly assessed for taxes for the year 1935; that there is due, owing and unpaid taxes for the year 1935, in the sum of Thirty-eight dollars and Seventy-four cents (\$38.74).

The court further finds that the County Treasurer of Osage County advertised said property for sale for nonpayment of the 1935, 1936 and 1937 taxes. That said Treasurer refused to accept the taxes for the year 1935 in the sum of Thirty-eight dollars and Seventy-four cents (\$38.74), unless the taxes for the years 1936 and 1937 were paid. The court finds that said Treasurer

I.

As to cause of action No. 1, that there was purchased from restricted funds of Thomas Kemohah, Osage Allottee No. 658, the following described real estate, which was restricted against alienation without the consent and approval of the Secretary of the Interior, to-wit:

Southeast Quarter of Section 17, Township 23,
Range 9, Osage County, State of Oklahoma.

That said property was properly assessed for taxes for the years 1929, 1930, 1931, 1932, 1933, 1934, 1935 and 1937; that the proper tender was made before the institution of this action to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said years, which tender said County Treasurer refused unless the 1936 taxes were paid. That said County Treasurer, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the years 1929 to 1937, inclusive. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the taxes for the years 1929, 1930, 1931, 1932, 1933, 1934, 1935 and 1937 and that the County Treasurer of Osage County, State of Oklahoma, be and he hereby is ordered to accept the taxes duly assessed against said afore-described real estate for said years without adding thereto any penalty whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the tax, other than the 1936 tax, involved in the first 31 causes of action and which have been tendered to the County Treasurer, be paid within a period of twenty days hereof, if they are to be paid without adding the penalty thereto, and if not paid within a period of twenty days from the date hereof, that the penalty be not deducted therefrom.

II.

As to cause of action No. 2, the court finds:

That there was purchased from restricted funds of the heirs of Eves Tall Chief, Osage allottee No. 346, the following described real estate, to-wit:

Lots Five (5) and Six (6), Block Twenty-three (23),
Original Townsite of Fairfax, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

III.

As to cause of action No. 3, the court finds:

That there was purchased from restricted funds of Frederick Lookout, Osage allottee No. 593, and Julia C. Frederica and Frederick M. Lookout, unallotted Osage Indians, the following described real estate, to-wit:

Northeast Quarter of Section Thirty-five (35)
Township Twenty-six (26), Range Nine (9), Osage
County, State of Oklahoma.

That said property was properly assessed for taxes for the year 1935; that proper tender was made before the institution of this action to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said year, which tender said County Treasurer refused unless the 1936 taxes were paid. That said County Treasurer, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the years 1935 and 1936. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the taxes for the year 1935 and that the County Treasurer of Osage County, State of Oklahoma, be and he hereby is ordered to accept the taxes duly assessed against said afordescribed real estate for said year without adding thereto any penalty whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

IV.

As to cause of action No. 4, the court finds:

That there was purchased from restricted funds of George Smith, unallotted Osage Indian, the following described real estate, to-wit:

Improvements on Lot One (1), Section One (1),
Township Twenty-three (23), Range Five (5),
Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior. That said property was properly assessed for taxes for the years 1923, 1924, 1925, 1926, 1927, 1928, 1929 and 1930; that proper tender was made before the institution of this action to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said years; which tender said County Treasurer refused unless the 1936 taxes were paid. That said County Treasurer, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the years 1923 to 1930, inclusive. That there is an issue as to whether or not said property was taxable for the years 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the taxes for the years 1923 to 1930, inclusive, and that the County Treasurer of Osage County, State of Oklahoma, be and he hereby is ordered to accept the taxes duly assessed against said afordescribed real estate for said years without adding thereto any penalty whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

V.

As to cause of action No. 5, the court finds:

That there was purchased from restricted funds of Florence Pryor and Edna Drew Pryor, Creek Indian, the following described real estate, to-wit:

Lots Seven (7), Eight (8), and Nine (9), Block Forty-six (46), Original Townsite of Pawhuska, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior. That said property was properly assessed for taxes for the years 1929 and 1934, 1935, and 1937; that proper tender was made before the institution of this action to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said years, which tender said County Treasurer refused unless the 1936 taxes were paid. That said County Treasurer, at the time of the institution of this action, had advertised said property for sale because of the non-payment of the taxes for the years 1929, 1934, 1935 and 1937. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the 1929, 1934, 1935, and 1937 and that the County Treasurer of Osage County, State Of Oklahoma, be and he is hereby ordered to accept the taxes duly assessed against said aforescribed real estate for said years without adding thereto any penalty whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

VI.

As to cause of action No. 6, the court finds:

That there was purchased from restricted funds of George Bighorse, unallotted Osage Indian, the following described real estate, to-wit:

Southeast Quarter of Section Twenty-three (23) Township Twenty-seven (27), Range Eleven (11), and Southeast Quarter of Northwest Quarter of Southeast Quarter and North Half of Southwest Quarter of Southeast Quarter of Section Eight (8), Township Twenty-three (23), Range Eleven (11), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

VII.

As to cause of action No. 7, the court finds:

That there was purchased from restricted funds of Ed Bates, unallotted Osage Indian the following described real estate, to-wit:

Improvements on Lots 9, 10 and 11, Block 2, Tall Chief
Addition to Fairfax, Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

VIII.

As to cause of action No. 8, the court finds:

That there was purchased from restricted funds of Franklin Pyahhunkah Brave, unallotted Osage Indian, the following described real estate, to-wit:

West Half of Northwest Quarter of Northwest
Quarter of Section Eleven (11), and East Half
of Northeast Quarter of Northeast Quarter of
Section Ten (10), Township Twenty-five (25),
Range Eight (8), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 to the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

IX

As to cause of action No. 9, the court finds:

That there was purchased from restricted funds of Marguerite Penn, unallotted Osage Indian, the following described real estate, to-wit:

Lot 2, and Northeast Quarter of Northwest Quarter (or Lot 3), of Section Three (3), and Lots 1, 2, 3, and 4 of Section Four (4), Township Twenty (20) Range Nine (9), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the non payment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

X.

As to cause of action No. 10, the Court finds:

That there was purchased from restricted funds of the heirs of L. A. Shaffner and of Betty Louise Shaffner, an unallotted Osage Indian and Imogene Shaffner, an unallotted Osage Indian, the following described real estate, to-wit:

The Southeast Quarter of the Southeast Quarter of Section Twenty-eight (28), and the Southeast Quarter of the Northwest Quarter and the East Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section Twenty-seven (27), Township Twenty-four (24), Range Nine (9), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XI.

As to cause of action No. 11, the court finds:

That there was purchased from restricted funds of Mary A. Strikeaxe and Virginia Wolfe, unallotted restricted Osage Indians, the following described real estate, to-wit:

Southeast Quarter of Southeast Quarter of Northwest Quarter and the East Half of Southwest Quarter of Southeast Quarter of Northwest Quarter of Section Twenty-six (26), Township Twenty-five (25), Range Nine (9), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior. That said property was properly assessed for taxes for the year 1934; that proper tender was made before the institution of this action to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said year, which tender said County Treasurer refused unless the 1936 taxes were paid. That said County Treasurer, at the time of the institution of this action, had advertised said property for said because of the nonpayment of the taxes for the years 1934 and 1936. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the taxes for the year 1934 and that the County Treasurer of Osage County, State of Oklahoma, be and he is hereby ordered to accept the taxes duly assessed against said aforescribed real estate for said year without adding thereto any penalty whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XII

As to cause of action No. 12, the court finds:

That there was purchased from restricted funds of the heirs of Paul Red Eagle and Cecelia Red Eagle, George Allottee No. 533 and 534, the following described real estate, to-wit:

Southwest quarter of Section One (1), and Northwest Quarter of Southeast Quarter of Section One (1), Township Twenty-four (24), Range Ten (10), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The Court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes of action now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XIII.

As to cause of action No. 13, the court finds:

That there was purchased from restricted funds of Harry Red Eagle, Osage Allottee No. 535, Doris Irene Red Eagle and Victor Red Eagle, unallotted Osage Indians and May Rusk, Osage Allottee No. 10, the following described real estate, to-wit:

Lots 1 and 2, Block 61, Original Townsite
of Pawhuska, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XIV.

As to cause of action No. 14, the court finds:

That there was purchased from restricted funds of Isabell Rogers Liggett, Osage allottee No. 2173, an undivided three-fifths (3/5) interest in the following described real estate, to-wit:

East Half of Northeast Quarter of Section Seven
(7), Township Twenty-three (23), Range Four (4),
Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1935, 1936, 1937 and 3/4 of the year 1938. That said property was properly assessed for taxes for the years 1935, 1937 and 3/4 of the year 1938. That proper tender was made before the institution of this action, to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said years, which tender said County Treasurer refused unless the 1936 taxes were paid. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the taxes for the years 1935, 1937 and 3/4 of the year 1938 and that the County Treasurer of Osage County, State of Oklahoma be and he hereby is ordered to accept the taxes duly assessed against said afordescribed real estate for said years without adding any penalty thereto whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XV.

As to cause of action no. 15, the court finds:

That there was purchased from restricted funds of Otis Penn, unallotted Osage Indian, the following described real estate, to-wit:

West Half of Southwest Quarter and Southwest
Quarter of Northeast Quarter of Section
Thirty-three (33), Township Twenty-one (21),
Range Nine (9), Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the said 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XVI.

As to cause of action No. 16, the court finds:

That there was purchased from restricted funds of Marilyn Jeannette Rogers, unallotted Osage Indian, the following described real estate, to-wit:

West Half of Northeast Quarter of Section 27,
Township 24, Range 9, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XVII

As to cause of action No. 17, the court finds:

That there was purchased from restricted funds of Theodore R. Harvey, Osage allottee No. 49, the following described real estate, to-wit:

South Half of Northwest Quarter and East Half of
Southwest Quarter of Section Thirty-three (33),
Township Twenty-nine (29), Range Six (6), Osage County,
State of Oklahoma;

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XVIII

As to cause of action No. 18, the court finds:

That there was purchased from restricted funds of Mary Bighorse Turley, Osage allottee No. 547, the following described real estate, to-wit:

Lots 1 and 2, Block 130, Original Townsite of
Pawhuska, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XIX.

As to cause of action No. 19, the court finds:

That there was purchased from restricted funds of Minnie Bighorse, Osage allottee No. 561, and Ida Bighorse, Osage Allottee, No. 558, the following described real estate to-wit:

East 26.2' of South one-third (1/3) of Lot
Seventeen (17), and West 23.8' of South one-
third (1/3) of Lot Seventeen (17), Block
Eight (8), Original Townsite of Pawhuska,
Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XX.

As to cause of action No. 20, the court finds:

That there was purchased from restricted funds of the heirs of Charles Big Elk, unallotted Osage Indian, the following described real estate:

North Half of Lots 5 and 6, Block 9, Tinker
Addition to Hominy, Osage County, State of
Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXI.

As to cause of action No. 21, the court finds:

That the,

South Half of Lots 5 and 6, Block 9, Tinker
Addition to Hominy, Osage County, State of Oklahoma,

is owner by J. R. Jones, a white person and that said property is not exempt from taxation.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that judgment be for the defendants as to said cause of action.

XXII.

As to cause of action No. 22, the court finds:

That there was purchased from restricted funds of Myron Bags, unallotted Osage Indian, the following described real estate, to-wit:

The South Seventeen (17) feet of Lot Six
(6), Block Twelve (12), Walker Addition to
Hominy, Osage County, State of Oklahoma,

which property is restricted against alienation without consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there

is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXIII.

As to cause of action No. 23, the court finds:

That there was purchased from restricted funds of the heirs of James P. Crow, Osage Indian, the following described real estate, to-wit:

The North Eighth (8) feet of Lot Six (6), Block Twelve (12), Walker Addition to Hominy, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXIV.

As to cause of action No. 24, the court finds:

That there was purchased from restricted funds of Beulah Tucker Sable, Osage allottee No. 2022, the following described real estate, to-wit:

Northwest Quarter and Southeast Quarter of Northeast Quarter and Southwest Quarter and Lots 1 and 2, and Southwest Quarter of Northeast Quarter of Section 3, Township 28, Range 11, and Northeast quarter of Southwest quarter and Northwest Quarter of Southeast Quarter and South Half of Southeast Quarter and Northeast Quarter of Southeast Quarter of Section 33, Township 29, Range 11, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXV.

As to cause of action No. 25, the court finds:

That there was purchased from restricted funds of Robert M. Hunt, Osage Allottee No. 2204, the following described real estate, to-wit:

Southwest Quarter of Northwest Quarter of Southwest Quarter and North Half of Northwest Quarter of Southwest Quarter of Southwest Quarter of Section 23, Township 27, Range 10, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXVI.

As to cause of Action No. 26, the court finds:

That there was purchased from restricted funds of Oral Hardy, Osage Allottee No. 1294, the following described real estate, to-wit:

East Half of Southeast Quarter of Section 32, Township 26, Range 3, and Lot 4, Section 4, and Lot 1, Section 5, Township 25, Range 3, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of the action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXVII.

As to cause of action No. 27, the court finds:

That there was purchased from restricted funds of George C. Dennison, Osage Allottee No. 1144, the following described real estate, to-wit:

Lots 2, 3, and 4, Section 27, and West Half of
Northeast Quarter of Section 32, Township 22,
Range 12, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXVIII.

As to cause of action No. 28, the court finds:

That there was purchased from restricted lands of Charles Brave, Osage Allottee No. 503, Mary Brave, unallotted Osage Indian, Andrew Brave, Osage Allottee No. 505, Ruth Brave Wagoshe unallotted Osage Indian, Sylvester Brave, unallotted Osage Indian, and Franklin Pyahhunkah Brave, unallotted Osage Indian, the following described real estate, to-wit:

Lot Seven (7), and the West $12\frac{1}{2}$ feet of Lot Eight
(8), Block Seventeen (17), Original Townsite of
Pawhuska, Osage County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXIX.

As to cause of action No. 29, the court finds:

That there was purchased from restricted funds of Charles Brave, Osage allottee No. 503, Mary Brave unallotted Osage Indian, Andrew Brave, Osage allottee No. 505, Ruth Brave Wagoshe, unallotted Osage Indian, Sylvester Brave, unallotted Osage Indian and Franklin Pyahhunkah Brave, unallotted Osage Indian, the following described real estate, to-wit:

West Half of Northeast Quarter of Northeast Quarter
of Section 10, Township 25, Range 8, Osage County,
State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXX

As to cause of action No. 30, the court finds:

That there was purchased from restricted funds of the heirs of Clara Goss and Fannie Lasley, Osage Allottee No. 464, the following described real estate, to-wit:

lots 2 and 4 (2 and 4) of Section Eighteen (18),
Township Twenty-three (23), Range Six (6), Osage
County, State of Oklahoma.

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, that the issue as to the 1936 taxes be continued for further hearing.

XXXI.

As to cause of action No. 31, the court finds:

That there was purchased from restricted funds of William M. Deal, unallotted Osage Indian and G. W. Goss, the following described real estate, to-wit:

The East Half of Northwest Quarter and North Half
of Southwest Quarter of Section Eight (8), Town-
ship Twenty-three (23), Range Nine (9), Osage
County, State of Oklahoma,

which property is restricted against alienation without the consent and approval of the Secretary of the Interior.

The court further finds that the County Treasurer of Osage County, State of Oklahoma, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the year 1936 on the above described real estate. That there is an issue as to whether or not said property was taxable for the year 1936 and there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

XXXII.

As to cause of action No. 32, the court finds:

That the following described real estate, to-wit:

Northeast Quarter of Northeast Quarter of Section Thirty-five (35), and the Northwest Quarter of Northwest Quarter of Section 36, and the South Half of Southwest Quarter of Section 25, Township Twenty-five (25), Range Three (3), Osage County, State of Oklahoma,

is owned by Mary J. Elkins, unallotted Osage Indian of more than one-half Indian blood, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for non-payment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive.

XXXIII.

As to cause of action No. 33, the court finds:

That the following described real estate, to-wit:

Southeast Quarter of Southeast Quarter of Section Ten (10), and Southwest Quarter of Southwest Quarter of Section 11, and Lots 1 and 2, Section Fifteen (15), Township Twenty-four (24), Range Five (5), Osage County, State of Oklahoma,

is owned by Pearl McKinly, Osage allottee No. 2209 of more than one-half Indian Blood, not having a certificate of competency, which property is her homestead, and that by virtue of the Act of Congress of March 2, 1929, (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1928, inclusive, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1928, inclusive.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1928, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and the hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1928 inclusive.

XXXIV

As to cause of action No. 34, the court finds:

That the following described real estate, to-wit:

Northwest Quarter of Northeast Quarter and
South Half of Northeast Quarter and Lot Three
(3), Section Thirty-three (33), Township Twen-
ty-three (23), Range Six (6), Osage County,
State of Oklahoma,

is owned by Pierce St. John, Francis Wheeler, unallotted Osage Indians, and Floyd Thompson, a Kaw Indian, not having certificates of competency, which property is the homestead of Francis Wheeler and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), the undivided one-third interest of Francis Wheeler in and to said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1937, inclusive, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said afordescribed real estate advertised for sale for nonpayment of taxes; that said one-third undivided interest of Francis Wheeler in and to said property should be removed from the tax rolls of Osage County for the years 1910 to 1937, inclusive.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling the undivided one-third interest of Francis Wheeler in the afordescribed real estate for nonpayment of the taxes for the years 1910 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said one-third undivided interest of the said Francis Wheeler in and to said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1937, inclusive.

XXXV

As to cause of action No. 35, the court finds:

That the following described real estate, to-wit:

Lot 4 and Southwest Quarter of Northwest Quarter
and West Half of Southwest Quarter of Section
13, Township 29 North, Range 8, Osage County, State of
Oklahoma,

is owned by Emma Maker, Osage Allottee No. 454, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959. That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said afordescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive.

XXXVI

As to cause of action No. 36, the court finds:

That the following described real estate, to-wit:

The Southwest quarter of Section Twenty
(20), Township Twenty-four (24), Range Eleven (11),
Osage County, State of Oklahoma,

is owned by Alice F. Spurrier, Margaret Spurrier and James Spurrier, unallotted Osage Indians not having certificates of competency, which property is the homestead of James Spurrier and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), the two-ninths (2/9) interest of James Spurrier is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said two-ninths interest of said James Spurrier in and to said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

That the two-thirds (2/3) interest of Alice and Margaret Spurrier is exempt from taxation from 1919 to 1938, inclusive.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling the undivided two-ninths (2/9) interest of James Spurrier in the aforedescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead, and also the undivided two-thirds (2/3) of Alice and Margaret Spurrier for the years 1919 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said two-ninths (2/9) interest of the said James Spurrier in and to said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead and also are directed to remove said two-thirds (2/3) interest of said Alice and Margaret Spurrier from the tax rolls of Osage County, State of Oklahoma, for the years 1919 to 1938, inclusive.

XXXVII

As to cause of action No. 37, the court finds:

That the following described real estate, to-wit:

The Northeast quarter of Section 9, Township
21, Range 10, Osage County, State of Oklahoma,

is owned by Mary James, Osage Allottee No. 55, not having a certificate of competency, which property is her homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for non-payment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed land for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

XXXVIII

As to cause of action No. 38, the court finds:

That the following described real estate, to-wit:

The South Half of the Southwest Quarter of Section Twenty-one (21), Township Twenty-one (21), Range Twelve (12), Osage County, State of Oklahoma,

is owned by John I. Bratton, Osage Allottee No. 1010, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478) said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

XXXIX

As to cause of action No. 39, the court finds:

That the following described real estate, to-wit:

The North Half of Northwest Quarter of Section
Twenty-eight (28), Township Twenty-one (21), Range
Twelve (12), Osage County, State of Oklahoma,

is owned by John I. Bratton, Osage allottee No. 1010, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478) said property is nontaxable until January 1, 1959.

That the county officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

XI

As to cause of action No. 40, the court finds:

That the following described real estate, to-wit:

The Southwest Quarter of Section 24, Township
23, Range 6, Osage County, State of Oklahoma,

is owned by Wayne M. Penn, Jr., unallotted Osage Indian of less than one-half (1/2) Osage Indian blood.

That said property is taxable for the years 1909 to 1932, inclusive. That Wayne M. Penn constituted this a homestead in 1932 and died on November 27, 1932 and as a consequence, the property is taxable from the year 1933 on.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that judgment be and hereby is granted to said defendants on said cause of action.

XLI

As to cause of action No. 41, the court finds:

That the following described real estate, to-wit:

The West Half of the Northwest Quarter of Section
Thirty-four (34), Township Twenty-three (23),
Range Six (6), Osage County, State of Oklahoma,

is owned by Katherine C. Clark and Robert Clark, unallotted Osage Indians not have a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1937, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County, for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS, FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

XLII

As to cause of action No. 42, the court finds:

That the following described real estate, to-wit:

The Southwest Quarter of the Northeast Quarter of Section Eighteen (18), Township Twenty-four (24), Range Six (6), Osage County, State of Oklahoma,

is owned by Mabel Haskell, Osage Allottee No. 239, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478) said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1937, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for non-payment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

XLIII

As to cause of action No. 43, the court finds:

That the following described real estate, to-wit:

The East Half of the Northeast Quarter of Section Twenty-one (21), Township Twenty-five (25), Range Six (6), Osage County, State of Oklahoma,

is owned by Joseph Shunkahmah, Osage Allottee No. 76, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478) said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the year 1925 and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the year 1925 and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them, be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of the taxes for the year 1925 and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma for the year 1925 and as long as same remains a homestead.

XLIV

As to cause of action No. 44, the court finds:

That the following described real estate, to-wit:

One-third interest in the Northeast Quarter of Section Thirty-one (31), Township Twenty-six (26), Range Six (6), Osage County, State of Oklahoma,

is owned by Rose Fletcher, being possessed of an undivided one-third ($1/2$) interest, Frank Fletcher Jr., and Gertrude Fletcher, unallotted Osage Indians not having certificates of competency owning a two-thirds ($2/3$) interest.

That the one-third ($1/3$) interest inherited by Rose Fletcher was taxable from 1933 on and the two-thirds ($2/3$) interest inherited by Frank Fletcher, Jr., and Gertrude Fletcher is exempt from taxation from 1933 and as long as same remains a homestead under the provisions of the Act of Congress of March 2, 1929.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby directed to remove the two-thirds ($2/3$) interest owned by Frank Fletcher, Jr., and Gertrude Fletcher, from the tax rolls of Osage County, State of Oklahoma, for the years 1933 to 1939, inclusive and as long as said property remains a homestead.

XLV

As to cause of action No. 45, the court finds:

That the following described real estate, to-wit:

Southeast Quarter of Section Nine (9), Township
Twenty-five (25), Range Seven (7), Osage County,
State of Oklahoma,

is owned by Pearl McKinly, Osage Allottee No. 2209, of more than one-half Indian blood, not having a certificate of competency, which property is homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls of the years 1910 to 1929, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

XLVI

As to cause of action No. 46, the court finds:

That the following described real estate, to-wit:

East Half of Southeast Quarter and Southwest-Quarter of Southeast Quarter, of Section Thirty-five (35), Township Twenty-nine (29), Range Five (5), Osage County, State of Oklahoma,

is owned by Daniel I. Conner, Osage allottee No. 2114, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

XLVII

As to cause of action No. 47, the court finds:

That the following described real estate, to-wit:

The East Half of the Southwest Quarter and Lots Three (3) and Four (4), Section Nineteen (19), Township Twenty-eight (28), Range Six (6), Osage County, State of Oklahoma,

is owned by Josephine Coshehe, Joseph Coshehe, Henrietta Coshehe, Mary Rose Coshehe, Eva May Coshehe, Angleine Coshehe, Clement Coshehe, and John Coshehe, Jr., unallotted Osage Indians, not having a certificate of competency, which property is homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1931, inclusive, and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1931, inclusive and as long as same remains homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1931, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1931, inclusive, and as long as same remains a homestead.

XLVIII

As to cause of action No. 48, the court finds:

That the following described real estate, to-wit:

The Northeast Quarter of Section Thirty-three (33), Township Twenty-nine (29), Range Six (6), Osage County, State of Oklahoma,

is owned by Theodore Harvey, Osage Allottee No. 49, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478) said property is nontaxable until January 1, 1939.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

XLIX

As to cause of action No. 49, the court finds:

That the following described real estate, to-wit:

South-east Quarter of Southwest Quarter and South-west Quarter of Southeast Quarter of Section Seven (7), Township Twenty-three (23), Range Eight (8), Osage County, State of Oklahoma,

is owned by Lewis James, Osage Allottee No. 54, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1930 to three-fourths of the year 1938, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1930 to 1938, inclusive, and as long as same remains homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of the taxes for the years 1930 to 1938, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1930 to 1938, inclusive, and as long as same remains a homestead.

L.

As to cause of action No. 50, the court finds:

That the following described real estate, to-wit:

South Half of Northeast Quarter and North Half of Southeast Quarter of Section 26, Township 22, Range 8, Osage County, State of Oklahoma,

is owned by Ira Hamilton, Osage allottee No. 394, of more than one-half Indian blood, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January, 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1929 to three-fourths of the year 1938, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County, for the years 1929 to 1938, inclusive, and as long as same remains homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of the taxes for the years 1929 to 1938, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1929 to 1938, inclusive, and as long as same remains a homestead.

LI

As to cause of action No. 51, the court finds:

That the following described real estate, to-wit:

East Half of Northwest Quarter of Section Eighteen
(18), Township Twenty-three (23), Range Eight (8),
Osage County, State of Oklahoma,

is owned by Lewis James, Osage allottee No. 54, of more than one-half Indian blood, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1930 to three-fourths of the year 1938, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1930 to 1938, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1930 to 1938, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1930 to 1938, inclusive, and as long as same remains a homestead.

LII

As to cause of action No. 52, the court finds:

That the following described real estate, to-wit:

One-half interest in the Northeast Quarter of
Section Thirty-one (31), Township Twenty-three
(23), Range Eight (8), Osage County, State of Oklahoma,

is owned by Alleen Pates, unallotted Osage Indian, of more than one-half Indian blood, not having a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate upon the tax rolls for the years 1910 to 1937, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate and nonpayment of the taxes for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

LIII

As to cause of action No. 53, the court finds:

That the following described real estate, to-wit:

Part of Lot 4, 75' x 100', of Section Five (5),
Township Twenty-two (22), Range Nine (9), Osage
County, State of Oklahoma,

is owned by Lela May Big Chief, Unallotted Osage Indian, of more than one-half Indian blood, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County officials of Osage County, State of Oklahoma, have illegally placed said real estate, upon the tax rolls for the years 1910 to 1937, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforescribed real estate for nonpayment of the taxes for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1937, inclusive, and as long as same remains a homestead.

LIV

As to cause of action No. 54, the court finds:

That the following described real estate, to-wit:

South Half of Southwest Quarter of Section Two
(2), Township Twenty-five (25), Range Nine (9),
Osage County, State of Oklahoma,

is owned by William Pryor, Osage Allottee No. 460, and Josephine Pryor, Osage allottee No. 462, of more than one-half Indian blood, not having a certificate of competency, which property is a homestead and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate, upon the tax rolls for the years 1910 to 1929, inclusive, and ensuing years, and that at the time of the filing of this action, the County Treasurer of Osage County, State of

Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of taxes for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1910 to 1929, inclusive, and as long as same remains a homestead.

LV

As to cause of action No. 55, the Court finds:

That the following described real estate, to-wit:

Southeast Quarter of Southwest Quarter of Section Twenty-seven (27), and South Half of Southeast Quarter of Section Twenty-seven (27), Township Twenty-five (25), Range Ten (10), Osage County, State of Oklahoma,

is owned by Lillie Bighorse, Osage allottee No. 560, of more than one-half Indian blood, nothaving a certificate of competency, which property is a homestead, and that by virtue of the Act of Congress of March 2, 1929 (45 Stat. 1478), said property is nontaxable until January 1, 1959.

That the County Officials of Osage County, State of Oklahoma, have illegally placed said real estate, upon the tax rolls for the years 1929 to 1938, inclusive, and ensuing years and that at the time of the filing of this action, the County Treasurer of Osage County, State of Oklahoma, had said aforedescribed real estate advertised for sale for nonpayment of taxes; that said property should be removed from the tax rolls of Osage County for the years 1930 to 1939, inclusive, and as long as same remains a homestead.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants and each of them be and they hereby are enjoined and restrained from selling said aforedescribed real estate for nonpayment of the taxes for the years 1930 to 1939, inclusive, and as long as same remains a homestead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to remove said real estate from the tax rolls of Osage County, State of Oklahoma, for the years 1930 to 1939, inclusive, and as long as same remains a homestead.

LVI

As to cause of action No. 56, the court finds:

That the following described real estate, to-wit:

Lot Two (2), Section Seven (7), Township Twenty-three (23), Range Ten (10), Osage County, State of Oklahoma,

is owned by Mary Kennedy, Osage allottee No. 786, and Francis Miller, unallotted Osage Indian. That said real estate was assessed for taxes for the years 1931 to 1937, inclusive; that the taxes for the years 1931, 1932, 1933, 1934, 1935, 1936 and 1937 have been paid. That the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are directed to enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1931 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants and be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1931 to 1937, inclusive.

LVII

As to cause of action No. 57, the court finds:

That the following described real estate, to-wit:

Lots 6 and 7, and Southwest Quarter of Southeast Quarter and Southeast Quarter of Southwest Quarter of Section 6, Township 24, Range 5, Osage County, State of Oklahoma,

is owned by Simon Henderson, Osage allottee No. 757, Josephine Henderson, unallotted Osage Indian and Eugene Big Goose, Ponca Indian.

That said real estate was assessed for taxes for the years 1934 to 1937, inclusive, that the taxes for the years 1934, 1935, 1936 and 1937 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1934 to 1937, inclusive.

LVIII

As to cause of action No. 58, the court finds:

That the following described real estate, to-wit:

Southwest Quarter and Northwest Quarter of Southwest Quarter of Southeast Quarter of Section 24, Township 22, Range 10, Osage County, State of Oklahoma,

is owned by Simon Henderson, Osage allottee No. 757, Josephine Henderson, unallotted Osage Indian and Eugene Big Goose, Ponca Indian. That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for theyears 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1934 to 1938, inclusive.

LIX

As to cause of action No. 59, the court finds:

That the following described real estate, to-wit:

North Half of Northeast Quarter and Southeast Quarter of Northeast Quarter and Northeast Quarter of Southeast Quarter of Section Twenty-two (22), Township Twenty-nine (29), Range Eleven (11), Osage County, State of Oklahoma,

is owned by Marion Coshehe, Josephine Coshehe, Marietta Coshehe, Mary Rose Coshehe, Eva May Coshehe, Angeline Coshehe, Clement Coshehe and John Coshehe, Jr., unallotted Osage Indians.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1934 to 1938, inclusive.

LX

As to cause of action No. 60, the court finds:

That the following described real estate, to-wit:

North Half of Southwest Quarter of Section nineteen (19) Township Twenty-eight (28), Range Twelve (12), Osage County, State of Oklahoma,

is owned by Norma Nadine Cox, Tommy Cox, Joseph Abbott, unallotted Osage Indians, Celia Cox, Osage allottee No. 166, Frank Long, Pawnee Indian and Rose Watson, Osage allottee No. 559.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are properly credit the tax rolls of Osage County with the payment of the taxes for the years 1934 to 1938, inclusive.

LXI

As to cause of action No. 61, the court finds:

That the following described real estate, to-wit:

Southeast Quarter of Southwest Quarter of Section
Fourteen (14), Township Twenty-seven (27), Range
Six (6), Osage County, State of Oklahoma,

is owned by George West, Osage allottee No. 551. That said real estate was assessed for taxes for the years 1931 to 1937, inclusive; that the taxes for the years 1931, 1932, 1933, 1934, 1935, 1936 and 1937 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1931 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1931 to 1937, inclusive.

LXII

As to cause of action No. 62, the court finds:

That the following described real estate, to-wit:

North Half of Northeast Quarter of Northwest Quarter
of Section Twenty-six (26), Township Twenty two (22),
Range Nine (9), Osage County, State of Oklahoma,

is owned by Alice Red Eagle, Osage allottee No. 741. That said real estate was assessed for taxes for the years 1929 to 1936, inclusive; that the taxes for the years 1929, 1930, 1931, 1932, 1933, 1934, 1935 and 1936 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County, State of Oklahoma, and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1929 to 1936, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1929 to 1936, inclusive.

LXIII

As to cause of action No. 63, the court finds:

That the following described real estate, to-wit:

Lot Nine (9), Highway Addition to Hominy, Osage
County, State of Oklahoma,

is owned by Ruth Russell, Osage allottee No. 28. That said real estate was assessed for taxes for the

years 1935 to 1938 inclusive; that the taxes for the years 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1935 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1935 to 1938, inclusive.

LXIV

As to cause of action No. 64, the court finds:

That the following described real estate, to-wit:

Lot Seven (7), Block Five (5), Original Townsite
of Pawhuska, Osage county, State of Oklahoma,

is owned by James G. Blaine, Jr., Osage allottee No. 431.

That said real estate was assessed for taxes for the years 1935 to 1937, inclusive; that the taxes for the years 1935, 1936 and 1937 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1935 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1935 to 1937, inclusive.

LXV

As to cause of action No. 65, the court finds:

That the following described real estate, to-wit:

Northeast Quarter of Southwest Quarter and South-
east Quarter of Northwest Quarter of Section
Twenty-six (26), Township Twenty-six (26), Range
Eight (8), Osage County, State of Oklahoma,

is owned by Arthur Whitehorn, Osage allottee No. 518.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1934 to 1938, inclusive.

LXVI

As to cause of action No. 66, the court finds:

That the following described real estate, to-wit:

Southwest Quarter of Section Twenty-seven (27),
Township Twenty-eight (28), Range Eight (8),
Osage County, State of Oklahoma,

is owned by Andrew Brave, Osage allottee No. 505.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County with the payment of the taxes for the years 1934 to 1938, inclusive.

LXVII

As to cause of action No. 67, the court finds:

That the following described real estate, to-wit:

South Half of Southwest Quarter of Section Sixteen
(16), Township Twenty-six (26), Range Eight (8),
Osage County, State of Oklahoma,

is owned by Andrew Brave, Osage allottee No. 505.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1934 to 1938, inclusive.

LXVIII

As to cause of action No. 68, the court finds:

That the following described real estate, to-wit:

South Half of Southeast Quarter of Section One (1),
Township Twenty-six (26), Range Nine (9), Osage
County, State of Oklahoma,

is owned by Harold Red Corn, unallotted Osage Indian.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1934 to 1938, inclusive.

LXIX

As to cause of action No. 69, the court finds:

That the following described property, to-wit:

North Half of Northeast Quarter of Section Twelve
(12), Township Twenty-six (26), Range Nine (9),
Osage County, State of Oklahoma,

is owned by Harold Red Corn, unallotted Osage Indian. That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; That the County Officials of Osage County, Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County, and that said real estate is not subject to resale for non-payment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1934 to 1938, inclusive.

LXX.

As to cause of action No. 70, the court finds:

That the following described real estate, to-wit:

Lots Two (2) and Three (3) in and the Southeast Quarter of the Northeast Quarter of Section One (1), Township Twenty-three (23), Range Five (5), Osage County, State of Oklahoma,

is owned by Jess Smith and George Smith, John Smith and Elizabeth Smith, unallotted Osage Indians.

That said real estate was assessed for taxes for the years 1934 to 1938, inclusive; that the taxes for the years 1934, 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County, State of Oklahoma, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1934 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1934 to 1938, inclusive.

LXXI

As to cause of action No. 71, the Court finds:

That the following described real estate, to-wit:

West Half of Lot Two (2), all of Lot Three (3), Block Sixty-three (63), Original Townsite of Pawhuska, Osage County, State of Oklahoma,

is owned by Theodore Edwards, Osage allottee No. 2224.

That said real estate was assessed for taxes for the years 1935 to 1938, inclusive; that the taxes for the years 1935, 1936, 1937 and 1938 have been paid; that the County Officials of Osage County have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1935 to 1938, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1935 to 1938, inclusive.

LXXII

As to cause of action No. 72, the court finds:

That the following described real estate, to-wit:

Lot Ten (10), Block Seventeen (17), Original Townsite of Pawhuska, Osage County, Oklahoma and

West Half of North Ninety (90) feet of Lot Seven
(7), and North Ninety (90) feet of Lot Eight (8),
Block Sixty-five (65), Original Townsite of Pawhuska,
Osage County, State of Oklahoma,

is owned by the heirs of John Coshehe, osage allottee No. 575.

That said real estate was assessed for taxes for the years 1933 to 1937, inclusive; that the taxes for the years 1933, 1934, 1935, 1936 and 1937 have been paid; that the County Officials of Osage County have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1933 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1933 to 1937, inclusive.

LXXIII

As to cause of action No. 73, the court finds:

That the following described real estate, to-wit:

Lots 5 and 6, Block 27, Palmer Addition to Pawhuska,
Osage County, State of Oklahoma,

is owned by Marvin Kenworthy, unallotted Osage Indian.

That said real estate was assessed for taxes for the years 1935 to 1937, inclusive; that the taxes for the years 1935, 1936 and 1937 have been paid; that the County Officials of Osage County, have failed to correctly enter the payment of said taxes upon the tax rolls of Osage County and that said real estate is not subject to resale for nonpayment of taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are enjoined and restrained from selling or attempting to sell said real estate for the taxes for the years 1935 to 1937, inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are directed to properly credit the tax rolls of Osage County, Oklahoma, with the payment of the taxes for the years 1935 to 1937 inclusive.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff recover the costs of this action.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed May 27 1942
H. P. Warfield, Clerk
U. S. District Court B

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.)	
)	
BOARD OF COUNTY COMMISSIONERS OF Osage County,		)	No. 120 Civil
State of Oklahoma, LIVINGSTON HALL, County)	
Treasurer of Osage County, State of Oklahoma and)	
L. D. SOUTER, County Assessor of Osage County,)	
State of Oklahoma,	Defendants.)	

D E C R E E

This matter coming on for hearing this 26 day of May, 1942, and the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendats and each of them appearing by their counsel, Jesse J. Worten, and the court, after the introduction of the evidence and after being fully advised in the premises, finds that there was purchased from restricted funds of Erin S. Bowan, Osage allottee No. 967, the following described real estate, to-wit:

South Half of Southeast Quarter and Northeast Quarter of Section Nine (9), Township Twenty-eight (28), Range Eleven (11), Osage County, State of Oklahoma,

which real estate is restricted against alienation without the consent and approval of the Secretary of the Interior. That said property was properly assessed for taxes for the years 1934, 1935, 1937 and 1938; that proper tender was made before the instituton of this action to the County Treasurer of Osage County, State of Oklahoma, for the taxes owing for said years, which tender said County Treasurer refused unless the 1936 taxes were paid. That said County Treasurer, at the time of the institution of this action, had advertised said property for sale because of the nonpayment of the taxes for the years 1934 to 1938, inclusive. That there is an issue as to whether or not said property was taxable for the year 1936; that there are several causes now pending before this court in which that issue is involved and that this cause should be continued for further hearing as to the issue as to the 1936 taxes.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that said defendants and each of them be and they hereby are restrained and enjoined from refusing to accept the taxes for the years 1934, 1935, 1937 and 1938, and that the County Treasurer of Osage County, State of Oklahoma, be and he hereby is ordered to accept the taxes duly assessed against said aforedescribed real estate for said years without adding thereto any penalty whatsoever.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue as to the 1936 taxes be continued for further hearing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff recover its costs herein, for which let execution issue.

AND IT IS SO ORDERED.

F. E. KENNAMER
U. S. District Judge

ENDORSED: Filed May 27 1942
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to May 28, 1942

On this 28th day of May, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

B. H. STRINGER, Complainant,)
vs.) NO. 719 CIVIL
BLACKWELL ZINC COMPANY, INC., Defendant.)

ORDER OF DISMISSAL

This matter coming on to be heard before me, the undersigned, one of the Judges of the United States District Court within and for the Northern District of Oklahoma, on this 27 day of May, 1942, and for good cause shown, plaintiff is permitted to dismiss the above action without prejudice.

ROYCE H. SAVAGE
JUDGE of the United States District Court

ENDORSED: Filed May 28 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

L. W. LAFITTE, Plaintiff,)
vs.) 771 Civil
C. E. JONES, HARRY GEORGE AND EMPLOYERS)
MUTUAL CASUALTY COMPANY, a corporation,)
Defenants.)

O R D E R

ON presentation of the above and foregoing Dismissal and on motion of the plaintiff, it is hereby ordered by the Court that said action be and it is hereby dismissed with prejudice.
Dated this 27 day of May, 1942.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 28 1942
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May 29, 1942

On this 29th day of May, A.D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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

ALEX H. HENDRICKS, Plaintiff,)
v.) No. 751 Civil
PHILLIPS PETROLEUM COMPANY, at al, Defendants.)

O R D E R

Now on this 29 day of May, 1942, this matter coming on before the Court on the application of the United States of America for additional time to intervene in this cause of action, and it appearing to the court that said time should be granted,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from May 30, 1942, within which to plead in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 29 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-)
CERTAIN PARCELS OF LAND IN MAYES COUNTY,) CIVIL NO. 762
OKLAHOMA; and Russell Cole, et al.,)
Defendants.)

ORDER APPOINTING COMMISSIONERS

NOW, on this 29th day of May, 1942, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United State of America has the power and authority to acquire by eminent domain thelands hereinafter described and the acquisition of said lands is necessary for the management, operation and maintenance of the Grand River Dam Project, and for generating and supplyi

power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U. S. C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 195, 200 (U. S. C. Title 23, Sec. 9 (b) and Title 40, Secs. 401-407, 409, 411, 413 and 414), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U. S. C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, title to all lands and interests in lands necessary for carrying out the purposes and objects set forth in said Executive Order No. 8944.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame, structures, towers, or other structures, wires, cables and fixtures, for the transmission of electric current, together with the perpetual easement and right to cut down, remove or trim any trees that may interfere with or endanger said transmission line or lines or the maintenance or operation thereof, together with the perpetual easement, right and privilege to set the necessary guy and brace poles and anchors and to attach all necessary guy wires thereto, upon, over and across the lands situate, lying and being in the County of Mayes, in the Northern District of the State of Oklahoma, and within the jurisdiction of this Court, and more particularly described by courses and distances, as follows, to-wit:

TRACT NO. 1 307 - 40.1 (Rev.)
Perpetual Easement

A strip of land 100 feet in width in the $SE\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 15, T 20 N, R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said $SE\frac{1}{4}$ $SW\frac{1}{4}$ 828.7 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said $SE\frac{1}{4}$ $SW\frac{1}{4}$ 1095.5 feet from the SE corner thereof.

TRACT NO. 2 - 307 - 40.2 (rev.)
Perpetual Easement

All that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 15, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$; thence Northerly along the East boundary of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$, a distance of 50.8 feet; thence Southwesterly to a point in the South boundary of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$; thence Easterly along said South boundary a distance of 38.4 feet to the point of beginning.

TRACT NO. 3 - 307 - 40.4 (Rev.)
Perpetual Easement

A strip of land 100 feet in width in the $W\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, and the $S\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 15, T 20 N - R 18 E of the Indian Base and Meridian, in Mayes County, Oklahoma the center line of which is described as follows, to-wit:

Tract A:

Beginning at a point in the South boundary of said $W\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, 169.8 feet from the SW corner thereof; thence Northeasterly to a point in the East boundary of said $W\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, 671.4 feet from the NE corner thereof; and

Tract B:

Beginning at a point in the South boundary of said $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, 152.6 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, 201.7 feet from the SE corner thereof; and

Tract C:

Beginning at a point in the South boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, 974.2 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said $S\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$, 32.1 feet from the NE corner thereof.

TRACT NO. 4 - 307 - 40.5 (Rev)
Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 15, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ 201.7 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ 974.2 feet from the Northeast corner thereof.

TRACT NO. 5 - 307 - 42.1
Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $SW\frac{1}{4}$, Sec. 11, T 20 N - R 18 E of the Indian Base and Meridian, in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$, 523.5 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$, 1534.0 feet from the Northwest corner thereof.

TRACT NO. 6 - 307 - 42.2 and 42.4 (Rev.)
Perpetual Easement

A strip of land 100 feet in width in the $NE\frac{1}{4}$ $SW\frac{1}{4}$, the $SW\frac{1}{4}$ $NE\frac{1}{4}$, and the $SE\frac{1}{4}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 11, T 20 N, R 18 E of the Indian base and meridian, in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

42.2

Beginning at a point in the South boundary of said $NE\frac{1}{4}$ $SW\frac{1}{4}$, 216.5 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said $NE\frac{1}{4}$ $SW\frac{1}{4}$, 91.2 feet from the NE corner thereof.

42.4

Beginning at a point in the West boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 119.1 feet from the SW corner thereof; thence Northeasterly to a point in the East boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 521.1 feet from the SE corner thereof.

TRACT NO. 7 - 307 - 42.3
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 91.2 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 119.1 feet from the Southeast corner thereof.

TRACT NO. 8 - 307 - 42.6
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ 521.1 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ 704 feet from the Northeast corner thereof.

TRACT NO. 9 - 307 - 43.1
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 44.7 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 58.4 feet from the Southeast corner thereof.

TRACT NO. 10 - 307 - 43.2
Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 58.4 feet from the Southwest corner thereof; thence Northeasterly to a point in the East boundary of said E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 930 feet from the Southeast corner thereof.

TRACT NO. 11 - 307 - 44.1
Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $SW\frac{1}{4}$, Sec. 1, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$ 930 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$ 295.2 feet from the Northwest corner thereof.

TRACT NO. 12 - 307 - 44.2
Perpetual Easement

A strip of land 100 feet in width in the $W\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$, $NW\frac{1}{4}$ $SW\frac{1}{4}$, $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ and the SE 10.0 acres of Lot 3, Sec. 1, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Tract A

Beginning at a point in the South boundary of said SE 10.0 acres of Lot 3, 321.2 feet from the SE corner thereof; thence N. 70° 35' East to a point in the East boundary of said Lot 3, 113.9 feet from the Southeast corner thereof.

Tract B

Beginning at a point in the South boundary of said $NW\frac{1}{4}$ $SW\frac{1}{4}$, 295.2 feet from the Southwest corner thereof; thence Northeasterly to a point in the East boundary of said $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, 33.8 feet from the Southeast corner thereof.

TRACT NO. 13 - 307 - 44.3
Perpetual Easement

A strip of land 100 feet in width in the $SE\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 1, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said $SE\frac{1}{4}$ $NW\frac{1}{4}$, 33.8 feet from the SW corner thereof; thence Northeasterly to a point in said $SE\frac{1}{4}$ $NW\frac{1}{4}$, 10.7 feet South and 351.7 feet West of the NE corner thereof; thence N. 70° 35' East to a point in the North boundary of said $SE\frac{1}{4}$ $NW\frac{1}{4}$ 321.2 feet West of the NE corner thereof.

TRACT NO. 14 - 307 - 44.5 (Rev)
Perpetual Easement

A strip of land 100 feet in width in the SW 10.0 acres of Lot 1 except rights of way for U. S. Highway #69 and M. K. and T. R. R., Sec. 1, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said SW 10.0 acres of Lot 1, 283.1 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said Lot 1, 521.5 feet from the SW corner thereof.

TRACT NO. 15 - 307 - 44.6 (Rev.)
Perpetual Easement

A strip of land 100 feet in width in Lot 2, Sec. 1, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said Lot 2, 521.5 feet from the SE corner thereof; thence S. 70° 35' W. to a point in the West boundary of said Lot 2, 113.9 feet from the SW corner thereof.

It further appears that all of those persons claiming any interest in and to said lands adverse to the United States of America, and which said persons are defendants in this proceeding, have been duly served with notice of the hearing of the application for the appointment of commissioners by this Court, according to law.

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.

The Court further specifically finds that publication service was had according to order and the law made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes, of Mayes County, Oklahoma, C. E. Marshall, of Tulsa County, Oklahoma, and Elmer Vick of Tulsa County, Oklahoma, each a disinterested freeholder in the Northern District of the State of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names in this Court, and are appointed as commissioners to inspect said tracts of land as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation of a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures for the transmission of electric current together with the perpetual easement and right to cut down, remove and trim any trees that may interfere with or endanger said transmission line or lines, or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all of the necessary guy wires thereto, upon, over and across said lands, by the petitioner, irrespective of any benefits from any improvements proposed, and said commissioners shall forthwith report in writing to the Clerk of this Court, setting forth the quantity and boundaries of said tracts, separately, and assessing the injury and damages to the owners or owner thereof.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summon forthwith each of said commissioners, and that said commissioners report to the office of the Clerk of the United States District Court in and for the Northern District of Oklahoma, in the Federal Building, at Tulsa, Oklahoma, on the 3rd day of June, 1942, at 10 o'clock A.M., for the purpose of taking the oath of office and for the performance of their duties.

IT IS FURTHER ORDERED that said commissioners so selected and appointed shall receive as compensation for their services the sum of Ten Dollars (\$10.00) per day, for each day of service in the performance of their duties, and in addition thereto five (\$0.05) per mile for each mile traveled in the performance of their duties.

ENDORSED: Filed in Open Court
May 29, 1942
H. P. WARFIELD, CLERK
U. S. District Court LN

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

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
		) CIVIL NO. 769
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)
OKLAHOMA; and Columbian National Life)
Insurance Company, a corporation,	Defendants.)

ORDER APPOINTING COMMISSIONERS

NOW, on this 29th day of May, 1942, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the lands hereinafter described and the acquisition of said lands is necessary for the management, operation and maintenance of the Grand River Dam Project, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U. S. C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U. S. C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 195, 200 (U. S. C. Title 23, Sec. 9 (b) and Title 40, Secs. 401-407, 409, 411, 413 and 414), as amended and supplemented; the Act of June 10, 1930, 41 Stat. 1063 (U. S. C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, title to all lands and interest in lands necessary for carrying out the purposes and objects set forth in said Executive Order No. 8944.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures, for the transmission of electric current, together with the perpetual easement and right to cut down, remove or trim any trees that may interfere with or endanger said transmission line or lines or the maintenance or operation thereof, together with the perpetual easement, right and privilege to set the necessary guy and brace poles and anchors and to attach all necessary guy wires thereto, upon, over and across the lands situate, lying and being in the County of Mayes, in the Northern District of the State of Oklahoma, and within the jurisdiction of this Court, and more particularly described by courses and distances, as follows, to-wit:

TRACT NO. 1
306 - 26.1 Perpetual Easement

A strip of land 100 feet in width in the $W\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 26, T 21 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said $W\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$, 259 feet from the NW corner thereof; thence South-westerly to a point in the West boundary of said $W\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$, 1232.6 feet from the NW corner thereof.

TRACT NO. 2
306 - 26.2 Perpetual easement

A strip of land 100 feet in width in the $E\frac{1}{2}$ $NW\frac{1}{4}$ $NW\frac{1}{4}$, $E\frac{1}{2}$ $SW\frac{1}{4}$

NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 21 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 1232.6 feet from the NE corner thereof; thence Southwesterly to a point in the said E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 606.7 feet South and 146 feet West of the NE corner thereof; thence South to a point in the South boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, 146 feet from the SE corner thereof.

TRACT NO. 3
306 - 26.3 Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 21 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 146 feet from the NE corner thereof; thence South to a point in the South boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 146 feet from the SE corner thereof.

TRACT NO. 4
306 - 27.1 Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35, T 21 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, 146 feet from the NE corner thereof; thence South to a point in the South boundary of said E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, 139 feet from the SE corner thereof.

TRACT NO. 5
306 - 27.2 Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T 21 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, 139 feet from the NE corner thereof; thence South to a point in the South boundary of said E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, 131 feet from the SE corner thereof.

It further appears that all of those persons claiming any interest in and to said lands adverse to the United States of America, and which said persons are defendants in this proceeding, have been duly served with notice of the hearing of the application for the appointment of commissioners by this Court, according to law.

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.

The Court further specifically finds that publication service was had according to order and the law made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes of Mayes County, Oklahoma, C. E. Marshall, of Tulsa County, Oklahoma, and Elmer Vick of Tulsa County, Oklahoma, each a disinterested freeholders in the Northern District of the State of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names in this court, and are appointed as commissioners to inspect said tracts of land as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein shall sustain by reason of the condemnation and appropriation of a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, or other structures, wires, cables and fixtures, for the transmission of electric current, together with the perpetual easement and right to cut down, remove and trim any trees that may interfere with or endanger said transmission line or lines, or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all of the necessary guy wires thereto, upon, over and across said lands, by the petitioner, irrespective of any benefits from any improvements proposed, and said commissioners shall forthwith report in writing to the Clerk of this Court, setting forth the quantity and boundaries of said tracts, separately, and assessing the injury and damages to the owner or owners thereof.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons, forthwith, each of said Commissioners, and that said commissioners report to the officer of the Clerk of the United States District Court in and for the Northern District of Oklahoma, in the Federal Building, at Tulsa, Oklahoma, on the 3rd day of June, 1942, at 10 o'clock A.M., for the purpose of taking the oath of office and for the performance of their duties.

IT IS FURTHER ORDERED that said commissioners so selected and appointed shall receive as compensation for their services the sum of Ten Dollars (\$10.00) per day, each, for each day of service in the performance of their duties, and in addition thereto five (\$.05) per mile for each mile traveled in the performance of their duties.

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

ENDORSED: Filed In Open Court
May 29 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

Frankie Longbone, Cherokee NB-926,	Plaintiff,)
)
vs.		) No. 775 - Civil
)
The Oklahoma Tax Commission, et al,	Defendants.)

O R D E R

On this 29th day of May, 1942, this matter coming on for hearing on motion of the plaintiffs that this cause be dismissed insofar as it seeks partition of the lands involved and the Court being well and sufficiently informed in the premises finds that such motion should be in all things allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED th at the plaintiffs be and they are authorized to dismiss their petition insofar as partition of the lands involved is concerned.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 29 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

Marjory Jean Crawford,	Plaintiff,)
)
vs.		) NO. 781
)
Southern Kansas Greyhound Lines, Inc.,)
Massachusetts Bonding and Insurance Company,)
Southwestern Greyhound Lines, Inc.,)
Central Surety and Insurance Corporation,)
a corporation, and Harold Hite,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 29th day of May, 1942, this cause comes on for hearing upon its merits; the plaintiff appeared in person and by her counsel and the defendants, and each of them, appeared by their respective counsel; and both sides having announced ready for trial and having waived a jury, the court proceeded to the trial of said cause.

The plaintiff then introduced her evidence and rested, and the court being fully advised in the premises, upon consideration thereof finds:

1. That plaintiff's husband, Elvis Haston Crawford, died on the 23rd day of December, 1941; that he left surviving him as his heirs at law and next of kin, this plaintiff, his widow, and Carlita JoAnn Crawford, daughter, about two years of age, and Gayle Elaine Crawford, daughter, three weeks of age. That said Elvis Haston Crawford died intestate at Tulsa, Oklahoma and that no personal representative has been appointed for the estate of the said Elvis Haston Crawford.

That the defendant, C. W. Knotts, is the owner of the entire fee simple title in and to the lands described as Tract No. 3 (306 - 2.0) and Tract No. 5 (306 - 2.2); and that the defendants, C.W. Knotts and Lola Knotts, are the owners of the entire fee simple title in and to the land described as Tract No. 4 (306 - 2.1); and that said tracts of land are free and clear of all encumbrances, liens and taxes; that the petitioner filed a declaration of Taking and deposited in the registry of this Court the estimated just compensation for the taking of a perpetual easement for transmission line purposes, upon, over and across the tracts of land hereinabove set out; that the petitioner deposited as just compensation for the taking of an easement for transmission line purposes, upon, over and across the lands described as Tract 3 (306 - 2.0) the sum of \$24.60 - as Tract No. 4 (306 - 2.1) the sum of \$50.20 - and as Tract No. 5 (306 - 2.2) the sum of \$24.60; and that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual easement for transmission line purposes, and decreed that the owners and those having any right, title or interest in and to said lands, have and recover just compensation for th taking of said perpetual easement.

The Court further finds that the defendants, C. W. Knotts and Lola Knotts, in writing, offered to grant and convey to the petitioner a perpetual easement upon, over and across said Tract No. 3 (306 - 2.0) for the sum of \$24.60; and upon, over and across said Tract No. 4 (306 - 2.1) for the sum of \$50.20; and upon, over and across said Tract No. 5 (306 - 2.2) for the sum of \$24.60 -- all of which were accepted by the petitioner.

The Court further finds that the sum of \$24.60 is just compensation for the rights acquired as to Tract No. 3 (306 - 2.0); and that the sum of \$50.20 is just compensation for the rights acquired as to Tract No. 4 (306 - 2.1); and that the sum of \$24.60 is just compensation for the rights acquired as to Tract No. 5 (306 - 2.2); and that said defendants are the only persons having any right, title, interest or claim in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that the defendant, C. W. Knotts, is the owner of the entire fee simple title in and to the lands described as Tract No. 3 (306 - 2.0) and Tract No. 5 (306 - 2.2); and that the defendants, C. W. Knotts and Lola Knotts, are the owners of the entire fee simple title in and to the lands described as Tract No. 4 (306 - 2.1) -- free and clear of all encumbrances, liens and taxes; that just compensation for the taking of a perpetual easement for transmission line purposes by the petitioner, upon, over and across Tract No. 3 (306 - 2.0) is \$24.60; and upon, over and across Tract No. 4 (306 - 2.1) is \$50.20; and upon, over and across Tract No. 5 (306 - 2.2) is \$24.60.

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

C. W. Knotts - Tract No. 3 (306 - 2.0)	\$24.60
C.W. Knotts and Lola Knotts - Tract No. 4 (306 - 2.1)	\$50.20
C.W. Knotts - Tract No. 5 (306 - 2.2)	\$24.60

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
May 29 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 814
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)	
OKLAHOMA: and C.W. Knotts, et al.,	Defendants.)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION OF FUNDS ON
DEPOSIT AS TO TRACT NO. 2 (306 - 1.1 and 305 - 32.3)

NOW, on this 29th day of May, 1942, there coming on for hearing the applica-
tion of the defendants, Reba Bogle and Clifford Bogle, for distribution of amount on deposit as to
Tract No. 2 (306 - 1.1 and 305 - 32.3); the petitioner appearing by R. L. Davidson, Special Assistant
United States Attorney for the Northern District of Oklahoma, and the Court being fully advised in
the pr mises, finds:

That the defendant, Reba Bogle, is the owner of the entire fee simple title
in and to the lands described as Tract No. 2 (306 - 1.1 and 305 - 32.3), and that said tract of land
is free and clear of all encumbrances, liens, and taxes; that the petitioner filed a Declaration of
Taking and deposited in the registry of this Court the estimated just compensation for the taking
of a perpetual easement for transmission line purposes, upon, over and across the tracts of land
hereinabove set out; that the petitioner deposited as just compensation for the taking of an easement
for transmission line purposes, upon, over and across said tracts of land the sum of \$250.00; and that
this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting
in the petitioner, United States of America, a perpetual easement for transmission line purposes, and
decreed that the owners and those having any right, title or interest in and to said lands, have and
recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendants, Reba Bogle and Clifford Bogle,
in writing, offered to grant and convey to the petitioner a perpetual easement upon, over and across
said Tract No. 2 (306 - 1.1 and 305 - 32.3) for the sum of \$250.00, which said offer was accepted by
the petitioner.

The Court further finds that the petitioner, Reba Bogle and Clifford Bogle,
in writing, offered to grant and convey to the petitioner a perpetual easement upon, over and across
said Tract No. 2 (306 - 1.1 and 305 - 32.3) for the sum of \$250.00, which said offer was accepted
by the petitioner.

The Court further finds that the sum of \$250.00 is just compensation for the
rights acquired as to said Tract No. 2 (306 - 1.1 and 305 - 32.3), and that said defendants are the
only persons having any right, title, interest or claim in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant,
Reba Bogle, is the owner of the entire fee simple title in and to the lands described as Tract No.
2 (306 - 1.1 and 305 - 32.3), free and clear of all encumbrances, liens and taxes; that just com-
pensation for the taking of a perpetual easement for transmission line purposes by the petitioner,
upon, over and across said tract of land is \$250.00.

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

Reba Bogle - Tract No. 2 (306 - 1.1 and 305 - 32.3)	\$250.00
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ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
May 29 1942 H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 814
)
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)
OKLAHOMA: and C. W. Knotts, et al.,)
	Defendants.)

ORDER FIXING TITLE AND MAKING DISTRIBUTION OF FUND ON DEPOSIT AS TO TRACT NO. 1 (305 - 32.3-A and 306 - 1.2)

NOW, on this 29th day of May, 1942, there coming on for hearing the application of the defendants, C.W. Knotts and Lola Knotts, for distribution of amount on deposit as to Tract No. 1 (305 - 32.3-A and 306 - 1.2); the petitioner appearing by R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, and the Court being fully advised in the premises, finds:

That the defendant, C. W. Knotts, is the owner of the entire fee simple title in and to the lands described as Tract No. 1 (305 - 32.3-A and 306 - 1.2), and that said tract of land is free and clear of all encumbrances, lines and taxes; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court estimated just compensation for the taking of a perpetual easement for transmission line purposes, upon, over and across the tracts of land hereinabove set out; that the petitioner deposited as just compensation for the taking of an easement for transmission line purposes, upon, over and across said tract of land the sum of \$24.60; and that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual easement for transmission line purposes, and decreed that the owners and those having any right, title or interest in and to said lands, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendants, C. W. Knotts and Lola Knotts, in writing, offered to grant and convey to the petitioner a perpetual easement upon, over and across said Tract No. 1 (305 - 32.3-A and 306 - 1.2) for the sum of \$24.50, which said offer was accepted by the petitioner.

The Court further finds that the sum of \$24.60 is just compensation for the rights acquired as to said Tract No. 1 (305 - 32.3-A and 306 - 1.2), and that said defendants are the only persons having any right, title, interest or claim in and to said just compensation.

IT IS WHEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, C.W. Knotts, is the owner of the entire fee simple title in and to the lands described as Tract No. 1 (305 - 32.3-A and 306 - 1.2), free and clear of all encumbrances, liens and taxes; that just compensation for the taking of a perpetual easement for transmission line purposes by the petitioner upon, over and across said tract of land is \$24.60.

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

C.W. Knotts - Tract No. 1 (305 - 32.3-A	
306 - 1.2)	\$24.60

ENDORSED: Filed In Open Court
May 29 1942
H. P. Warfield, Clerk
U. S. District Court LN

ROYCE H. SAVAGE JUDGE

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 822
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)	
OKLAHOMA; and James S. Freeman, et al.,)	
	Defendants.)	

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitle cause on the 29th day of May, 1942, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and o the condemnation petition filed herein, said Declaration of Taking, the statutes in such cases made and provided, and the Executive Order of the President of the United States made pursuant to the authority contained in the Act of June 10, 1920, Stat. 1063 (U. S. C. Title 16, Section 809), and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Administrator of the Federal Works Agency, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Administrator of the Federal Work Agency is the person duly authorized and empowered by law to acquire such lands as are described in the petition for the purpose of generating and supplying power for the manufacture of explosives or munitions of war or otherwise necessary to the safety and defense of the United States, and for the construction of Public Works; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sogght to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of \$300.00, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Administrator of the Federal Works Agency will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 29th day of May, 1942, ORDERED, ADJUDGED AND DECREED BY this Court that a perpetual easement to erect, operate and maintain a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures for the transmission of electric current upon, over and across said lands, situate, lying and being in the County of Mayes, State of Oklahoma, and more particularly described by courses and distances, as follows, to-wit:

TRACT NO. 1 - (305 - 32.4)
Perpetual Easement

The East 50 feet of the $W\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ and the West 40 feet of the $E\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 15, Township 23 North, Range 21 East of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 2 - (305 - 32.5)
Perpetual Easement

The East 50 feet of the West $\frac{1}{2}$ of the $SE\frac{1}{4}$ $NW\frac{1}{4}$ and the West 50 feet of the East $\frac{1}{2}$ of the $SE\frac{1}{4}$ $NW\frac{1}{4}$, Section 15, T 23 North, Range 21 East of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 3 - (305 - 32.6)
Perpetual Easement

The East 50 feet of the $W\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$, and the West 50 feet of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$, Section 15, Township 23 North, Range 21 East of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 4 (305 - 33.1 & 32.7)
Perpetual Easement

The West 50 feet of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Section 15 and the West 50 feet of the $SE\frac{1}{4}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ and the East 50 feet of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 10, all in Township 23 North, Range 21 East of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 5 (305 - 33.2 Revised)
Perpetual Easement

The East 50 feet of the $SW\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$; and the East 50 feet of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$; the West 50 feet of the $NE\frac{1}{4}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$; and the West 50 feet of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$; all in Section 10, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma.

together with the perpetual easement and right to cut down, remove and trim any trees, which may interfere with or endanger said transmission line or lines, or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles, anchors and to attach all necessary guy wires thereto, be, and the same is hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America, be, and it is hereby vested with a perpetual easement, upon, over and across the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 1st day of June, 1942, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed May 29 1942
H. P. Warfield, Clerk
U. S. District Court . B

Court adjourned to June 1, 1942

REGULAR MARCH 1942 TERM

VINITA, OKLAHOMA

MONDAY, JUNE 1, 1942

On this 1st day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1942 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

B. H. Hamilton, Deputy Clerk, U. S. District Court
Chester A. Brewer, Asst. U. S. Attorney
John P. Logan, United States Marshal

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

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 1st day of June, A.D. 1942, comes the Marshal and makes return on the Venue heretofore issued out of this court for Petit Jurors for this Regular March 1942 Term of Court, at Vinita, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Robert Lee Warden	Jewel Riswell	Charles Conrad Weber
Ollie Hill	J. W. McCarter	Adrian J. Brown
James Barton Bradshaw	F. O. Prior	Grover Burch
J. J. Dirickson	Frank Cline	Chester Montgomery
Roy E. Cobbs	Leonard J. Biron	Cyrus Eltie Sayre
Timothy Eugene Williams	C. E. Perkins	Lee A. Mitchell
Park G. Wright	George Melvin Newman	Fred F. Hallford
Manson J. Behn	Flem F. Smithson	Howard D. Cannon
Wyman (Buck) Woolery	Joe Alexander Hale	R. Dwight Newman
Monroe Austin	William R. Duty	J. R. Wright
Leonard Lee Bryant	Sam W. Butler	John A. Spencer
Jack B. Walker	Paul Mitchelson	E. M. Wheatley
Owen Lucas	C. W. Mullens	F. B. Carden
Delbert C. Qualls	Roy Deaton	C. H. Mullendore
Fred P. Walter	Howard L. Williams	Delbert B. Beaver

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

James Barton Bradshaw
Park G. Wright
Delbert C. Qualls
Fred P. Walter
Jewel Biswell
F. O. Prior
Frank Cline
Joe Alexander Hale

William R. Duty
Sam W. Butler
Adrian J. Brown
Chester Montgomery
Lee A. Mitchell
Howard D. Cannon
R. Dwight Newman
John A. Spencer

F. B. Garden

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

Delbert B. Beaver

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular March 1942 Term of Court at Vinita, Oklahoma.

ENDORSED: Filed In Open Court
Jun 1 1942
H. P. Warfield, Clerk
U. S. District Court

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

Grand River Dam Authority,
a public corporation,

Fetitioner,

)
)
) CIVIL 329 Tract No. 2.
)
)
)

vs.

Peter Bearhead, et al.,

Defendants.

ORDER MODIFYING JUDGMENT

On this the 1st day of June, 1942, come on for hearing the application of W. E. Foltz, United States Probate Attorney for correction of Journal Entry made herein on the 17th day of September, 1941, determining the heirs of Jack Squirrel, deceased, and for distribution of \$2700.00 paid in condemnation of Tract 2 (Map #13 Tract GED 666) allotted to Jack Squirrel, now deceased, Cherokee Roll No. 17765, said funds being now in the office of the Superintendent for the Five Civilized Tribes awaiting distribution to the owners of said tract, and it appearing that notice of hearing was given, and Chester A. Brewer, Assistant United States Attorney, and W. E. Foltz, United States Probate Attorney, appearing for the Indian heirs, and Q. B. Boydston, appearing for Grand River Dam Authority and after testimony being introduced and being fully informed the Court finds that that part of said journal entry finding the heirs of Jack Squirrel, deceased and the owners of said tract should be modified to show as follows:

That said Jack Squirrel died on the 15th day of May, 1912, intestate, leaving him surviving as his heirs who inherited his estate as follows:

That said Jack Squirrel died on the 15th day of May, 1912, intestate, leaving him surviving as his heirs who inherited his estate as follows:

2nd wife, Annie Squirrel, a white woman,
 Son, George Squirrel, a full blood Cherokee Indian, Roll No. 19748
 Son, Willie Squirrel, a half blood Cherokee Indian, Roll No. 25554
 Son, Peter A. Squirrel, a half blood Cherokee Indian, Roll No. 25555
 Son, Joseph Squirrel, a half blood Cherokee Indian, N. B. 4615
 Dau. Oncie Squirrel, now Jumper, also known as Oncy Squirrel,
 a half blood Indian, not enrolled.
 Son, Jessie Squirrel, also known as Jesse Squirrel, 1/2 blood, N. E.
 Son, Alex Squirrel, 1/2 blood, N. E.
 Dau. Nancy Squirrel, now Thomas, 1/2 blood, Cherokee No. 4616

each of whom inherited an undivided 1/9 interest.

That thereafter on the ____ day of _____, 1916, said Annie Squirrel died intestate, unmarried, leaving as her sole and only heirs as follows:

Son, Jake Adams, white.
 " Willie Squirrel
 " Peter A. Squirrel
 " Joseph Squirrel
 Dau. Nancy Squirrel, now Thomas,
 " Oncie Squirrel
 Son, Jessie Squirrel,
 " Alex Squirrel

each of whom inherited an undivided one-eighth of her estate.

That thereafter, on the 2nd day of Aug. 1920, said Willie Squirrel conveyed his interest in the land in the above described tract to said Oncie Squirrel, Jessie Squirrel and Alex Squirrel.

That the lands of said Jack Squirrel, deceased, and the funds from condemnation of said tract, are now owned by inheritance and conveyance as follows:

George Squirrel	8/72	interest
Peter A. Squirrel	9/72	"
Joseph Squirrel	9/72	"
Nancy Squirrel, now Thomas,	9/72	"
Oncie Squirrel, now Jumper	12/72	"
Jessie Squirrel	12/72	"
Alex Squirrel	12/72	"
Jake Adams	1/72	"

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the superintendent of the Five Civilized Tribes be and he is hereby authorized and directed to distribute said \$2700.00 paid into his office to the above named heirs and grantees in the proportions as hereinabove shown.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed Jun 2 1942
 H. P. Warfield, Clerk
 U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
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.)	

JUDGMENT DETERMINING TITLE TO RIVER BED

Now on this 1st day of June, 1942, this cause came on to be heard, and the Court having heard the evidence, and having been fully advised in the premises, finds that the site of the Oklahoma Ordnance Plant, which is involved in this proceeding, is bounded on the east side thereof by Grand River.

The Court further finds that title to said tracts bounded by the Grand River has been acquired in this proceeding under declarations of taking wherein the various tracts of land are described by legal descriptions which do not specifically include therein the land lying the bed of the river.

The Court further finds that the legal descriptions used by law to include all the land lying in the bed of Grand River to the center thereof.

The Court finds that Grand River is a non-navigable stream.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the title to the west half of Grand River to the center thereof, on that part of the river abutting and adjoining Tracts B-35, D-7, D-23, D-39 and D-50, being all of said tracts in the site of the Oklahoma Ordnance Plant which abut on Grand River, be and the same hereby is adjudged to be vested in the United States of America.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jun 1 1942
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 2, 1942

On this 2nd day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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

Bennett Investment Corporation, a Delaware corporation,	Plaintiff,)
)
v.)
)
Kingwood Oil Company, an Oklahoma corporation; J. L. McMahon; Hallie N. King; C. H. Bergquist; and Effingham State Bank of Effingham, Illinois,	Defendants.)

No. 745 Civil

ORDER OF DISMISSAL AS TO KINGWOOD OIL COMPANY

This action having been heretofore dismissed by order of this Court entered March 2nd, 1942, as against all the defendants except Kingwood Oil Company, an Oklahoma corporation, and now on this the 2nd day of June, 1942, coming on for disposition of the motion of the said defendant, Kingwood Oil Company, to dismiss said action as against it, the said Kingwood Oil Company; and it appearing to the Court that there has been filed herein a written signed by plaintiff and defendant, Kingwood Oil Company, stipulating and agreeing that this action be dismissed as against the said defendant, Kingwood Oil Company, without prejudice, at the cost of the plaintiff;

It is, therefore, considered, ordered and adjudged by the Court that this action as against the defendant, Kingwood Oil Company, an Oklahoma corporation, be and the same is hereby dismissed, without prejudice, at the cost of the plaintiff.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 2 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
)
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA: and Dora E. Warner, nee Hall, et al.,	Defendants.)

CIVIL NO. 798

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 2nd day of June, 1942, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following named defendants, to-wit:

Valena V. Trout, now Dayer;
John W. Dayer;
Mrs. Rose A. Byers;

Clara J. McGovern;
L. R. Forgrave;
Creighton C. Hart, Trustee;
C.C. Hart;
Annette V. Hart;
Nell H. Armsby, sometimes known as Nelle V. Hart Armsby;

A.E. Dayer; Charles U. Dilley; N. B. Held; Caleb Easky,
Cherokee Roll No. 17928; Jessie Ballard, now Short, Cherokee
Roll No. 5758; J. B. Gregory, and John Sturdivant, if living,
or if deceased, their known and unknown heirs, executors,
administrators, devisees, legatees, trustees, creditors and
assigns, immediate and remote, and their spouses, if any,

John Hancock Mutual Life Insurance Company, a corporation;
Washington National Insurance Company, a corporation;
American United Life Insurance Company, a corporation;
Bartlett Mortgage Company, a corporation;
The Federal Land Bank of Wichita, a corporation;
and
The known and unknown heirs, executors, administrators, devisees,
legatees, trustees and assigns, immediate and remote, and their
spouses, if any of Lavinia Powell, Cherokee Roll No. 8115, de-
ceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above-named defendants, and any and all other persons, firms, corporations or legal entities claiming any interest whatever in the real estate herein described and involved, to be served by publication.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in The Pryor Jeffersonian, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before the 3rd day of August, 1942, the petitioner, United States of America, will, on the 3rd day of August, 1942, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court for the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholder of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement, upon, over and across the lands involved herein, and that said defendants, and each of them, may be present, if they so desire.

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

ENDORSED: Filed Jun 2 1942
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to June 3, 1942

On this 2nd day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1942 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Curtis P. Harris, Special Attorney, U. S.
John P. Logan, United States Marshal

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

MISCELLANEOUS - ORDER FOR TALESMEN.

On this 2nd day of June, A. D. 1942, it appearing to the Court that there are not sufficient jurors in the panel, it is ordered that the Marshal of said District summon from the bystanders five good and lawful men, duly qualified, to serve as petit jurors for this Regular March 1942 Term of said Court.

Thereupon, the Marshal returns the names of John W. Byrd, Charles Crocker, Glen L. Ramsey, Daniel E. Wright and Clarence W. Boyer, who are examined by the Court, and all are accepted as petit jurors for this Regular March 1942 Term of Court at Vinita.

VERDICT

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs .		)	Case No. 652 - Civil
15,500 acres of land, more or less, situate		)	Tracts B-5, 9 & 10
in Mayes Co. Okla., John M. Niehaus, Jr .,		)	Lizzie Bean, et al
et al,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the defendants, and fix the amount of their damages at \$750.00 (Seven Hundred Fifty and no/100 Dollars).

J. W. McCARTER
Foreman

ENDORSED: Filed In Open Court
Jun 2 1942
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.		) 652 Civil
		) Tract C-10
15,500 acres of land, et al,	Respondents.)

SUPPLEMENTAL JUDGMENT

On this the First day of May, 1942, there came on for hearing the application of the heirs of Charlotte Watie, full blood Cherokee Indian, Roll No. 17618, deceased, for a supplemental judgment in the bove entitled cause, for the reason that the judgment heretofore entered failed to show the interests of the respective heirs in and to the above entitled tract and the proceeds therefrom; said heirs being represented by W.E. Foltz, United States Probate Attorney, and the United States of America appearing by its counsel, Curtiss P. Harris; and after testimony being taken, the Court finds:

That said Cherokee Watie was a full blood Cherokee Indian, enrolled opposite Roll No. 17618; that she was a resident of Mayes County, Oklahoma, and that she died intestate about January, 1928, and that her heirs have not heretofore been determined; that she left no surviving husband but left as her sole and only heirs who inherited her estate as follows:

Son, Charles Thompson, full blood Cherokee Indian, Roll No. 17619	1/3 int.
Son, Stephen Fisher, full blood Cherokee Indian, Roll No. 17623	1/3 Int.
Gr. Dau., Anna Downing, a full blood Cherokee Indian, Age 32 years -	1/9 Int.
Gr. Dau., Lulu Downing, a full blood Cherokee Indian, Age 30 years	1/9 Int.
Gr. Son, Dickey Downing, a full blood Cherokee Indian, Age 28 years	1/9 Int.

said grandchildren being the surviving issue of her pre-deceased son, William Downing.

The court further finds that the sum of \$930.00 due said heirs has been paid into the Office of the Superintendent for the Five Civilized Tribes, and that it should be distributed to said heirs.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Superintendent of the Five Civilized Tribes be, and he is hereby authorized and directed to distribute said sum of \$930.00 to the heirs of Charlotte Watie, deceased, as follows:

Charles Downing	\$310.00
Stephen Fisher	310.00
Anna Downing	103.33
Lulu Downing	103.33
Dickey Downing	103.34

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jun 2 1942
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.		) Civil 652
		) Tract B-20
15,500 acres of land, et al.,	Respondents.)

SUPPLEMENTAL JUDGMENT

On this the First day of May, 1942, there came on for hearing the application of the heirs of Cora Hitcher, full blood Cherokee Indian, Roll No. 25813, deceased, alleging that they were the owners of the above entitled tract; that said tract has been condemned, and that the proceeds from the said condemnation \$300.00, was paid into the Office of the Superintendent for the Five Civilized Tribes, without a finding having been made as to the interests of the respective heirs in and to said funds; and said heirs appearing by W.E.Foltz, United States Probate Attorney, and the United States of America appearing by its counsel, Curtiss P. Harris, and after testimony being taken, the Court finds:

That said tract was allotted to Cora Hitcher, full blood Cherokee Indian, Roll No. 25813; that she died on the 7th day of September, 1908, at the age of 7 years, leaving her surviving as her heirs who inherited her estate as follows:

Father, Ned Hitcher, full blood Cherokee	
No. 20,065	1/2 int.
Mother, Peggie Hitcher, full blood	
Cherokee, No. 20,066	1/2 Int.

That thereafter on the 5th day of May, 1917, said Ned Hitcher died, intestate, leaving him surviving no issue by pre-deceased children, but left as his sole and only heirs who inherited his one-half (1/2) interest in said estate as follows:

Wife, Peggie Hitcher -	1/6 int.
Dau., Sallie Hitcher now Phillips,	
full blood Cherokee, No. 20,067	1/6 Int.
Son, Charley Hitcher, full blood	
Cherokee, No. 20,068	1/6 Int.

and as a result of said deaths said tract of land was inherited and owned as follows:

Peggie Hitcher -	2/3 int.
Charley Hitcher,	1/6 int.
Sallie Hitcher then Phillips.	1/6 int.

and that the \$300.00 derived from condemnation of said tract should be distributed to said heirs.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Superintendent of the Five Civilized Tribes be, and he is hereby authorized and directed to distribute said \$300.00 to said heirs as follows:

Peggie Hitcher	\$200.00	Charley Hitcher -	50.00	Sallie Hitcher then Phillips	50.00
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F. E. KENNAMER
JUDGE

ENDORSED: Filed Jun 2 1942
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 3, 1942

ON THIS 3rd day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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

J. D. SIMMS, Trustee,	Plaintiff,)	
)	
vs.)	
		)	NO. 79 - CIVIL
LOUIS P. ANDREWS, Deputy Collector)	
of Internal Revenue, and H. C. JONES,)	
Collector of Internal Revenue,	Defendants.)	
)	
UNITED STATES OF AMERICA,	Intervener.)	

ORDER CONFIRMING SPECIAL MASTER'S SALE

This matter coming on for hearing this 3rd day of June, 1942, upon the report of sale of Byron V. Boone, the duly appointed, qualified and acting Special Master appointed by this court in this cause and motion of said Special Master to confirm sale of rea estate and the court being fully advised in the premises finds:

That on the 5th day of December, 1939 a judgment was entered in the United States District Court for the Northern District of Oklahoma in an action therein pending wherein J. D. Simms, Trustee, was plaintiff and Louis P. Andrews, Deputy Collector of Internal Revenue, and H. C. Jones, Collector of Internal Revenue, were defendants, and the United States of America was intervener, said cause being titled cause No. 79 Civil, the terms and conditions of said judgment appearing more fully from the judgment on file in the clerk's office of this court.

That said judgment, among other things, provided that the United States have and recover judgment against J. D. Simms, Trustee, on it's intervening complaint and said judgment further ordered the said Trustee, within twenty (20) days from the date said judgment became final, to sell at public auction the following described real estate, to-wit:

The East Half of Southwest Quarter and Southeast Quarter, less ten (10) acres in the Southeast corner of Section Seven (7), Township Nineteen (19) North, Range Fourteen (14 East, Tulsa County, Oklahoma,

and to pay from the proceeds of said sale to H. C. Jones, Collector of Internal Revenue, a sufficient sum to liquidate the income tax liability of Hazel Woodward Bradshaw, now Taylor, together with interest, penalties and costs.

That said judgment was duly appealed from and said judgment was duly affirmed by the United States Circuit Court of Appeals for the Tenth Circuit and that more than thirty (30) days elapsed from the date said judgment became final when the United States filed in this court it's application asking that a Special Master be appointed and directed to sell the above-described real

estate upon which the United States of America had an income tax lien and that the proceeds of said sale be applied toward the payment of said income tax liability owed by Hazel Woodward Bradshaw, now Taylor.

That on the 13th day of March, 1942 the court entered an order ordering J. D. Simms, Trustee, to appear before the court on the 20th day of March, 1942 to show cause why said application of the United States should not be granted and an order entered appointing a Special Master and directing sale of the real estate above-described and that on the 20th day of March, 1942, the date specified in said order to show cause, this matter comes on for hearing before this court and the court entered an order appointing Byron V. Boone, Special Master and ordered said Special Master to sell without appraisal, the above-described real estate at public auction after publication of notice of said sale at least thirty (30) days prior to the date of said sale.

That, thereafter, on the 5th day of May, 1942, said Byron V. Boone, filed in this court his report of sale showing that on the 28th day of April, 1942, at 10 o'clock A.M., at the west front door of the County Court House in the City of Tulsa, Tulsa County, Oklahoma, be offered for sale the above-described property pursuant to said order of court heretofore mentioned.

The Court finds that said sale was had on said 28th day of April, 1942, pursuant to the order of the court directing said sale and in accordance with the notice published in the Tulsa Daily Legal News at the time and place therein specified and that at said sale said property was sold to the United States of America, it being the highest and best bidder for the same, the highest and best bid being the sum of Twenty Seven Hundred Dollars (\$2,700.00), made by the United States of America, and said bid was accepted to be credited upon the tax liability due the United States of America by Hazel Woodward Bradshaw, now Taylor.

The court further finds that said sale was held in conformity with law and pursuant to the order of this court and further finds that said sale should be confirmed.

The court further finds that said sale was duly advertised in the Tulsa Daily Legal News, a newspaper of general circulation in Tulsa County, Oklahoma and that the cost of said publication was \$24.25.

The court further finds that said Special Master, Byron V. Boone, is entitled to payment for services rendered as Special Master under the order of court appointing him and the court finds that a reasonable sum for said services is the sum of \$50.00.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the sale by Byron V. Boone, Special Master, to the United States of America, held, on the 28th day of April, 1942, be and the same hereby is confirmed and the Special Master be and he hereby is directed to execute and deliver to the United States of America a deed to said premises above described.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the cost of publication to the Tulsa Daily Legal News, in the sum of \$24.25, be and the same hereby is ordered entered as a part of the costs of this action and the United States Marshal for the Northern District of Oklahoma be and he hereby is directed and ordered to pay said Tulsa Daily Legal News the cost of said publication.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the sum of \$50.00 allowed Byron V. Boone, Special Master, for services rendered be and the same hereby is directed to be entered as costs of this action and the United States Marshal for the Northern District of Oklahoma, be and he hereby is ordered and directed to pay said Byron V. Boone the sum of \$50.00.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jun 3 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

Ruby Lee Rucker, et als.	Plaintiffs,)	
)	
vs		)	Civil Action No. 746
)	
First National Bank of Miami, Oklahoma,)	
	Defendant.)	

O R D E R

It is hereby ordered that the time in which the defendant may file its brief is extended from this date to the 15th day of June, 1942.

Dated at Tulsa, Oklahoma, this 3 day of June, 1942.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Jun 3 1942
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to June 4, 1942

On this 3rd day of June, A.D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1942 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

United States of America,	Plaintiff,)	
vs.		)	Case No. 652-CIVIL
15,500 acres of land, more or less, situate		)	Tracts No. B-34 and D-7 John Campbell
in Mayes County, Oklahoma, John M. Niehaus,)	
Jr., et al,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, find for the defendant and fix the amount of his damages at \$8500.00, Eight Thousand Five Hundred and no/100.

CHAS. CROCKER
Foreman

ENDORSED: Filed In Open Court
Jun 3 1942
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to June 4, 1942

VERDICT

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

United States of America,	Plaintiff,)
)
vs.		) Case No. 652-CIVIL
		) Tract B-44 J. M. Eberting
15,500 acres of land more or less, situate)
in Mayes County, Oklahoma, John M. Niehaus,)
Jr., et al,	Defendants.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, find for the defendant and fix the amount of his damages at \$3400.00.

CYRUS ELTIE SAYRE
Foreman

ENDORSED: Filed In Open Court
Jun 4 1942
H. P. Warfield, Clerk
U. S. District Court H

VERDICT

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

United States of America,	Plaintiff,)
)
vs.		) Case No. 652 - Civil
		) Tract C-9 Eloise Caroline Brown
15,500 acres of land, more or less, situate in)
Mayes County, Oklahoma, John M. Niehaus, Jr.)
et al,	Defendants.)

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths find for the defendant and fix the amount of her damages at \$350.00.

CYRUS ELTIE SAYRE
Foreman

ENDORSED: Filed In Open Court
Jun 4 1942
H. P. Warfield, Clerk
U. S. District Court

VERDICT

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
District of Oklahoma

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	Case No. 652 Civil
		)	Tract No. C-46
15,500 acres of land, more or less,		)	Arvil N. Rike, et al
situate in Mayes County, Oklahoma, John M.)	
Niehaus, Jr. et al,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, find for the defendants and fix the amount of their damages at \$5000.00.

C. H. MULLENS,
Foreman

ENDORSED: Filed In Open Court
Jun 4 1942
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 5, 1942

On this 5th day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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:

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs		)	No. 825 Civil
)	
Certain Parcels of Land in the Town of Dawson,)	
County of Tulsa, State of Oklahoma, and Town)	
of Dawson, Oklahoma, et al.,	Respondents.)	

JUDGMENT ON THE DECLARATION OF TAKING

This day comes the petitioner, the United States of America, by Curtis P. Harris, Special Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America the title to perpetual easements to construct, maintain, repair, replace and use a sewer pipe line in and to the property hereinafter described and described in the Declaration

of taking and in the Petition for Condemnation filed herein.

Thereupon, the Court proceeded to hear and pass upon said motion, the Petition for Condemnation and the Declaration of Taking, and finds that:

(1) Each and all of the allegations in said Petition and Declaration are true, and the United States of America is entitled to acquire property by eminent domain for the purposes set forth in said petition;

(2) In said Petition and Declaration of Taking a statement of the authority under which and the public use for which said lands were taken is set forth:

(3) The Petition and Declaration of Taking were filed at the request of the Acting Federal Works Administrator the person duly authorized by law to acquire the lands described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings;

(4) A proper description of the lands and estate therein sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking and Petition for Condemnation;

(5) A statement is contained in said Declaration of Taking of the sum of money estimated by the acquiring authority to be just compensation for the lands and estate therein taken, in the amount of Six and no/100 Dollars (\$6.00), and said sum was deposited in the Registry of this Court for the use of the persons entitled thereto and upon and at the time of the filing of said Declaration of Taking.

(6) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property, in the opinion of the Acting Federal Works Administrator, will probably be within any limits prescribed by Congress on the price to be paid therefor.

(7) And the Court having fully considered the Petition for Condemnation, the Declaration of Taking the Act, of Congress of August 1, 1888 (25 Stat. 357; U. S. C. Title 40, Sec. 257), the Act of February 26, 1931 (46 Stat. 1421, U. S. C. Title 40, Secs. 258a to 258e), and the Act of October 14, 1940 (Public No. 849 - 76th Congress), as amended by the Act of June 28, 1941 (Public No. 137 - 77th Congress), and the Act of Congress approved July 3, 1941 (Public Law 150 - 77th Congress), is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the title to perpetual easements to construct, maintain, repair, replace and use a sewer pipe line in and to the property hereinafter described was vested in the United States of America upon the filing of said Declaration of Taking and the depositing in the Registry of this Court of the said sum of Six and no/100 Dollars (\$6.00), and said lands and estate therein are deemed to have been condemned and taken for the use of the United States, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands and estate therein are described as follows:

Perpetual easements to construct, maintain, repair, replace and use a sewer pipe line in and to strips of land 10 feet in width, lying and being in the Town of Dawson, County of Tulsa, State of Oklahoma, the center lines of said strips of land being particularly described as follows:

Beginning at a point in the intersection of a line parallel to and distance 15 feet North from the south line of Mayes Street (50 feet wide) and a line parallel to and distant 5 feet west from the east line of a 20-foot alley lying between Page Street and Wooley Street (50 feet wide); thence crossing Mayes Street and along Page Street (50 feet wide) North 15 degrees 55 minutes West 146 feet to a point distance 15 feet east from the west line of Page Street for the true point or place of beginning of this description; thence (1) along Page Street and crossing Mayes Street South 15 degrees 55 minutes East 146 feet to a point; thence (2) continuing across Mayes Street and along a 20-foot alley lying between Page Street and Wooley Street and along a line parallel to and distant 5 feet west from the east line of said 20-foot alley south 220 feet to a point; thence (3) crossing said 20-foot alley, Lot 2, Block 3, in Industrial Addition to the Town of Dawson, as shown by Plat No. 588 of the map records of Tulsa County, Oklahoma, filed December 11, 1922, and Wooley Street east 170 feet to a point; thence (4) along the center line of Wooley Street south 1165.5 feet to a point in Market Avenue (60 feet wide); thence (5) beginning at the terminus of a line hereinbefore described as Course (3), crossing Wooley Street, Lot 7, Block 2, in said Industrial Addition, a 20 foot alley, Lot 2, Block 2, in said Industrial Addition and Cherokee Street (50 feet wide) east 350 feet to a point in Cherokee Street; thence (6) along the center line of Cherokee Street south 1168 feet to a point in Market Avenue; thence (7) along Market Avenue and along a line parallel to and distant 8 feet south from the north line thereof east 175 feet to a point; thence (8) crossing Market Avenue and along the center line of a 20-foot alley south 297 feet to a point; thence (9) beginning at the terminus of a line hereinbefore described as Course (5) crossing Cherokee Street, Lot 9, Block 1, in said Industrial Addition, a 20-foot alley, Lot 2, Block 1, in said Industrial Addition, and Lynch Street (50 feet wide) east 350 feet to a point in Lynch Street; thence (10) along the center line of Lynch Street South 1171 feet to a point in Market Avenue; thence (11) along Market Avenue and along a line parallel to and distant 8 feet South from the North line thereof, east 170 feet to a point; thence (12) crossing Market Avenue and along the center line of a 10-foot alley south 267 feet to a point; thence (13) beginning at the terminus of a line hereinbefore described as Course (11), along Market Avenue and along a line parallel to and distant 8 feet south from the north line thereof east 741.5 feet to a point in Frisco Street (60 feet wide); thence (14) along Frisco Street and along a line parallel to and distant east 15 feet from the west line thereof north 713 feet to a point in Missouri Avenue (60 feet wide); thence (15) along Missouri Avenue and along a line parallel to and distant 15 feet south from the north line thereof east 182.5 feet to a point; thence (16) crossing Missouri Avenue and along the center line of a 15 foot alley south 330 feet to a point; thence (17) beginning at the terminus

of a line hereinbefore described as Course (15) along Missouri Avenue and along a line parallel to and distant 15 feet south from a north line thereof east 182.5 feet to a point in Main Street (60 feet wide); thence (18) along Main Street and along a line parallel to and distant 15 feet west from the east line thereof north 253 feet to a point; thence (19) beginning at the terminus of a line hereinbefore described as Course (17) along Missouri Avenue and along a line parallel to and distant 15 feet south from the north line thereof east 152.5 feet to a point; thence (20) crossing Missouri Avenue and along the center line of a 15-foot alley south 330 feet to a point; thence (21) beginning at the terminus of a line hereinbefore described as Course (19) along the center line of the last mentioned 15-foot alley north 252.5 feet to a point in Virgin Street; thence (22) along Virgin Street and along a line parallel to and distant 5 feet north from the south line thereof east 182.5 feet to a point in Booth Street (60 feet wide); thence (23) along Booth Street and along a line parallel to and distant 15 feet west from the east line thereof; north 712.5 feet to a point; thence (24) beginning at the terminus of a line hereinbefore described as Course (13) along Market Avenue and along a line parallel to and distant 8 feet south from the north line thereof; 182.5 feet to a point; thence (25) crossing Market Avenue and along the center line of a 15-foot alley north 300 feet to a point; thence (26) beginning at the terminus of a line hereinbefore described as Course (24) along Market Avenue and along a line parallel to and distant 8 feet south from the north line thereof east 335 feet to a point; thence (27) crossing Market Avenue and along the center line of a 15-foot alley north 300 feet to a point; thence (28) beginning at the terminus of a line hereinbefore described as Course (26) along Market Avenue and along a line parallel to and distant 8 feet south from the north line thereof east 337.5 feet to a point; thence (29) crossing Market Avenue and along the center line of a 20-foot alley north 958 feet to a point in Virgin Street; thence (30) along Virgin Street or the extension thereof and along a line parallel to and distant 5 feet north from the south line thereof crossing Texana Street (60 feet wide) east 335 feet to a point in a 10-foot alley; thence (31) along said 10-foot alley and along a line parallel to and distant 5 feet from the west line thereof south 220 feet to a point; thence (32) beginning at the terminus of a line hereinbefore described as Course (28) along Market Avenue and along a line parallel to and distant 8 feet south from the north line thereof and crossing Texana Street east 335 feet to a point in a 10-foot alley; thence (33) crossing Market Avenue and along the center line of said 10-foot alley and crossing Indian Avenue (60 foot wide) north 660 feet to a point; thence (34) beginning at the terminus of a line hereinbefore described as Course (32) crossing Market Avenue and along the center line of a 10-foot alley south 130 feet to a point, as shown by plat "Lands in and to which perpetual easements are proposed to be acquired through condemnation proceedings to construct, maintain, repair, replace and use a sewer pipe line, City of Dawson, Oklahoma, Defense Public Works Project OKLA. 34-102".

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

FRED W. SEYMOUR, TRUSTEE,	Plaintiff,)
)
vs.)
		) No. 1277 Equity
GILMORT OIL COMPANY, a corporation,	Defendant.)
)
PRODUCERS PIPE & SUPPLY CO.,)
a corporation, et al.,	Intervenors.)

CONFIRMATION AND RATIFICATION OF SALE

NOW, on this 1st day of July, 1941, on proper application of L. L. WILES and WILBUR J. HOLLEMAN, the duly appointed, qualified and acting receivers of the Gilmort Oil Company, to confirm and ratify the sale made herein on the 22d day of May, 1941, at ten o'clock A.M., at the west front door of the Court House in Tulsa, Oklahoma, said sale being of the hereinafter described oil mining leases in OSAGE COUNTY, OKLAHOMA, together with materials, equipment and property thereon, and together with other personal property, oil and gas leases and royalty located in Tulsa and Creek Counties, Oklahoma, the plaintiff herein being represented by its attorneys, Mills & Cohen; the receivers being present in person and by their attorneys, E. J. Doerner and Lawrence Mills; Producers Pipe & Supply Company and Stephenson-Browne Lumber Company being represented by their attorney, C. H. Rosenstein; Iverson Tool Company and Bettinger Drilling Company being represented by their attorneys, Duff & Manatt; Halliburton Oil Well Cementing Company being represented by its attorney, W. B. Blair; Roland L. Taylor, Trustee, and Roland L. Taylor, as an individual, being represented by their attorney, Wilbur J. Holleman; Sand Springs Home and Oklahoma Power and Water Co. being represented by their attorneys, Doerner, Rinehart & Stuart; and the Court being fully advised in the premises finds that the following described properties constituting the Seymour Group of leases, including the oil mining leases, oil and gas leases, leasehold estate, equipment, materials, chattels, goods, oil, and all other properties and assets thereon, more particularly described as

1. Lease No. 105 covering:
Southeast Quarter of Section 23, Township 20 North, Range 11 East, Osage County, Oklahoma;
2. Lease No. 117 covering:
Southeast Quarter of Section 2, Township 20 North, Range 10 East, Osage County, Oklahoma;
3. Lease No. 120, covering:
Southwest Quarter of Section 11, Township 20 North, Range 11 East, Osage County, Oklahoma;
4. Lease No. 121, covering:
Northeast Quarter of Section 15, Township 20 North, Range 11 East, Osage County, Oklahoma;
5. Lease No. 132, covering:
A tract of land containing 160 acres of more or less beginning at the tenth mile corner on the South boundary line of the Osage Nation; thence East along said South boundary line a distance of 2640 feet;

THENCE North at right angles to said boundary line a distance of 2640 feet; thence West parallel to said South boundary line a distance of 2640 feet; thence South at right angles to said South boundary line a distance of 2640 feet to the point of beginning located in Section Thirty-one, Township 20 North, Range 11 East, and Section 36, Township 20 North, Range 10 East;

6. Lease No. 133, covering:

A tract of land containing 160 acres more or less beginning at the Ninth mile corner on the south boundary line of the Osage Nation; thence West along said South boundary line a distance of 2640 feet; thence North at right angles to said South boundary line a distance of 2640 feet; thence East parallel to said South boundary line a distance of 2640 feet; thence South at right angles to said South boundary line a distance of 2640 feet to the point of beginning, all in Section 31, Township 20 Range 11 East, Osage County, Oklahoma;

7. Lease No. 134 covering:

Containing 160 acres more or less beginning at the 9th mile corner on the South boundary line of the Osage Nation; thence East along said South boundary line a distance of 2,640', thence North at right angles to said South boundary line a distance of 2,640'; thence West parallel to said South boundary line a distance of 2,640'; thence South at right angles to said South boundary line a distance of 2,640' to the point of beginning, located in Sections 31 and 32, Township 20 North, Range 11 East, Osage County, Oklahoma;

8. Lease No. 142 covering:

Northeast Quarter of Section 5, Township 20 North, Range 11 East, Osage County, Oklahoma;

9. Lease No. 144 covering:

Southeast Quarter of Section 21, Township 20 North, Range 11 East, Osage County, Oklahoma;

10. Lease No. 150 covering:

A fractional part of the Northwest Quarter of Section 31, Township 20 North, Range 11 East, Osage County, Oklahoma, more particularly described as: The North Half of the Northwest Quarter and the North Half of the North Half of the South Half of the Northwest Quarter, containing 101.96 acres more or less;

11. Lease No. 184 covering:

Northwest Quarter of Section 29, Township 20 North, Range 11 East, Osage County, Oklahoma;

- 12. Lease No. 135, known as the LULA WHITE lease, covering:
Northeast 9.94 acres of Lot 3, Section 5, Township
19 North, Range 11 East, Tulsa County, Oklahoma;
- 13. Lease No. 137, known as E. B. Rabey Lease, covering:
Southwest Quarter of Section 6, Township 19 North,
Range 12 East, Tulsa County, Oklahoma;
- 14. Lease No. 138, known as the J. Bruner lease, now covering:
West Half of Southeast Quarter of Section 6, Township
19 North, Range 12 East, Tulsa County, Oklahoma;
- 15. Lease No. 139, known as the L. Brown Lease, covering:
South Half of Northwest Quarter of Section 5, Township
19 North, Range 12 East, Tulsa County, Oklahoma;
- 16. Lease No. 151, known as the Richard Mayberry Lease covering:
South Half of Northeast Quarter of Section 5, Township
19 North, Range 11 East, Tulsa County, Oklahoma

which properties were bid in by, and sold to RELIABLE OIL COMPANY, an Oklahoma corporation, for the sum of \$17,500.00, it being the highest and best bidder therefor at the aforesaid public sale.

And the Court having fully examined all of the proceedings of the receivers in conducting the sale herein, and being fully satisfied that the same have been performed in all respects in conformity to law and as directed by this court; that due and legal notice of said sales were given by publication for more than thirty days prior to said sales in the Tulsa Dailey Legal News, a daily newspaper published in Tulsa and of general circulation in Osage County, State of Oklahoma, once a week for four consecutive weeks prior to said sales, as shown by the proof of said publication on file herein and as ordered by this Court and that the day fixed therein, to-wit: the 22d day of May, 1941, at 10:00 o'clock A.M., at the West front door of the County Court House in Tulsa, Oklahoma, said properties were sold as hereinabove set out to RELIABLE OIL COMPANY, it being the highest and best bidder therefor and the Clerk is accordingly directed to make entry on the Journal of this Court that the Court is satisfied of the Legality of said sales, and each of them; and no exceptions being filed nor objections made, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the said sales, and each of them, and the proceedings, be, and they are hereby approved, confirmed and ratified unto RELIABLE OIL COMPANY.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Receivers execute and deliver to the RELIABLE OIL COMPANY proper assignments therefor and said receivers are further instructed to execute transfer and/or division orders to the RELIABLE OIL COMPANY, for the aforescribed oil mining leases and oil and gas leases; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that C. A. VOSE, who has been properly served and made an appearance in this action execute a proper assignment of all his interest in lease No. 184 covering the

Northwest Quarter of Section 29, Township 20 North, Range 11
East, Osage County, Oklahoma,

to RELIABLE OIL COMPANY, and that he execute what assignments, transfer and division orders as are necessary to pass title to all his interest

in said lease No. 184.

Dated the day and year first above written.

F. E. KENNAMER
JUDGE UNITED STATES DISTRICT COURT

ENDORSED: Filed Jun 5 1942
H. P. Warfield, Clerk
U. S. District Court JSB

Court adjourned to June 8, 1942

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

SATURDAY, JUNE 6, 1942

On this 6th day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

EDGAR D. BALDWIN,

Plaintiff,)

vs.)

No. 677 Civil)

MISSOURI, KANSAS AND TEXAS RAILROAD COMPANY,
a corporation,

Defendant.)

O R D E R

Now on this 6th day of June, 1942, upon application of defendant, the defendant herein is granted leave to correct by interlineation clerical errors in the Journal Entry of judgment heretofore filed herein by correcting the dates on which the trial and proceedings in said case were had, so as to show that same occurred on the 2nd and 3rd days of March, 1942, and at the January 1942 term of this court, instead of 1941, as therein stated.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jun 6 1942
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to June 8, 1942

On this 8th day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1942 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 IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

MARION E. TURNER, Plaintiff,)
vs.) No. 796 Civil
H. F. WILCOX OIL & GAS COMPANY, a corporation, Defendant.)

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Marion E. Turner, and dismisses this action with prejudice to the bringing of any future action.

Dated this 6th day of June, 1942.

MARION E. TURNER Plaintiff
TOM DURHAM Attorney for Plaintiff

The above styled and numbered action is hereby ordered dismissed at the cost of defendant.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Jun 8 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-) CIVIL NO. 807
A CERTAIN PARCEL OF LAND IN MAYES COUNTY,)
OKLAHOMA: and Etta Graham, et al, Defendants.)

ORDER APPOINTING COMMISSIONERS

Now, on this 8th day of June, 1942, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the lands hereinafter described and the acquisition of said lands is necessary for the

management, operation and maintenance of the Grand River Dam Project, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U. S. C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e); Title II of the Act of June 16, 1933, 48 Stat. 195, 200 (U. S. C. Title 23, Sec. 9 (b) and Title 40, Secs. 401-407, 409, 411, 413, and 414) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U. S. C. Title 16, Sec. 809); and Executive Order No. 8944; dated November, 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, title to all lands and interests in lands necessary for carrying out the purposes and objects set forth in said Executive Order No. 8944.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures, for the transmission of electric current, together with the perpetual easement and right to cut down, remove or trim any trees that may interfere with or endanger said transmission line or lines or the maintenance or operation thereof, together with the perpetual easement, right and privilege to set the necessary guy and brace poles and anchors and to attach all necessary guy wires thereto, upon, over and across the lands situate, lying and being in the County of Mayes, in the Northern District of the State of Oklahoma, and within the jurisdiction of this Court, and more particularly described by courses and distances, as follows, to-wit:

TRACT NO. 301 - O.3
Perpetual Easement

Lots 5, 6, 7 and 8, in Block 9, as shown on the revised dedication plat of the townsite of North Langley, dated July 14, 1939, also across Park Street and along Osage Avenue in said Town of North Langley, all situate in the County of Mayes, State of Oklahoma, subject only to all easements and rights heretofore acquired and held by the Grand River Dam Authority, a public corporation, and now in the possession and under the control of the Administrator of the Federal Works Agency,

It further appears that all of those persons claiming any interest in and to said lands adverse to the United States of America, and which said persons are defendants in this proceeding, have been duly served with notice of the hearing of the application for the appointment of commissioners by this court, according to law.

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.

The Court further specifically finds that publication service was had according to order and the law made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes of Mayes County, Oklahoma, Elmer Vick, of Tulsa County, Oklahoma, and C. E. Marshall of Tulsa County, Oklahoma, each a disinterested freeholder in the Northern District of the State of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names in this Court, and are appointed as commissioners to inspect said tracts of land as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation of a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame, structures, towers or other structures, wires, cables and fixtures, for the transmission of electric current, together with the perpetual easement and right to cut down, remove and trim any trees that may interfere with or endanger said transmission line or lines, or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all of the necessary guy wires thereto, subject only to all easements and rights heretofore acquired and held by the Grand River Dam Authority, a public corporation, and now in the possession and under the control of the Administrator of the Federal Works Agency, upon, over and across said lands, by the petitioner, irrespective of any benefits from any improvements proposed, and said commissioners shall forthwith report in writing to the Clerk of this Court, setting forth the quantity and boundaries of said tracts, separately, and assessing the injury and damages to the owner or owners thereof.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report to the office of the Clerk of the United States District Court in and for the Northern District of Oklahoma, in the Federal Building, at Tulsa, Oklahoma, on the 13 day of June, 1942, at 10 o'clock A.M., for the purpose of taking the oath of office and for the performance of their duties.

IT IS FURTHER ORDERED that said commissioners so selected and appointed shall receive as compensation for their services the sum of Ten Dollars (\$10.00) per day, each, for each day of service in the performance of their duties, and in addition thereto five cents (\$.05) per mile for each mile traveled in the performance of their duties.

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

ENDORSED: Filed Jun 8 1942
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to June 9, 1942

On this 8th day of March, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1942 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

B. H. Hamilton, Deputy Clerk, U. S. District Court
Chester A. Brewer, Assistant U. S. Attorney
Thomas Preston Warren, Deputy U. S. Marshal

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

ORDER TO PAY WITNESSES AND JURORS PER DIEM IN LIEU OF SUBSISTENCE.

Now on this 8th day of June, A. D. 1942, it is ordered by the Court that the Marshal be directed to pay witnesses and jurors in all cases a per diem in lieu of subsistence where witnesses attend at a point so far removed from their residence as to prohibit return thereto from day to day and the Clerk to so certify to the Marshal.

ORDER DISCHARGING PETIT JURORS.

Now on this 8th day of June, A. D. 1942, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged from this Regular March 1942 Term of Court at Vinita, Oklahoma, sine die.

Court adjourned to June 10, 1942

REGULAR JANUARY 1942 TERM

TUESDAY, JUNE 9, 1942

TULSA, OKLAHOMA

On this 9th day of June, A. D. 1942, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 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 - ORDER EMPANELING PETIT JURY.

On this 9th day of June, A. D. 1942, comes the Marshal and makes return on the Venire heretofore issued out of this Court for Petit Jurors for this Regular January 1942 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Arthur W. Klamm
 Stephen Edward Landrum
 Howard F. Lawyer
 William E. Sanders, Jr.
 Walter M. Sears
 T. Phillips
 W. L. Kenworthy
 Clyde A. King
 Calvin Tam's Miller
 Joe Heape
 Boyd M. Lowe
 Lee Roy Vandervort
 Harry P. Miller
 H. F. Mills
 Denton Albert Young

Richard Everett Lennet
 Henry Anderson
 Edward Franklin Lusk
 C. M. Durham
 J. A. Tuck
 Frank Turinsky
 Albert Monroe Phillips
 Lyndon Scott
 Paul E. Price
 Glenn R. Ames
 Thomas Raymond Skinner
 Robert E. Davis
 Woodrow Drake
 Floyd Emenhiser
 Charles W. Edwards

Earl T. Cruzen
 Leroy Sipes
 Phil S. Stover
 Ralph T. Dunn
 Harvey L. Deason
 Tom B. Toulson
 Charles F. Boyd
 Harry Paul Bieber
 James J. Goolsby
 Elmer C. Carter
 J. Ernest Johnson
 Luther Charles Richardson
 Austen Kelly
 Glenn V. Thomas
 Oscar K. Petty

Olen W. Lloyd

Ellis R. Jones

Carl M. Leonard

Ollie W. Lewis

Lawrence William Young

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

Arthur W. Klamm
 Stephen Edward Landrum
 Walter M. Sears
 T. Phillips
 W. L. Kenworthy
 Clyde A. King
 H. F. Mills
 Henry Anderson
 Edward Franklin Lusk
 J. A. Tuck

Frank Turinsky
 Albert Monroe Phillips
 Paul E. Price
 Woodrow Drake
 Charles W. Edwards
 Earl T. Cruzen
 Tom B. Toulson
 James J. Goolsby
 Austen Kelly
 Ellis R. Jones

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

Luther Charles Richardson

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular January 1942 Term of Court.

ENDORSED: Filed In Open Court
 June 9 1942
 H. P. Warfield, Clerk
 U. S. District Court

UNITED STATES OF AMERICA,	Plaintiff,) No. 140 - Civil
-vs-		
GYPSY OIL COMPANY, a corp.	Defendant.	

Now on this 9th day of June, A. D. 1942, it is ordered by the Court that the Clerk be and he is hereby directed to spread of record the Mandate in the above styled cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, plaintiff, and Gypsy Oil Company, a corporation, and Gulf Oil Corporation, a corporation, defendants, No. 140, Civil, the judgment of the said district court in said cause, entered on July 8, 1941, was in the following words, viz:

* * * * *

"It is therefore ordered, adjudged and decreed that the findings of fact and conclusions of law heretofore requested by the United States be and the same hereby are rejected and denied. It is further ordered, adjudged and decreed that the plaintiff take nothing by its said suit and the defendants go hence without day and said cause be and the same hereby is dismissed with prejudice to bringing another suit.

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

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

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

- - April 30, 1942.

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

WITNESS the Honorable HARLAN F. STONE, Chief Justice of the United States, the 5th day of June, in the year of our Lord one thousand nine hundred and forty-two.

COSTS OF

Clerk	\$
Printing Record	\$
Attorney	\$
	\$

ENDORSED: Filed Jun 9 1942
 H. P. Warfield, Clerk
 U. S. District Court ME

UNITED STATES OF AMERICA, Plaintiff,)
)
 -vs-) No. 345 - Civil
)
 BARNSDALL OIL COMPANY, A CORP., Defendant.)

Now on this 9th day of June, A. D. 1942, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, plaintiff, and Barnsdall Oil Company, a corporation, defendant, No. 345 Civil, the judgment of the said district court in said cause, entered on July 8, 1941, was in the following words, viz:

* * * * *

"It is therefore ordered, adjudged and decreed by the court that the plaintiff take nothing by this action, and that the defendant go hence without day,

"To all of said findings of fact and conclusions of law and the judgment herein rendered the plaintiff, United States of America, excepts and exceptions are allowed by the Court."

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

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

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

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

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 5th day of June, in the year of our Lord one thousand nine hundred and forty-two.

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

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

ENDORSED: Filed Jun 9 1942
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES OF AMERICA,	Plaintiff,)
)
-vs-		) No. 555 - Civil
)
AMERICAN NEWS COMPANY, d/b/a)
OSAGE NEWS AGENCY,	Defendant.)

Now on this 9th day of June, A. D. 1942, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Peter J. and Rose Marie Diederich plaintiff, and American News Company, doing business in Oklahoma as Osage News Agency, Defendant, No. 555, Civil, the judgment of the said District Court in said cause, entered on December 19, 1941, was in the following words, viz:

* * * * *

"It is, therefore, by the court, ordered, adjudged and decreed that said defendant's 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."

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

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

Onconsideration whereof, it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed; and that American News Company, doing business in Oklahoma as Osage News Agency, appellee, have and recover of and from Peter J. and Rose Marie Diederich, appellants, its costs herein.

--- April 30, 1942.

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

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 5th day of June, in the year of our Lord one thousand nine hundred and forty-two.

COSTS OF APPELLEE
Clerk \$5.75
Printing Record \$-- --
Attorney \$20.00
\$25.75

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

UNITED STATES CIRCUIT COURT OF APPEALS TENTH CIRCUIT

Costs taxed in favor of appellee in the case of Peter J. and Rose Marie Diederich vs. American News Company, doing business in Oklahoma as Osage News Agency No. 2460

Filing record and docketing cause	---
Filing copies of printed record	---
Filing and entering appearance for	---
Filing and entering 1 appearance for appellee	50
Clerk, preparing record for printer, etc.	---
Printer, for printing record,	---
Filing 1 paper,	25
Entering order, folio	---
Filing briefs for	---
Filing brief for appellee	5 00
Filing opinion	---
Filing and entering judgment or decree	---
Filing petition for a rehearing	---
Issuing mandate to District Court	---
Filing receipt for mandate	---
Filing receipt for balance of deposit	---
Attorney's docket fee	20 00

(Costs of appellant in forma pauperis unpaid \$20.60)

25 75

Attest:

ROBERT E. CARTWRIGHT
Clerk U. S. Circuit Court of Appeals, Tenth
Circuit

ENDORSED: Filed Jun 9 1942
H. P. Warfield, Clerk
U. S. District Court ME