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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 28, 1942

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 Laura E. Jones, et al.,	Defendants.)

CIVIL NO. 785

ORDER FIXING INTEREST, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION OF FUNDS AS TO TRACT NO. 30 (306 - 25.4)

NOW, on this 28th day of September, 1942, there coming on for hearing the application of the defendant, George S. Sinor, for an order fixing interest, decreeing just compensation and making distribution as to Tract No. 30 (306 - 25.4), and the Court being fully advised in the premises, finds:

That the defendant, George S. Sinor, is the tenant on the land described as Tract No. 30 (306 - 25.4); that the petition filed a Declaration of Taking and deposited in the registry of this court the estimated just compensation in the sum of \$77.25 for the taking of a perpetual easement for transmission line purposes, upon, over and across said tract of land; 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 land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, George S. Sinor, tenant on Tract No. 30 (306 - 25.4) in writing, agreed to release and discharge the petitioner from any and all demands and claims for damages upon the payment of the sum of \$20.00, which was accepted by the petitioner.

The Court further finds that the sum of \$20.00 is just compensation for the injuries and damages sustained by said defendant, George S. Sinor, as tenant on Tract No. 30 (306 - 25.4).

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, George S. Sinor, is the tenant upon the land described as Tract No. 30 (306 - 25.4), and that the sum of \$20.00 is just compensation for the damages sustained by the defendant, George S. Sinor, tenant upon said Tract No. 30 (306 - 25.4),.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract, as follows, to-wit:

George S. Sinor, tenant,	
Tract No. 30 (306 - 25.4)	\$20.00.

ROYCE H. SAVAGE
JUDGE

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

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 28, 1942

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 798
)	
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)	
OKLAHOMA, and Dora E. Warner, et al,	Defendants.)	

O R D E R

NOW, on this 28th day of Sept., 1942, there coming on for hearing the motion of the petitioner, United States of America, praying that the judgment on the Declaration of Taking entered herein on the 18th day of April, 1942, be modified, and that these proceedings be dismissed as to the defendant, Ajax Pipe Line Corporation, a corporation; the petitioner appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and R. L. Davidson, Special Assistant United States Attorney, its attorneys, and Q. B. Boydstun, Attorney for the Federal Works Agency, of counsel, and the Court being fully advised in the premises, finds:

That the petitioner filed these proceedings to acquire a perpetual easement for the purpose of constructing, maintaining and operating an electric transmission line or lines upon, over and across certain lands in Mayes County, Oklahoma, as described in its petition filed herein; that the defendant, Ajax Pipe Line Corporation, a corporation, was made a party defendant for the reason that said defendant claimed some right, title or interest in and to the lands described and designated as Tract No. 4 (306 - 8.1 and 9.1), Tract No. 5 (306 - 9.2), Tract No. 6 (306 - 9.3 Rev.), Tract No. 7 (306 - 9.4), Tract No. 8 (306 - 10.1) and Tract No. 9 (306 - 10.2) in said petition for condemnation; that the petitioner filed a Declaration of Taking, and on the 15th day of April, 1942, this Court entered a judgment thereon, vesting in the petitioner a perpetual easement upon, over and across all of the lands described in said Declaration of Taking and vesting in the oners and those having any right, title or interest in and to said lands the right to receive just compensation for the taking of said perpetual easement.

The Court further finds that after the entering of said judgment, the defendant, Ajax Pipe Line Corporation, a corporation, granted to the petitioner, United States of America, the right to construct, operate and maintain the transmission line or lines of the petitioner, upon, over and across said defendant's rights-of-way, pipe lines and lines located upon, in and under the lands designated as Tract No. 4 (306 - 8.1 and 9.1), Tract No. 5 (306 - 9.2), Tract No. 6 (306 - 9.3 Rev.), Tract No. 7 (306 - 9.4), Tract No. 8 (306 - 10.1) and Tract No. 9 (306 - 10.2) herein, and that said judgment should be modified, vacating and setting aside any rights, title or interest taken from the Ajax Pipe Line Corporation, a corporation, by virtue of said judgment, and further modified, vacating and setting aside any right granted to the Ajax Pipe Line Corporation, a corporation, to receive and recover just compensation for the taking of said rights granted the petitioner by said judgment; and that these proceedings should be dismissed as to the defendant, Ajax Pipe Line Corporation, a corporation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment on the Declaration of Taking entered herein on the 15th day of April, 1942, be modified, vacating and setting aside any right, title or interest that the petitioner may have acquired from the Ajax Pipe Line Corporation, a corporation, by reason thereof, and vacating and setting aside any right of the Ajax Pipe Line Corporation, a corporation, to recover just compensation for the rights granted the petitioner in said judgment.

IT IS FURTHER ORDERED that these proceedings be dismissed as to the Ajax Pipe Line Corporation, a corporation.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Sep 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

Ned Puppy, known also as Ned Flinn, et al,)
Plaintiffs,)
vs.) NO. 837
The Heirs of Annie Sawney, known also)
as Annie Flinn et al, Defendants.)

JOURNAL ENTRY

Now on this 28th day of September, 1942, come the plaintiffs by H. F. Fulling, their attorney, and comes also the United States of America by Whit Y. Mauzy, United States Attorney, and it appears and the court finds that on the 31st day of August, 1942, the commissioners, J. F. Pickens, Elmer Vick and C. C. Weber, appointed by the court to make partition of the real estate involved in this action made and filed their report showing that they had taken the oath as required by law and viewed the real estate involved in this action in Washington County, Oklahoma, to-wit:

The northeast quarter of the southwest quarter and the southeast quarter of the northwest quarter of Section 5, Township 27 North, Range 14 East, containing 80 acres more or less,

and that said real estate cannot be divided in accordance with the interests of the parties as found by the court without manifest injury and thereupon made a valuation and appraisement of said real estate at \$1100 and on the 4th day of September, 1942, this court made an order withholding action upon said report and giving 10 days from that date for any of the interested parties to elect to take said property at its appraised value as provided by law and the court now further finds that said time has past and no election has been made and no objections appearing, and now upon the motion of the plaintiffs and presentation of the report of commissioners the court finds that said report should in all things be confirmed and approved and a sale of real estate ordered as by law provided.

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED by the court that said report of commissioners filed herein and the appraisement made be and the same is hereby in all things confirmed and approved.

It is further considered, adjudged and ordered by the court that said real estate should be and is hereby ordered sold in the same manner as in sales of real estate on execution as provided by law and now John P. Logan, United States Marshal for the Northern District of Oklahoma, is hereby appointed by the Court as Special Commissioner to sell said real estate at public sale at the County Court house of Washington County, Oklahoma, the county in which said real estate is located for not less than two-thirds of \$1100, the appraised value fixed by said commissioners; that he make previous publication of notice of such sale once a week for at least four weeks prior to such sale in at least one newspaper printed, regularly issued and having a general circulation in said Washington County, Oklahoma, and that he sell said real estate to the highest bidder for cash in hand subject to the approval of title and the approval of this court and report his actions to this court and a certified copy of this order shall be his authority to act in the premises.

ROYCE H. SAVAGE
United States District Judge

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

TRACT NO. 4 (305 - 36.1)
PERPETUAL EASEMENT

The West 100 feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 5 (305 - 36.2)
PERPETUAL EASEMENT

The West 100 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 6 (305 - 36.3
37.1)
PERPETUAL EASEMENT

The West 100 feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22 and the East 100 feet of the West 112 feet of the W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, all in T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 7 (305 - 37.2)
PERPETUAL EASEMENT

The West 100 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 8 (305 - 37.3)
PERPETUAL EASEMENT

The West 100 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 9 (305 - 37.4)
PERPETUAL EASEMENT

The West 100 feet of the W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 22, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

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 states 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. C. Weber, 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

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

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TULSA, OKLAHOMA

MONDAY, SEPTEMBER 28, 1942

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 owner or owners thereof.

IT IS THE FURTHER ORDER 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 29th day of September, 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 Sep 28 1942
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to September 29, 1942

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

TUESDAY, SEPTEMBER 29, 1942

On this 29th day of September, 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 IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

TUESDAY, SEPTEMBER 29, 1942

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

GEORGE DRYWATER, ET AL,	Plaintiffs,)	
)	
v.)	
		)	No. 305 Civil
Sarah Russell, et al.,	Defendants,)	
)	
United States of America,	Intervener.)	

JOURNAL ENTRY

Now on this 29th day of September, 1942, come the plaintiffs by Byron V. Boone, their attorney, and comes also the United States of America by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and it appears and the court finds that on the 13th day of May, 1940, Commissioners Herman Shover, J. F. Pickens and Thomas O. Tabor were appointed in this cause to make partition of the following described real estate involved herein in Rogers County, Oklahoma, to-wit:

The South Half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 23, Township 20 North, Range 17 East, containing 80 acres, more or less;

and that said commissioners took the oath as required by law and viewed said real estate, and reported that said real estate cannot be partitioned among the parties in accordance with their interests as found by the court, without manifest injury, and thereupon they made a valuation and appraisement of said real estate and appraised and valued the above-described real estate at Eight Hundred (\$800.00) Dollars, and now, upon motion of the plaintiffs, the court finds that said report of commissioners and appraisement made by them should be in all things confirmed and approved and a sale of said real estate ordered as provided by law.

IT IS THEREFORE CONSIDERED, ADJUDGED, AND DECREED by the court that said report of commissioners and the appraisement made by them be and the same is hereby in all things confirmed and approved.

It is further considered, adjudged and decreed by the court that said real estate should be and the same is hereby ordered sold in the same manner as in the sale of real estate on execution, as provided by law, and now John P. Logan, United States Marshal for the Northern District of Oklahoma, is hereby appointed by the court as Special Commissioner to sell said real estate at public sale at the Court House of Rogers County, Oklahoma, the county in which said real estate is located for not less than two-thirds of the appraised value as fixed by said commissioners, that he make prev. publication of notice of such sale one a week for at least four weeks prior to such sale in at least one newspaper printed, regularly issued and having a general circulation in said Rogers County Oklahoma, and that he sell said real estate to the highest bidder for cash in hand subject to the approval of title and the approval of this court and report his actions to this court, and the Clerk is directed to issue an order of sale.

ROYCE H. SAVAGE
United States District Judge

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

Uncle Sam Oil Company, if existing, or if not in existence,
their trustees, creditors, successors and assigns, if any;
and
the known and unknown heirs, executors, administrators,
 devisees, legatees, trustees, creditors and assigns, immediate
and remote, and their spouses, if any, of Lena Oliver, de-
ceased, and of Spencer F. Harris, deceased;

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 afore-
said 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 and Claremore Pro-
gress, newspapers 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 24th day of November, 1942, the petitioner, United States of America,
will, on the 24th day of November, 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 said lands involved herein, and that
said defendants, and each of them, may be present if they so desire.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to September 30, 1942

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

WEDNESDAY, SEPTEMBER 30, 1942

On this 30th day of September, 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

United States of America, Plaintiff,)
vs.) No. 323 - Civil
The Atchison, Topeka and Santa Fe Railway Company, a corporation, Defendant.)

JOURNAL ENTRY

Now, on this the 31st day of August, 1942, the above cause came on for hearing, having been duly assigned at this time. Said cause was submitted to the court upon agreed statement of facts and evidence having been duly submitted, the plaintiff, appearing by Whit Y. Mauzy, United States Attorney, and R. A. Barney, the defendant appearing by George M. Green, the court having assigned said cause at this time for argument of counsel both parties appearing and the case having been duly submitted and argued before the court, the court makes findings of fact and conclusions of law, which the court orders the same to be filed and made a part of the record herein, to which findings of fact and conclusions of plaintiff, The United States of America, excepts and exceptions are allowed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court herein that the plaintiff The United States of America, take nothing from the defendant, The Atchison, Topeka and Santa Fe Railway Company, and that it be discharged, and that the action filed herein on behalf of The United States of America against The Atchison, Topeka and Santa Fe Railway Company be dismissed, to which judgment of the court the plaintiff excepts and exceptions are allowed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Sep 30 1942
H. P. Warfield, Clerk
U. S. District Court H

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

John Deere Plow Company, a corporation, Plaintiff,)
v.) No. 855 - Civil
Martin J. Mueller and Elsie Mueller, Defendants.)

JUDGMENT AND DECREE

Now, on this 30 day of September, 1942, pursuant to findings of fact and conclusions of law heretofore entered, IT IS ORDERED AND DECREED:

1. That the plaintiff have and recover judgment against the defendant, Martin J. Mueller in the following sums:

(a) In the amount of Ninety-nine and 50/100 Dollars (\$99.50) with interest at the rate of 6 per cent per annum from August 1, 1941;

(b) In the amount of One Hundred Seven and 65/100 Dollars (\$107.65) with interest at the rate of 6 per cent per annum from September 1, 1941;

(c) In the amount of Five Thousand Thirty-three and 68/100 Dollars (\$5,033.68) with interest at the rate of 6 per cent per annum from June 1, 1942.

2. That the judgment hereinabove rendered is hereby established as a first and prior lien against the following-described real estate in Tulsa County, Oklahoma, to wit:

Lot Three (3) and the east six and one-fourth feet ($6\frac{1}{4}'$) of Lot Four (4), in Block Fifty-five (55), in the original Town of Broken Arrow, subject to a first mortgage of \$607.00 to the Arkansas Valley State Bank, Broken Arrow, Oklahoma, and

Lots Ten (10), Eleven (11), and Twelve (12), in Block Seventy-five (75), and Lot One (1) in Block Seventy-six (76) in the original Town of Broken Arrow, Oklahoma, subject to a first mortgage of \$1445.00 to the Broken Arrow Savings and Loan Association, Broken Arrow, Oklahoma;

that on default of paying the judgment herein rendered with interest thereon, the marshal of this court, upon the filing of a praecipe for sale by the plaintiff, shall proceed to advertise and sell, without appraisalment, the above-described property subject to prior liens, and the proceeds from such sale shall be applied in the following manner;

- (a) To the payment of all costs of this action;
- (b) To the payment of the judgment herein rendered in favor of the plaintiff;
- (c) The balance, if any, shall be paid to the clerk of this court to await further order of this court.

3. That, from and after such sale and confirmation thereof, the defendants and all persons claiming by, through and under them, subsequent to the institution of this action, be and they are hereby forever barred from claiming or asserting any lien, title or interest in and to the above-described real estate and the improvements thereon.

4. That the plaintiff is entitled to the possession of and the right to collect the collateral notes and accounts which are described in detail in Exhibit "F" to plaintiff's complaint, until such time as the judgment herein rendered in favor of the plaintiff as against the defendant Martin J. Mueller shall have been paid in full, the right to possession of and the right to collect said notes and amounts being subject to prior rights of the Arkansas Valley State Bank, Broken Arrow, Oklahoma.

5. All costs of this action are taxed against the defendants.

ENDORSED: Filed Sep 30 1942
H. P. Warfield, Clerk
U. S. District Court LN

ROYCE H. SAVAGE
United States District Judge

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

THURSDAY, OCTOBER 1, 1942

On this 1st day of October, 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

UNITED STATES OF AMERICA,

Petitioner,)

v.)

No. 867 Civil)

Certain Parcels of Land situate in the
County of Tulsa, State of Oklahoma, and
Frank Jones, et al,

Respondents.)

ORDER MAKING ADDITIONAL PARTIES RESPONDENT

Now on this 1st day of Oct., 1942, this cause came on to be heard upon the oral application of the petitioner to join the following as additional parties respondent, to-wit:

Mollie Davis, nee Jones, Creek Citizen, Roll No. 7721,
R. F. Layman,
J. W. Urban,
Grand River Dam Authority, a public corporation,
County of Tulsa, Oklahoma,
Water Tax District No. 5,
A. M. Landman, Superintendent of the Five Civilized Tribes.

The Court having been fully advised in the premises finds that said parties should be joined hereto as parties respondent.

IT IS, THEREFORE, ORDERED that the parties above named in the finding of the Court be, and they are hereby, made additional parties respondent to this cause, and the Petition and the proceedings are amended accordingly.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 1 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,)
)
v.)
) No. 867 Civil
Certain Parcels of Land situate in the County of)
Tulsa, State of Oklahoma, and Frank Jones, et al.,)
Respondents.)

O R D E R

Now on this 1st day of Oct., 1942, it being made to appear to the Court that the petitioner has filed its Petition for Condemnation in the above styled cause, and that it is necessary that notices be served on various parties claiming an interest in and to said land. It further appears that to attempt to comply or conform strictly to procedural laws of the State of Oklahoma would cause injustice, unnecessary delay, hardship, and is too burdensome; and, therefore, the Court by this order should and does prescribe its own process, conforming as near as may be to said procedural laws of the State of Oklahoma.

NOW, THEREFORE, IT IS HEREBY ORDERED AND DIRECTED that notices, as attached hereto, be served upon each of the parties named as respondents herein by the United States Marshals for the Northern, Western, and Eastern Districts of Oklahoma, and that said Marshals make their returns hereon within fifteen (15) days from this date.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to October 5, 1942

On this 5th day of October, 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 IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

REGULAR JANUARY 1942 TERM

MONDAY, OCTOBER 5, 1942

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That the defendant, Robert Thompson, is one of the tenants on the land described as Tract No. 17 (306 - 6.1); that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$80.00 for the taking of a perpetual easement for transmission line purposes, upon, over and across said tract of land; 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 land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Robert Thompson, tenant on Tract No. 17 (306 - 6.1) in writing, agreed to release and discharge the petitioner from any and all demands and claims for damages upon the payment of the sum of \$10.00, which was accepted by the petitioner.

The Court further finds that the sum of \$10.00 is just compensation for the injuries and damages sustained by said defendant, Robert Thompson as tenant on Tract No. 17 (306 - 6.1).

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Robert Thompson, is one of the tenants upon the land described as Tract No. 17 (306 - 6.1), and that the sum of \$10.00 is just compensation for the damages sustained by the defendant, Robert Thompson, tenant upon said Tract No. 17 (306 - 6.1).

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract, as follows, to-wit:

Robert Thompson, tenant,
Tract No. 17 (306 - 6.1)

\$10.00

ROYCE H. SAVAGE,
J U D G E

ENDORSED: Filed Oct 5 1942
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,

Petitioner,)

-vs-

) CIVIL NO. 806

CERTAIN PARCELS OF LAND IN MAYES COUNTY,

OKLAHOMA; and R. D. Hudson, et al.,

Defendants.)

ORDER FIXING INTEREST, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION OF FUNDS AS TO TRACT NO. 17 (306 - 6.1)

NOW, on this 5th day of October, 1942, there coming on for hearing the application of the defendant, A. E. Ramsey, for an order fixing interest, decreeing just compensation and making distribution as to Tract No. 17 (306 - 6.1), and the Court being fully advised in the premises, finds:

That the defendant, A. E. Ramsey, is the tenant on the land described as Tract No. 17 (306 - 6.1); that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$80.00 for the taking of a perpetual easement for

The Court further finds that the defendant, Robert Thompson, tenant on Tract No. 19 (306 - 6.3) in writing, agreed to release and discharge the petitioner from any and all demands and claims for damages upon the payment of the sum of \$40.00, which was accepted by the petitioner.

The Court further finds that the sum of \$40.00 is just compensation for the injuries and damages sustained by said defendant, Robert Thompson as tenant on Tract No. 19 (306 - 6.3).

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Robert Thompson, is the tenant upon the land described as Tract No. 19 (306 - 6.3), and that the sum of \$40.00 is just compensation for the damages sustained by the defendant, Robert Thompson, tenant upon said Tract No. 19 (306 - 6.3).

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract, as follows, to-wit:

Robert Thompson, tenant, Tract No. 19 (306 - 6.3) \$40.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 5 1942
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA, Petitioner,)
)
-vs-) CIVIL NO. 806
)
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)
OKLAHOMA, and R.D. Hudson, et al, Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 19 (306 - 6.3)

NOW, on this 5th day of October, 1942, there coming on for hearing the application of the defendant, Mary Alice Nall for an order fixing title, decreeing just compensation and making distribution as to Tract No. 19 (306 - 6.3), and the Court being fully advised in the premises, finds:

That the defendant, Mary Alice Nall, was the owner of the land designated as Tract No. 19 (306 - 6.3) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$179.00 for the taking of a perpetual easement for transmission line purposes, upon, over and across said tract of land; 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 land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Mary Alice Nall, in writing, agreed to grant and sell to the petitioner a perpetual right, privilege and authority to erect, operate and maintain a line or lines of poles, towers, or other structures, wires, cables and fixtures for the transmission of electric current, for the sum of \$139.00, which was accepted by the petitioner.

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 5, 1942

The Court further finds that the sum of \$139.00 is just compensation for the injuries and damages sustained by said defendant, Mary Alice Nall.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Mary Alice Nall, was the owner of the land designated as Tract No. 19 (306 - 6.3), when this proceeding was commenced, and that the sum of \$139.00 is just compensation for the damages sustained by the defendant, Mary Alice Nall, and that said defendant is the only person having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: Mary Alice Nall Owner
TRACT NO. 19 (306 - 6.3)

\$139.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 5 1942
H. P. Warfield, Clerk
U. S. District Court H

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 CRAIG COUNTY, OKLAHOMA;)
and Lena Carr, an incompetent, et al., Defendants.)

CIVIL NO. 843

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 3 (305 - 35.3)

NOW on this 5th day of October, 1942, there coming on for hearing the application of the defendant, Pauline E. Pfeiffer for an order fixing title, decreeing just compensation and making distribution as to Tract No. 3 (305 - 35.3), and the Court being fully advised in the premises, finds:

That the defendant, Pauline E. Pfeiffer, was the owner of the land designated as Tract No. 3 (305 - 35.3), when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$90.00, for the taking of a perpetual easement for transmission line purposes, upon, over and across said tract of land; 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 land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Pauline E. Pfeiffer in writing, agreed to grant and sell to the petitioner a perpetual right, ppriety and authority to erect, operate and maintain a line or lines of poles, towers, or other structures, wires, cables and fixtures for the transmission of electric current, for the sum of \$70.00, which was accepted by the petitioner.

The Court further finds that the sum of \$70.00 is just compensation for the injuries and damages sustained by said defendant, Pauline E. Pfeiffer.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Pauline E. Pfeiffer, was the owner of the land designated as Tract No. 3 (305 - 35.3), when this proceeding was commenced, and that the sum of \$70.00 is just compensation for the damages sustained by the defendant, Pauline E. Pfeiffer and that said defendant is the only person having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: Pauline E. Pfeiffer Owner
TRACT NO. 3 (305 - 35.3)

\$70.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 5 1942
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 6, 1942

REGULAR JANUARY 1942 TERM TULSA, OKLAHOMA TUESDAY, OCTOBER 6, 1942

On this 6th day of October, 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

James T. Spencer, Administrator of the Estate of)
Jackson Barnett, deceased, Plaintiff,) NO. 39 CIVIL
vs.)
Gypsy Oil Company, et al, Defendants.)

J U D G M E N T

This action came on to be tried before the court, and the evidence adduced by the parties having been heard, and the court having made its findings of fact and conclusions of law, it is hereby

Adjudged, that this action be and it hereby is dismissed on the merits; and that the

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

577

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

TUESDAY, OCTOBER 6, 1942

IT IS THEREFORE considered, adjudged and ordered by the court that the said H. F. Fulling, as plaintiffs attorney be and he is hereby allowed expenses incurred by him in the prosecution of this cause in the sum of \$18.00 and allowed \$100.00 an attorney's fee and John P. Logan, United States Marshal for the Northern District of Oklahoma and Special Commissioner to sell the real estate involved in this cause is ordered to pay said sums out of the proceeds of sale in his hands in this cause and take receipts therefor, to all of which the United States of America by Whit Y. Mauzy, United States Attorney objects and excepts and exception is allowed.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Oct 6 1942
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America, Libelant,)
)
vs.)
) NO. 893 CIVIL
)
One 1941 Ford Sedan Automobile,)
Motor No. 18-6455393 and approximately)
ninety gallons of taxpaid intoxicating liquors;)
Hubert N. Bleigh, and Universal Credit Company)
of Tulsa, Oklahoma, Claimants.)

ORDER FOR MONITION

Now on this 6th day of October, 1942, it appearing to the court that the said 1941 Ford Sedan automobile, Motor No. 18-6455393, with approximately ninety (90) gallons of taxpaid intoxicating liquors containing more than four per centum (4%) of alcohol by volume, was seized at a point about six miles south of the city of Miami, in Ottawa County, State of Oklahoma, Northern District of Oklahoma, and within the jurisdiction of this court, on August 5, 1942, by Troy S. Cleland, Investigator in the Alcohol Tax Unit, St. Louis, Missouri, by virtue of his said office and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Hubert N. Bleigh for transporting such intoxicating liquors from the State of Missouri into the State of Oklahoma, and to the aforesaid point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Hubert N. Bleigh and Universal Credit Company, Tulsa, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

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

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

ENDORSED: Filed Oct 6 1942
H. P. Warfield, Clerk
U. S. District Court AC

ROYCE H. SAVAGE, JUDGE

Court adjourned to October 7, 1942

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

REGULAR MARCH 1942 TERM

VINITA, OKLAHOMA

TUESDAY, OCTOBER 6, 1942

On this 6th day of October, 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.

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

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

Stella White, Ada Farley, Ida Gwin, Ella Cooper,)
Lola Arnold, Fred Baker, George Baker and Eddie)
Bair,) Plaintiffs,)

vs.)

Agnes Quapaw Hoffman, Jean Ann Quapaw Hoffman,)
and Henry E. Hoffman and all unknown parties)
claiming to be heirs at law of Benjamin Quapaw)
Deceased,) Defendants.)

CIVIL NO. 861

and)

Martha Ann Matilda Woodside,)
Benjamin F. Pogue, Laura Pogue Bilby,)
Arthur Pogue, Nora Baker Moran,)
Alma Garrison, Effie Baker Miller,)
Versie Aery, Jessie Ladd, Thelma Goff,)
Clarence A. Russell, Ruby Gilbert,)
Joseph A. Russell, John A. Russell,)
Joseph R. Russell, Jr., Gladys Baker)
Perryman, Orville L. Baker, Otha Baker)
and Addeane Baker Perryman,) Interveners.)

ORDER GRANTING INTERVENTION

Now, on this 6th day of October, 1942, this cause coming on to be heard on motion of the above named interveners for leave to intervene as parties plaintiff, and the court having considered said motion and the answer and complaint tendered therewith, and it appearing to the court that the said interveners should be permitted to intervene herein as prayed, and the court being duly and fully advised in the premises,

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the above named interveners, applicants, have leave to intervene in this cause, and are hereby made parties to this cause, and to that end the tendered "Interveners" Answer and Complaint" be considered and stand as the said interveners' first pleading in this cause, in the same manner and with like effect as if named original parties to this cause.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Oct 6 1942
H. P. Warfield, Clerk
U. S. District Court

Tract No. A-12

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

Tract No. C-1

The West Half of the Northwest Quarter of the Northeast Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), less 4.68 acres for railroad and highway, of Section Thirteen (13), Township Twenty (20) North, Range Eighteen (18) East, situate in Mayes County, Oklahoma;

Tract No. C-52

All that part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East, lying north and east of Highway, being one-half acre, more or less, in the NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section Twenty-nine (29), Township Twenty (20), North, Range Nineteen (19) East, situate in Mayes County, Oklahoma.

ROYCE H. SAVAGE
 JUDGE

ENDORSED: Filed Oct 7 1942
 H. P. Warfield, Clerk
 U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 785
)
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA; and Laura E. Jones, et al,	Defendants.)

ORDER DISMISSING DEMANDS FOR JURY TRIALS

NOW, on this 7th day of October, 1942, there coming on for hearing the Motion of the Petitioner, United States of America, to dismiss its Demands for Jury Trials filed herein, and the Court being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Demands for Jury Trials filed herein by the petitioner, United States, be, and they are hereby dismissed as to the following numbered tracts, to-wit:

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

REGULAR JANUARY 1942 TERM

WEDNESDAY, OCTOBER 7, 1942

TRACT NO. 1 (306 - 18.1)
TRACT NO. 2 (306 - 18.2)
TRACT NO. 5 (306 - 19.1)
TRACT NO. 8 (306 - 20.1)
TRACT NO. 9 (306 - 20.2)
TRACT NO.10 (306 - 20.3)

TRACT NO. 11 (306 - 21.1)
TRACT NO. 12 (306 - 22.1
21.2)
TRACT NO. 21 (306 - 23.6)
TRACT NO. 25 (306 - 24.3)
TRACT NO. 28 (306 - 25.2)
ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 7 1942
H. P. Warfield, Clerk
U. S. District Court. JS

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

THE CORALENA OIL COMPANY, a corporation,

Plaintiff,

vs.

A. H. KASISHKE, OLIVE M. KASISHKE, A. H. KASISHKE, TRUSTEE, and A. H. KASISHKE, JR.,

Defendants.

No. 791 Civil

D E C R E E

This cause having heretofore been submitted upon motion of the plaintiff and defendants for judgment upon the pleadings and the matter having been presented orally and by briefs by counsel for the plaintiff and the adult defendants, and by the guardian ad litem for the minor defendants herein, now comes on for decision on this the 8th day of October, 1942. The plaintiff and the various defendants being present by their respective counsel and the court having heretofore fully considered the matter finds, that the issues presented by the pleadings are a single issue of law as to the validity of a trust created by a certain instrument in writing, copy of which appears in the pleadings herein, which instrument was dated the 7th day of October, 1937, and was executed by A. H. Kasishke and Olive M. Kasishke primarily on behalf of and for the defendant, A. H. Kasishke, Jr.

The court concludes as a matter of law that the instrument above and hereinafter described is wholly void from its inception and that it has never operated to divest the donors, A. H. Kasishke and Olive M. Kasishke, of any title to any property, real, personal, or mixed, and that the original funds placed within the said trust and all increase or profit arising therefrom is now and has at all times been the property of the said donors, A. H. Kasishke and Olive M. Kasishke.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that that certain trust agreement executed on the 7th day of October, 1937, by A. H. Kasishke and Olive M. Kasishke, purporting to convey to A. H. Kasishke, as Trustee for A. H. Kasishke, Jr., certain funds and property therein described and providing that the same be held in trust for the said A. H. Kasishke, Jr. under certain terms and conditions therein set forth, be and the same is hereby declared wholly void and unenforceable from its inception and is hereby cancelled, set aside and held for naught and all parties hereto are hereby restored to the rights, privileges and ownerships existing prior to the date of the execution of said instrument and the said A. H. Kasishke, Trustee, and A. H. Kasishke, Jr. and any and all persons claiming by, through, or under them, or either of them, since the institution of this action be and they are hereby enjoined and restrained from asserting as against the said plaintiff, The Coralena Oil Company, or as against the said donors, A. H. Kasishke and Olive M. Kasishke, any right, title, interest, or claim arising under, through or by virtue of the said so-called trust hereinabove described.

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-) CIVIL NO. 798
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)
OKLAHOMA; and Dora E. Warner, et al., Defendants.)

ORDER DISMISSING DEMANDS FOR JURY TRIALS

NOW, on this 7th day of October, 1942, there coming on for hearing the Motion of the Petitioner, United States of America, to dismiss its Demands for Jury Trials filed herein, and the Court being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Demands for Jury Trials filed herein by the petitioner, United States of America, be, and they are hereby dismissed as to the following numbered tracts, to-wit:

- TRACT NO. 5 (306 - 9.2)
- TRACT NO. 6 (306 - 9.3 Rev.)
- TRACT NO. 8 (306 - 10.1)
- TRACT NO. 12 (306 - 11.2)

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 7 1942
H. P. Warfield, Clerk
U. S. District Court JS

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

V. M. THORPE, Plaintiff,)
vs.) No. 819 Civil)
NASH-FINCH COMPANY, a corporation, Defendant.)

J U D G M E N T

Be it remembered that this cause came on for hearing the 23rd day of September, 1942; plaintiff was present in person and represented by his counsel, Mr. C. A. Warren; the defendant was represented by its counsel, Mr. Wilbur J. Holloman. The plaintiff introduced his evidence and rested; the defendant introduced its evidence and rested. And after argument of counsel, the Court found the issues generally for the defendant, and instructed defendant's counsel to prepare findings of fact and conclusions of law for submission to opposing counsel and to the Court.

It is considered, ordered and adjudged that plaintiff take nothing by his action, and that the defendant recover its costs herein.

ROYCE H. SAVAGE
Judge

ENDORSED: Filed Oct 7 1942
H. P. Warfield, Clerk, U. S. District Court LN

THURSDAY, OCTOBER 8, 1942

On this 8th day of October, 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

The City of Sand Springs, a Municipal Corporation, ex rel Leonard Versluis, Complainant and Relator
vs.
Sand Springs Townsite Company, et al., Defendants.

CIVIL ACTION NUMBER 355

O R D E R

It appearing that in the decree entered herein on the 28th day of October, 1941, it was provided that the attorneys of record for the complainant and relator should be and were allowed, as their fees for the prosecution of this action, twenty per cent of all sums paid into Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, since the institution of suit and payable on each bond owned by others than the relator; and it further appearing that Bond Number 64 of said series should properly have been but was not included in those numbered bonds against which such attorney's fees were allowed;

On motion of the relator, it is O R D E R E D that Chal S. Wheeler and L. W. Randolph, the attorneys of record for the complainant and relator herein, are hereby allowed attorneys' fees of twenty per cent of the amount payable upon said Bond Number 64, such fees to be paid in the manner as provided in the decree.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 8 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

SAMMONS-ROBERTSON COMPANY, a corporation, Plaintiff,
-versus- No. 443 Civil
MASHMAN CONSTRUCTION COMPANY, a corporation, et al., Defendants.

ORDER PERMITTING CERTAIN ADDITIONAL DEFENDANTS TO ADOPT OBJECTIONS AND MOTION OF GRAND RIVER DAM AUTHORITY TO SUPPRESS CERTAIN REQUESTS FOR ADMISSION OF FACT MADE BY THE PLAINTIFF HEREIN

It is ordered that the defendants W. R. Holway, sole surviving partner of Holway and Neuffer, George W. Schaefer, Owen L. Butler, Guy Crouse, and Olin Perkins, be and they are hereby permitted to adopt, each for hi self, the objections and motion of defendant Grand River Dam Authority, to suppress certain requests for admissions of fact made by the plaintiff herein, to the same effect as though each of said defendants wereformally named and described in said objections and motion to suppress; and that each of said defendants shall have the benefit of the orders previously entered herein permitting the filing of objections and motion to suppress certain requests for admissions of matters of fact granted defendant Grand River Dam Authority and other defendants herein, in this, that said objections and motion to suppress shall be disposed of in any event before the defendants aforesaid shall be required to submit their responses to said requests for admissions of fact, under Rule 36 of the Federal Rules of Civil Procedure, as to such requests challenged by said objections and motion to suppress.

Dated this 8th day of October, 1942.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Oct 8 1942
H. P. Warfield, Clerk
U. S. District Court JS

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

SAMMONS-ROBERTSON COMPANY, a corporation, Plaintiff,
-versus- No. 443 Civil
MASHMAN CONSTRUCTION COMPANY, corporation, et al., Defendants.

ORDER FURTHER ENLARGING TIME FOR REPLYING TO PLAINTIFFS' REQUESTS FOR ADMISSIONS OF FACT

On application of defendants herein, and for good cause shown, it is ordered that each and all of the defendants herein be and they are hereby given to and including the 15th day of October, 1942, wherein to file herein their responses, as provided by Rule 36 of the Federal Rules of Civil Procedure, to the requests of plaintiff for certain admissions of fact heretofore served on

defendants.

Dated this 8th day of October, 1942.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Oct 8 1942
H. P. Warfield, Clerk
U. S. District Court JS

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

UNITED STATES OF AMERICA, Petitioner,)
vs.) CIVIL NO. 858
CERTAIN PARCELS OF LAND IN CRAIG COUNTY,)
OKLAHOMA, AND CHARLIE SANDERS, ET AL., Defendants..)

O R D E R

Now on this 8 day of October, 1942, the above entitled cause comes regularly on for hearing on the Application of W. L. Hunt, also known as Willie Lewis Hunt, Willie Luis Hunt and William Lewis Hunt to have S.D. Hunt substituted as a party defendant in the place and stead of W. L. Hunt, also known as Willie Lewis Hunt, Willie Luis Hunt and William Lewis Hunt, and the court having been fully advised in the premises, orders that S. D. Hunt be and hereby is substituted as a party defendant in the place and stead of W. L. Hunt and William Lewis Hunt.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 8 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.) No. 894 Civil
CERTAIN PARCELS OF LAND IN THE TOWN OF DAWSON,)
County of Tulsa, State of Oklahoma, and Town of)
Dawson, 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.

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

THURSDAY, OCTOBER 8, 1942

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 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 Eleven and no/100 Dollars (\$11.00), and 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.

(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 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 50, 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 Eleven and no/100 Dollars (\$11.00), 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 ascertain 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 sewer pipe lines 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:

PARCEL 1

A strip of land 10 feet in width, the center line of which is particularly described as follows: beginning

at a point in the intersection of Main and Market Streets, said point being distant 8.0 feet southwardly at right angles from the northerly lines of Market Street and distant 19.76 feet eastwardly at right angles from the westerly line of Main Street; running thence along Main Street due South 228.4 feet to a point in the northerly line of the right-of-way of the St. Louis-San Francisco Railway; being the end of this description, 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 sewer pipe lines for the Defense Public Works Project at Dawson, Oklahoma, Okla. 34-102", copy of which is attached to the Declaration of Taking filed herein.

PARCEL 2.

A strip of land 10 feet in width, the center line of which is particularly described as follows: Beginning at a point being the terminus of the description of Parcel 1 hereinbefore described, being a point in Main Street and the northerly line of the right-of-way of the St. Louis-San Francisco Railway Company; running thence due South 251.1 feet to a point in the southerly line of said right-of-way; being the end of this description, as shown by plat "Land in and to which perpetual easements are proposed to be acquired through condemnation proceedings to construct, maintain, repair, replace and use sewer pipe lines for the Defense Public Works Project at Dawson, Oklahoma, Okla. 34-102", copy of which is attached to the Declaration of Taking filed herein.

PARCEL 3.

A strip of land 10 feet in width, the center line of which is particularly described as follows: Beginning at a point being the terminus of the description of Parcel 2 hereinbefore described, being a point in Main Street and the southerly line of the right-of-way of the St. Louis-San Francisco Railway Company; running thence (1) due South 200.25 feet along Main Street on a line parallel to and distant 14 feet eastwardly from the westerly line thereof to a point in Eudora Drive; thence (2) along Eudora Drive on a line parallel to and distant 14 feet southwardly from the northerly line thereof North 89 degrees 10 minutes East 346 feet to a point in the center line of Beech street; thence (3) being along the center line of Beech Street due North 170 feet to a point being the end of this description, 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 sewer pipe lines for the Defense Public Works Project at Dawson, Oklahoma, Okla. 34-102", copy of which is attached to the Declaration of Taking filed herein.

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

REGULAR JANUARY 1942 TERM

T. ISA, OKLAHOMA

THURSDAY, OCTOBER 8, 1942

PARCEL 4

A strip of land 10 feet in width, the center line of which is particularly described as follows; Beginning at a point in the center line of Beech Street at the terminus of course (2) of Parcel 3 hereinbefore described; running thence along the center line of Beech Street due South 936 feet to a point in the north line of Pine Street; being the end of this description, 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 sewer pipe lines for the Defense Public Works Project at Dawson, Oklahoma, Okla. 34-102", copy of which is attached to the Declaration of Taking filed herein.

PARCEL 5

A strip of land 10 feet in width, the center line of which is particularly described as follows; Beginning at a point at the intersection of Main Street and Eudora Drive at the terminus of course (1) of Parcel 3 hereinbefore described; running thence along Main Street on a line parallel to and distant 14 feet eastwardly from the westerly line thereof due South 900 feet to a point; being the end of this description, 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 sewer pipe lines for the Defense Public Works Project at Dawson, Oklahoma, Okla. 34-102", copy of which is attached to the Declaration of Taking filed herein.

PARCEL 6

A strip of land 10 feet in width, the center line of which is particularly described as follows: Beginning at a point in the intersection of Main Street and Eudora Drive at the terminus of course (1) of Parcel 3 hereinbefore described; running thence (1) along Eudora Drive on a line parallel to and distant 14 feet southwardly from the Northerly line thereof South 89 degrees 10 minutes West 330 feet to a point in Frisco Street; thence (2) continuing along Eudora Drive South 64 degrees 30 minutes West 205 feet to a point; thence (3) continuing along Eudora Drive South 23 degrees 40 minutes West 275 feet to a point; thence (4) continuing along Eudora Drive on a line parallel to and distance 14 feet eastwardly from the westerly line thereof South 1 degree 30 minutes West 550 feet to a point; being the end of this description, 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 sewer pipe lines for the Defense Public Works Project at Dawson, Oklahoma, Okla. 34-102", copy of which is attached to the Declaration of Taking filed herein.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA
REGULAR JANUARY 1942 TERM
THURSDAY, OCTOBER 8, 1942

September, 1942; the court further finds that said O. A. Farrell, Receiver, has in all respects managed the property placed in his charge and disposed of the same according to orders and directions of this court and that he is entitled to be discharged and the bondsmen released from further liability.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said final report of O. A. Farrell, Receiver, be and the same is hereby approved and confirmed, and said Receiver and sureties are discharged, released and exonerated from all further liability.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 8 1942
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 9, 1942

REGULAR JANUARY 1942 TERM
TULSA, OKLAHOMA
FRIDAY, OCTOBER 9, 1942

On this 9th day of October, 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

The National Life & Accident Insurance Company, a corporation,)
Plaintiff,)
-vs-) No. 651 - Civil
Joe T. Parkinson, et al.,)
Defendants.)

ORDER OVERRULING MOTIONS FOR NEW TRIAL

On this 9th day of October, 1942, there came on to be heard the two Motions for New Trial and to vacate the judgments, findings of fact and conclusions of law heretofore entered as follows, to-wit:

ONE

The judgment, findings of fact and conclusions of law on the issues between the plaintiff and the defendant, Joe T. P arkinson, County Treasurer of Tulsa County, Oklahoma.

TWO

The judgment, findings of fact and conclusions of law heretofore entered in favor of

the defendants, Guaranty Abstract Company and National Surety Corporation.

The court finds that said motions, and each of them, have been served and filed, as provided by the rules of civil procedure governing this court.

Whereupon the court having re-examined the evidence and having fully considered said motions, and each of them, is of the opinion that said motions, and each of them, should be overruled.

WHEREFORE, it is hereby ordered and adjudged that said motions, and each of them, be and the same are hereby overruled and the findings, conclusions of law and judgment heretofore rendered and entered on the issues between the plaintiff and Joe T. Parkinson, County Treasurer, and on the issues between the plaintiff and Guaranty Abstract Company and National Surety Corporation are hereby confirmed.

ROYCE H. SAVAGE
 JUDGE

ENDORSED: Filed Oct 12 1942
 H. P. Warfield, Clerk
 U. S. District Court ME

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

Lorinda Bushyhead, Myrtle Plunkett, nee Spaniard,)
 Iva Ezell, nee Spaniard and Annie Nedson, now)
 mankiller, Plaintiffs,)

vs.

Charlie Bushyhead, if living, and Jack Spaniard,)
 if living, and if dead, the heirs and unknown heirs,)
 Executors, Administrators, Devisees, Trustees and)
 Assigns, immediate and remote, of Charlie Bushyhead,)
 deceased, and Jack Spaniard, deceased, and the)
 State of Oklahoma and the United States of America,)
 Defendants.)

NO. 672 CIVIL

ORDER CONFIRMING SALE

Now on this 8th day of October, 1942, come the plaintiffs by H. F. Fulling, their attorney and comes also the United States of America, by Whit Y. Mauzy, United States Attorney and comes also Fred E. Cooper by W.D. Wooley, his attorney, and now announces to the court that the said Fred E. Cooper as purchaser of the real estate herein involved has and does hereby approve the title, and the motion of the plaintiffs to confirm the sale of the real estate involved herein made by John P. Logan, United States Marshal for the Northern District of Oklahoma and Special Commissioner as shown by his return is presented to the court and the court having examined said return and being duly and sufficiently advised finds that said sale was in all respects made in accordance with the order of this court and as required by law and for more than two-thirds of the appraised value of said real estate and the same should in all things be confirmed.

IT IS THEREFORE CONSIDERED, ADJUDGED, ORDERED AND DECREED by the court that the sale of the real estate involved in this action to-wit:

The north half of the northeast quarter of the northeast quarter and the southeast quarter of the northeast quarter of the northeast quarter of Section 32, Township 23 North, Range 13 East,

containing 30 acres more or less in Tulsa County,
Oklahoma,

has in all respects been made as required by the order of this court and by law and the same should be and is hereby in all things confirmed and approved and the said Special Commissioner is hereby ordered and directed to execute to the said purchaser a deed for said real estate conveying to said purchaser, Fred E. Cooper, the said real estate above described.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that said John P. Logan, as such Special Commissioner pay out of the proceeds of said sale, to wit: \$301.00, the following amounts to wit:

1.

To himself as and for his charges, commission and expenses in connection with the sales herein the sum of \$8.00.

2.

To the Clerk of the District Court of Tulsa County, Oklahoma the costs in full in this cause in said Court, being cause No. 69916 in said Court, before this cause was removed to this Court, the sum of \$33.10.

3.

To the West Tulsa News of Tulsa, Oklahoma for printing notices in this cause since in this court in connection with said sale, the sum of \$38.75.

4.

To H. F. Fulling, attorney for plaintiffs as expenses incurred by him in connection with the prosecution of this cause, heretofore allowed by order of this court, the sum of \$18.00.

5.

To H. F. Fulling, attorney for plaintiffs, on attorney's fee herein, heretofore allowed by the court, to which objection and exception was made and allowed at the time, the sum of \$100.00.

6.

To the Clerk of this Court, payment of all costs in this cause to this date, the sum of \$78.35.

7.

That he pay the balance of said money to the Clerk of this Court as a deposit of costs in this cause for further proceedings in connection with the sale of real estate in Washington County, Oklahoma, involved in this cause, offered for sale but no bid received, the sum of \$24.90.

8.

That he file with the Clerk of this court a statement of payments made by him with the receipts or return checks therefor to become part of the files in this cause.

ENDORSED: Filed Oct 9 1942
H. P. Warfield, Clerk
U. S. District Court AC

ROYCE H. SAVAGE
United States District Judge

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

MABLE C. BRADEN, Plaintiff,)
vs.) No. 804 Civil
CONNECTICUT MUTUAL LIFE INSURANCE COMPANY of)
Hartford, Connecticut, a corporation, Defendant.)

JOURNAL ENTRY OF ORDER OVERRULING MOTION TO DISMISS

On this 9th day of October, 1942, the above cause came on to be heard upon the defendant's motion to dismiss the plaintiff's amended petition, and both plaintiff and defendant appeared by their respective counsel, and the court having considered the said motion and having heard the argument of counsel, is of the opinion that the motion to dismiss should be and it is hereby overruled and denied.

The defendant is granted 15 days from this date within which to answer to the amended petition.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 14 1942
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to October 10, 1942

On this 10th day of October, 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 AND
THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH CIRCUIT

THOMAS D. TAYLOR, Plaintiff,)
vs.) Civil Action No. 47
Tulsa Tribune Company, a corporation, Defendant.)

O R D E R

Now on this 10th day of October, 1942, for good cause shown, it is hereby ordered and decreed that the plaintiff and appellant in the above entitled action, Thomas D. Taylor, be granted an extension of time to and including the 5th day of November, 1942, within which to file the record

1936; and that plaintiffs do have and recover judgment against the defendant, Board of County Commissioners of the County of Creek, State of Oklahoma, for the sum of Three Thousand six hundred eight and 51/100 dollars (\$3,608.51), with interest at the rate of six per cent per annum from the 14th day of November, 1939; and that plaintiffs do have and recover judgment against the defendant, Board of County Commissioners of the County of Cceek, State of Oklahoma, for the sum of Eight-hundred-seventy-three and 76/100 dollars (\$873.76), with interest at the rate of six per cent per annum from the 8th day of January, 1941.

That the following described real estate, belonging to plaintiffs, to-wit:

The West Half (W2) of the Southwest Quarter (SW4) of Section Twenty-seven (27), Township Eighteen (18) North, Range Eleven (11) East; and

The West Half (W2) of the Northwest Quarter (NW4) of the Southwest Quarter (SW/4) of the Southwest Quarter (SW4), and the West Half (W2) of the East Half (E2) of the Northwest Quarter (NW4) of the Southwest Quarter (SW4) of the Southwest Quarter (SW/4 of Section Thirty-six (36), Township Eighteen (18) North, Range Eleven (11) East;

were exempt from taxation by the County of Creek, State of Oklahoma, and its municipal sub-divisions of government, for the years 1939 and 1940, and that such lands will continue to be exempt from subsequent tax levies by said County, and its municipalities, so long as such lands are owned by and remain the homestead of plaintiffs, or their restricted heirs, and until restrictions against alienation are removed therefrom in the manner provided by law.

That the taxes levied against said lands for the years 1939 and 1940, by said defendants, and which remain unpaid, be, and the same are hereby decreed to be null, void and of no effect.

That an injunction issue herein perpetually enjoining the defendants, and each of them, and their successors in office, from taking any steps to enforce the collection of the taxes levied against said lands, above described, for the years 1939 and 1940, or either or said years; and perpetually enjoining said defendants and each of them, and their successors in office, from extending or attempting to extend the property of plaintiff, above described, upon the assessment rolls and tax rolls of the County of Creek, State of Oklahoma, and from levying or attempting to levy advalorem taxes against the same for the year 1941, or any subsequent year during which such lands belong to and remain the homestead of plaintiffs, or their restricted heirs, until the restrictions against alienation have been removed from said lands in the manner provided by law.

That the plaintiffs have and recover their costs herein.

To which judgment the defendants except, and their exceptions are allowed.

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Board of County Commissioners of the County of Creek, State of Oklahoma, a municipal corporation, et al, 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 the said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby modified insofar as the judgment of the trial court grants a recovery for the taxes and penalties for the taxable year beginning July 1, 1936, and insofar as the judgment of the trial court makes an allowance of interest on the taxes paid which are held to be illegal and void, and, as so modified, affirmed; and that Evelyn Seber, otherwise known as Osharsha John et al., appellees, have and recover of and from Board of County Commissioners of the County of Creek, State of Oklahoma, a municipal corporation, et al., appellants, their costs herein.

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

SATURDAY, OCTOBER 10, 1942

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

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 8th day of October, in the year of our Lord one thousand nine hundred and forty-two.

COSTS OF	APPELLEES:
Clerk	\$-- --
Printing record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Oct 10 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.)
		) No. 652 - Civil
15,500 acres of land, more or less, situate)
in Mayes County, Oklahoma, and John M. Niehaus,)
Jr., et al,	Respondents.)

ORDER OF DISTRIBUTION AS TO TRACT A-44

Now on this 10th day of October, 1942, this cause came on to be heard, and the Court having been fully advised in the premises finds that the deficiency of \$100.00 as to Tract A-44 has been deposited with the Clerk of the Court, and that said amount should be distributed to the landowner.

IT IS, THEREFORE, ORDERED that the Clerk issue a check payable as follows:

V. W. Purcell and Celeste M. Purcell \$100.00

The Clerk shall make no charge for commission or poundage.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 10 1942
H. P. Warfield, Clerk
U. S. District Court H

On this 12th day of October, 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 and Royce H. Savage, Judges, present and presiding.

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

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

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

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

ORDER OF DISTRIBUTION AS TO TRACT D-59

Now on this 12 day of October, 1942, this cause came on to be heard. The Court having been fully advised in the premises finds that an order of distribution should be entered as to Tract D-39 distributing the balance of the money on deposit as to said tract;

IT IS, THEREFORE, ORDERED that the Clerk issue checks payable as follows:

J. A. Beckham (crops)	\$33.00
State of Oklahoma	\$62.00

The Clerk shall make no charge for commission or poundage.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 12 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. 769
 CERTAIN PARCELS OF LAND IN MAYES COUNTY,)
 OKLAHOMA; and Columbian National Life)
 Insurance Company, a corporation, et al.,)
 Defendants.)

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 12th day of October, 1942, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceedings for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named persons, firms, corporations and political subdivisions of the State are the owners of and/or have some right, title or interest in and to the lands involved herein, and that no person, firm, corporation, or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms, and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated, and that they are the only persons having any right title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owners of or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereafter set forth - all as follows, to-wit:

TRACT NO. 1 (306 - 26.1)

Columbian National Life Insurance Company, a corporation,	fee owner	\$45.60
Orin Callison	tenant	5.00

TRACT NO. 2 (306 - 26.2)

Emily P. Colvin	fee owner	\$147.60
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(The Federal Land Bank of Wichita, a corporation, holds mortgage, but filed stipulation to pay compensation to the owner.)

George S. Sinor	tenant	\$25.00
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TRACT NO. 3 (306 - 26.3)

Pixie A. Mayes, one and the same person as Pixie Mayes	fee owner,	
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Commissioners of the Land Office of the State of
 Oklahoma, mortgagee -
check to be made jointly, \$38.00

TRACT NO. 4 (306 - 27.1)

Ida J. Harris, - fee owner \$108.00

TRACT NO. 5 (306 - 27.2)

Kate Poffenbach, one and the same person as
 Miss K. W. Poffenbach, fee owner \$120.00

Ural B. Rainwater, tenant .15.00

IT IS FURTHER ORDERED that 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

ENDORSED: Filed Oct 14 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 ROGERS COUNTY,) CIVIL NO. 776
 OKLAHOMA; and W. G. Phillips, et al.,)
 Defendants.)

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this 12th day of October, 1942, the above cause comes on for hearing pursuant
 to regular assignment for the determination of the rightful claimants in and to any funds that may have
 been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful
 claimants thereto as the owners of the real estate and the estates therein taken and involved in this
 proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named
 persons, firms, corporations and political subdivisions of the State of are the owners of and/or
 have some right, title or interest in and to the lands involved herein, and that no person, firm, cor-
 poration, or political subdivision of the State have any right, title or interest in and to said lands
 other than those hereafter named, and that the owners and those having any right, title or interest
 in and to said lands as hereafter named and set forth are the only persons, firms, and corporations
 haveing some right, title or interest in and to the funds that are now on deposit or that may here-
 after be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named
 persons, firms and corporations are the owners of and/or have some right, title or interest in and to
 the lands involved herein as hereinafter designated, and that they are the only persons having any

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 12, 1942

right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owner of or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereafter set forth - all as follows, to-wit:

TRACT NO. 1 (302-A-1.0)

W. G. Phillips		
Maude H. Phillips		
Donald M. Phillips		
Ross M. Phillips		
Laurence G. Phillips		
Paul M. Phillips		
John W. Phillips, a minor	fee owners	\$42.00

IT IS FURTHER ORDERED that 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

ENDORSED: Filed Oct 14 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

In the Matter of the Estate)	
of	)	No. 826 Civil
Peter Micco, Seminole 1600, deceased,)	
)	

ORDER TO PAY FUNDS

On this 12 day of October, 1942, this matter coming on for hearing by N. B. Day, and G. Ellis Gable, co-administrators of the estate of Peter Micco, deceased, showing to the court that heretofore and on April 26, 1942, the District Court of Tulsa County in Case No. 70731, entitled, In the Matter of the Guardianship of Peter Micco, Seminole 1600, an incompetent, rendered judgment for compensation as attorney fees for the benefit of Peter Micco, deceased, to J. Hugh Nolen in the sum of \$4,000, that said case was tried de novo on appeal from the County Court of Tulsa County, and that thereafter the said J. Hugh Nolen and his associate counsel, Crossland & Crossland, and J. C. Pinkerton, entered into an agreement in writing with the Superintendent for the Five Civilized Tribes whereby said \$4,000 judgment was compromised and settlement agreed for the sum of \$2500.00, and on payment of such sum to the said J. Hugh Nolen and his associate counsel, and that such compromise settlement has been approved and payment authorized by the Secretary of the Interior, and the court being well and sufficiently informed in the premises finds that such settlement is to the best interest of the estate of said Peter Micco, deceased, and should be in all things approved and ratified and authority granted to said co-administrators to pay said sum of \$2500.00 from funds belonging to the said decedent's estate now on deposit with the Department of the Interior.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that N. B. Day, and G. Ellis Gable, co-administrators, be and they are hereby authorized and instructed to make application to the Department of the Interior for the sum of \$2500.00 from the funds of said Peter Micco, deceased, and that the

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 12, 1942

said proceeds shall be paid and delivered to the said J. Hugh Nolen, Crossland & Crossland and J. C. Pinkerton on delivery to the Department of the Interior of a complete release of all claims due said attorneys from the estate of Peter Micco, deceased.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 12 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,	Petitioner,)
)
vs.		) No. 829 Civil
)
Certain Parcels of Land near the Town of)
Pryor, County of Mayes, State of Oklahoma,)
and Belle Ashbrook, et al.,	Respondents.)

ORDER FIXING TITLE

Now on this 8th day of October, 1942, the above cause comes on for hearing, pursuant to regular assignment and notice thereof, for the determination of the rightful claimants in and to any funds that may have been deposited or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and estates therein taken and involved in this proceeding.

The Court hears evidence and finds that on the date title was vested in the United States of America by virtue of these proceedings, title to the real estate and estate therein taken, more particularly hereinafter described, as follows, to-wit:

A tract of land situate in the Southeast Quarter (SE $\frac{1}{4}$) of Section Eighteen (18), Township Twenty-one (21) North, Range Nineteen (19) East, near Pryor, County of Mayes, State of Oklahoma described as follows:

Beginning at a point 33 feet West of the East line of Section Eighteen, Township 21 North, Range 19 East, and 260.2 feet South of the North line of the Southeast Quarter of said Section 18; thence South parallel to and 33 feet West of the East line of said Section 18 a distance of 2382.9 feet, more or less, to the South line of said Section 18; thence West along the South line of said Section 18 a distance of 2525 feet; thence Northeast on a line at an angle of 52 degrees 29.2 minutes with the said South line of Section 18, a distance of 284.6 feet; thence on a line making a deflection angle of 5 degrees 52 minutes to the right with reference to the last-mentioned course, a distance of 1550 feet; thence on a line making a deflection angle of 1 degree 25 minutes to the right with reference to the last-mentioned course, a distance of 756.5 feet; thence on a line making a deflection

angle of 2 degrees 40 minutes to the left with reference to the last-mentioned course a distance of 665.5 feet, more or less, to a point 260.2 feet South of the North line of said Southeast Quarter of Section 18; thence East parallel to the said North line of the said Southeast Quarter of Sect on 18 a distance of 293.7 feet, more or less, to the point of beginning, containing 77.91 acres, more or less; and subject to an easement of the Gulf Oil Company for pipe lines bordering along the Northwesterly line of the within described land; and subject to a standard highway easement and telephone line located along the southerly line of the within described land.

was vested in J. C. Wilkerson and J. C. Wickham.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the right to just compensation for the taking of the above described real estate, and estate therein taken by this proceeding, is vested in J. C. Wilkerson and J. C. Wickham.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the right to just compensation for the taking of the real estate as hereinabove found to be vested in the persons as adjudged to be the former owners thereof is subject to any paramount lien and payment of any and all taxes due, assessable and exigible, of whatever nature.

ROYCE H. SAVAGE
 JUDGE

ENDORSED: Filed Oct 12 1942
 H. P. Warfield, Clerk
 U. S. District Court IN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.		) No. 831 - Civil
)
Certain Parcels of land situate in the)
County of Tulsa, State of Oklahoma, and)
Cyrus S. Avery, et al,	Respondents.)

ORDER FIXING TITLE

Now on this 8th day of October, 1942, the above cause comes on for hearing, pursuant to regular assignment and notice thereof, for the determination of the rightful claimants in and to any funds that have been deposited or that may hereafter be deposited in court for the rightful claimants thereto as the former owners of the real estate, and estate therein taken, involved in this proceeding.

The Court hears evidence and finds that on the date title was vested in the United States of America by virtue of these proceedings, the title to the real estate hereinafter described was vested in the following manner and particulars, to-wit:

Tracts of land lying and being in the County of Tulsa, State of Oklahoma, and more particularly described as follows:

Parcel 1:

Being a strip, piece or parcel of land lying in that part of the East one-half of Lot 1 lying South and East of the present location of U. S. Highway No. 75, Section 1, Township 19 North, Range 13 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at the Southeast corner of said Lot 1, running thence West along the South line or said Lot 1 a distance of 659.8 feet to a point being the Southwest corner of said East one-half of Lot 1; thence North along the West line of the said East one-half of Lot 1 a distance of 54.5 feet to a point in the center line of U. S. Highway No. 75; thence North 69 degrees 09 minutes East along the center line of said present highway a distance of 56.5 feet to a point which is 75 feet North of the South line of said Lot 1; thence South 89 degrees 50 minutes East a distance of 355.3 feet to a point; thence North 45 degrees 06 minutes East a distance of 130 feet to a point on said present highway center line; thence northeasterly along said center line a distance of 277 feet to a point in the East line of said Lot 1; thence South along said East line a distance of 367 feet to the point of place of beginning containing 1.55 acres, more or less, of new right-of-way, the remaining area included in the above description being the present 16.5 feet section line right-of-way; as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title was vested in Essie M. Avery, subject to contested tenancy rights of Harold Rollans and Viola Rollans, such rights to be later determined by this suit.

Parcel 2:

Being a strip, piece or parcel of land in Lots 5 and 6 of Section 6, Township 19 North, Range 14 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at a point being the intersection of the present 33-foot right-of-way along the West line of Section 6 with the present 30-foot right-of-way along the North line of said Lots 5 and 6, said point being distant 33 feet East and 30 feet South from the Northwest corner of said Lot 5; running thence South along the Easterly line of said present 33-foot right-of-way a distance of 258 feet to a point; thence due East a distance of 47 feet to a point; thence North 45 degrees 03 minutes East a distance of 264.5 feet to a point which is 267 feet East of the West line of said Section 6 and 100 feet South of the North line of said Lot 5; thence East on a line parallel to and 100 feet South of said North line a distance of 732.6 feet to a point; thence due North a distance of 40 feet to a point; thence due East a distance of 500 feet to a point; thence due North a distance of 30 feet to a point which is 30 feet South of the North line of said Lot 6; thence West along a line which is 30 feet South from the North line of said Lots 5 and 6 a distance of 1467 feet to the point of place of beginning containing 2.53 acres, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title was vested in H. R. Crews.

Parcel 3:

Being the West 15 feet of the East 40 feet of the South one-half of the Southeast one-quarter of the Southeast one-quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.06 acres more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title was vested in Ray E. Brinkley, also known as R. E. Brinkley.

Parcel 4:

Being the West 15 feet of the East 40 feet of the North one-half of the Southeast one-quarter of the Southeast one-quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.06 acre, more or less, as shown by Plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Leone Patton

Parcel 5:

Being the West 15 feet of the East 40 feet of the South one-half of the North one-half of the Southeast one-quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.06 acre, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Harold E. Coby

Parcel 6:

Being the West 15 feet of the East 40 feet of the North one-half of the Southeast one-quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.06 acres, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Harold E. Coby

Parcel 7:

Being the West 15 feet of the East 40 feet of the Northeast one-

quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.23 acre, more or less as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in H. D. Maxwell and Myrta E. Maxwell.

Parcel 8:

Being the East 55 feet of the West 80 feet of the North one-half of the Southwest 8.93 acres of Lot 2, Section 31, Township 20 North, Range 14 east, Tulsa County, Oklahoma, containing 0.43 acre, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in R. F. Layman

Parcel 9:

Being a strip, piece or parcel of land in the East one-half of the Southwest one-quarter of the Southeast one-quarter of Section 25, Township 20 North, Range 13 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at a point being the intersection of the South line of the East one-half of the Southeast one-quarter of the Southeast one-quarter of said Section 25 with the West line of the 45-foot right-of-way occupied by the present U. S. Highway No. 75; running thence West along the said South line a distance of 5 feet to a point; thence North 0 degrees 02 minutes East, a distance of 929 feet to a point; thence due West a distance of 10 feet to a point; thence North 0 degrees 02 minutes East a distance of 390.5 feet to a point in the North line of the said East one-half of the Southeast one-quarter of the Southeast one-quarter; thence East along the said North line a distance of 15 feet to a point in the West line of the said 45-foot right-of-way occupied by the present U. S. Highway No. 75, said point being distant 45 feet West from the Northeast corner of the said East one-half of the Southeast one-quarter of the Southeast one-quarter; thence South 0 degrees 02 minutes West along the West line of said right-of-way and distant 45 feet West from the East line of said East one-half of the Southeast one-quarter of the Southeast one-quarter a distance of 1319.5 feet to the point or place of beginning, containing 0.24 acre, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Pauline D. Wallace and G. O. Wallace

Parcels 10 and 10A:

(Parcel 10)

Being a strip, piece or parcel of land lying in part of the South-erly 20 acres of Lot 2, Section 30, Township 20 North, Range 14

East, Tulsa County, Oklahoma, particularly described as follows:
Beginning at a point being the intersection of the North right-of-way
line of the St. L. & S. F. Railroad with the East line of the 25-foot
right-of-way occupied by the present U. S. Highway No. 75, said
point being distant North 0 degrees 02 minutes East 41.3 feet and
East 25 feet, more or less from the Southwest corner of said Lot 2;
running thence North 84 degrees 40 minutes East along said Railroad
right-of-way line a distance of 95.5 feet more or less to a point
being a corner of land hereinafter described as Parcel 10A; thence
North 21 degrees 49 minutes West partly along said Parcel 10A a
distance of 94 feet to a point which is 85 feet East of the West line
of said Lot 2; thence North 0 degrees 02 minutes East a distance of
445.5 feet to a point; thence due West a distance of 60 feet to a
point in the East line of the 25-foot right-of-way occupied by the
present U. S. Highway No. 75, said point being distant 25 feet East
from the West line of said Lot 2; thence South 0 degrees 02 minutes
West along said right-of-way a distance of 544.1 feet, more or
less to the point of beginning, containing 0.77 acre, more
or less, as shown by plat "Lands proposed to be acquired through
condemnation proceedings for Access Road Project, Tulsa County,
Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached
to the Declaration of Taking filed herein.

Title vested in Villard Martin and Rose G. Martin

(Parcel 10A)

Being a strip, piece or parcel of land lying in part of the Southerly
20 acres of Lot 2, Section 30, Township 20 North, Range 14 East,
Tulsa County, Oklahoma, particularly described as follows:
Beginning at a point in the North right-of-way line of the St. L. &
S. F. Railroad, distant North 0 degrees 02 minutes East 41.3 feet and
East 120.5 feet, more or less, from the Southwest corner of said
Lot 2, said point being the Southeasterly corner of land herein-
before described as Parcel 10; running thence North 21 degrees 49
minutes West along said Parcel 10 a distance of 53.6 feet to a
point; thence North 0 degrees 02 minutes East 312.3 feet to a
point; thence due West a distance of 15 feet to a point in said
Parcel 10; thence North 0 degrees 02 minutes East along said Parcel
10 a distance of 50 feet to a point; thence due East a distance of
45 feet to a point; thence South 0 degrees 02 minutes West a distance
of 411.4 feet to a point in the North right-of-way line of the St.
L. & S. F. Railroad; thence South 84 degrees 40 minutes West along
said railroad right-of-way line a distance of 10.1 feet to the point
or place of beginning, containing 0.30 acre, more or less, as shown
by plat "Lands proposed to be acquired through condemnation proceed-
ings for Access Road Project Tulsa County, Oklahoma, Oklahoma Pro-
ject DA-WI 4-A (1)", copy of which is attached to the Declaration
of Taking filed herein.

Title vested in Villard Martin and Rose G. Martin

Parcels 11 and 11A:
(Parcel 11)

Being the East 50 feet of the North 525.1 feet of the West 85 feet
of Lot 2, Section 30, Township 20 North, Range 14 East, Tulsa
County, Oklahoma, containing 0.72 acre, more or less, as shown by

plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", a copy of which is attached to the Declaration of Taking filed herein.

Title vested in Otto F. Bryan and Mono Clele Davis Bryan

(Parcel 11A)

Being a strip, piece or parcel of land lying in the South one-half of Lot 1, Section 30, Township 20 North, Range 14 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at a point being the intersection of the South line of said Lot 1 with the East line of the 25-foot right-of-way occupied by the present U. S. Highway No. 75, distant 25 feet East from the Southwest corner of said Lot 1, said point also being the Northwesterly corner of land hereinbefore described as Parcel 11; running thence East along the South line of said Lot 1 and the North line of said Parcel 11 a distance of 60 feet to a point; thence North 0 degrees 02 minutes East a distance of 170.6 feet to a point; thence due East a distance of 5 feet to a point; thence North 0 degrees 02 minutes East a distance of 489.2 feet to a point in the North line of said South one-half of Lot 1; thence West along said North line a distance of 65 feet to a point in the East line of the 25-foot right-of-way occupied by the present U. S. Highway No. 75, distant 25 feet East from the West line of said Lot 1; thence South 0 degrees 02 minutes West along said right-of-way and distant 25 feet from the West line of said Lot 1 a distance of 659.8 feet to the point of place of beginning, containing 0.97 acres, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Otto F. Bryan and Mono Clele Davis Bryan

Parcel 12:

Being the East 65 feet of the West 90 feet of the North one-half of Lot 1, Section 30, Township 20 North, Range 14 East, Tulsa County, Oklahoma, containing 0.96 acres, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project, Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Elbert L. Morgan

Parcels 13 and 13A;
(Parcel 13)

Being a strip, piece or parcel of land lying in Lots 3 and 4 and the South 18.96 acres of Lot 2, Section 19, Township 20 North, Range 14 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at a point being the intersection of the South line of said Lot 4 with the East line of the 25-foot right-of-way occupied by the present U. S. Highway No. 75, distant 25 feet East

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from the Southwest corner of said Lot 4 running thence East along the said South line of Lot 4 a distance of 75 feet to a point; thence North 0 degrees 02 minutes East a distance of 751.1 feet to a point; thence due West a distance of 20 feet to a point; thence North 0 degrees 02 minutes East a distance of 1889.3 feet to a point in the South line of the South 18.96 acres of said Lot 2; thence due West along the said South line of Lot 2 a distance of 20 feet to a point; thence North 0 degrees 02 minutes East a distance of 229.5 feet to a point; thence due West a distance of 35 feet to a point in the Eastline of the 25-foot right-of-way occupied by the present U. S. Highway No. 75, distant 25 feet East from the West line of said Lot 2; thence South 0 degrees 02 minutes West along the East line of said right-of-way and distant 25 feet East from the West lines of Lots 2, 3 and 4 a distance of 2869.9 feet to the point of place of beginning, containing 3.84 acres, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A(1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Oras A. Shaw, subject to the mortgage of the Federal Land Bank of Wichita, Kansas.

Parcel 13A:

Being a strip, piece or parcel of land lying in Lot 3 of Section 19, Township 20 North, Range 14 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at a point in the East line of the permanent right-of-way for U. S. Highway No. 75 and also being the East line of land hereinbefore described as Parcel 13, said point being distant 1826.1 feet North of the South line of said Section 19; running thence North 0 degrees 02 minutes East along said permanent right-of-way line and said Parcel 13 a distance of 75 feet to a point; thence due East a distance of 50 feet to a point; thence South 0 degrees 02 minutes West a distance of 75 feet to a point; thence due West a distance of 50 feet to the point of place of beginning; containing 0.09 acre, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project, Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

Title vested in Oras A. Shaw, subject to the mortgage of Federal Land Bank, of Wichita, Kansas.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the right to just compensation for the taking of the above real estate is hereby vested in the persons hereinabove set out as to each particular tract of land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the right to just compensation for the taking of the real estate as hereinabove found vested in the persons as adjudged to be the former owners thereof is subject to any paramount lien and payment of any and all taxes due, assessable and exigible, of whatever nature.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 12, 1942
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.)
		) No. 831 - Civil
Certain Parcels of Land situate in the)
County of Tulsa, State of Oklahoma, and)
Cyrus S. Avery, et al.,	Respondents.)

JUDGMENT CONFIRMING COMMISSIONERS' REPORT AS TO
PARCELS NOS. 2, 3 and 4.

Now on this 8th day of October, 1942, there comes on for hearing the matter of the confirmation of the Commissioners' Report as to Parcels Nos. 2, 3 and 4, involved in the above entitled proceedings,

The Court finds that the Report of Commissioners filed herein should be confirmed as to said Parcels Nos. 2, 3 and 4, in the total amount of Eight Hundred Twenty-nine and no/100 Dollars (\$829.00),

The Court further finds that there has heretofore been deposited by the petitioner, the United States of America, the sum of Seven Hundred Sixty-Two and no/100 Dollars (\$762.00), as the estimated compensation for said Parcel No. 2.

The Court further finds that there has heretofore been deposited by the petitioner, the United States of America, the sum of Forty and no/100 Dollars (\$40.00), as the estimated compensation for said Parcel No. 3.

The Court further finds that there has heretofore been deposited by the petitioner, the United States of America, the sum of Forty and no/100 Dollars (\$40.00), as the estimated compensation for said Parcel No. 4.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Commissioners' report as to said Parcels Nos. 2, 3 and 4, in the amount of Eight Hundred Twenty-Nine and no/100 Dollars (\$829.00) as the just compensation, and the fair, cash, market value for said Parcels Nos. 2, 3 and 4, said Parcels and values being as follows, to-wit:

Parcel No. 2

Being a strip, piece or parcel of land in Lots 5 and 6 of Section 6, Township 19 North, Range 14 East, Tulsa County, Oklahoma, particularly described as follows: Beginning at a point being the intersection of the present 33-foot right-of-way along the West line of Section 6 with the present 30-foot right-of-way along the North line of said Lots 5 and 6, said point being distant 33 feet East and 30 feet South from the Northwest corner of said Lot 5; thence South along the Eastern line of said present 33-foot right-of-way a distance of 258 feet to a point; thence due East a distance of 47 feet to a point; thence North 45 degrees 03 minutes East a distance of 264.5 feet to a point which is 267 feet East of the West line of said Section 6 and 100 feet South of the North line of said Lot 5; thence East on a line parallel to and 100 feet South of said North line a distance of 732.6 feet to a point; thence

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
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due North a distance of 40 feet to a point; thence due East a distance of 500 feet to a point; thence due North a distance of 30 feet to a point which is 30 feet South of the North line of said Lot 6; thence West along a line which is 30 feet South from the North line of said Lots 5 and 6 a distance of 1467 feet to the point or place of beginning containing 2.53 acres, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

A total fair, cash, market value of \$759.00

Parcel No. 3.

Being the West 15 feet of the East 40 feet of the South one-half of the Southeast one-quarter of the Southeast one-quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.06 acre, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

A total fair, cash, market value of \$ 35.00

Parcel No. 4.

Being the West 15 feet of the East 40 feet of the North one-half of the Southeast one-quarter of the Southeast one-quarter of the Southeast one-quarter of the Northeast one-quarter of Section 36, Township 20 North, Range 13 East, Tulsa County, Oklahoma, containing 0.06 acre, more or less, as shown by plat "Lands proposed to be acquired through condemnation proceedings for Access Road Project Tulsa County, Oklahoma, Oklahoma Project DA-WI 4-A (1)", copy of which is attached to the Declaration of Taking filed herein.

A total fair, cash, market value of \$ 35.00

be, and the same is hereby confirmed and adopted by the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court issue his check refunding to the Treasury of the United States the sum of Thirteen and no/100 Dollars (\$13.00), being the amount deposited in excess of the awards for said Parcels Nos. 2, 3 and 4, hereinabove described.

This cause is held open for the entering of such further orders as may be necessary.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 12 1942
H. P. Warfield, Clerk
U. S. District Court IN

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

UNITED STATES OF AMERICA, Petitioner,)
))
- vs -))
)) CIVIL NO. 858
CERTAIN PARCELS OF LAND IN CRAIG COUNTY,))
OKLAHOMA, and Charles Sanders, et al.,))
Defendants.))

ORDER APPOINTING COMMISSIONERS

NOW, on this 12th day of October, 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, 1908, 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 (2)); 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. 401-408, 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, 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 Craig, 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 (305 - 38.1)
PERPETUAL EASEMENT

A strip of land 100 feet in width in the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 15, T 24 N, R 31 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 144.6 feet East of the NW corner thereof; thence Southwesterly to a point in said W $\frac{1}{2}$ SW $\frac{1}{4}$, 50.0 feet East and 101.9 feet South of the NW corner thereof; thence S 0° 13' W, a distance of 2540.8 feet to a point in the South boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$ and 50.0 feet East of the SW corner thereof.

TRACT NO. 2 (305 - 38.2)
PERPETUAL EASEMENT

A strip of land 100 feet in width in the N 3/4 W 1/2 NW 1/4 of Sec. 15, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows:

Beginning at a point in the North boundary of said N 3/4 W 1/2 NW 1/4 and 50 feet East of the NW corner thereof; thence S 0° 06' 30" West on a line parallel to and 50.0 feet East of the West boundary of said tract a distance of 243.8 feet; thence Southeasterly to a point in said N 3/4 W 1/2 NW 1/4 1243.5 feet South and 173.2 feet East of the NW corner thereof; thence S 0° 06' 30" West a distance of 518.1 feet; thence S 7° 04' 30" West a distance of 221.9 feet to a point in the South boundary of said tract and 144.5 feet East of the SW corner thereof.

TRACT NO. 3 (305 - 39.1)
PERPETUAL EASEMENT

The West 100 feet of the W 1/2 W 1/2 SW 1/4 of Sec. 10, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 4 (305 - 39.2)
PERPETUAL EASEMENT

The West 100 feet of the W 1/2 W 1/2 NW 1/4 of Section 10, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma.

TRACT NO. 5 (305 - 40.1)
PERPETUAL EASEMENT

A strip of land 100 feet in width in the W 1/2 W 1/2 SW 1/4 and the W 1/2 SW 1/4 NW 1/4, Sec. 3, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said W 1/2 W 1/2 SW 1/4, 67 feet from the SW corner thereof; thence Northerly to a point in said W 1/2 W 1/2 SW 1/4, 67 feet East and 2370 feet North of the SW corner thereof; thence Northerly to a point in the North boundary of said W 1/2 SW 1/4 NW 1/4, 80.5 feet from the NW corner thereof.

TRACT NO. 6 (305 - 40.2)
PERPETUAL EASEMENT

A strip of land 100 feet in width in Lot 4, Sec. 3, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 4, 80.5 feet from the SW corner thereof; thence Northerly to a point in the North boundary of said Lot 4, 93.3 feet from the NW corner thereof.

TRACT NO. 7 (305 - 41.1)
PERPETUAL EASEMENT

A strip of land 100 feet in width in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T 25 N, R 21 E of the Indian Base and Meridian in Craig 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 $\frac{1}{4}$, 912.2 feet from the SW corner thereof; thence Northerly to a point in the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 923.4 feet from the NW 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 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 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 Vickę of Tulsa County, Oklahoma and C. C. Weber, 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 thenecessary guy and brace poles and anchors and to attach all of thenecessary 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 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 14th day of October, 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 Oct 12 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 12, 1942

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
-vs-)	
)	
One 1941 Ford Coach Automobile, Motor No.)	
18-6,638,060, and approximately 40 gallons of		)	No. 896 Civil
Assorted Taxpaid Intoxicating Liquors seized)	
therein; Alta V. Moody and the Universal)	
Credit Company of Tulsa, Oklahoma,)	
	Claimants.)	

ORDER FOR MONITION

Now on this 12 day of October, 1942, it appearing to the Court that the said 1941 Ford Coach automobile, motor No. 18-6,638,060, with approximately forty (40) gallons of intoxicating liquors containing more than four percentum (4%) of alcohol by volume, was seized at a point on United States Highway No. 66, about three (3) miles Southwest of the City of Miami, in Ottawa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this Court, on August 28, 1942, by George E. Carver and William F. Wolverson, Investigators, Alcohol Tax Unit, Treasury Department of the United States, by virtue of authority of their said offices, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Carl Moody and Charles R. Bradley for transportation of such intoxicating liquors from Seneca, Missouri into the State of Oklahoma and to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at more than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Alta V. Moody and the Universal Credit Company of Tulsa, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

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

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 12 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

Fred W. Seymour, Trustee, Plaintiff,)
)
 -vs-)
)
 Gilmort Oil Company, a corporation,) No. 1277 Equity
 Defendant.)
)
 Stephenson-Browne Lumber Company,)
 a corporation, and Halliburton Oil Well)
 Cementing Company, a corporation,)
 Claimants.)

ORDER FOR HEARING MOTION FOR JUDGMENT ON SUPERCEDEAS BOND

And now on this 12th day of October, 1942, the same being a regular judicial day of a regular judicial term of said court, this cause comes before the court upon the application of Stephenson-Browne Lumber Company and Halliburton Oil Well Cementing Company, claimants herein, for an order of court fixing a date for the hearing of their motion for judgment on the Supercedeas Bond herein heretofore filed by Roland L. Taylor, Trustee, and providing for notice to be given on said motion, and the court being fully advised in the premises, hereby orders and directs that the said Motion for Judgment on the Superceeded Bond herein may be set for hearing before the Court on the 2nd day of November, 1942, at 9:30 A.M., at the United States District Court Room in the Federal Building at Tulsa, Tulsa County, Oklahoma, and that service of the hearing on said Motion be given by serving a copy of this Order together with a copy of said Motion for Judgment on said Superceeded Bond upon the Clerk of this Court as provided by Rule #73 of the Rules now in force governing District Courts of the United States, at least twenty days prior to the date of said hearing.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed Oct 12 1942
 H. P. Warfield, Clerk
 U. S. District Court H

 Court adjourned to October 14, 1942

<u>TRACT NO. 3 (307 - 40.4 (Rev.))</u>		
Bertha E. Wrigley Rocheford (the same as Bertha E. Wrigley Rocheford) fee owner		\$163.00
H. M. Haynes (the same as H. M. Haynes) tenant		\$ 15.00
<u>TRACT NO. 4 (307 - 40.5 (rev))</u>		
George Tucker fee owner		\$35.00
G. C. Steddum tenant		\$5.00
<u>TRACT NO. 5 (307 - 42.1)</u>		
G. C. Steddum fee owner, and Federal Farm Mortgage Corporation, a corporation, mortgagee - <u>by stipulation check to be made payable to Federal Farm Mortgage Corporation, a corporation,</u>		\$121.00
<u>TRACT NO. 6 (307 - 42.2 42.4 (Rev))</u>		
Bertha Hostettler fee owner		\$224.00
William Chupp tenant		20.00
<u>TRACT NO. 7 (307 - 42.3)</u>		
Moses N. Mast fee owner		\$10.00
Henry Troyer tenant		3.00
<u>TRACT NO. 8 (307 - 42.6)</u>		
Eli D. Miller fee owner		\$45.75
Henry Troyer tenant		1.00
<u>TRACT NO. 9 (307 - 43.1)</u>		
Alvin D. Miller fee owner		\$5.00
<u>TRACT NO. 10 (307 - 43.2)</u>		
Ethel C. Sanders, nee Smith fee owner		\$52.50
<u>TRACT NO. 11 (307 - 44.1)</u>		
Otto Rist, Ethel Hazel Rist fee owners and Aetna Life Insurance Company, a corporation, mortgagee - check to made jointly		\$18.00
Henry Troyer tenant		1.00

TRACT NO. 12 (307 - 44.2)

Ronald R. Madole,
A. E. Madole fee owners \$81.00

TRACT NO. 13 (307 - 44.3)

A. E. Madole fee owner \$69.25

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

Lloyd Williams fee owner 5.00

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

A. E. Madole fee owner \$105.00

IT IS FURTHER ORDERED THAT this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Oct 14 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

George Chisholm, Plaintiff,)
))
vs.))
)) No. 765 - Civil
Sam Buck, Ben Hawkins, and Bill)
Hawkins, Defendants;))
United States of America, Intervenor.)

D E C R E E

This cause came on for final hearing pursuant to order of the Court and notice to all interested parties, the Plaintiff appearing by his attorneys, Harry H. Rogers, of Tulsa, Oklahoma and Creekmore Wallace, of Oklahoma City, Oklahoma; the Defendants appearing by their attorneys, White and White, attorneys of Eufaula, Oklahoma; and the Intervenor, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma; and the Court having made and entered findings of fact and conclusions of law, finds:

That this action was originally filed in the State District Court of Creek County, Oklahoma, by George Chisholm, Plaintiff, surviving spouse of Lessey Hawkins Chisholm, nee Yarhola, deceased, FB Creek Roll No. 4975, against the defendants, Sam Buck, Ben Hawkins and Bill Hawkins, full-blood unenrolled Creek Indians, to quiet title in Plaintiff to an undivided one-fourth (1/4) interest in certain lands described in the deed of conveyance executed on the 25th day of September, 1935, by Lessey Hawkins Chisholm, nee Yarhola, and her then husband, corner Hawkins, grantors, to Sam Buck, Ben Hawkins and Bill Hawkins, grantees, and for a judicial determination of the heirs of Lessey Hawkins Chisholm, nee Yarhola, deceased.

That this action was properly removed to this Court pursuant to provisions of Section 3 of the Act of Congress, April 12, 1926 (44 Stat. L., 239); and that plaintiff and defendants being full-blood Indians, and the property in question being restricted against alienation, that this Court has jurisdiction of the parties to this action and over the property involved as described in said petition.

That an undivided one-half (1/2) interest in the lands described herein as the Northwest Quarter (NW $\frac{1}{4}$) of Section 9, Township 17 North, Range 7 East, Creek County, Oklahoma;

(being the allotment of Linda Yarhola, FB Creek Roll No. 4971) descended to said heirs in equal shares, that is to say, one-fourth (1/4) to George Chisholm, surviving husband, one-fourth to Sam Buck, son, one-fourth to Ben Hawkins, son, and one-fourth to Bill Hawkins, son; and that George Chisholm, Plaintiff is a full-blood Indian, being a one-fourth Cherokee and three-fourths Creek, and enrolled as a three-fourths blood Creek Indian opposite No. 3380 on the Approval Rolls of the Five Civilized Tribes; and that the defendants, Sam Buck, Ben Hawkins and Bill Hawkins, are unenrolled full-blood Creek Indians.

The Court further finds that Lessey Hawkins Chisholm, nee Yarhola, deceased, acquires an undivided one-half (1/2) interest in and to the

Northwest Quarter (NW $\frac{1}{4}$) of Section 9, Township 17 North, Range 7 East, Creek County, Oklahoma,

in the following manner:

An undivided two-fifths (2/5) interest by devise from Linda Yarhola, deceased, full-blood Creek Indian, and an undivided one-tenth (1/10) interest by inheritance as an heir of Cussehta Yarhola, full blood Creek Indian, Roll No. 4970.

The Court further finds that on the 25th day of September, 1935, Lessey Hawkins Chisholm, nee Yarhola, joined by her husband, Corner Hawkins, executed a deed purporting to convey the undivided two-fifths (2/5) interest in the above described one hundred sixty (160) acres of land to the defendants named herein; and the Court finds that said conveyance was ineffective and did not vest title in the grantees named therein to said property for the reason that said conveyance was not approved by the Judge of the Probate Court of Okfuskee County, Oklahoma, or the Judge of any other Probate Court in any other county in the State of Oklahoma, or the Secretary of Interior of the United States of America; and that said deed should be set aside, vacated, and held for naught.

The Court further finds that the two-fifths (2/5) interest inherited by Lessey Hawkins Chisholm nee Yarhola, as a devisee of Linda Yarhola, full-blood Creek Indian, and the one-tenth (1/10) interest inherited as an heir of Cussehta Yarhola, full-blood Creek Indian, in the above-described 160 acres of land was restricted against alienation by virtue of the Act of Congress of May 27, 1908 (35 Stat. 312) as amended by the Act of Congress of April 12, 1926 (44 Stat. L., 239).

The Court further finds that the lands described in the conveyance executed on the 25th day of September, 1935, as described in Paragraph 7 of the Findings of Fact heretofore made and filed in this cause were purchased by Lessey Hawkins Chisholm, nee Yarhola, with unrestricted funds and that said deed of conveyance vested title in the grantees named therein, and that title should be quieted in the grantees named therein against any and all claims made by Plaintiff in this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that George Chisholm, Plaintiff, and Sam Buck, Ben Hawkins and Bill Hawkins are the sole and only heirs of Lessey Hawkins Chisholm, nee Yarhola, deceased, and that the deed of conveyance executed on September 25, 1935, by Lessey Hawkins Chisholm, nee Yarhola, and her then husband, Corner Hawkins, grantors, to Sam Buck, Ben Hawkins, and Bill Hawkins, grantees, be set aside, vacated, and held for naught insofar as the same purported to convey the interest owned by the grantors, Lessey Hawkins, Chisholm, nee Yarhola, and husband, in and to the

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

WEDNESDAY, OCTOBER 14, 1942

Northwest Quarter (NW $\frac{1}{4}$) of Section 9, Township 17 North, Range 7 East, Creek County, Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that title to an undivided one-half (1/2) interest in the

Northwest Quarter (NW $\frac{1}{4}$) of Section 9, Township 17 North, Range 7 East, Creek County, Oklahoma,

be vested in said heirs, as follows:

- George Chisholm, surviving husband, an undivided one-fourth interest;
- Sam Buck, son, an undivided one-fourth interest;
- Ben Hawkins, son, an undivided one-fourth interest; and
- Bill Hawkins, son, an undivided one-fourth interest.

IT IS THE FURTHER ORDER OF THE COURT that the deed of conveyance dated September 25, 1935, by Lessey Hawkins Chisholm, nee Yarhola, and Corner Hawkins, husband, grantors, to Sam Buck, Bill Hawkins, and Ben Hawkins, grantees, conveyed the following described lands;

The Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 10, Township 10 North, Range 11 East, Okfuskee County, Oklahoma;

The Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 3, Township 9 North, Range 13 East, McIntosh County, Oklahoma.

The Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 5, Township 9 North, Range 14 East, McIntosh County, Oklahoma.

The South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 9 North, Range 14 East, McIntosh County, Oklahoma,

The Southwest Quarter (SW $\frac{1}{4}$) of Section 34, Township 10 North, Range 16 East, McIntosh County, Oklahoma,

The North 16.42 acres of Lot 2, the South 20.00 acres of Lot 2, and East 20.00 acres of Lot 3, and the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 28, Township 11 North, Range 15 East, McIntosh County, Oklahoma,

vested title in said lands in the Defendants, and that title be quieted against any and all claims of the Plaintiff, George Chisholm, as aforesaid.

TRACT NO. 2 (306 - 18.2)

D. D. Miller, fee owner \$70.00
John Helmeuth (the same as John Helmer) tenant 27.00

TRACT NO. 3 (306 - 18.3)

Austin B. Tincup fee owner \$94.00
W.W. Tincup tenant 25.00

TRACT NO. 4 (306 - 18.4)

Austin B. Tincup fee owner \$4.00
W.W. Tincup tenant 1.00

TRACT NO. 5 (306 - 19.1)

Dora M. Whitsel, fee owners \$65.00
William C. Whitsel, fee owners
James M. Whitsel fee owners
Harry Davis tenant 5.00

TRACT NO. 6 (306 - 19.2)

Iva Scheffel, fee owner,
The Federal Land Bank of Wichita, a corporation,
mortgagee - -
by stipulation check to be made to The Federal Land
Bank of Wichita, a corporation, \$196.00
U. F. Troyer tenant 20.00

TRACT NO. 7 (306 - 19.3)

William Penn Rogers fee owner \$4.00
V. D. Herrington tenant 1.00

TRACT NO. 8 (306 - 20.1)

Jerry F. Troyer fee owner,
and
The Federal Land Bank of Wichita, a corporation,
mortgagee -
by stipulation check to be made payable to the
Federal Land Bank of Wichita, a corporation \$170.00

TRACT NO. 9 (306 - 20.2)

Minnie Shutt, fee owners \$75.00
Virginia Shutt, fee owners
George Shutt Bartleson fee owners
Leon Littfield tenant 10.00

TRACT NO. 10 (306 - 20.3)

Minnie Shutt	fee owner	\$75.00
Leon Littlefield	tenant	10.00

TRACT NO. 11 (306 - 21.1)

Minnie Shutt, Virginia Shutt, George Shutt Bartleson	fee owners	\$75.00
Frank Ingram	tenant	10.00

TRACT NO. 12 (306 - 21.2
22.1)

Minnie Shutt, Virginia Shutt, Georgia Shutt Bartleson	fee owners	\$40.00
Kelly Martin	tenant	5.00

TRACT NO. 13 (306 - 21.3)

A. J. Moore, Malcolm Moore, Howard W. Moore	fee owners	\$25.00
Kelly Martin	tenant	5.00

TRACT NO. 14 (306 - 22.2)

A. J. Moore, Malcolm Moore, Howard W. Moore, Kelly Martin	fee owners	\$60.00
	tenant	5.00

TRACT NO. 15 (306 - 22.3)

Charles W. Beattie, Verdi O. Beattie	fee owners	\$60.00
Garland Charles	tenant	15.00

TRACT NO. 16 (306 - 23.1)

Chas. Wm. Beattie, Verdi O. Beattie,	fee owners	\$37.00
Garland Charles	tenant	5.00

TRACT NO. 17 (306 - 23.2)

Myrtle Teter, now Thomas,	fee owners	\$12.00
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TRACT NO. 19 (306 - 23.2)

Elizabeth Haddan, Thoms Elmer Haddan, Marie S. Haddan,	fee owners	\$29.00
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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

REGULAR JANUARY 1942 TERM

WEDNESDAY, OCTOBER 14, 1942

TRACT NO. 21 (306 - 23.6)

J. O. Courtwright	fee owner	\$22.00
E.V. Knight	tenant	5.00

TRACT NO. 22 (306 - 23.7)

E. V. Knight	fee owner,	
and		
The Federal Land Bank of Wichita, a corporation,		
mortgagee -		
by stipulation check to be made payable to The		
Federal Land Bank of Wichita, a corporation,		\$27.00

TRACT NO. 23 (306 - 24.1)

Grant L. Ives,		
Hulda E. Ives,	fee owners	\$49.20

TRACT NO. 24 (306 - 24.2)

C. G. Hetzell	fee owner	\$55.00
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TRACT NO. 25 (306 - 24.3)

Earl Ward, Guardian of Roy Littledave and Ander-		
son Littledave, minors,	fee owners	\$50.00
Mable Littledave, now Ingle, fee owner		25.00
D.C. Fryer	tenant	\$10.00

TRACT NO. 26 (306 - 24.4)

Glen Campbell,		
Thelma E. Campbell,	fee owners,	
and		
J. C. Wickham and J. C. Wilkerson, mortgagees -		
check to be payable jointly		\$61.50

TRACT NO. 27 (306 - 25.1)

A. J. Newton	fee owner,	
J. C. Wickham		
J. C. Wilkerson		
Minnie B. Shutt, mortgagees -		
check to be made payable jointly		\$44.25
Oscar Goodin	tenant	10.00

TRACT NO. 28 (306 - 25.2)

A. C. Neel		
W.D. Priddy	fee owners	\$47.00
Oscar Goodin	tenant	8.00

TRACT NO. 29 (306 - 25.3)

Dick Littledave	fee owner	\$72.60
(Tenant, Ben Murdock, already received compensation)		

TRACT NO. 30 (306 - 25.4)

Emily P. Colvin fee owner \$57.75

The Federal Land Bank of Wichita, a corporation, mortgagee, filed stipulation to pay compensation to land owner,

(Tenant, George Sinor, already received compensation)

IT IS FURTHER ORDERED that 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

ENDORSED: Filed Oct 14 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. 794
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)
OKLAHOMA; and Strick Armstrong, et al.,)
Defendants.)

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 12th day of October, 1942, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named persons, firms, corporation, and political subdivisions of the State are the owners and/or have some right, title or interest in and to the lands involved herein, and that no person, firm, corporation or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding, for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated and that they are the only persons having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owners or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereafter set forth - all as follows, to-wit:

TRACT NO. 13 (306 - 16.2)

B. F. Wilson fee owner,
and
The Federal Farm Mortgage Corporation, a
corporation, mortgagee -
by stipulation check to be made payable to The Federal
Farm Mortgage Corporation, \$70.00

TRACT NO. 14 (306 - 17.1)

B. S. Davis fee owners,
and
The Federal Farm Mortgage Corporation, a corporation,
mortgagee -
by stipulation check to be made payable to The Federal
Farm Mortgage Corporation, \$52.00

Treasurer of the United States of America,
refund \$33.00

IT IS FURTHER ORDERED that 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

ENDORSED: Filed Oct 14 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. 794
)
CERTAIN PARCELS OF LAND IN MAYES COUNTY,
OKLAHOMA, and Strick Armstrong, et al.,)
Defendants.)

ORDER DISMISSING DEMAND FOR JURY TRIAL AS TO TRACT NO. 9
(306 - 15.2)

NOW, on this the 12th day of October, 1942, there coming on for consideration the
defendant's demand for jury trial as to Tract No. 9 (306 - 15.2) involved in this proceeding, and the
defendant, Canaro C. Smith, Trustee, appearing by his attorney, Harve N. Langley, moves that said demand
for jury trial be dismissed and that the report of commissioners be confirmed, and that the sum of \$77.00
be adjudged to be the just compensation for the rights taken by the petitioner herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the demand for jury trial filed by
the defendant, Canaro C. Smith, Trustee, be, and it is hereby dismissed, and that the report of

commissioners be and it is hereby confirmed and the sum of \$77.00 is adjudged to be just compensation for the rights taken by the petitioner.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 14 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. 798
)	
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA; and Dora E. Warner, et al.,	Defendants,)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 12th day of October, 1942, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named persons, firms, corporations and political subdivisions of the State of are the owners of and/or have some right, title or interest in and to the lands involved herein, and that no person, firm, corporation, or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated, and that they are the only persons having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owner of or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereafter set forth - all as follows, to-wit:

TRACT NO. 5 (306 - 9.2)

Valena V. Trout, now Dayer	See owner	\$30.00
Leonard Simmons	tenant	4.00
Mrs. Rose A. Byers	holder of easement for road purposes	5.00

TRACT NO. 6 (306 - 9.3 Rev.)

Valena V. Trout, now Dayer	fee owner	\$56.00
Leonard Simmons	tenant	2.00

TRACT NO. 7 (306 - 9.4)

The Federal Land Bank of Wichita, a corporation,	fee owner	\$25.00
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W. H. Wood holder of contract to purchase, but
filed application to pay compensation
to The Federal Land Bank of Wichita.

TRACT NO. 8 (306 - 10.1)

Clara J. McGovern	fee owner	\$35.00
F.W. Steffens	tenant	1.00

TRACT NO. 11 (306 - 11.1)

C. L. Richardson,	fee owner,	
The Federal Land Bank of Wichita, a corporation, mortgage - stipulation to pay compensation to The Federal Land Bank of Wichita, a corporation,		\$20.00

Claud L. Richardson	tenant	5.00
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TRACT NO. 13 (306 - 11.3)

Creighton C. Hart, Trustee	fee owner	\$10.00
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TRACT NO. 15 (306 - 11.5)

Mattie C. Eby	fee owner,	
Commissioners of the Land Office of the State of Oklahoma, mortgage - by stipulation, compensation to be paid to the Commissioners of the Land Office of the State of Oklahoma		\$50.00

TRACT NO. 17 (306 - 12.2)

Pearle H. Potts	fee owner	\$ 5.00
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IT IS FURTHER ORDERED that 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

ENDORSED: Filed Oct 14 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

REGULAR JANUARY 1942 TERM

MULSA, OKLAHOMA

THURSDAY, OCTOBER 15, 1942

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)
)
 vs.)
) No. 865 Civil
)
 One 1941 Ford Coach Automobile, Motor)
 No. 18-6,390,667, and approximately)
 3 gallons of Taxpaid Intoxicating Liquor)
 seized therewith. Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of October, 1942, this cause of action having come on before the Court libelant appearing by Whit Y. Lauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and it appearing that Max Weisband, L. G. Bell and Lela Bell, and all persons purporting to claim any interest in and to the property described in the Libel of Information herein have so concealed themselves as to avoid service of process and monition in this cause, and it further appearing that because of such inability to have personal service on said persons, libelant has proceeded with service of process and monition upon them by publication for a period of more than forty-one (41) days, in conformity with the statutes of the State of Oklahoma, which service by publication has been examined and approved as proper and regular in all respects, and it further appearing that neither the said Max Weisband, L. G. Bell, Lela Bell, nor any other person has filed any pleading or asserted any claim in and to said described automobile and intoxicating liquors seized therein, and the Court being fully advised in the premises, finds that a forfeiture should be entered.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be, and the same is, hereby allowed as to the said 1941 Ford Coach automobile, motor No. 18-6,390,667, and said automobile is ordered 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that forfeiture herein be, and the same is, hereby allowed as to the said approximately three (3) gallons of intoxicating liquors seized in and with said described automobile, which intoxicating liquors are ordered delivered over to the Secretary of the Treasury of the United States for proper and lawful disposition.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all storage charges incident to the seizures herein be, and the same are, hereby ordered paid by the Treasury Department.

ROYCE H. SAVAGE
 JUDGE

ENDORSED: Filed Oct 14 1942
 H. P. Warfield, Clerk
 U. S. District Court LN

 Court adjourned to October 15, 1942

On this 15th day of October, 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

MASSEMAN CONSTRUCTION COMPANY, a corporation, Plaintiff,
-versus- No. 853 Civil
GRAND RIVER DAM AUTHORITY, a corporation, Defendant.

ORDER GRANTING LEAVE TO FILE AMENDED COMPLAINT, AND FIXING TIME FOR DEFENDANT TO PLEAD THEREUNTO.

On this 15th day of October, 1942, this matter coming on to be heard upon the motion of defendant, Grand River Dam Authority, to dismiss and for a better statement or a bill of particulars, and said motion having been presented and the arguments of counsel heard, and plaintiff having asked leave to file an amended complaint herein,

It is hereby ordered that plaintiff be and it is hereby given twenty (20) days in which to file an amended complaint herein, the defendant to have twenty (20) days after service thereof wherein to plead further herein; and that if defendant refiles a motion to dismiss said complaint or any part thereof, it shall concurrently file therewith a memorandum of authorities, plaintiff to have twenty (20) days after service thereof upon it in which to file counter-memorandum.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Oct 16 1942
H. P. Warfield, Clerk
U. S. District Court ME

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

I. E. NELSON, TRUSTEE, Plaintiff,
vs. No. 1266 - Equity
SAPULPA GAS COMPANY, Defendant.

O R D E R

On this 15 day of October, 1942, this cause came on to be heard upon the application of R. J. Early for disbursement of funds to him by the Clerk of this Court from funds in the hands of said Clerk being held for disbursement to bondholders of said defendant, Sapulpa Gas Company;

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

REGULAR JANUARY 1942 TERM

THURSDAY, OCTOBER 15, 1942

And it appearing to the Court that the said R. J. Early has presented proof of ownership by affidavit of the hereinafter described bonds of said Sapulpa Gas Company, to-wit:

First Mortgage Five Per Cent Gold Bond, No. 213 of said Sapulpa Gas Company, dated October 1, 1932, due October 1, 1952, of the face value of \$500.00, and

First Mortgage Five Per Cent Gold Bond, No. 215 B of said Sapulpa Gas Company, dated October 1, 1932, due October 1, 1952, of the face value of \$70.00;

and it further appearing to the Court from said affidavit of said applicant that said bonds are lost, and it being shown that no other person has entered claim herein to said bonds;

IT IS, THEREFORE, ORDERED by the Court that H. P. Warfield, Clerk of this Court, be and he hereby is, authorized and directed to pay and disburse to Eben L. Taylor, attorney of record and attorney in fact for said R. J. Early, from the available funds in the hands of said Clerk, such pro rata share of of said funds properly disburseable to owners of bonds of said Sapulpa Gas Company as he the said R. J. Early may be entitled to receive as owners of said bonds aforesaid, upon the execution by the said applicant of a good and sufficient bond, to the United States of America in the amount of Three Hundred Dollars, conditioned that said applicant and the sureties on his said bond shall hold the United States of America, and any officers of this Court, harmless, against the claims of any other person or persons claiming to be the owner of said bonds, said bond to be approved by this Court as to its terms and sufficiency before any disbursement hereunder to said Eben L. Taylor, attorney of record and attorney in fact for said applicant, R. J. Early.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Oct 15 1942
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 16, 1942

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

FRIDAY, OCTOBER 16, 1942

On this 16th day of October, 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 and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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FRIDAY, OCTOBER 16, 1942

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 16th day of October, A. D. 1942, it being made satisfactorily to appear that Kenneth Hughes is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

MISCELLANEOUS - APPOINTMENT OF KENNETH G. HUGHES, ASST. U. S. ATTORNEY.

I, Kenneth G. Hughes, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of Assistant United States Attorney on which I am about to enter: So help me God.

KENNETH G. HUGHES

Subscribed and sworn to before me
this 16th day of October, A.D.
1942.

Where born (State only) Oklahoma
Date of birth April 23, 1912
When appointed:
State Oklahoma County Tulsa
Congressional District First

(SEAL)

My commission expires Jan. 5, 1944

DOROTHY LONERGAN
Notary Public

Dated of entry upon duty October 16, 1942
Residence, Tulsa, Oklahoma
Do you receive an annuity under the Civil
Service Retirement Act? No.

ENDORSED: Filed Oct 16 1942
H. P. Warfield, Clerk
U. S. District Court

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

SAMMONS-ROBERTSON COMPANY,
a corporation,

Plaintiff,

-versus-

No. 443 Civil

MASSMAN CONSTRUCTION COMPANY,
a corporation, et al.,

Defendant.

ORDER OVERRULING OBJECTIONS AND MOTIONS TO SUPPRESS
CERTAIN OF REQUESTS FOR ADMISSIONS OF FACT SERVED
BY PLAINTIFF UPON THE SEVERAL DEFENDANTS

On this 15th day of October, 1942, this matter coming on to be heard upon the objections and motion to suppress certain requested admissions of fact served upon defendant Massman Construction Company by plaintiff herein, and upon similar objections and motions on the part of the defendant Grand River Dam Authority, defendant surety companies, defendant W. R. Holway, surviving partner of Holway and

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

FRIDAY, OCTOBER 16, 1942

Neuffer, and the several defendant directors of Grand River Dam Authority; and the court having considered said objections and the arguments of counsel with regard thereto, it is hereby ordered:

1. That said objections and motions and each and all thereof be and the same are hereby overruled and denied.
2. That defendants not having heretofore responded to said requests for admissions of fact, and defendants having heretofore responded in part to said requests for admissions of fact, be and they are hereby given ten (10) days from this date wherein to file their responses thereto or to file responses to such parts thereof as have not been responded to within the time fixed therefor.
3. That any defendant or defendants required hereby to respond to said requests for admissions of fact shall, if in good faith, be entitled to deny admissions of fact requested, or to set forth in responses thereto their inability truthfully to admit or deny the facts as to which admissions are requested, upon the ground that said requests for admissions of fact are not allowable and are not proper requests within the purview of Rule 36 of the Federal Rules of Civil Procedure.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Oct 16 1942
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to October 17, 1942

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

SATURDAY, OCTOBER 17, 1942

On this 17th day of October, 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 - OATH OF HELEN BIRBILIS.

I, Helen Elaine Birbilis, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of Stenographer-Clerk on which I am about to enter: So Help me God.

HELEN ELAINE BIRBILIS

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

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 19, 1942

have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, John Bogle, in writing, agreed to grant and sell to the petitioner a perpetual right, privilege and authority to erect, operate and maintain a line or lines of poles, towers, or other structures, wires, cables and fixtures for the transmission of electric current, for the sum of \$45.00, which was accepted by the petitioner.

The Court further finds that the sum of \$45.00 is just compensation for the injuries and damages sustained by said defendant, John Bogle.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, John Bogle, was the owner of the land designated as Tract No. 4 (305 - 32.1 & 32.7), when this proceeding was commenced, and that the sum of \$45.00 is just compensation for the damages sustained by the defendant, John Bogle and that said defendant is the only person having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: John Bogle

TRACT NO. 4 (305 - 32.1 & 32.7)

\$45.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 19 1942
H. P. Warfield, Clerk
U. S. District Court JS

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

UNITED STATES OF AMERICA, Petitioner,)

vs.)

Certain Parcels of Land situate in)
the County of Tulsa, State of Oklahoma,)
and Cyrus S. Avery, et al., Respondents.)

No. 831 - Civil

JUDGMENT FIXING VALUE AS TO VARIOUS TRACTS, AND DIRECTING DEPOSIT OF DEFICIENCIES AND REFUND

Now on this 15th day of October, 1942, this cause came on for trial to fix the value of Parcels 1, 5, 6, 7, 8, 11, 11-A, 12, 13 and 13-A, the petitioner appearing by and through C. Harold Thwert, Special Attorney for the Department of Justice, and the owners of the various tracts appearing in person and by their attorneys of record, except that no appearance was made either in person or by an attorney for Herald Rolland and Viola Rolland, tenant on Parcel 1, although the Court finds that they were

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OKMUSA, OKLAHOMA

MONDAY, OCTOBER 19, 1942

fully notified of this hearing.

Trial by jury having been duly waived by all parties and the Court having heard the evidence and having been fully advised in the premises, finds that the fair, cash, market value of the various tracts, including all damages of every kind and character, was at the time of taking by the petitioner, as follows, to-wit:

Parcel 1	\$10,500.00
Parcel 5	35.00
Parcel 6	75.00
Parcel 7	275.00
Parcel 8	135.00
Parcel 11	1,200.00
Parcel 11-A	300.00
Parcel 12	2,175.00
Parcel 13	1,850.00
Parcel 13-A	50.00

The Court further finds that the deposits have been heretofore made with the Court Clerk as to the following tracts leaving deficiencies between the amounts deposited and the fair, cash, market value of said tracts, all as follows, to-wit:

	<u>Parcel 1</u>
Value	\$10,500.00
Deposit	9,000.00
Deficiency	<u>\$ 1,500.00</u>

	<u>Parcel 5</u>
Value	\$ 45.00
Deposit	24.00
Deficiency	<u>\$ 11.00</u>

	<u>Parcel 6</u>
Value	\$ 75.00
Deposit	34.00
Deficiency	<u>\$ 41.00</u>

	<u>Parcel 8</u>
Value	\$ 135.00
Deposit	90.00
Deficiency	<u>\$ 45.00</u>

	<u>Parcel 11 and Parcel 11-A</u>
Value	\$1,600.00
Deposit	1,268.00
Deficiency	<u>\$ 332.00</u>

	<u>Parcel 12</u>
Value	\$2,175.00
Deposit	1,438.00
Deficiency	<u>\$ 737.00</u>

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

REGULAR JANUARY 1943 TERM

MULGA, OKLAHOMA

MONDAY, OCTOBER 19, 1942

	<u>Parcel 13 and Parcel 13-A</u>
Value	\$1,900.00
Deposit	1,427.50
Deficiency	<u>\$ 372.50</u>

The Court further finds that as to Parcel 7 there has heretofore been deposited the sum of \$350.00, that said deposit exceeds the value of Parcel 7 by the sum of \$75.00 and that said sum of \$75.00 should be returned to the United States Treasury.

The Court further finds that the foregoing parcels were taken by the petitioner, the United States of America, on the 12th day of June, 1942, and that the deficiencies as to all of said tracts should bear interest from the 12th day of June, 1942, at the rate of 6% per annum until said deficiencies are deposited with the Clerk of this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the fair, cash, market value including all damages of every kind and character, be, and the same is hereby fixed as to these tracts as follows:

Parcel 1	\$10,500.00
Parcel 5	35.00
Parcel 6	75.00
Parcel 7	275.00
Parcel 8	135.00
Parcel 11	1,300.00
Parcel 11-A	300.00
Parcel 12	2,175.00
Parcel 13	1,850.00
Parcel 13-A	50.00

IT IS FURTHER ORDERED that the petitioner, the United States of America, deposit with the Clerk of this Court the gross sum of \$2,992.50, with interest thereon at the rate of 6% per annum from the 12th day of June, 1942, until the date of deposit, to pay the deficiencies as to Parcels 1, 5, 6, 8, 11 and 11-A, 12 and 13 and 13-A.

IT IS FURTHER ORDERED that the Clerk issue a check payable to the United States Treasurer, in the sum of \$75.00, to refund the overdeposit as to Parcel 7.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 19 1942
H. P. Warfield, Clerk
U. S. District Court H

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 19, 1942

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

No. 860 Civil

580 acres of land, more or less, situate
in Mayes County, Oklahoma, and John C.
Allen, 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 full, fee simple title, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines, in and to the property hereinafter described, and described in the Petition for Condemnation and the Declaration of Taking filed herein.

Thereupon, the Court proceeded to hear and pass upon said motion, the Petition for Condemnation and 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 Henry L. Stimson, Secretary of War, 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 sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking and Petition for Condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) A statement is contained in said Declaration of Taking for the sum of money estimated by the acquiring authority to be just compensation for the lands taken, in the amount of Nineteen Thousand Fifteen and No/100 Dollars (\$19,015.00), and 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.

(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 Henry L. Stimson, Secretary of War, 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 approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. Sec. 253a), and acts supplementary thereto and amendatory thereof, the Act of Congress approved August 19, 1890 (26 Stat. 316), as amended by the acts of Congress approved July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 312, 30 U.S.C. Sec. 171), and March 27, 1942 (Public Law 507 - 77th Congress), which Act authorizes the acquisition of land for military purposes, and the Act of Congress approved April 5, 1941 (Public Law 29 - 77th Congress), which Act appropriated funds for such purposes, is of the opinion that the United States was and is entitled to take said property and have the title thereto vested in it.

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

REGULAR JANUARY 1942 TERM

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IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the full, fee simple title, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines, in and to the following described lands 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 Nineteen Thousand Fifteen and 10/100 Dollars (\$19,015.00), and said lands 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 aggregate 578.05 acres, more or less, and are described as follows, to-wit:

Tract No. E-100

That part of the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, lying east of the east line of Oklahoma Ordinance Plant, containing 65 acres, of land, more or less.

Tract No. E-101

The West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$), (also described as Lot Four (4) and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section One (1), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, containing 80.52 acres, more or less.

Tract No. E-102

All that part of the Southeast Quarter (SE $\frac{1}{4}$) of Section Two (2) lying east of the east boundary line of the Oklahoma Ordinance Plant; and that part of the South Half (S $\frac{1}{2}$) of Lot Five (5) in Section One (1) lying West of Markham's Ferry Road; and that part of the North Half of Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section One (1) lying west of Markham's Ferry Road; and Lot Three (3) of Section One (1); and the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$), and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), and the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), and Lots Six (6), Seven (7) and Eight (8) of Section One (1); all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, containing 270.53 acres of land, more or less.

Tract No. E-103

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

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TULSA, OKLAHOMA

MONDAY, OCTOBER 19, 1942

NE $\frac{1}{4}$), lying West of the Markham Ferry Road, and that part of Ten (10) acres in a square in the Northeast corner of Lot Five (5) which lies west of the Markham Ferry Road; all in Section One (1), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, containing 32 acres of land, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be and it is hereby granted leave to take immediate, full and complete possession of said lands, to the extent of the estate hereby taken.

This cause is held open for such other and further orders, judgments and decrees as may be necessary.

Entered this 19 day of October, 1942.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed 4:35 P.M.
Oct. 19, 1942
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER DISCHARGING AMERICAN EMPLOYERS' INSURANCE COMPANY FROM LIABILITY ON ITS BOND NO. AS-551 (SY-62592) DATED DECEMBER 13, 1942

On this 19th day of October, 1942, this matter came on for hearing on the application of the Trustee, J. H. McBirney, for an order releasing and discharging the American Employers' Insurance Company from liability accruing from and after September 15, 1942, on the Trustee's Bond herein and it appearing that the Trustee has heretofore filed herein another Surety Bond in the principal amount of Ten thousand (\$10,000.00) Dollars in pursuance of the order of this Court made herein on the 17th day of August, 1942 and it appearing that the said Trustee's application should be granted.

It is ordered that the American Employers' Insurance Company, the Surety on the bond of the Trustee heretofore filed herein, dated December 13, 1933 which, on said company's bond No. AS-551 (SY-62592) should be and is hereby released and discharged from all liability incurred by said bond on any and all accounts of J. H. McBirney, Trustee herein, accruing from and after September 15, 1942 and from all liability accruing on said bond from and after the 15th day of September, 1942.

F. M. KEMMNER
JUDGE

ENDORSED: Filed Oct 19 1942
H. P. Warfield, Clerk
U. S. District Court JC

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

RECORDED JANUARY 1942 EERE

MONDAY, OCTOBER 19, 1942

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

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA,
Successor Trustee for "MARY FRANCES WALTER,
Plaintiff,

vs.

OKLAHOMA HOSPITAL, INC., a corporation; OKLAHOMA HOSPITAL CORPORATION, a corporation; OKLAHOMA HOSPITAL, a corporation; FRED S. CLINTON and JANE E. CLINTON, his wife; EXCHANGE TRUST COMPANY, a corporation; HOWARD C. JOHNSON, Bank Commissioner of the State of Oklahoma; THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, Successor Trustee of the Frank H. Reed and Isabelle S. Reed Trust; THE FIRST NATIONAL BANK AND TRUST COMPANY, Successor Trustee for John Francis Malloy; J. C. DENTON, C. H. SWINEY and F. M. SCWLE, as Trustee; VIRGINIA HAGAN HINTON, Successor Trustee for S. L. Canterbury; FEDERAL NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation, Guardian of the Estate of Charline Naomi Crossland, a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE DAVIS, nee Jones; HAROLD T. BRIGHT, FRANK G. COOPER; TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and MAUDE C. MARKHAM, Executrix of the Estate of John H. Markham, deceased,
Defendants.

In Equity No. 1195

O R D E R

NOW on this 19 day of October, 1942, this matter came on for hearing in open Court upon the Application of Lon R. Stansbery, Receiver of and for the property involved herein, asking for the authority and direction of this Court to agree in writing to the assignment by R. L. Green to West Side Hospital, Inc., of a certain lease agreement heretofore and on the 13th day of October, 1938, entered into between said Receiver and said R. L. Green, covering the portion of the property involved herein occupied by the Hospital and Nurses' Home, and the Court, having duly considered said matter and having been fully advised in the premises, is of the opinion that said Application should be granted;

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED that Lon R. Stansbery, Receiver, as aforesaid, be, and he hereby is, authorized and directed to execute and deliver an agreement in writing to and with R. L. Green, consenting to the assignment by the letter to West Side Hospital, Inc., of the Lease Contract heretofore and on the 13th day of October, 1938, entered into between said Receiver and said R. L. Green; it being specifically ORDERED, however, that the consent given to the assignment of said Lease shall not serve to release R. L. Green from his primary liability as Lessee under the terms of said Lease.

DONE in open Court on this the day and year above set forth.

ROYCE W. SAVAGE
District Judge

ENDORSED: Filed Oct 19 1942
H. P. Warfield, Clerk
U. S. District Court AC

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

REGULAR JANUARY 1942 TERM

THURSDAY, OCTOBER 20, 1942

To William Scullaw, the following:

East Half of the Southwest Quarter of the Northeast Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); and Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); and West Half of the Northeast Quarter of the Southeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$); and North Half of the North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$); and North Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$); and Northeast Ten (10) acres of Lot Three (3) and the Northwest Seventy-two Hundredths (.72) acres of Lot Three (3); and Southwest Ten (10) acres of Lot Three (3); and Southwest Seventy-two Hundredths (.72) acres of Lot 3 of Section Twenty-six (26), Township Twenty-five (25), Range Twelve East (12E), containing 86.44 acres,

To Richard Scullaw, the following:

North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$); and Southwest Quarter of the Northeast Quarter of the Southeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$); and Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Eleven (11), Township Twenty-five (25), Range Twelve East (12E), containing 40 acres,

all of the above described land being subject to the reservation of the oil, gas and mineral rights, which are to be held by the above parties as tenants in common, and that said allotment and division applies only to the surface rights. It is further ordered that all the land involved herein is tax exempt.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 20 1942
H. P. Farfield, Clerk
U. S. District Court LN

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

Lucy Sawney, Polly Sawney, Neva Sawney, Joe Sawney, and Franklin Sawney, the last three being minors, by Lucy Sawney, their next friend, Plaintiffs,
vs.
Samuel Sawney, if living, and if dead, the heirs and unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Samuel Sawney, deceased; and the State of Oklahoma and J. A. Beckman and E. J. McAdams, Defendants.
United States of America, Intervenor.

NO. 699 CIVIL

COPYRIGHT OF SALE

Now on this 20 day of October, 1942, come the plaintiffs by H. F. Felling, their attorney and comes also the United States of America by Whit Y. Haagy, United States Attorney and the

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

REGULAR JANUARY 1942 TERM

TUESDAY, OCTOBER 20, 1942

A. M., in the Office of the Deputy Clerk of U. S. Court and Ex-Officio Recorded at Tulsa, and Recorded in Book 12 at Page 651, to the North Boundary line of Woodrow Street, all as located and shown by Plat of Fishbaugh Addition to the Town of Dawson, Oklahoma filed and recorded.

Title is vested in the Town of Dawson, Oklahoma.

PARCEL 1, TRACT B

Streets and Alleys in Woolley's Addition to the Townsite of Dawson, Oklahoma, as shown by the plat and dedication filed November 22th, 1911, under Instrument # 36150.

Title is vested in the Town of Dawson, Oklahoma.

PARCEL 1, TRACT D

All streets and alleys in Original Town of Dawson, (or east Tulsa), Oklahoma, as shown by the Amended Plat thereof filed November 7th, 1906, at 11:15 o'clock A.M., in the office of the Deputy Clerk of United States Court and Ex-Officio Recorded at Tulsa, and recorded in Book 12, at page 641; and

All of Lots 13 and 14 in Block 17, and all that part of Tracts "C" and "D", more particularly described as follows: Beginning at the Southeast corner of Lot 12, Block 26, thence East along the extended South line of Lot 12, a distance of 10 feet to the intersection of a line parallel to and 10 feet distant from the East line of Block 26 for the true place of beginning; thence East to the Northwest corner of Lot 13, in Block 17, thence South along the West line of Lots 13 and 14, to the Southwest corner of Lot 14, in said Block 17, thence West to a point in the intersection of a line parallel to and distant 10 feet East from the East line of Blocks 33 and 26, and a line parallel to and distant 10 feet North from the North line of Block 33, extended thence North 50 feet to the point and place of beginning, all being situated in the Original Town of Dawson, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Title is vested in the Town of Dawson, Oklahoma.

PARCEL 2, TRACT C.

An easement to construct, operate, maintain, together with the right of entry, a sewer line across the North 20 feet of Lot 2, Block 3, of the Industrial Addition to the Town of Dawson, Tulsa County, Oklahoma, according to the recorded plat thereof.

Title is vested in A. J. Williams and Ella Williams.

PARCEL 3

An easement to construct, operate, maintain, together with the right of entry, a sewer line across the North 20 feet of Lot 7, Block 2, of the Industrial Addition to the Town of Dawson, Tulsa County, Oklahoma, according to the recorded plat thereof.

Title is vested in Nell Lewis and Beatrice Lewis.

PARCEL 4.

An easement to construct, operate, maintain, together with the right of entry, a sewer line across the North 20 feet of Lot 2, Block 2, of the Industrial Addition to the Town of Dawson, Tulsa County, Oklahoma, according to the recorded plat thereof.

Title is vested in Nell Lewis and Beatrice Lewis.

PARCEL 5.

An easement to construct, operate, maintain, together with the right of entry, a sewer line across the North 20 feet of Lot 9, Block 1, of the Industrial Addition to the Town of Dawson, Tulsa County, Oklahoma, according to the recorded plat thereof.

Title is vested in John W. Allman and Lela Allman.

PARCEL 6.

An easement to construct, operate, maintain, together with the right of entry, a sewer line across the North 20 feet of Lot 2, Block 1, of the Industrial Addition to the Town of Dawson, Tulsa County, Oklahoma, according to the recorded plat thereof.

Title is vested in Auda Hedgecock.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the title to the above described real estate and estates therein taken is hereby vested in the persons hereinabove set out as to each particular tract of land, as of the date of taking by the petitioner.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the titles to the real estate and estates hereinabove found vested in the persons as adjudged to be the owners thereof are subject to a paramount lien and payment of any and all taxes due, assessable and exigible, of whatever nature.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 28 1942
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to October 21, 1942

Parcel 4

Leone Patton, and County Treasurer
of Tulsa County, Oklahoma \$ 25.00

Parcel 5

Harold E. Coby and County Treasurer
of Tulsa County, Oklahoma \$ 24.00

Parcel 6

Harold E. Coby and County Treasurer
of Tulsa County, Oklahoma \$ 24.00

Parcel 7

H. D. Maxwell, Myrta E. Maxwell and
County Treasurer of Tulsa County,
Oklahoma \$275.00

Parcel 8

R. F. Layman and County Treasurer
of Tulsa County, Oklahoma, \$ 90.00

Parcel 12

Elbert L. Morgan, Commissioners of the Land
Office of the State of Oklahoma, and County
Treasurer of Tulsa County, Oklahoma \$1,488.00

Parcels 13 and 13-A

Oras A. Shaw, The Federal Land Bank of
Wichita, Federal Farm Mortgage Corporation,
and County Treasurer of Tulsa County,
Oklahoma, \$1,527.50

The Clerk shall make no charge for commission or poundage.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 21 1942
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to October 22, 1942

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

REGULAR JANUARY 1942 TERM

THURSDAY, OCTOBER 22, 1942

On this 22nd day of October, 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. Kauzy, United States Attorney
John P. Logan, United States Marshal

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

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

MELLIE LITTLEDAVE, now JUMPUR,
ANNIE LITTLEDAVE, now TWIST,
MYRTLE LITTLEDAVE, and LIZZIE
LITTLEDAVE, PLAINTIFFS,

-vs-

NORA LITTLEDAVE, IDELLA LITTLEDAVE,
WILLIAM BEAVER and D. C. FRYER,
STATE OF OKLAHOMA, and the unknown
heirs, executors, administrators,
devisees, trustees, creditors and
assigns, immediate and remote, of
ISAAC LITTLEDAVE, deceased, and of
SUSIE BEAVER, formerly LITTLEDAVE,
deceased, DEFENDENTS.

UNITED STATES OF AMERICA, INTERVENER.

NO. 657 CIVIL

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now on this 22nd day of October, 1942, coming on for hearing the motion of plaintiffs for an order approving sale of real estate made in the above action on the 19th day of October, 1942, return and report of said sale being filed in this court on the 20th day of October, 1942; plaintiffs appearing by their attorneys, Ben L. Murdock, and John S. Severson, and the defendants, all restricted Indians, appearing not; and the United States of America appearing by the Honorable Whit Y. Kauzy, United States District Attorney for the Northern District of Oklahoma, said United States District Attorney also appearing in behalf of said restricted Indians; and the court having heard said motion and being fully advised finds that pursuant to decrees and orders of this court heretofore made, the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, did, on the 19th day of October, 1942 sell the real estate involved in the above action after advertising the same in all particulars as required by law, for the sum of \$1800.00, same being the value of said premises as fixed by the commissioners appointed by this court to appraise the same, and that said sale was in all particulars made in accordance with the orders of this court and the statutes both state and federal in like cases made and provided, and that said report of sale should in all things be confirmed and approved and that distribution of said funds should be made by the said United States Marshal.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the said United States Marshal's sale of land described and involved in this action be follows, to-wit:

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

657

REGULAR JANUARY 1943 TERM

OKLA, OKLAHOMA

THURSDAY, OCTOBER 22, 1942

West Half (SW $\frac{1}{2}$) of Southwest Quarter (SW $\frac{1}{4}$) and
Southwest Quarter (SW $\frac{1}{4}$) of Southeast Quarter
(SE $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$) of Section
Fourteen (14), Township Twenty-one (21) North,
Range Nineteen (19) East, in Mayes County,
Oklahoma,

being the real estate involved herein, be, and the same is in all things approved and confirmed and made firm and effectual forever, and that the purchaser of said sale; namely, D.C. Fryer, is hereby subrogated to the rights of all parties to said action for the protection of his title.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the said United States Marshal make, execute and deliver to said purchaser a proper conveyance conveying the said land to him in accordance with this order and the orders of the court heretofore made in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said United States Marshal deduct out of the funds in his hands his publication costs in the sum of \$16.00; that he pay to the Clerk of this Court the sum of \$124.31, costs incurred in this court; that he pay to the Court Clerk of Mayes County, Oklahoma the sum of \$68.95, being the cost incurred prior to removal to this court; that he pay to John S. Severson and Ben L. Murdock the sum of \$150.00, the reasonable attorneys' fee in this action, said payment to be made by two checks, each in the sum of \$75.00, payable to their several orders; that distribution of the balance remaining in his hands be made to the Treasurer of the United States and sent to F. W. Sunderwirth, Disbursing Agent of the Five Civilized Tribes, Muskogee, Oklahoma, for the use and benefit of the plaintiffs and the defendants above named, distribution to be made by said Disbursing Agent among the parties to this action, to-wit:

Plaintiffs, Nellie Littledeave, now Jumper
Annie Littledeave, now Twist,
Myrtle Littledeave, and
Lizzie Littledeave,

and the Defendants, Nora Littledeave,
Idella Littledeave and
William Beaver,

each 10/63ds of said amount except the defendant William Beaver, who shall receive 3/63ds; and that the said United States Marshal shall file a report of his said disbursements with the Clerk of this Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Oct 23 1942
H. P. Warfield, Clerk
U. S. District Court IN