

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

SARAH PERRYMAN, ET AL.,	Plaintiffs,)
)
vs.)
		) NO. 723 CIVIL
OKEMAH PERRYMAN, ET AL.,	Defendants.)
)
UNITED STATES OF AMERICA,	Intervener.)

O R D E R

This matter coming on for hearing this 9th day of October, 1942, before the Honorable Royce H. Savage, Judge of the United States District Court in and for the Northern District of Oklahoma, upon the motion of the defendant P. A. McNeal, to vacate, cancel and hold for naught certain journal entry judgment entered under date of August 24, 1942, and the court after hearing statement of counsel and being otherwise fully advised in the premises finds, that notice of hearing of said pre-trial conference on said date was mailed to the defendant P. A. McNeal's Attorney of Record, G. G. Hilford; that said Attorney G. G. Hilford was on that date and theretofore out of the city and did not receive said notice of such hearing, and therefore did not appear; that the court further finds that upon said date due to failure of appearance of said counsel said defendant P. A. McNeal was adjudged in default and judgment taken against said P. A. McNeal.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that said Journal Entry of Judgment under date of August 24, 1942, insofar as it pertains to the rights and equities of the defendant P. A. McNeal is cancelled, set aside and held for naught, and said matter is set for trial upon a future date for hearing upon said matters.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 8 1943
H. P. Warfield, Clerk
U. S. District Court

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

SARAH PERRYMAN, ET AL,	Plaintiffs,)
)
vs.		) NO. 723 CIVIL
)
OKEMAH PERRYMAN, ET AL,	Defendants.)
)
UNITED STATES OF AMERICA,	Intervener.)

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 15th day of March, 1943, The United States of America appearing by Whit V. Harty, United States Attorney, and William K. Powers, Assistant United States Attorney, and defendant, P. A. McNeal, appearing by Hol Karbo and G. G. Hilford, the defendant, Oluoch Reynolds, nee Perryman, defendant, Norman Jacobs, Administrator of the Estate of George B. Perryman, deceased, and L. W. Henchberg, appearing by Yancey, Wash & Getwile, and the defendant L. W. Turner, appearing by Hunt G. Bechtler, and plaintiffs appearing by W. S. Robertson, Probate Attorney, and this matter being specifically set for hearing as to the right, title and interest of P. A. McNeal, in and to the following described property, to-wit:

A tract of land commencing at a point 500 feet West of the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma, and thence running west along the South line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 19, Township 19 North, Range 13 East, for a distance of 820 feet to the Southwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ above described; thence North along the West line of said above described tract a distance of 496.50 feet to the Southwest corner of the tract of land heretofore sold to John S. Zink; thence in a Northeasterly direction following the South line of said tract of land heretofore sold to John S. Zink, a distance of 347.13 feet to a point, said point being 660 feet South of the North line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 19 North, Range 13 East 517 feet to a point which is 635.25 feet North and 500 feet West of the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 19, Township 19 North, Range 13 East, thence South 635.25 feet to the point of beginning, in Tulsa County, Oklahoma.

The Court after hearing the arguments of counsel and being otherwise fully advised in the premises, finds:

That the said P. A. McNeal has no right, title or interest, either legal or equitable, in and to the above described real estate, and title is quieted in Sarah Perryman, Newman Perryman, Okemah Reynolds, nee Perryman, and L. W. Henebergh, as their respective interests appear from the Journal Entry of Judgment heretofore entered by this Court in this action on August 24, 1942.

IT IS, THEREFORE, ordered, adjudged and decreed by the Court that the defendant P. A. McNeal, has no right, title or interest, legal or equitable, or lien upon the above described property and the title to said property is hereby quieted and confirmed against the defendant, P. A. McNeal in Sarah Perryman, Newman Perryman, Okemah Reynolds nee Perryman, and L. W. Henebergh.

IT IS FURTHER ordered, adjudged and decreed that the said P. A. McNeal is denied judgment against said Newman Jacobs, Administrator of the Estate of George E. Perryman, deceased.

ROYCE V. SAVAGE
JUDGE

ENDORSED: Filed Apr 8 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
)
)
)
A CERTAIN PARCEL OF LAND IN MAYES COUNTY, OKLAHOMA; and Etta Graham, et al.,	Defendants.)

CIVIL NO. 807

JUDGMENT ON VERDICT AS TO TRACT NO. 301 - 0.3

NOW, on this 10th day of March, 1943, the United States District Court for the Northern District of Oklahoma, being regularly and duly convened and in session, at Tulsa, Oklahoma, within said district and state, the above proceeding came on for jury trial upon the demand of the defendant land-owner, Etta Graham, and pursuant to regular assignment; the petitioner, United States of America, appeared by Whit Y. Krausz, United States Attorney for the Northern District of Oklahoma, and C. B. Boydston and Jesse L. Ballard, attorneys for the Federal Works Agency, of counsel; and the defendant, Etta Graham, appeared by her attorneys, Harve H. Langley and Carey Caldwell, Thereupon, all parties announced ready for trial.

It was stipulated and agreed in open court between all of the parties that the defendant, Etta Graham, was the owner of the lands designated and described as Tract No. 301-0.3 on the 30th day of April, 1942, the time of the taking by the petitioner, and that said defendant acquired said property on the 21st day of September, 1940.

A jury was duly impaneled and sworn to try the cause according to law; and opening statements were made by attorneys for the defendant, Etta Graham, and attorneys for the petitioner, United States of America, whereupon, the defendant introduced evidence and rested and the petitioner introduced evidence and rested. Whereupon, and on the 11th day of March, 1943, the said jury in charge of its bailiff returned its verdict into court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,)
)
-vs-)
)
)
A certain parcel of land in Mayes County, Oklahoma, and Etta Graham, et al.,	Defendant.)

Case No. 807 Civil

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

(s) H. E. O'Bannon, Foreman."

ENDORSED:
Filed In open Court
Mar. 11, 1943,
H. P. Garfield, Clerk,
U. S. District Court."

Whereupon, IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that said verdict be accepted and entered in every respect and that the defendant shall receive just compensation in full

total sum of \$600.00 by reason of the condemnation and taking of a perpetual easement by the United States of America, upon, over and across said land, designated and described as Tract No. 301-0.5.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the public use and purpose for which said land is taken by the petitioner is strictly in accordance with the Acts of Congress made and provided in such cases, and that a legal description of said real estate upon, over and across which said perpetual easement is taken by these eminent domain proceedings, is as follows, to-wit:

TRACT NO. 301 - 0.5

Lots 5, 6, 7 and 8, in Block 9, as shown on the revised dedication plat of the townsite of North Langley, dated July 14, 1939, also across Park Street and along Osage Avenue in said Town of North Langley, all situate in the County of Mayes, State of Oklahoma.

and that said estate taken in said real estate is a perpetual easement for the erection, operation and maintenance of a line or lines of poles, 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 of operation thereof, and together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all necessary guy wires thereto, subject only to all easements and rights heretofore acquired and held by the Grand River Dam Authority, a public corporation, and now in the possession and under the control of the Administrator of the Federal Works Agency.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the estate and interest taken by these eminent domain proceedings did vest in the United States of America, on the 30th day of April, 1942, upon the depositing in the registry of this Court the sum of \$600.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$600.00 is just compensation for the estate and interest taken by the petitioner, United States of America, and that no part of said just compensation herein determined and fixed is for any rights which the Grand River Dam Authority, a public corporation, may have, or claim to have by reason of the construction of certain transmission lines on this same tract of land, which lines were constructed and located upon said tract at the time the petitioner, United States of America, took the easement herein described.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that all costs in connection with the jury trial herein be, and are hereby taxed against the defendant, Etta Graham, the land owner, said defendant having failed to recover a verdict more favorable to her than the assessment of the commissioners. That said costs are taxed in the sum of \$51.20.

To the judgment accepting and approving the jury's verdict, the defendant, Etta Graham, objected and excepted, and such objections and exceptions are allowed.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 8 1943
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
)
A CERTAIN PARCEL OF LAND IN MAYES COUNTY, OKLAHOMA; and Etta Graham, et al.,	Defendants.)

CIVIL NO. 307

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 6th day of April, 1943, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to the funds deposited herein for the owners of the real estate involved in this proceeding and the estate therein taken, and the Court being fully advised in the premises finds that the defendant, Etta Graham, is the owner of the entire fee simple title in and to said lands involved in this proceeding and designated as Tract No. 301-C.3; that no person, firm, corporation or political subdivision of the State has any right, title or interest in and to said lands; and that the said Etta Graham, fee owner of said land, is the only person entitled to receive the just compensation now on deposit with the Clerk of this Court, except that the United States of America holds a judgment against said defendant, Etta Graham, for the costs taxed in this proceeding in the sum of \$51.20.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds on deposit as follows, to-wit:

TO: Etta Graham, fee owner of Tract No. 301-C.3	\$548.80
Treasurer of the United States - judgment for costs in this pro- ceeding	<u>51.20</u>
Total	\$600.00

ROYCE W. SAVAGE
J U D G E

ENDORSED: Filed Apr 8 1943
H. P. Worfield, Clerk
U. S. District Court N

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

UNITED STATES OF AMERICA,)
) Petitioner,)
))
 -vs-) CIVIL NO. 970)
))
 CERTAIN PARCELS OF LAND IN HAYES COUNTY, OKLAHOMA;)
 and Eldee McCracken, now Arterbury, also known)
 as Arterberry, et al.,) Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION
AND MAKING DISTRIBUTION AS TO TRACT NO.
3 (308 - 1.3)

NOW, on this 8th day of April, 1943, there coming on for hearing the appli-
cation of the defendants, W. T. Muldrew and Gertrude Muldrew for an order fixing title, decreeing
just compensation and making distribution as to Tract No. 3 (308 - 1.3), and the Court being fully
advised in the premises, finds:

That the defendants, W. T. Muldrew and Gertrude Muldrew, were the owners of t
land designated as Tract No. 3 (308 - 1.3) when this proceeding was commenced; that the petitioner
filed a Declaration of Taking and deposited in the registry of this Court the estimated just compen-
sation in the sum of \$130.00 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 Declarati-
on of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a pe-
petual easement for transmission line purposes, and decreed that the owners, and those having any rig-
ht title or interest in and to said land, have and recover just compensation for the taking of said per-
petual easement.

The Court further finds that the defendants, W. T. Muldrew and Gertrude in
writing, agreed to grant and sell to the petitioner, a perpetual right, privilege and authority to e-
operate and maintain a line or lines of poles, towers, or other structures, wires, cables and fixtur-
for the transmission of electric current, for the sum of \$130.00, which was accepted by the petition

The Court further finds that the sum of \$130.00 is just compensation for the
injuries and damages sustained by said defendant, W. T. Muldrew and Gertrude Muldrew.

The Court further finds that no person, firm, corporation, or taxing sub-
division of the State, other than said defendants, have any right, title or interest in and to
said just compensation, except First National Bank of Wagoner, a corporation, mortgagee, which
defendant has filed waiver herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defen-
dants, W. T. Muldrew and Gertrude Muldrew, were the owners of the land designated as Tract No. 3
(308 - 1.3), when this proceeding was commenced, and that the sum of \$130.00 is just compensation
for the damages sustained by the defendants, W. T. Muldrew and Gertrude Muldrew and that said de-
fendants, are the only person having any right, title or interest in and to said just compensation,
the defendant mortgagee having filed waiver herein.

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: W. T. Muldrew and Gertrude Muldrew	Eviders	
TRACT NO. 3 (308 - 1.3)		\$130.00

ROYCE H. SAWAGE
JUDGE

WITNESSED: Filed Apr 8 1943
H. P. Warfield, Clerk, U. S. District Court

Court returned to April 8, 1943

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

COLUMBUS BELL STEVENS, Plaintiff,)
 vs.) No. 876 Civil
 SINCLAIR PRAIRIE OIL COMPANY,)
 A Corporation, et al., Defendants.)

ORDER OF DISMISSAL

On this 9th day of April, 1943, there coming on for hearing the separate motions of the defendants, CHARLES E. ROGERS, JOHN L. WARD, JOSIE BRUNER, FELIX BRUNER, ISADORA BUCKNER, FELIX ALEXANDER, ROSA JAMES, JACK BRUNER, POLLYANN RANSOM, CATHERINE WATTS, IRENE EDWARDS, CLAUDIA EDWARDS, THURMAN BROWN, JOHN FAY, CAESAR BRUNER, MRS. V. P. CRANE, LEROY ALEXANDER, KATIE BEARD AND JESSIE JAMES and ANNA C. CORBIN and BOOKER J. WILLIAMS, to dismiss the complaint, in the above entitled cause as to them, said movants appearing by their attorney, W. B. Blair, and the plaintiff appearing not although duly notified as provided by the rules of this Court; and the Court, having heard argument of counsel, and being fully advised in the premises upon due consideration thereof finds that said motion to dismiss should be, and the same is hereby sustained and said cause is hereby dismissed with prejudice at the cost of the plaintiff.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 12 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

COLUMBUS BELL STEVENS, Plaintiff,)
 vs.) No. 876 Civil
 SINCLAIR PRAIRIE OIL COMPANY, a)
 Corporation, et al., Defendants.)

ORDER OF DISMISSAL

On this 9th day of April, there coming on for hearing the separate motion of W. B. CLAIR and MARVIN T. JOHNSON to dismiss the complaint as against them in the above entitled cause, the movants appearing pro se and the plaintiff appearing not although duly notified as provided by the rules of the Court; and the Court, having heard argument of counsel, and being fully advised in the premises, finds that said motion should be, and the same is hereby sustained, and the complaint is dismissed with prejudice as to the movants W. B. Blair and Marvin T. Johnson, at the cost of the plaintiff.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 12 1943
H. P. Warfield, Clerk
U. S. District Court ME

Lots One (1), to Twenty Four (24), both inclusive,
Block Nine (9), Devonshire Place Addition to the City
of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Twenty Five (25), both inclusive,
Block Ten (10), Devonshire Place Addition to the City
of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Twenty One (21), both inclusive,
Block Eleven (11), Devonshire Place Addition to the
City of Tulsa, Tulsa County, Oklahoma,

Lots One (1) to Seventeen (17), both inclusive, and
Lot Twenty (20), Block Twelve (12), Devonshire Place
Addition to the City of Tulsa, Tulsa County, Oklahoma,

Lot One (1) and Lots Four (4) to Eighteen (18), both
inclusive, and Lots Twenty (20) and Twenty One (21),
Block Thirteen (13), Devonshire Place Addition to the
City of Tulsa, Tulsa County, Oklahoma

and otherwise described as:

The Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter
 $SW\frac{1}{4}$) and all that part of the Southwest Quarter ($SW\frac{1}{4}$)
of the Southeast Quarter ($SE\frac{1}{4}$) lying West of the
Midland Valley Railroad Right of Way, except the fol-
lowing described tract, to-wit: Beginning at a point
on the South line of said Section at the West line of
the Right-of-Way of the Midland Valley Railway; thence
running West along the South line of said Section, one
hundred five (105) feet; thence running in a Northerly
direction on a line parallel with the Right of Way of
the Midland Valley Railway, Two Hundred Five (205) feet;
thence running East One Hundred Five (105) feet to the
Right-of-way of the Midland Valley Railway; thence run-
ning in a southerly direction along the Right-of-Way of
the Midland Valley Railway, Two Hundred Five (205) feet
to the point of beginning; all in Section Twenty Four
(24), Township Twenty (20) North, Range Twelve (12)
East of the Indian Base and Meridian, in the County
of Tulsa, Oklahoma,

EXCEPT the following lots from the above described land, described
as follows, to-wit:

Lot Sixteen (16), Block Four (4), Devonshire
Place Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Seventeen (17), Block Four (4), Devonshire
Place Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Eighteen (18), Block Four (4), Devonshire
Place Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Nineteen (19), Block Four (4), Devonshire Place
Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot One (1), Block Seven (7), Devonshire Place
Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Eighteen (18), Block Twelve (12), Devonshire
Place Addition to the City of Tulsa, Tulsa
County, Oklahoma,

Lot Nineteen (19), Block Twelve (12), Devonshire
Place Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Two (2), Block Thirteen (13), Devonshire
Place Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Three (3), Block Thirteen (13), Devonshire
Place Addition to the City of Tulsa, Tulsa County,
Oklahoma,

Lot Nineteen (19), Devonshire Place Addition
to the City of Tulsa, Tulsa County, Oklahoma.

Dated this 9th day of April, 1943.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 9, 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 10, 1943

On this 10th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ORDER TO MARSHAL TO OPEN AND ADJOURN COURT.

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

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

On this 12th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 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

IN THE MATTER OF THE ESTATE OF:)
PETER MICCO, Deceased.) NO. 826 - CIVIL

O R D E R

This matter coming on for hearing this 12th day of April, 1943, in its regular order, the court having heretofore taken under advisement the application of L. F. Merrell, E. F. O'Neal and Perry Chisholm, co-administrators of the estate of Peter Micco, deceased, appointed by the County Court of Okfuskee County, Oklahoma, to set aside the order of the United States District Court for the Northern District of Oklahoma appointing N. B. Day and G. Ellis Gable administrators, on the 19th day of June, 1942, and the movants appearing by Hugh Nolan, Dave Seran, W. T. Anglin, Alfred Stevenson, O. S. Huser and Charles Dwight Tolle and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for the Northern District of Oklahoma, and the co-administrators appointed by the United States District Court for the Northern District of Oklahoma appearing by M. S. Robertson, Probate Attorney, and the court being fully advised in the premises, finds that the order entered by the County Court of Okfuskee County in Cause No. 2562 pending in the County Court of Okfuskee County, Oklahoma, date June 4, 1942, is void on its face and therefore conferred no jurisdiction on the County Court of Okfuskee County, Oklahoma, and no authority in the administrators appointed by said court.

The court further finds that this action was properly removed to the United States District Court for the Northern District of Oklahoma from the County Court of Tulsa County, Oklahoma and that upon removal, the United States District Court for the Northern District of Oklahoma had jurisdiction and power to proceed with said cause.

The court further finds that upon removal to the United States District Court for the Northern District of Oklahoma, said court became possessed with jurisdiction and power, not only to determine heirs, but to proceed with the administration of the estate of Peter Micco, deceased. That the court having jurisdiction to determine heirs has jurisdiction to hear and determine said cause on all issues involved and the court further finds that the application of movants to vacate the order of this court appointing co-administrators should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the application of L. F. Merrell, E. F. O'Neal and Perry Chisholm, administrators appointed by the County Court of Okfuskee County, be and the same hereby is overruled, and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that this cause proceed and the estate of Peter Micco, deceased, be fully administered.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 14 1943
H. P. Warfield, Clerk, U. S. District Court H

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

SONKEN-GALAMBA SUPPLY COMPANY,
a corporation,

Plaintiff,

-vs-

ERLE P. HALLIBURTON, Inc., a corporation,

Defendant.

C I V I L NO. 921

O R D E R

Now on this, the 9th day of April, 1943, the above matter came on to be heard upon the defendant's motion to dismiss the plaintiff's First Amended Complaint, and the court, being fully advised in the premises, is of the opinion that said motion should be sustained.

IT IS, THEREFORE, ORDERED that the motion of the defendant to dismiss the First Amended Complaint be, and the same is hereby sustained, the plaintiff being granted ten days from the date to file its Second Amended Complaint, if it so desires, and the defendant shall be allowed twenty days thereafter to plead or answer.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Apr 12 1943
H. P. Warfield, Clerk
U. S. District Court

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

W. EUGENE KAY,

Plaintiff,

v.

JAMES SHERMAN STARR, et al.,

Defendants.

UNITED STATES OF AMERICA,

Intervener.

No. 924 Civil

ORDER APPOINTING ATTORNEY UNDER SOLDIERS AND SAILORS CIVIL RELIEF ACT OF 1940

Now on this 12th day of April, 1943, the plaintiff in the above-entitled cause having filed herein his affidavit showing that he is unable to determine whether or not the defendants, the creditors, heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, known and unknown of Elizabeth Starr, Cherokee Roll No. 2550, Deceased, are now or have been within the last thirty days in the military service of the United States of America, and the said plaintiff having requested the appointment of an attorney to represent all of said defendants as required by the Soldiers and Sailors Civil Relief Act of 1940.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT THAT A. M. Covington be and he is hereby appointed as attorney to represent all of the defendants above named who are now or have been within the last thirty days in the military service of the United States of America.

ENDORSED: Filed In Open Court Apr 12 1943
H. P. Warfield, Clerk, U. S. District Court H

ROYCE H. SAVAGE
JUDGE

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

IN THE MATTER OF THE ESTATE OF ISOM)
PETERS, DECEASED,) No. 943 Civil

O R D E R

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

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from April 15, 1943, within which to plead in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 12 1943
H. P. Warfield, Clerk
U. S. District Court H

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

NANCY BRADBURN, NEE YARHOLD, AN)
INCOMPETENT, BY SUKEY JENKINS,)
DAUGHTER AND NEXT FRIEND,) Plaintiff,)
) No. 961 Civil
v.)
SHELL OIL COMPANY, INC.,)
a foreign corporation,) Defendant.)

O R D E R

Now on this 12 day of April, 1943, this matter coming on before the Court on the Application of the United States of America for additional time to plead and it appearing to the Court for good cause shown, that said time should be extended,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from April 14, 1943, in which to plead in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 12 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 13, 1943

On this 13th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

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

ORDER AUTHORIZING COMPROMISE OF CLAIM AGAINST ANNA MAHONEY, TRUSTEE, AND MRS. G. W. SHOWALTER

Now on this 13th day of April, 1943, this matter came on for hearing on the application of J. H. McBirney, Successor Trustee herein, for an order authorizing him to execute a compromise of the claim against Anna Mahoney, as Trustee, and Mrs. G. W. Showalter, based on their liability on the supersedeas bond mentioned in said application, and for good cause shown and after due consideration, the court finds that said application should be granted;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that J. H. McBirney, Successor Trustee herein, should be and he is hereby authorized and directed on the payment of the sum of Two hundred (\$200.00) dollars by said Anna Mahoney, Trustee, and Mrs. G. W. Showalter, to make execute and deliver to them and each of them, a release in full of their liability based upon and incurred by the execution of the supersedeas bond in case No. 59959 pending in the District Court of Tulsa County, Oklahoma, and to dismiss Trustee's proceedings against said individuals pending therein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 13 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 14, 1943.

On this 14th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 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

BETSEY BEAVER,	Plaintiff,)	
)	
vs.		)	No. 705 Civil
)	
LeRoy Proctor, et al,	Defendants.)	
)	
United States of America,	Intervener.)	

ORDER CORRECTING FORMER ORDER

Now, on this the 14th day of April, 1943, their coming on for hearing the motion of plaintiff for an order apprecting former order of this Court approving sale by United States Marshal, dated March 1, 1943, for the reasons in said Motion stated; and the Court, having heard said Motion and being fully advised, finds that the Motion should be granted.

It is, therefore, ordered, adjudged, and decreed by the Court that the Order of March 1, 1943, entered in the above case, be corrected so that the second paragraph on page 2 of said Order read as follows, to-wit:

"It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the said United States Marshal's sale of the land involved in this action, and described as follows, towit:

The North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) all in Section Twelve (12), Township Twenty-eight (28) North, Range Twelve (12) East, in Washington County, Oklahoma,

be and the same is in all things approved and confirmed, and made firm and effectual forever, and that the purchaser at said sale, towit, E. C. Mullendore, Jr., is hereby subrogated to the rights of all the parties to said action for the protection of his title."

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 14 1943
H. P. Warfield, Clerk
U. S. District Court LN

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

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

SUPPLEMENTAL ORDER MAKING DISTRIBUTION AS TO TRACT NO. 12 (307 - 44.2); TRACT NO. 13 (307 - 44.3); AND TRACT NO. 15 (307 - 44.6)

NOW, on this 14th day of April, 1943, the above cause comes on for hearing pursuant to regular assignment for the distribution of the just compensation remaining on deposit with the Clerk of this Court as to Tract No. 12 (307 - 44.2), Tract No. 13 (307 - 44.3) and Tract No. 15 (307 - 44.6), and it appearing that heretofore on the 12th day of October, 1942, this court made and entered on order fixing title and making distribution of the funds deposited with the Clerk of this Court as estimated just compensation, and found that Ronald E. Madole and A. E. Madole were the fee owners of the lands designated and described as Tract No. 12 (307 - 44.2); Tract No. 13 (307 - 44.3) and Tract No. 15 (307 - 44.6) and directed that distribution be made to them as such owner; that the Clerk of this Court made distribution pursuant to said order; that this Court on the 28th day of October, 1942, entered a judgment upon verdicts of a jury as to said tracts of land, and rendered a judgment against the petitioner for the sum of \$149.75, same being the difference between the just compensation adjudicated by the verdicts of a jury returned and filed on said 28th day of October, 1942, in the total sum of \$405.00, and the estimated just compensation deposited in the sum of \$255.75; and it now appearing that the petitioner has deposited with the Clerk of this Court said sum of \$149.75, and that said judgment has been fully paid and satisfied; that the said Ronald E. Madole and A. E. Madole are the only persons entitled to receive said just compensation now on deposit with the Clerk of this Court.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds now on deposit as follows, to-wit:

TO: Ronald R. Madole - fee owner of Tract No. 12 (307 - 44.2 - Tract B)	\$27.75
A. E. Madole, fee owner of Tract No. 12 (307 - 44.2 - Tract A); Tract No. 13 (307 - 44.3) and Tract No. 15 (307 - 44.6)	\$122.00
Total	\$149.75

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 14 1943
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 CRAIG COUNTY, OKLAHOMA; and Charles Sanders, et al.,	Defendants.)

CIVIL NO. 858

ORDER FIXING TITLE AND MAKING DISTRIBUTION AS TO TRACT NO. 3
(305 - 39.1)

NOW, on this the 14th day of April, 1943, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to the funds deposited herein for the owners of the real estate involved in this proceeding and the estate therein taken, and the Court being fully advised in the premises finds that the defendant, S. D. Hunt, is the owner of the entire fee simple title in and to said lands involved in this proceeding and designated as Tract No. 3 (305 - 39.1); that no person, firm, corporation, or political subdivision of the State has any right, title or interest in and to said lands and that the said S. D. Hunt, fee owner of said land, is the only person entitled to receive the just compensation now on deposit with the Clerk of this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said fund on deposit as follows, to-wit:

TO: S. D. Hunt, fee owner of Tract No.
3 (305 - 39.1) \$239.00

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 14 1943
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-)
)
77.15 acres of land, more or less, situate in Mayes County, Oklahoma, and the Known and Unknown Heirs, executors, administrators, devises, legatees, trustees and assigns, immediate and remote, of Will Giles, deceased, et al.,	Respondents.)

No. 900 - Civil

ORDER DISTRIBUTION FUNDS AS TO TRACT NO. F-200

Now on this 14 day of April, 1943, this cause came on to be heard and the Court having been fully advised in the premises, finds:

That it is satisfactory with the owners of Tract No. F-200 for the entire award to be distributed to Rosa Giles.

IT IS THEREFORE ORDERED that the Clerk issue checks payable as follows, as to Tract No. F-200:

Rosa Giles and the County Treasurer of Mayes County, Oklahoma (full award)	\$ 1173.00
The Treasurer of the United States of America, (refund of overdeposit)	\$ 77.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 14 1943
H. P. Warfield, Clerk
U. S. District Court H

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

THE CREEK INDIAN NATIONAL COUNCIL,	Plaintiff,)	
)	
vs.		)	No. 927 CIVIL
)	
NANCY BARNETT, ET AL.,	Defendant.)	

JOURNAL ENTRY

On this 9th day of April, 1943, comes the plaintiffs and ask leave of Court to file an amendment to plaintiffs amended complaint and leave to file said amendment is granted whereupon plaintiffs file said amendment to their amended complaint.

And thereafter on this date comes on to be heard, pursuant to assignment, the consolidated of motions of defendant, Sinclair Prairie Oil Company with Exhibits "A", "B" and "C" attached thereto, the consolidation of motions of defendants, Arch H. Hyden, as Administrator with the will annexed of the Estate of Sarah C. Getty, deceased; the consolidation of motions of H. G. Barnard and the motion to dismiss of N. B. Feagan and Bardon Oil Company; and defendant Sinclair Prairie Oil Company submits in support of its motion to dismiss and its motion for summary judgment certified copy of the order and judgment of the Commission to the Five Civilized Tribes dated the 30th day of June, 1902, enrolled Lete Kolvin #8092 as a member of the Creek Nation or Tribe of Indians and the order and judgment of the Secretary of the Interior approving said enrollment; and the complaint, the amended complaint, motion to dismiss and the final decree rendered and entered therein on the 22nd day of January, 1941, in #367-Civil in this Court, wherein the Creek Nation of Indians by Alex Noon, Principal Chief, was plaintiff and Nancy Barnett and others including Sinclair Prairie Oil Company were defendants.

Thereupon counsel for plaintiffs in response to inquiry by the Court, admitted that Exhibits "A", "B" and "C" respectively to defendant Sinclair Prairie Oil Company's motion to dismiss and motion for summary judgment, were true copies of the Amended bill of complaint, motion of plaintiff to dismiss and the decree of this Court dismissing said amended bill with prejudice in No. 14 - Equity rendered on December 14, 1925, in which action The United States of America was plaintiff and Sinclair Prairie Oil Company, sued in that action as Sinclair Oil and Gas Company, and

others, were defendants; and plaintiffs further admitted in response to inquiry by the Court, that the copies of the complaint, amended complaint, motion to dismiss and decree dismissing said action No. 367 submitted by said defendant, Sinclair Prairie Oil Company in support of its said motions, were true copies of said pleadings, proceedings and records.

Thereupon the defendants, H. G. Barnard, Arch H. Hyden, Administrator with the will annexed of the Estate of Sarah C. Getty, deceased, N. B. Feagan and Bardon Oil Company, adopted the offers of evidence made by Sinclair Prairie Oil Company in support of its said motions and offered said evidence in support of their respective motions to dismiss and their motions for summary judgment herein.

Thereupon after hearing said motions and arguments of counsel thereon and being well and fully advised in the premises, the Court is of the opinion that the various motions should be sustained as hereinafter set forth.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED, that the motion of defendant, Sinclair Prairie Oil Company for summary judgment be, and the same is hereby sustained, and that plaintiffs take nothing herein as against said defendant, Sinclair Prairie Oil Company and that said defendant have judgment for its costs herein expended.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED, that the motion of defendant, H. G. Barnard, for summary judgment be, and the same is hereby sustained and that plaintiffs take nothing herein as against said defendant and that said defendant have judgment for his costs herein expended.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED, that the motion of defendant, N. B. Feagan for summary judgment be, and the same is hereby sustained and that plaintiffs take nothing herein as against said defendant and that said defendant have judgment for his costs herein expended.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that the motion to dismiss of defendant, Arch H. Hyden, as Administrator with the will annexed of the Estate of Sarah C. Getty, deceased be, and the same is hereby sustained.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that the motion of defendant, Bardon Oil Company, to dismiss this action be, and the same is hereby sustained.

To all of which plaintiffs except and exceptions are allowed.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 14 1943
H. P. Warfield, Clerk
U. S. District Court H

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

PRENTISS M. BROWN, Administrator, Office of Price Administration,	Plaintiff,)	
)	
vs.		)	CIVIL NO. 964
)	
Buck Seybold, operating as an individual,	Defendant.)	

PERMANENT INJUNCTION

ON THIS, the 20th day of March, 1943, this cause came on for trial and hearing upon the application of plaintiff for preliminary injunction but at which time the parties appeared, and answer was filed by the defendant and after the issues being joined, it was agreed in open court this cause might be tried and heard on the application for permanent injunction. Both sides announced ready for trial on the permanent injunction and the plaintiff appeared by his attorneys of record and defendant appeared by his attorney, Charles W. Fennell, and after statements made by both sides and the Court having considered the pleadings of the parties, and upon motion of the plaintiff, the Court finds the issues for the plaintiff and against the defendant and finds specifically that plaintiff is entitled to a permanent injunction against the defendant as prayed for in his complaint.

NOW, THEREFORE, IT IS ORDERED that the defendant, BUCK SEYBOLD, an individual his agents, servants, employees and attorneys, and all persons, who in active concert and participation with the defendant herein, do any acts in violation of this order, be, and they are hereby permanently enjoined and restrained from directly or indirectly;

(a) Selling, delivering, transferring or offering to sell, deliver or transfer any type of controlled meat, as defined in said Restriction Order No. 1, resulting from the defendant's own slaughter, to retail outlets, or to any other person, firm or corporation, in excess of the amount of such type of controlled meat the defendant may lawfully deliver from its own slaughter as fixed and determined by Restriction Order No. 1.

(b) Offering, soliciting, attempting or agreeing to do any of the foregoing.

(c) From doing any of the above in excess of the ceiling prices established by Maximum Price Regulation No. 169.

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

ENDORSED: Filed Apr 14 1943
H. P. Warfield, Clerk
U. S. District Court LN

IT ISK 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 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 One Hundred One and no/100ths Dollars (\$101.00) and said lands and estate therein are deemed to have been condemned and taken for the use of the United States, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands and estate therein are described as follows:

Perpetual easements to contract, maintain, repair, replace and use a sewer pipe line in and to certain strips of land 10 and 5 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 east line of Beech Street, said point being distant 44 feet North, measure along the east line of Beech Street, from a point in the intersection of the east line of Beech Street with the north line of Pine Street; running thence across Beech Street West 30 feet to connect with an existing 8-inch sewer line;

PARCEL 2

a strip of land 10 feet in width, the center line of which is particularly described as follows: Beginning at a point in the east line of Beech Street, said point being distant 44 feet North, measure along the east line of Beech Street, from a point in the intersection of the east line of Beech Street with the north line of Pine Street; said point also being the point of beginning of the easement area hereinbefore described as Parcel 1; running thence across Lot 1, Block 1, Hefflefinger Addition, and along a line parallel to and distant 6 feet south from the north line of said Lot 1 East 130 feet to a point in the west line of a 20-foot street or alley;

PARCEL 3

A strip of land 10 feet in width, the center line of which is particularly described as follows: Beginning at a point in the west line of a 20-foot street or alley, said point being distant 44 feet North, measured along the west line of said street or alley, from a point in the intersection thereof with the north line of Pine Street, said point also being at the terminus of the course of Parcel 2 hereinbefore described; running thence across said street or alley East 17.5 feet to a point herein;

PARCEL 4

A strip of land 5 feet in width, the center line of which is particularly described as follows: Beginning at a point in a 20-foot street or alley, said point being at the terminus of the course of Parcel 3 hereinbefore described; running thence along said Street or alley and along a line parallel to and distant 2.5 feet west from the east line of said street or alley South 28.9 feet to a point in Pine Street;

PARCEL 5

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 Pine Street and a 20-foot street or alley, said point being at the terminus of the course of Parcel 4 hereinbefore described; running thence along Pine Street and along a line parallel to and distance 8.5 feet south from the north line thereof East 968.6 feet to a point in McArthur Road.

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of \$3500.00, and that said sum was deposited in the Registry of this Court, for the use of the persons entitled thereto, upon, and at the time of the filing of the said Declaration of Taking

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

Therefore, on this 14th day of April, 1943, IT IS ORDERED, ADJUDGED AND DECREED that the title to

Lots Five (5), Six (6), seven (7), and eight (8), in Block numbered sixty-one (61), in the incorporated town of Pryor Creek, Mayes County, Oklahoma, according to the United States Government Survey thereof.

in fee simple, subject only to an easement held by the City of Pryor, Oklahoma, for sewer purposes, 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 \$3500.00, as hereinabove recited, that said lands are deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment hereon pursuant to law, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the possession of the above described property shall be delivered to the United States of America on or before the 14th day of April, 1943, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Apr 14 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 17, 1943

On this 17th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa.

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. 976 Civil
Certain Land in Hopping Heights,)	
McNulty Addition to the City of Tulsa,)	
Tulsa County, Oklahoma, and First National)	
Bank of St. Louis, et al,	Respondents.)	

ORDER GRANTING POSSESSION

NOW on this 15th day of April, 1943, the United States of America, by Curtis P. Harris, Special Attorney for the Department of Justice, appeared before this Court and presented the verified Petition for Condemnation in the above entitled proceeding, in which it is prayed that this Court enter an order granting to the United States of America immediate possession of the lands, and the estate therein taken, described in the Petition.

And the Court, having considered the matter and having examined all papers and documents filed herein, finds that said Petition for Condemnation has been duly filed in this proceeding at the request and under the authority of the Federal Works Administrator and the Attorney General of the United States of America; that it is necessary that the United States of America take immediate possession of the lands and estate hereinafter described; that funds have been appropriated and made available for the payment of just compensation for the lands to the persons entitled thereto; and that pursuant to the provisions of Title 50, U.S.C. 171, and the Act of Congress approved March 27 1942 (Public Law 507, 77th Congress), the United States of America is entitled to the immediate possession of the land described in said Petition.

IT IS, THEREFORE, ORDERED AND DECREED that any and all persons now in possession of, or claiming any rights to the possession of the lands described as follows, to-wit:

A tract of land lying and being in the City of Tulsa, County of Tulsa, State of Oklahoma, being all of Lots Six (6) and Seven (7), Block Two (2), Hopping Heights, McNulty Addition to the City of Tulsa, Oklahoma, as shown by Plat No. 546, Recording Instrument No. 191793, Tulsa County, Oklahoma, and being more particularly described as follows:

Beginning at a point being the intersection of the northerly line of 12th Street (60 feet in width) with the westerly line of Troost Avenue (60 feet in width); running thence in a westwardly direction along the northerly line of 12th Street a distance of 140 feet to a point being the intersection of the northerly line of said street with the easterly line of an alley (20 feet in width); thence in a northwardly direction along the easterly line of said alley at right angles to the last mentioned course a distance of 100 feet to a point; thence

in an eastwardly direction at right angles to the last mentioned course a distance of 140 feet to a point in the westerly line of Troost Avenue; thence in a southwardly direction along the westerly line of Troost Avenue at right angles to the last mentioned course a distance of 100 feet to the point or place of beginning.

and all and singular the rights, privileges and appurtenances thereunto belonging, are hereby ordered and directed to deliver up and surrender full and complete possession thereof to the United States of America on the 15th day of May, 1943, and the United States of America is hereby granted leave to take possession of said lands on or before said date.

BOWER BROADDUS
JUDGE

ENDORSED: Filed Apr 17 1943
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. 976 - CIVIL
Certain Lands in Hopping Heights,)	
McNulty Addition to the City of Tulsa,)	
Tulsa County, Oklahoma, and the First)	
National Bank of St. Louis, et al.,	Respondents.)	

ORDER DIRECTING SERVICE OF NOTICE

Now on this 15th day of April, 1943, this cause came on to be heard, and the Court, having been fully advised in the premises, finds:

That a copy of "Order Granting Possession" which was entered in this cause on this date should be served upon the persons and parties in possession of the property being taken in this case.

IT IS THEREFORE ORDERED that the United States Marshal proceed forthwith to serve a copy of the "Order Granting Possession", which was entered in this cause this day, upon the persons and parties in possession of the land and premises described in the Petition on file in this cause, the building taken being an apartment building in the City of Tulsa, Oklahoma.

BOWER BROADDUS
JUDGE

ENDORSED: Filed Apr 17 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 20, 1943

On this 20th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943-Term at Tulsa, met pursuant to adjournment,

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. 976 - Civil
Certain Lands in Hopping Heights, McNulty)	
Addition to the City of Tulsa, Tulsa)	
County, Oklahoma, and First National Bank)	
of St. Louis, et al,	Respondents.)	

ORDER ALLOWING PETITION TO AMEND PETITION BY MAKING ADDITIONAL PARTIES RESPONDENT

Now on this 19th day of April, 1943, the above matter comes on for hearing on the application of the petitioner for permission of the Court to amend its petition for condemnation filed herein, by adding the names of additional parties respondent, and it appearing to the Court that the following persons, to-wit:

- Helen Abel
- J. Arnold
- Mrs. Gilbert Asher
- H. L. Byers
- E. C. Bromley
- Lt. R. P. Baird
- E. W. Brown
- A. W. Cummings
- N. R. Cole
- Mrs. Geo. B. Corneleous
- Mrs. G. E. Caldwell
- Miss Edwards
- P. J. Ferger
- R. W. Fuller
- B. V. Griffin
- V. L. Guyer
- Earl Goodner
- Mrs. A.E. Hill, Jr.
- Mrs. Harry C. Hubby
- Mrs. W. B. Jackson
- H. Johnson
- John C. Jackson
- John Jowers
- Floyd Kelley
- Mrs. Lynn
- L. Lansing
- R. E. LeMoreaux

Lou Mulligan
 E. B. Merritt
 Wesley Mulhollan
 J. B. McClintock
 Mrs. Edwin B. Mudge
 R. C. Oldham
 Mrs. Julie Porterfield
 Z. Price
 Lt. W. D. Phillips
 C. R. Schoupe
 C. Spangler
 W. T. Scott
 W.R. Turner
 Dr. C.W. Wyman
 Miss Whitson
 Mrs. H. L. Wallace
 Charles F. Winters
 A. Zinn

may claim some right, title or interest in and to the real estate sought to be taken by eminent domain in the above entitled action, and that it is proper that said parties should be made parties respondent in this cause.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petition for Condemnation filed herein is hereby amended to the extent that the parties hereinabove named are hereby made parties respondent in this proceeding, and that the said above named parties respondent shall be treated in all pleadings, orders, judgments and other documents filed herein, as proper parties respondent in this proceeding.

BOWER BROADBUSH
 JUDGE

ENDORSED: Filed Apr 20 1943
 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. 976 - Civil
Certain Lands in Hopping Heights,)	
McNulty Addition to the City of Tulsa,)	
Tulsa County, Oklahoma, and First National)	
Bank of St. Louis, et al,	Respondents.)	

O R D E R

Now on this 19th day of April, 1943, it being made to appear to the Court that the petitioner has filed its Petition for Condemnation in the above styled matter, 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,

appearing by Whit Y. Mauzy, United States Attorney, and by Kenneth G. Hughes, Assistant United States Attorney; the defendant, Louis L. Brown, appearing in person, and the defendants herein who are, or may have been, in the Military Service of the United States of America within thirty days last past, or who may have been called for induction in the Military Service of the United States of America, appearing by Kenneth G. Hughes, their duly appointed attorney;

And it being made to appear to the Court that the defendants, Eben W. Brown, L. E. Paxton, and the unknown heirs, executors, administrators devisees, trustees and assigns, immediate and remote, of Matilda Brown, deceased of Leslie L. Brown, deceased, and of Ida May Brown, otherwise known as Ida May Paxton, deceased, have been duly served with summons herein by publication and due proofs thereof made as required by law; that the time within which said defendants had to answer the petition of plaintiff has expired and said defendants have failed to answer, plead, or otherwise enter their appearances herein, said defendants and each of them are by the Court adjudged in default.

The appearing parties having announced ready for trial, the Court proceeds with the trial of this cause upon the issues joined as presented by the pleading; opening statements are made by the attorneys appearing for the respective parties, witnesses are sworn, and testimony and evidence introduced, and the trial of said cause concluded, and the Court having heard and considered the statements of the parties, written evidence and the testimony of witnesses and being fully advised, makes the following findings of fact, and conclusions of law;

FINDINGS OF FACT

The Court finds that Ida May Paxton, otherwise known as Ida May Brown, deceased, is enrolled upon the final rolls of the Cherokee Nation of Indians as a member of the Cherokee Tribe of Indian of five-eighths degree Indian blood; that the defendant L. E. Paxton is a white man and is not of Indian blood, and that the plaintiff, Calvin Eben Paxton is of Cherokee Indian blood but is not enrolled on the final rolls of the Cherokee Nation.

The Court finds that Ida May Paxton, nee Ida May Brown, deceased, and the defendant, L. E. Paxton, lived and resided together as husband and wife, and while they were so living and residing together, the plaintiff, Calvin Eben Paxton, was born to them; that said persons continued to live together as husband and wife after the birth of said plaintiff on January 19, 1921, until the death of said Ida May Paxton on November 24th, 1927, and that during such period of time said L. E. Paxton represented and held out said Ida May Paxton to his friends, relatives and to the public to be his wife, and recognized and treated said Calvin Eben Paxton as his son. The Court finds that while said Ida May Paxton and L. E. Paxton were living together as husband and wife they procured a marriage license in Osage County, Oklahoma, and presented themselves before a Justice of the Peace in Nowata County, Oklahoma, and requested that they be married pursuant thereto, and were informed that the marriage ceremony thereunder should be performed in Osage County, Oklahoma, and the record of said county fails to show the return of such license executed.

The Court further finds that the journal entry of judgment entered in this cause in the District Court of Nowata County, Oklahoma, on the 26th day of October, 1933, was a consent decree of that Court, and no evidence or proofs, other than statements and representations of counsel were introduced, heard or considered at the trial upon the original petition filed herein.

CONCLUSIONS OF LAW

The Court concludes as a matter of law that Ida May Paxton, nee Brown, deceased, and the defendant, L. E. Paxton, were husband and wife at the time of birth of the plaintiff, Calvin Eben Paxton, and said Calvin Eben Paxton is the lawful issue of said Ida May Paxton and L. E. Paxton; that the plaintiff, Calvin Eben Paxton is of five-sixteenths Cherokee Indian blood, and that the District Court of Nowata County, Oklahoma, erred in its judgment and findings entered in this cause on the 26th day of October, 1933, as complained of by plaintiff in his petition filed herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Journal Entry of judgment intered in this cause in the District Court of Nowata County, Oklahoma, on the 26th day of October, 1933, be and same is hereby corrected in accordance with the prayer of the petition of plaintiff, and the findings and conclusions of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have judgment against each and all of the defendants, and the intervener, The United States of America, in accordance with the prayer of his petition, and that the Journal Entry of Judgment entered in this cause in the District Court of Nowata County, Oklahoma, on the 26th day of October, 1933, be and same is hereby corrected in accordance with the prayer of the petition of plaintiff, and made to conform to the findings and conclusions herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 28 1943
H. P. Warfield, Clerk
U. S. District Court H

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

Mollie Baldrige, nee Deeringwater, Plaintiff,)
vs.) Civil No. 973
John Deeringater, et al., Defendants.)

ORDER APPOINTING GUARDIAN AD LITEM

The above case coming on for hearing this the 28th day of April, 1943, upon the application of the plaintiff for the appointment of a guardian ad litem for the minor defendants, Bert Deerinwater and Nora Deerinwater, and it being shown to the Court that the plaintiffs petition shows that said defendants are minors and that it is necessary that a guardian ad litem be appointed to defend said action in their behalf, and that the Hon. M. S. Robertson, United States Probate Attorney, is a proper person to be appointed as such.

IT IS THEREFORE ORDERED, that M. S. Robertson, the United States Probate Attorney, for this District be and he is hereby appointed guardian ad litem for th said minor defendants Bert Deerinwater and Nora Deerinwater, and that he file his answer in their behalf.

F. E. KENNAMER
U. S. District Judge

ENDORSED: Filed Apr 28 1943
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. 975
A CERTAIN PARCEL OF LAND IN MAYES COUNTY,)
OKLAHOMA; and P. L. Ball, et al.,)
	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. WH-1

NOW, on this 28th day of April, 1943, there coming on for hearing the application of the defendant, P. L. Ball, for an order fixing title, decreeing just compensation and making distribution as to Tract No. WH-1, and the Court being fully advised in the premises, finds:

That the defendant, P. L. Ball, was the owner of a tract of land involved herein and designated as Tract No. WH-1 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 \$3500.00 for the taking of the full fee simple title to said tract of land, subject only to an easement for sewer purposes held by the City of Pryor, Oklahoma; 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, said full fee simple title, and decreed that the owners and those having any right, title or interest in and to said tract of land have and recover just compensation for the taking of same.

The Court further finds that the defendant, P. H. Hall, in writing, agreed to grant and sell to the petitioner the full fee simple title in and to said tract of land for the sum of \$3500.00, which was accepted by the petitioner.

The Court further finds that the sum of \$3500.00 is just compensation for the injuries and damages sustained by said defendant, P. L. Ball, for the taking of the full fee simple title in and to said tract of land, subject only to an easement for sewer purposes held by the City of Pryor, Oklahoma.

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, P. L. Ball, was the owner of the tract of land involved herein and designated as Tract No. WH-1 when this proceeding was commenced, and that the sum of \$3500.00 is just compensation for the damages sustained by the defendant, P. L. Ball, 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: P. L. Ball owner of Tract No. WH-1 \$3500.00

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 28 1943
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
		) CIVIL NO. 975
A CERTAIN PARCEL OF LAND IN MAYES COUNTY, OKLAHOMA; and P. L. Hall, et al.,	Defendants.)

ORDER APPOINTING COMMISSIONERS

NOW, on this 28th day of April, 1942, the above cause came on regulary 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 land hereinafter described and that the acquisition of said land is necessary for the management, operation and maintenance of the Grand River Dam Project, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S. Title 40, Sec. 2570; the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e); Title II of the Act of June 16, 1933, 48 Stat. 195, 200 (U.S.C. Title 23, Sec. 9 (b) and Title 40, Secs. 401-407, 409, 411, 413, and 414) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063, (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, 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.

The said land so acquired for said public purposes is described as follows,
wit:

Lots numbered five (5), six (6), seven (7) and eight (8), in Block numbered sixty-one (61), in the Incorporated Town of Pryor Creek, Mayes County, Oklahoma, according to the United States Government Survey and Plat thereof.

The estate taken for said public use is the full fee simple title in and to said land subject to an easement held by the City of Pryor Creek, Oklahoma, for sewer purposes.

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

The Court hears evidence and specifically finds that the returns of the Marshal 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.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes, of Mayes County, Oklahoma, Elmer Vick, of Tulsa County, Oklahoma, and C. 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 tract 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 said land by the petitioner, irrespective of any benefits from any improve-

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

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Administrator of the Federal Works Agency is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of \$539.70, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 29th day of April, 1943, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other improvements, and to enter upon from time to time in the performance of said acts, for use in connection with the Grand River Dam Project, upon and over the lands situate and lying and being in the County of Mayes, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (2 - FW-7)
Flowage Easement

All that part of Lots 3, 7 and 8 in Sec. 10, T 23N, R21E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757, Sea Level Datum including the bed and banks of Grand River adjacent to said Lots 3, 7 and 8, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 2 (2-FW-8)
Flowage Easement

All that part of the East 23.15 acres of Lot 2, in Sec. 10, T23N, R21E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum including the bed and banks of Grand River adjacent to the east 23.15 acres of Lot 2.

TRACT NO. 3 (2 - FW-9)
Flowage Easement

All that part of Lot 5, Sec. 3, T23N, R21E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 of an acre.

TRACT NO. 4 (2 - FW-10)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acres.

TRACT NO. 5 (2 - FW-11)
Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acres.

TRACT NO. 6 (2 - FW-18)
Flowage Easement

All that portion of the se $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, T 23N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.2 of an acre.

TRACT NO. 7 (2 - FW-19)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 2, T 23N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 8 (2 - FW-20)
Flowage Easement

All that part of Lot 5 and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 2, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 1.5 acres.

TRACT NO. 9 (2 - FW-21)
Flowage Easement

All that part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, T 23N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acres.

TRACT NO. 10 (2 - FW-22)
Flowage Easement

All that portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T 23N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.2 acres.

TRACT NO. 11 (2-FW-23)
Flowage Easement

All that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, T 23N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acres.

TRACT NO. 12 (2 - FW-24)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acres.

TRACT NO. 13 (2 - FW-25)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, containing approximately 0.2 acres.

TRACT NO. 14 (2 - FW-26)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, T 23N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acres.

TRACT NO. 15 (2 - FW-27)Flowage Easement

All that portion of $S\frac{1}{2}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian, Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right to flowage, containing less than 0.1 acres.

TRACT NO. 16 (2 - FW-28)Flowage Easement

All that part of the $N\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 1, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acres.

TRACT NO. 17 (2-FW-29)Flowage Easement

All that part of the $E\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ and all that part of the $SE\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and all that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and all that part of Lot 3 and all that part of the east 20.0 acres of Lot 4, all in Sec. 1, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 2.5 acres.

TRACT NO. 18 (2 - FW-30)Flowage Easement

All that part of the east 384.8 feet of the $NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 1, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acres.

TRACT NO. 19 (2 - FW-31)Flowage Easement

All that part of the $E\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ in Sec. 2, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority containing approximately 0.3 acres.

And all that part of the following described tract of land situated in Section 1, to-wit:

"Beginning at SW corner $NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, thence Easterly along the South boundary of $NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ 273.4 feet; thence North parallel to West boundary of $NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ a distance of 640.2 feet; thence s. 29° $09'$ W. 553.9 feet to a point in West boundary of $NW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ 501.8

feet from NW corner, thence Southerly along West boundary of NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 157.02 feet to point of beginning, containing 2 $\frac{1}{2}$ acres" lying below Elevation 757 Sea Level Datum containing approximately 0.3 acres.

All in T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the total acres being 0.6 acres, more or less.

TRACT NO. 20 (2 - FW-32)

Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 2, T 23N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.3 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 30th day of April, 1943, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Apr 30, 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to May 3, 1943

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 Eldee McCracken, now Arterbury,
also known as Arterberry, et al.,

Defendants.

CIVIL NO. 970

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 4th day of May, 1943, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following named defendants, to-wit:

- Leo Ekstrom;
- J. C. Van Hoose;
- Peter M. Schroeder;
- Gilmer Meriwether, Jr.;
- C. G. Bathe;
- Cicero Cavalier;
- T. P. Cavalier;
- Charles C. Cavalier;
- Miriam Cole, now Morton;
- Russell A. Cole;
- Frances M. Carroll;
- Laura Thompson Magnuson;
- Roy Chupp;
- The Prospect Company, a corporation;
- The Travelers Insurance Company, a corporation;
- Land Bank Commissioner;
- Federal Farm Mortgage Corporation, a corporation;
- The Federal Land Bank of Wichita, a corporation, agent and attorney-in-fact for Land Bank Commissioner and
- Federal Farm Mortgage Corporation, a corporation;
- The State Life Insurance Company, a corporation;
- Federal Life Insurance Company, a corporation;
- Security Trust Company of Freeport, Illinois, a corporation;
- The Federal Land Bank of Wichita, a corporation;
- Lacey & Steele, a co-partnership composed of James B. Lacey and Tom T. Steele, partners;

- R. W. Black, Ayres K. Ross, W. R. Layne, H. G. Farnsworth, Walter Miller, J. C. Bledsoe, J. M. Haverfield, W. W. Holmes, J. K. Adair, J. C. Harper, T. E. Smiley, R. E. Lynch, Mrs. J. P. Shelburn, Mollie Cole, Betsie Rider, also known as Betsie Stevens, also known as Bettie Stephens, Rosa Martin, Cherokee Roll No. 11164, Addie A. Harris, Smith W. Harris, D. C. Nevin, Lorenze Jaquemin, R. L. Cochran, Nettie Hornbuckle, Cherokee Roll No. 11936, Choteau Oil & Gas Company, Ca Nut Ch Ey Oil and Gas Company, The Daniels-Rike Oil Company, Home Farm Mortgage Company, a corporation, and Muskogee Title & Trust

Company, if living, or in existence, or if deceased, or not in existence, their known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of Annie E. Smith, Cherokee Roll No. 18587, deceased; of J. T. Cavalier, deceased; of John H. Cole, deceased; of Nancy Downing, Cherokee N. B. 4180, deceased; of Wm. Harless, also known as W. M. Harless, 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 aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in the PRYOR JEFFERSONIAN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of condemnation 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 28th day of June, 1943, the petitioner, United States of America, will on the 28th day of June, 1943, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court for the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement, upon, over and across the lands involved herein, and that said defendants, and each of them, may be present if they so desire.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 4 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May 5, 1943

senting its evidence, and the court after hearing all the evidence in the case, and arguments of counsel finds that Carl E. Riley died intestate, a resident of Johnson County, Kansas, on July 31, 1935; that the defendant Arch G. Moll was appointed and has been acting as Administrator of said estate since, and that the defendants Merl L. Riley, Margaret I. Boylen and Flora Bye Riley are the sole and only heirs of the estate of said Carl E. Riley, deceased; that at the time of the death of the said Carl E. Riley he was indebted to plaintiff for income taxes for the years of 1930, 1931, 1932 and 1933 in amount of One Thousand, Three Hundred Ninety-Eight Dollars and 28 cents (\$1,398.28), with interest thereon in the amount of Two Hundred Five Dollars and 05 Cents (\$205.05), and that a federal income tax lien covering such unpaid assessment of income taxes and interest above referred to in the amount of One Thousand, Six Hundred Three Dollars and 03 Cents (\$1,603.03), was filed in the office of the County Clerk of Osage County, Oklahoma, on September 15, 1939, and that no part of said taxes has been paid, and that said notice of income tax lien has not been released; that at the time of the filing of said notice of income tax lien, to-wit: September 15, 1939, the said estate of Carl E. Riley deceased, was the owner of the following described property located in Osage County, Oklahoma:

East Half of Southwest Quarter and West Half of Southeast Quarter
of Section 33, Township 25, Range 5 East;

that the defendant Morton D. Stevenson, as executor of the estate of B. T. Riley, deceased, and the defendants Estelle Amick, W. D. Riley, Dr. B. R. Riley, N. P. Riley, Joseph H. Riley, Pattie Riley Wisser, Adelle Vickers Van Pelt, Joseph E. Krumsick, George L. Krumsick, Anna Krumsick Barker, Flora Bye Riley, and Margaret I. Boylen all being the sole and only heirs of the estate of B. T. Riley, deceased, and the defendants King Ridge, Charlie Ridge, Lee Ridge, Elpha Mathes, Delpha McGhee, Lizzie Ray, Cecil Benway, Lloyd Benway, Ancel Benway, Murlen Forney, Neomi Enyart and Elizabeth Booth, all being the sole and only heirs of the estate of Mrs. M. S. Threestriker, also known as M. Sophie Winn deceased, and the defendant George B. Smith, all have failed, neglected and refused to assert or establish any lien or right, title or interest in or to the above described property, and the court specifically finds that if any of said defendants have a lien or right, title or interest in or to the above described property, same is inferior to the afore-mentioned income tax lien of the plaintiff, and that such income tax lien of the plaintiff is a first and prior lien on the above-described property which income tax lien is hereby foreclosed and the above-described property is ordered sold to apply on the above said indebtedness to the plaintiff.

IT IS THEREFORE, THE ORDER AND JUDGMENT OF THE COURT, that the plaintiff have and recover judgment from the estate of Carl E. Riley, deceased, for One Thousand Six Hundred Three Dollars and 03 Cents (\$1,603.03), with interest thereon at the rate of 6% per annum until paid, and that plaintiff have and recover a further judgment declaring its lien to be a first and prior lien on the above described property, barring the defendants Arch G. Moll, Merl L. Riley, Margaret I. Boylen, Flora Bye Riley, Morton D. Stevenson, Estelle Amick, W. D. Riley, Dr. B. R. Riley, N. P. Riley, Joseph H. Riley, Patti Riley Wisser, Adelle Vickers Van Pelt, Joseph E. Krumsick, George L. Krumsick, Anna Krumsick Barker, King Ridge, Charlie Ridge, Lee Ridge, Elpha Mathes, Delpha McGhee, Lizzie Ray, Cecil Benway, Lloyd Benway, Ancel Benway, Murlen Forney, Neomi Enyart, Elizabeth Booth, and George B. Smith, their heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, and all persons whomsoever, claiming under them, from asserting any interest, right or title in and to the following described property, to-wit:

East Half of Southwest Quarter and West Half of Southeast Quarter of
Section 33, Township 25, Range 5 East, Osage County, State of Oklahoma.

IT IS FURTHER ORDERED AND ADJUDGED that plaintiff recover its costs.

IT IS THE FURTHER ORDER AND JUDGMENT OF THE COURT that the aforesaid described property be and the same is hereby ordered sold as provided by law in such cases subject to taxes legally assessed and due the County Treasurer of Osage County, Oklahoma, and that proceeds from such sale be applied upon this judgment.

LET EXECUTION ISSUE against the defendant Arch G. Moll as Administrator of the

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

UNITED STATES OF AMERICA,	Libelant,)
)
vs		) NO. 962 Civil
)
One 1941 Studebaker Sedan, Motor No.)
H-140552; approximately 24.900 gallons)
of taxpaid whiskey, et al.,	Claimants.)

O R D E R

Now on this 5th day of May, 1943, this matter coming on before the court upon application of the United States of America, Libelant, for a forfeiture of the intoxicating liquor herein, namely, approximately 24.900 gallons of tax-paid whiskey, and the court on the 6th day of April, 1943, having heard all the evidence and argument of attorneys, and after being fully advised in the premises, ordered a remission of the above-described 1941 Studebaker Sedan automobile, Motor No. H-140522 to the Commercial Credit Corporation of Tulsa, Oklahoma, one of the claimants in said cause, now finds that the above-described tax-paid whiskey should be forfeited to the said Libelant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the above-described 24.900 gallons of tax-paid whiskey be and the same is hereby ordered forfeited to the Libelant, United States of America, for delivery to the agencies of the Treasury Department of the United States for proper disposition by said agencies according to law.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 5 1943
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to May 6, 1943

On this 6th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 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

Sammons-Robertson Company, a corporation,)	
Plaintiff,)	
vs.	)	No. 443 Civil
Massman Construction Company, a)	
corporation, et al,)	
Defendants.)	

ORDER OF DISMISSAL

On the stipulation executed by attorneys for the plaintiff and all defendants,
herein filed;

IT IS ORDERED that the above styled and numbered cause be and the same hereby
is dismissed as to the defendants Ray McNaughton, Geo. W. Schaeffer, Owen L. Butler, Guy Crouse, H. A.
Eichenberger, and Olin Perkins at Plaintiff's cost.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 6 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May 7, 1943

On this 7th day of May, A. D. 1943, the District Court of the United States for
the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to ad-
journment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit V. 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

ORDER FOR APETIT JURY

On this 7th day of May, A. D. 1943, it is ordered by the Court that there be pub-
licly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the
presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court,
the names of Seventy (70) persons, good and lawful men, from said District, duly empaneled to serve
as Petit Jurors at the Regular January 1943 Term of this Court, to be held at Tulsa, Oklahoma.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed May 8 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

The City of Drumright, Oklahoma, a Municipal Corporation, ex rel Leonard Versluis,)	
Plaintiff,)	
vs.	)	Civil Action No. 9292
Eyth Alexander, et al,)	
Defendants.)	

ORDER

TO: H. L. PAYNE
County Treasurer Creek County, Oklahoma.

This matter coming on for hearing before the Hon. Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma upon the verified application of the plaintiff filed herein, and it appearing to the court that the plaintiff upon the facts alleged in said application is entitled to the relief prayed for, and it further appearing that the said plaintiff will suffer irreparable damage and injury unless the defendant H. L. Payne, County Treasurer of Creek County, Oklahoma, his agents, servants and all persons acting by or under his authority are restricted forthwith,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the court that the said H. L. Payne County Treasurer, Creek County, Oklahoma, his agents, servants and all persons acting by or under his authority be and they are hereby enjoined and restrained from conducting a resale on the properties set out in the Complaint hereto attached and made a part hereof for the special assessments due in Street Improvement District No. 5 Drumright, Oklahoma herein foreclosed. That said County Treasurer is authorized to sell said property for all other taxes and other special assessments and advertise and sell said properties for said other taxes subject to the paving assessments herein foreclosed in Street Improvement District No. 5 Drumright, Oklahoma, and subject to any judgment thereafter rendered for said special assessments, and subject to the sale of any property under said judgment.

IT IS FURTHER ORDERED that the application of the plaintiff for a temporary injunction is hereby set for hearing at 9:30 O'clock A.M., on the 24 day of May, 1943, at the United States District Court Room in the Federal Building, City of Tulsa, Oklahoma, and that notice thereof be given to the said defendant H. L. Payne, County Treasurer of Creek County, Oklahoma, at least five (5) days prior to said hearing.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
May 8 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May D, 1943

On this 10th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kenna mer, Judge, present and presiding.

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

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

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

FEY H. MOODY,	Plaintiff,)
-vs-)
)
)
H. L. Payne, County Treasurer of Creek County, Oklahoma,	Defendant.)

No. 963

O R D E R

Now on this 8 day of May, 1943, the above entitled action coming on to be heard upon the motion of the plaintiff to vacate an order and decree heretofore entered in this cause on the 20th day of March, 1943, and the plaintiff appearing by his attorney, Eugene Rust, and the Court having read said motion and hearing the remarks of counsel in support thereof and being otherwise fully advised in the premises, upon consideration thereof, finds:

That since the entering of said decree and order of March 20, 1943, the plaintiff has disposed of all of the bonds so held by him in Bristow, Oklahoma paving districts Nos. A-4 and A-9 is no longer interested in having the properties in said districts sold by the county treasurer of Creek County, Oklahoma on the 10th day of May, 1943 for non-payment of the delinquent assessments in sa districts; that said bonds formerly owned by the plaintiff herein are now owned by the property owners affected by said sale, who do not wish to see their properties sold for non-payment of the delinquent paving assessments; the court further finds that the plaintiff is entitled to have said decree of March 20, 1943 set aside, vacated and held for naught, and that said defendant, H. L. Payne, County Treasurer of Creek County, Oklahoma, should be relieved of the duty of selling said properties described in Schedule "A" attached to said decree for non-payment of the delinquent paving assessments in Districts Nos. A-4 and A-9 of the City of Bristow, Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT; that the order and decree heretofore entered in this cause on the 20th day of March, 1943, be and the same is hereby vacated set aside and held for naught.

IT IS FURTHER ORDERED BY THE COURT. that the defendant, H. L. Payne, County Treasurer of Creek County, Oklahoma, be and he is hereby relieved from the effect of said order and from the duty of selling the properties described in Schedule "A" attached to said decree for non-payment of the delinquent paving assessments of the City of Bristow, Oklahoma paving Districts Nos. A-4 and A-9.

ROYCE H. SAVAGE
JUDGE OF THE DISTRICT COURT

ENDORSED: Filed May 10 1943
H. P. Warfield, Clerk
U. S. District Court H

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

M. E. PREWITT,	Plaintiff,)	
)	
vs.)	
		)	No. 993
ATLAS LIFE INSURANCE COMPANY, operating)	
Atlas Life Building,	Defendant.)	

O R D E R

Now on this 10th day of May, 1943, the court having heard the application of the plaintiff to appoint Fred O. Whiteley to serve the summons in the above captioned case, finds that the same will render a saving of cost to the plaintiff and hereby appoints said Fred O. Whiteley to serve and return the summons in the above captioned case.

IT, IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Fred C. Whiteley be appointed to serve and return summons in the above captioned case.

F. E. KENNAMER
J U D G E

ENDORSED: Filed May 10 1943
H. P. Warfield, Clerk
U. S. District Court LN

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

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

O R D E R

Now on this 10th day of May, 1943, this matter came on for hearing on the application of J. H. McBirney, Successor Trustee, herein, for authority to compromise and release the deficiency judgment obtained by him as Plaintiff in Case No. 60169 in the District Court of the Tulsa County against John McD. Parks, on the payment of the sum of \$300.00, and the Court, having considered this said application, finds that it should be granted;

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED THAT J. H. McBirney, Successor Trustee, herein should be and is hereby authorized and directed to release that said deficiency judgment obtained by said J. H. McBirney, Successor Trustee, against John McD. Parks in the District Court of Tulsa County, Oklahoma, in Case No. 60169, on the payment to him of the sum of \$200.00

F. E. KENNAMER
J U D G E

ENDORSED: Filed May 10 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May 13, 1943

the United States of America for use in connection with Defense Public Works Project, OKIA. 34-155-F, and for such other uses as may be authorized by Congress or by executive order under and by reason of the acts of Congress as set forth in the petition for Condemnation as filed herein.

The Court finds that the petitioner has been unable to acquire title to said property by private purchase and has heretofore instituted the above condemnation proceedings for the taking of certain lands by eminent domain.

The said lands being so acquired for said purposes are described as follows,
to-wit:

A tract of land lying and being in the City of Tulsa, County of Tulsa, State of Oklahoma, being all of Lots 6 and 7, Block 2, Hopping Heights, McNulty Addition to the City of Tulsa, Oklahoma, as shown by Plat No. 546, Recording Instrument No. 191793, Tulsa County, Oklahoma, and more particularly described as follows:

Beginning at a point being the intersection of the northerly line of 12th Street (60 feet in width) with the westerly line of Troost Avenue (60 feet in width); running thence in a westwardly direction along the northerly line of 12th Street a distance of 140 feet to a point being the intersection of the northerly line of said tract with the easterly line of an alley (20 feet in width); thence in a northwardly direction along the easterly line of said alley at right angles to the lastmentioned course a distance of 100 feet to a point; thence in an eastwardly direction at right angles to the last mentioned course a distance of 140 feet to a point in the westerly line of Troost Avenue; thence in a southwardly direction along the westerly line of Troost Avenue at right angles to the last mentioned course a distance of 100 feet to the point or place of beginning,

together with all and singular the rights, privileges and appurtenances thereunto belonging.

The estate taken in and to the hereinabove described real estate for said public purposes and uses is the full fee simple title thereto.

It further appears that all of those persons who are now living and claim interests in said lands adverse to the United States of America, and which said persons are respondents in this proceeding, have been duly served, according to law, with notice of the hearing of the application for the appointment of commissioners by this Court.

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

It is now proper for this court to enter its order appointing commissioners in this cause, as prayed for by the petitioner.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Ben C. Kirkpatrick, of Tulsa County, Oklahoma; G. H. Galbreath of Tulsa County, Oklahoma, and Kenneth Crouch of Tulsa County, Oklahoma, disinterested freeholders whose names are on the regular jury list of this Court be, and they are hereby appointed as Commissioners to inspect and view said real property hereinabove described and consider the fair, cash, market value of the damages the respondents in this cause, as the owners thereof, will sustain by the appropriation of said lands and estate therein, as hereinabove described.

Said Commissioners are hereby authorized, empowered and directed to forthwith take the oath prescribed by law, to immediately inspect, view and appraise said real property, and file their report in this Court, as provided by law.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 13 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to May 14, 1943.

On this 14th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Eugene Rice, 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

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 Morgan,)
Alma Garrison, Eddie Baker Miller, Versid Aery, Jessie)
Ladd, Thelma Goff, Clarence A. Russell, John A.)
Russell, Joseph R. Russell, Jr., Gladys Baker Perryman,)
Orville L. Baker, Otha Baker and Addeane Baker Perryman,)
Interveners.)

JOURNAL ENTRY

On this the 14th day of May, 1943, in the United States District Court for the Northern District of Oklahoma, at Tulsa, Oklahoma, comes on to be heard the application of the defendant in the above styled cause for an order permitting the filing and submission to Plaintiffs and Interveners

certain Interrogatories filed in the office of the Court Clerk on April 28, 1943.

The Court having heard full argument in support of submitting the Interrogatories and for an Order requiring the answering of same from the respective parties through their respective attorneys of record, Charles E. McPherrren, attorney of record for Stella White, et al., Plaintiffs, and G. C. Spillers and James I. Watson, attorneys of record for Interveners, Martha Anna Matilda Woodside, et al., the Court is of the opinion that the Interrogatories are proper in the premises, and

IT IS THEREFORE ORDERED that the Plaintiffs and the Interveners be and are required to answer the Interrogatories, as herein submitted, within twenty (20) days from this date.

IT IS FURTHER ORDERED BY THE COURT that if the plaintiffs and interveners have any documentary evidence as inquired about in the Interrogatories, the same may be answered by stating the nature of such documentary evidence and the date thereof,

IT IS FURTHER ORDERED BY THE COURT that the objections presented by counsel for the Interveners, as stated in open court, are overruled and exceptions allowed.

IT IS FURTHER ORDERED that the Motions filed by the Defendants for More definite statement and to strike certain parts of plaintiffs' complaint, and for more definite statement and to strike certain parts of Interveners' complaint, are overruled with exceptions allowed to the defendants.

DEFENDANTS are hereby granted fifteen (15) days from this date to file answer.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed May 14 1943
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT 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

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

JOURNAL ENTRY

Now, on this 5th day of April, 1943, the above matter coming on to be heard by th.

court on the motion heretofore filed herein by the defendants to dismiss the complaint filed by the plaintiffs and the complaint of the intervenors, and argument having previously been made before this court and briefs submitted by all of the parties hereto, and the court having previously notified all of counsel of record for the respective parties that this matter would be further considered on this date, the plaintiffs being present in open court by Charles E. McPherrren, one of counsel of record for the plaintiffs, the intervenors being present in open court by James S. Watson and G. C. Spillers, their attorneys, and the defendants being present by Vern E. Thompson and Loyd E. Roberts, their attorneys, the court stated that before proceeding further with the matter and before passing upon the motion to dismiss he wanted to be advised as to whether respective counsel for plaintiffs, intervenors and defendants, would stipulate in open court that the testimony taken in a case previously tried in this court wherein Lilia Hanson was the plaintiff and these present defendants were the defendants might be considered as evidence in this case insofar as the same should appear to be relevant and material to the issues herein involved, said case being No. 198 Civil in this court. Whereupon, it was stipulated in open Court by and between counsel for the respective parties hereto that any of the parties hereto might offer such parts of the evidence as was taken in the Hanson case as they should desire as the depositions of the witnesses whose testimony was offered, subject to the objection of any of the other parties hereto as to the relevancy or materiality of the evidence so offered, and subject to the right of any of the parties hereto to request further cross-examination of any of said witnesses who are still living or whose testimony could be made available to this court in response to subpoena issued for them, or in the event any of such witnesses should appear for cross-examination at the solicitation of any of the parties hereto, but with the further stipulation and understanding that in the event any of said witnesses was dead at the time of the offering of said testimony, or that said witnesses were not available for further cross-examination, that such facts should not be considered as an objection to the admission of the depositions of said witnesses, so taken in said previous case.

Thereupon, and after the making of said above mentioned stipulation and the approval thereof by the court, this court overruled severally and collectively all of the grounds assigned for the dismissal of the complaint filed by the plaintiffs herein and the complaint filed by the intervenors, with the right reserved to the defendants herein to embody any and all of the grounds assigned in said motion to dismiss in their answer, and that this order shall not be construed as a final judgment of this court on any of the issues presented in said motion, and that the defendants are ordered and directed to file their answer herein within twenty days from this date; that the defendants and each of them are herein allowed an exception to the action of the court in overruling separately and collectively all of the grounds assigned for the dismissal of said complaint of the plaintiffs and complaint of the intervenors.

In overruling said motions to dismiss, the court herein expressly reserves the power to adjudicate and pass upon any and all of said grounds assigned in said motions to dismiss which may be embodied in the answer filed herein, without any prejudice to the defendants arising from the order of this court in overruling at this time said motions to dismiss.

F. E. KEENECKER
United States District Judge

ENDORSED: Filed May 14 1943
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
vs.		) NO. 951 CIVIL
)
Jake Ray,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of May, 1943, this matter coming on for hearing upon application of the United States of America appearing by Whit Y. Mauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney, in and for said District, the Court finds that said cause of action was filed in this court on the 15th day of February, 1943, and that thereafter summons was legally served upon said defendant on the 19th day of February, 1943, and that said defendant has failed to answer or otherwise plead in said cause and the Court finds that said defendant is now wholly in default.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, have judgment against said defendant, Jake Ray, in the sum of \$24.00, with interest thereon at the rate of 6% per annum from November 13, 1939, until paid, and for the cost of this action.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 14 1943
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 15, 1943

On this 15th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment.

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.)
243.98 acres of land, more or less, situate in		) No. 931 - Civil
Washington County, Oklahoma, and Francis Burrows,)
et al,	Respondents.)

ORDER ALLOWING PETITIONER TO AMEND PETITION BY MAKING
ADDITIONAL PARTIES RESPONDENT

Now on this 14th day of May, 1943, the above matter comes on for hearing on the

application of the petitioner for permission of the Court to amend its Petition for Condemnation filed herein, by adding the names of additional parties respondent, and it appearing to the Court that the following persons, to-wit:

- Robert G. Bell
- Baird Investment Company, if existing, and if defunct, its unknown creditors, successors and assigns, if any
- Thomas Baird, George T. Bacastow and W.B. Conrod, Trustees for Baird Investment Company
- Cherokee Nation
- C.C. Nelson & Co., if existing, and if defunct, its unknown creditors, successors and assigns, if any
- J. B. Milan, Principal Chief of Cherokee Nation
- Ralph R. Noteware
- Lena B. Noteware (Mrs. Ralph R. Noteware)
- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, of George S. Taylor, deceased
- Oliver S. Taylor
- Mrs. Oliver S. Taylor
- Mrs. O. S. Taylor

may claim some right, title or interest in and to the real estate sought to be taken by eminent domain in the above entitled action, designated and described as Tract No. 2, Site No. 8, and that it is proper that said parties should be made parties respondent in this cause.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petition for Condemnation filed herein is hereby amended to the extent that the parties hereinabove named are hereby made parties respondent in this proceeding, and that the said above named parties respondent shall be treated in all pleadings, orders, judgments and other documents filed herein as proper parties respondent in this proceeding.

BOWER BRQADDUS
JUDGE

ENDORSED: Filed May 15 1943
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. 931 - Civil
)	
243.98 acres of land, more or less, situate)	
in Washington County, Oklahoma, and Francis)	
Burrows, et al,	Defendants.)	

O R D E R

Now on this 13th day of May, 1943, it being made to appear to the Court that the petitioner has filed its Petition for Condemnation in the above styled matter, and that it is necessary that notices be served on various parties claiming an interest in and to said land;

NOW, THEREFORE, IT IS HEREBY ORDERED AND DIRECTED that notices as attached heret be served upon each of the parties named as respondents herein by the United States Marshals for the Eastern, Western and Northern Districts of Oklahoma, and that said Marshals make their returns hereon within ten (10) days from this date.

BOWER BROADBENT
JUDGE

ENDORSED: Filed May 15 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May 17, 1943

On this 17th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Eugene Rice, Judges, present and presiding.

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

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

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

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

) CIVIL ACTION
) Number 355

SUPPLEMENTAL DECREE

It being made to appear to the Court by a stipulation filed in this cause, signed in behalf of the complainant and relator by their attorney of record, L. W. Randolph, and executed by the defendant Deborah A. Jacobs and her attorney of record, Paul P. Pinkerton, that the certain parcel of real estate included in the Thirty-first Cause of Action of the complaint, and in the decree entered herein on October 28, 1941, was erroneously described as Lot 10, in Block 10, City of Sand Springs, Oklahoma, whereas the same should have been correctly described as Lot 10, in Block 10, City of Sand Springs, Oklahoma; that the defendant Deborah A. Jacobs is the owner of said last described real estate and that the amount of the delinquent and unpaid assessment levied upon and against the same in Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, is the sum of \$244.04; and it is further stipulated and agreed that judgment may and should be entered herein, fixing said lien in said amount;

And it appearing to the court that said stipulation should be approved and judgment rendered accordingly, it is, therefore, by the court,

ORDERED, ADJUNGED AND DECREED that the City of Sand Springs, Oklahoma, a Municipal Corporation, on the relation of Leonard Versluis, has and is hereby decreed to have a first lien, prior

and superior to all other liens and encumbrances except ad valorem taxes and other special assessments not herein foreclosed, and prior and superior to the interest of the defendant, Deborah A. Jacobs, herein, in the amount of \$244.04, which shall bear interest from this date at the rate of 6 per cent per annum until paid;

And it is further ORDERED, ADJUDGED AND DECREED that all general findings, conclusions and decrees contained in the judgment and decree of October 28, 1941, rendered and entered in this cause shall extend and be applicable to said Lot 10, in Block 19, City of Sand Springs, Oklahoma, with the same effect as though incorporated herein.

And the complainant having filed proper motion herein, it is further ORDERED that the judgment and decree in this cause, in so far as it relates to and affects Lot 10, in Block 10, City of Sand Springs, Oklahoma, be and the same is hereby vacated, set aside and held for naught, and that Cause of Action Number 31 of the complaint, relating to said last described tract of land, is hereby dismissed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 17 1943
H. P. Warfield, Clerk
U. S. District Court AC

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

IN THE MATTER OF THE ESTATE OF ISOM)
PETERS, DECEASED,) No. 943 CIVIL

O R D E R

Now on this 17th day of May, 1943, this matter coming on before the Court on the application of the United States of America for additional time to plead in this cause of action, and it appearing to the Court that this is an action in which service of notice has been had on the Superintendent of the Five Civilized Tribes pursuant to the provisions of the Act of Congress of April 12, 1926, and that certain information is required by the United States in order to plead in this action, and that such information has not been obtained, and that the time should be extended for the United States to plead herein,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from May 15, 1943, within which to plead in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 17 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

NANCY BRADBURN, nee YARHOLA, an incompetent by Sukey Jenkins, daughter and next friend,)	
)	
Plaintiff,)	
	)	No. 961 Civil
v.)	
)	
SHELL OIL COMPANY, INC., a foreign corporation,)	
)	
Defendant.)	

O R D E R

Now on this 17 day of May, 1943, this matter coming on before the Court on the application of the United States of America for additional time to plead and it appearing to the Court for good cause shown, that said time should be extended.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from May 14, 1943, in which to plead in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 17 1943
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to May 19, 1943

On this 19th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Eugene Rice, Judges, present and presiding.

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

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

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

H. C. HOVENDEN, ET AL.	Plaintiffs,)	
)	
vs.		)	No. 465 - Civil
)	
R. CAHILL, ET AL,	Defendants.)	

ORDER APPOINTING SPECIAL MASTER

This matter coming on for hearing on this 19 day of May, 1943, upon application of the plaintiff for the appointment of a special master, and it appearing to the Court that more than six months have elapsed since the rendition of judgment in the above styled action, and that plaintiff's application should be granted;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Paul M. Cameron be, and he is hereby appointed special master to conduct a sale of the properties upon which judgments are unpaid, pursuant to judgment rendered herein on the 18th day of August, 1941.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 19 1943
H. P. Warfield, Clerk
U. S. District Court ME

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 OF NUNC PRO TUNC CORRECTING JUDGMENT ON
VERDICT AS TO TRACT 4 (306 - 8.1 and 9.1)

Now on this 19 day of May, 1943, this matter coming on for hearing before the United States District Court for the Northern District of Oklahoma, upon application of the defendant H. P. Warfield, for an order nunc pro tunc herein correcting the judgment heretofore entered in said cause wherein said journal entry of judgment omitted the addition of interest on the sum of said judgment in excess of the amount deposited by plaintiff with the Registry of this Court.

The court being fully advised in the premises finds that said journal entry of judgment should be provided for interest at six percent (6%) per annum, from April 15, 1942 until paid on the sum of \$643.00.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said judgment as to Tract No. 4 (306 - 8.1 and 9.1) under date of November 11, 1942, be corrected and same is hereby corrected

to include interest at six percent (6%) per annum from April 15, 1942 until paid on said sum for which judgment was entered in the amount of \$643.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 19 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

PRENTISS M. BROWN, Administrator
Office of Price Administration,

Plaintiff,)

vs.)

CIVIL NO. 967)

George W. Pritchard, an individual,

Defendant.)

J U D G M E N T

Plaintiff having filed his Complaint, and defendant having appeared for himself and by and through counsel, and having waived Answer, any and all defenses to the claims set forth in the Complaint, and hearing and findings of fact and conclusions of law, in accordance with the stipulation between the parties hereto, entered into on the 5th day of April, 1943, filed herein and sufficient reasons therefor appearing;

NOW, THEREFORE, upon motion of the Attorney for the plaintiff, it is ORDERED, ADJUDGED, and DECREED, that the defendant, his agents, servants, employees and attorneys, and all persons who in active concert or participation with the defendant herein, do any acts in violation of this order be, and they are hereby permanently enjoined from directly or indirectly;

- (a) from selling, delivering, transferring, or offering to sell any type of controlled meat as defined by Maximum Price Schedule No. 169 to retail outlets or to any other person, firm or corporation, for prices in excess of the amount permitted by Maximum Price Schedule No. 169.
- (b) Offering, attempting or agreeing to do any of the foregoing.

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

ENDORSED: Filed May 19 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

John Boling,	Plaintiff,)	
)	
vs		)	No. 984 - Civil
)	
R. J. Allison and R. J.)	
Allison Company, Inc., a)	
corporation,	Defendants.)	

O R D E R

For good cause shown, the defendants above named are hereby given an extension of ten days' additional time within which to plead or answer in the above styled and numbered cause pending in this court.

Dated this 19 day of May, 1943.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed May 19 1943
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 21, 1943

On this 21st day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, F. E. Kennamer and Eugene Rice, 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. 860 Civil
)
580 acres of land, more or less, situate)
in Mayes County, Oklahoma, and John O.)
Allen, et al.,	Respondents.)

JOURNAL ENTRY

Now on this 8 day of May, 1943, this cause came on for trial on the question of determining the value of Tract No. E-103. The petitioner appeared by and through C. Harold Thweatt, Special Attorney for the Department of Justice and the respondents, Roy Tharp, Earl Tharp, Betty Tharp and Bobbie May Cooper appeared by and through their Guardian Ad Litem, Frank Settle.

All parties having waived trial by jury, the Court proceeded to hear the evidence and having been fully advised in the premises finds:

That the fair, cash, market value of Tract No. E-103 was at the time of taking by the petitioner, the sum of \$700.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the fair, cash, market value of Tract No. E-103 at the time of taking by the petitioner, be and the same is hereby fixed at the sum of \$700.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 21 1943
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. 860 - Civil
)
580 acres of land, more or less, situate in)
Mayes County, Oklahoma, and John O. Allen, et al,)
	Respondents.)

ORDER DIRECTING PAYMENT OF GUARDIAN AD LITEM

Now on this 8th day of May, 1943, it being made to appear to the Court that

John O. Allen (full award)	166.02
Roy Tharp (full award)	18.44
Earl Tharp (Full award)	18.44
Betty Tharp (Full award)	18.44
Elsie Dunlap (full award)	18.44
Pearl Ward (Full award)	18.44
Emily Perry (Full award)	18.44
Goldie Clemmons (full award)	18.44
Bobby May Cooper	18.44

Treasurer of the United States of America
(Refund of over-deposit) \$155.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 21 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.)
)
J. M. KURN and J. G. LONSDALE, Trustees,)
ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY,)
	DEFENDANTS.)

NO. 965 - CIVIL

JOURNAL ENTRY

This matter coming on for hearing this 21 day of May, 1943, and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants, J. M. Kurn and J. G. Lonsdale, Trustees, St. Louis-San Francisco Railway Company, appearing by Jack L. Langford, of the firm of Doerner, Rinehart, Stuart and Langford, and the court being fully advised in the premises finds that the allegations of the complaint are true and that plaintiff should recover the sum of One Hundred Dollars (\$100.00) on each cause of action, or a total judgment in the sum of Five Hundred Dollars (\$500.00).

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the plaintiff, United States of America, have and recover judgment from J. M. Kurn and J. G. Lonsdale, Trustees, St. Louis-San Francisco Railway Company, in the sum of Five Hundred Dollars (\$500.00) and the costs of this action.

For all of which let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 21 1943
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. 999
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing 18 acres, more or less; and Board of County Commissioners of Delaware County, Oklahoma, et al.,	Defendants.)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 21st day of May, 1943, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Administrator of the Federal Work Agency is the person duly authorized and empowered by law to acquire such lands as are described in petition, for the construction of public works and in connection with the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of \$96.25, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE on this 21st day of May, 1943, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial

structures, buildings, fences and other improvements, and to enter upon from time to time in the performance of said acts, for use in connection with the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (4 - FW-132)

Flowage Easement

All that part of the $N\frac{1}{2}$ of the W. 14.22 acres of Lot 5 in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 2 (4 - FW-133)

Flowage Easement

All that part of the $S\frac{1}{2}$ of the W. 14.22 acres of Lot 5, and all that part of Lot 7, and all that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of Lot 9, and all that part of the SE 10.0 acres of Lot 8, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right to flowage, containing approximately 4.5 acres.

TRACT NO. 3 (4 - FW-134)

Flowage Easement

All that part of the SE 10.0 acres of Lot 5 in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage containing approximately 0.1 acre.

TRACT NO. 4 (4 - FW-135)

Flowage Easement

All that part of the $N\frac{1}{2}$ of the west 14.17 acres of Lot 8, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TRACT NO. 5 (4 - FW-136)

Flowage Easement

All that part of the $S\frac{1}{2}$ of the West 14.17 acres of Lot 8, Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 6 (4-FW-137)
Flowage Easement

All that part of the NE 10.0 acres of Lot 8, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 7 (4-FW-138)
Flowage Easement

All that part of Lot 10 in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TRACT NO. 8 (4-FW-139)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 9 (4-FW-140)
Flowage Easement

All that part of the SW 10.0 acres of Lot 2, Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.7 acre.

TRACT NO. 10 (4 - FW-141)
Flowage Easement

All that part of the SE 10.0 acres of Lot 3, and all that part of the south 20.0 acres of Lot 1 and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.5 acre.

TRACT NO. 11 (4-FW-142)
Flowage Easement

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TRACT NO. 12 (4 - FW-143)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County,

Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TRACT NO. 13 (4 - FW-144)
Flowage Easement

All that part of the $E\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.6 acres.

TRACT NO. 14 (4-FW-145 Rev.)
Flowage Easement

All that part of the S $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$, and all that part of the Northwest 10.0 acres of Lot 6, and all that part of the south 23.55 acres of Lot 6, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acres.

TRACT NO. 15 (4 - FW-146)
Flowage Easement

All that part of the NE $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 16 (4 - FW-147)
Flowage Easement

All that part of the northeast 10.0 acres of Lot 6, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.2 acre.

TRACT NO. 17 (4 - FW-148)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$, Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.5 acres.

TRACT NO. 18 (4 - FW-149)
Flowage Easement

All that part of the northeast 9.79 acres of Lot 4,

and all that part of the south 20.0 acres of Lot 4, and all that part of the $N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TRACT NO. 19 (4 - FW-150)
Flowage Easement

All that part of the NW 9.79 acres of Lot 4, Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 20 (4) FW-151)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TRACT NO. 21 (4-FW-152)
Flowage Easement

All that part of the $NW\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 22 (4 - FW-153)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 23 (4 - FW-154)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TRACT NO. 24 (4 - FW-155)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing 0.3 acre.

TRACT NO. 25 (4-FW-155A)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 26 (4 - FW-156)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 27 (4-FW-157)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 26 (4-FW-158)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 31st day of May, 1943, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed May 21 1943
H. P. Warfield, Clerk, U. S. District Court ME

Court adjourned to May 22, 1943

On this 22nd-day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 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,	Plaintiff,)	
)	
vs.		)	NO. 7 - CIVIL
)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al,	Defendants.)	

O R D E R

This matter coming on for hearing this 22 day of May, 1943, upon the motion of the defendant to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, of the firm of Gray and Palmer, and the United States of America having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit, it was determined that the Act of June 30, 1936 did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention, since said decision, that said Act affected taxes for the year 1936, therefore, the court finds that said action should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that this action be and the same hereby is dismissed with prejudice.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 22 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

JAMES MARSHALL AND Noah Hagie,	Plaintiffs,)	
)	
vs.)	
)	
Ben Hagie, Anderson Hagie, Mary Fox, nee Marshall, Bettie Marshall, Charles Marshall, a minor, Mary Fox, guardian, and the unknown heirs of Martha Hagie, nee Snow, nee Marshall,	Defendant.	)	No. 616 Civil
)	
United States of America,	Intervenor.)	

ORDER CONFIRMING SALE AND MAKING
DISTRIBUTION OF PROCEEDS OF SALE.

Now on this 22nd day of May, 1943, comes on to be heard the motion of the plaintiff by L. J. Burt, their attorney, for an order of this court confirming sale and for distribution of the proceeds of sale of real estate involved in this action which sale was made by the Honorable John P. Logan, United States Marshal, appointed by the court to advertise and sell the real estate under the appraisement made by the commissioners appointed by this court, said real estate being situated in Creek County, State of Oklahoma, and described as follows, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) of Section Seventeen (17), Township Eighteen (18) North, Range Eight (8) East.

And the plaintiffs appearing by their attorney, L. J. Burt, and the defendants, Ben Hagie, Anderson Hagie, May Fox, nee Marshall, Bettie Marshall, Charles Marshall, a minor, Mary Fox, guardian, appeared not, either in person or by attorney, and the United States of America, intervenor, appearing by Whit Y. Mauzy, the United States District Attorney for the Northern District of Oklahoma, and Kenneth Hughes, Deputy United States District Attorney, all parties appearing announced ready for hearing on said motion.

The Court having examined the pleadings, files and records in this cause finds that there has not been any objection filed to the motion to confirm sale and of making distribution of the proceeds of sale, the Court finds that pursuant to the judgment and order of this Court, a Special Execution and Order of Sale was duly issued by the Clerk of this Court directing the Honorable John P. Logan, United States Marshal to advertise and sell said above described real estate at public auction at the North Front Door of the Court House in the City of Sapulpa, Creek County, State of Oklahoma, under the appraisement made by the Commissioners appointed by this Court, and that by said appraisement the value of said real estate described herein was fixed at the sum of \$1600.00.

The Court finds that the said John P. Logan, United States Marshal, pursuant to commands contained in said Special Execution and Order of Sale, did proceed to carry out said orders and did advertise and sell said property as required by law, at the North Front Door of the Court House in the City of Sapulpa, Creek County, Oklahoma, on the 3rd day of May, 1943, at the hour of 10 o'clock A.M. being the place and date fixed in the Notice of Sale, to Harve Matherly, for the sum of \$2150.00, he being the highest and best bidder and the best bid obtainable.

The Court fixes the fee of commissioners Lee Marrs and B. A. Holcomb at \$5.00 each.

The Court further finds that L. J. Burt attorney for said plaintiffs is entitled to an attorney fee for his services and the Court now fixes the fee for said attorney at \$150.00, to be taxed as costs in this action, same to be paid out of the funds received from the sale of said land.

Therefore, it is by the Court Considered, Ordered, Adjudged and Decreed that the sale so made by John P. Logan, United States Marshal, on the 3rd day of May, 1943, to Harve Matherly for the said sum of \$2150.00 be and the same is hereby approved and confirmed; and the said John P. Logan, as United States Marshal, is hereby ordered and directed to make, execute, sign and deliver to the said Harve Matherly his deed conveying to said Harve Matherly said real estate located and situate in Creek County, State of Oklahoma, described as follows:

The Northwest Quarter (NW $\frac{1}{4}$) of Section Seventeen (17), Township Eighteen (18) North, Range Eight (8) East,

and confirming the title thereto as fully and all intents and purposes as he as United States Marshal should or ought to convey and confirm title to the same.

IT IS FURTHER ORDERED ADJUDGED AND DECREED BY THE COURT that said Marshal procure an Internal Revenue Stamp and place same on said deed and deduct the cost therefor from the proceeds in his hands, and that he disburse and pay the following:

To the Sapulpa Legal News	\$15.00
To the Clerk of the District Court of Creek County, Oklahoma	34.60
To the U. S. District Court Clerk	<u>111.14</u>
Total	\$

IT IS FURTHER BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED that the said Marshal pay the balance of said funds in his hands to the Superintendent of the Five Civilized Tribes Agency at Muskogee, Oklahoma, for the use and benefit of

Ben Hagie, full-blood Creek, Roll No. 3260	1/5 interest
James Marshall	1/5 interest
Noah Hagie	1/5 interest
Anderson Hagie	1/5 interest
Charles Marshall	1/10 interest
Bettie Marshall	1/10 interest

For all of which judgment is now rendered.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 22 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 669 - CIVIL
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 22 day of May, 1943, upon the Motion of the defendant to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, of the firm of Gray & Palmer, and the United States of America having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit, it was determined that the Act of June 20, 1936, did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention, since said decision, that said Act affected taxes for the year 1936, therefore, the court finds that some of the causes of action herein have heretofore been dismissed and that the balance of the causes of action should be dismissed, with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the balance of the causes of action remaining in this case be and the same hereby are dismissed with prejudice.

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

UNITED STATES OF AMERICA	Plaintiff,)
)
vs.		) NO. 2683-LAW
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 22 day of May, 1943, upon the motion of the defendant to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, of the firm of Gray & Palmer, and the United States of America having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit, it was determined that the Act of June 20, 1936 did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention, since said decision, that said Act affected taxes for the year 1936, therefore, the court finds that some of the causes of action have heretofore been dismissed and the balance of the causes of action should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the balance of the causes of action remaining in this case be and the same hereby are dismissed with prejudice.

AND IT IS SO ORDERED.

ROYDE H. SAVAGE
JUDGE

ENDORSED: Filed May 22 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 2695 - LAW
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 22 day of May, 1943, on the motion of the defendants to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, of the firm of Gray & Palmer, and the United States of America having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit, it was determined that the Act of June 20, 1936, did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention since said decision and that said Act affected taxes for the year 1936, therefore the court finds that some of the causes of action herein have heretofore been dismissed and the balance of the causes of action should be dismissed without prejudice.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the balance of the causes of action remaining herein be and the same hereby are dismissed with prejudice.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 22 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 2699 - LAW
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al.	Defendants.)

O R D E R

This matter coming on for hearing this 22 day of May, 1943, upon the motion of the defendant to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing by Chas. R. Gray, of the firm of Gray & Palmer and the United States having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit it was determined that the Act of June 10, 1936, did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention since said decision, that said Act affected taxes for the year 1936, therefore, the court finds that some of the causes of action, herein have heretofore been dismissed and the balance of the causes of action should be dismissed, with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the balance of the causes of action in this case be and the same hereby are dismissed with prejudice.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 22 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.		) NO. 2709 - LAW
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing t is 22 day of May, 1943, upon the motion of the defendant to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, of the firm of Gray & Palmer, and the United States of America having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit, it was determined that the Act of June 20, 1936, did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention since said decision, that said Act affected taxes for the year 1936, therefore, the court finds that some of the causes of action herein have heretofore been dismissed and that the balance of the ca of action should be dismissed, with prejudice.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that the balance of the causes of action remaining in this case be and the same hereby are dismissed with prejudice.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 22 1943
H. P. Warfield, Clerk
U. S. District Court Me

Court adjourned to May 24, 1943

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, MAY 24, 1943

On this 24th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Eugene Rice, Judges, present and presiding.

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

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

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

In the Matter of the Estate of)
) No. 826 Civil
PETER MICCO, Seminole 1600, deceased.)

ORDER MODIFYING FORMER ORDER FOR DISTRIBUTION OF FUNDS

On this 24 day of May, 1943, there coming on for hearing the application filed herein by N. B. Day and G. Ellis Gable, Co-Administrators of the estate of Peter Micco, Seminole 1600, deceased, showing to the Court that a certain order made and entered by this Court on June 22, 1942, the provisions of which the Department of the Interior was authorized to pay from the estate of Peter Micco, deceased, to Perry Chisholm, as guardian of Haney Micco now Larney, an incompetent person and surviving sister and heir of Peter Micco, deceased, the sum of \$50.00 per month and that said Haney Micco now Larney died testate, a resident of Seminole County, on November 25, 1942, and that by provisions of said last named decedent's will, admitted to probate by the County Court of Seminole County in Probate Case No. 5205, entitled In the Matter of the Estate of Haney Micco, now Larney, Seminole NE deceased, C. H. Foresee was named executor of said estate and that by provision of said decedent's will there was devised to decedent's husband and children, to-wit:

Rider Larney, husband,	1/4
June Larney, daughter	1/4
Hattie Larney, daughter,	1/4
Johnnie Lee Larney, son,	1/4

and applicants furthershow to the Court that the said County Court of Seminole County, pursuant to the provisions of said will of Haney Micco then Larney, deceased, appointed C. H. Foresee as guardian of said three minor children, June Larney, Hattie Larney, and Johnnie Lee Larney, and that it is fit and proper that an order of this Court be entered modifying said order of June 22, 1942, and substituting for the name of Perry Chisholm as guardian of said Haney Micco then Larney, now deceased, \$50.00 per month, that said monthly payment be now disbursed by the Department by official checks payable to your Co-Administrator and applicants furthershow to the Court that the said County Court of Seminole County pursuant to the provisions of said will of Haney Micco then Larney, deceased, appointed C. H. Foresee as guardian of said three minor children, June Larney, Hattie Larney, and Johnnie Lee Larney, and that it is fit and proper that an order of this Court be entered modifying said order of June 22, 1942, and substituting for the name of Perry Chisholm as guardian of said Haney Micco then Larney, now deceased, \$50.00 per month, that said monthly payment be now disbursed by the Department by official checks payable to your Co-Administrator and to be endorsed by them as follows:

To Rider Larney, husband, -	\$12.50
To C. H. Foresee, guardian of June Larney, Hattie Larney, and Johnnie Lee Larney, minor,	\$37.50

and that pursuant to such order such payments to begin on June 1, 1943; and your Co-Administrators further show to the Court that pursuant to said order on June 22, 1942, there was paid to Perry Chisholm as guardian of Katie Mae Clark and Juanita Clark, minors, two of the five surviving children of Selina Micco, pre-deceased sister of Peter Micco, deceased, which five children jointly took a one-third interest in the estate of said Peter Micco, deceased, by inheritance or a one-fifteenth interest each, and that pursuant to such order there was paid to Perry Chisholm \$10.00 per month for each of said two minors, and that the said Perry Chisholm has now resigned as guardian of said Katie Mae Clark and Juanita Clark, minors, and by order of the County Court of Seminole County in Probate Case No. 5096, entitled In the Matter of the Guardianship of Katie Mae Clark and Juanita Clark, minors, there was appointed and letters issued to John T. Cooper as guardian in succession; and that said previous

order of June 22, 1942, should be modified to authorize the Department of the Interior to pay to John Cooper as guardian of Katie Mae Clark and Juanita Clark minors, the sum of \$10.00 per month beginning June 1, 1943; and the Court being well and sufficiently informed in the premises finds that said application to modify the order of June 22, 1942, should be in all things allowed.

IT IS THEREFORE ORDERED AND ADJUDGED that said order of June 22, 1942, be modified to the extent that in lieu of the \$50.00 per month heretofore paid to Perry Chisholm as guardian of Haney Micco now Larney, deceased, be disbursed to N. B. Day and G. Ellis Gable, Co-Administrators, in two separate checks, one to be endorsed to Rider Larney in the sum of \$12.50, and one to be endorsed to C. H. Foresee as guardian of June Larney, Hattie Larney, and Johnnie Lee Larney, minors, for \$37.50; and

IT IS FURTHER ORDERED that the said previous order of June 22, 1942, be modified authorizing the Department of the Interior in lieu of the \$10.00 per month payable to Perry Chisholm as guardian of Katie Mae Clark and Juanita Clark, minors, be now disbursed in the sum of an official check to the Co-Administrators herein in the sum of \$20.00 and by such co-administrators endorsed to John T. Cooper, guardian in succession of said Katie Mae Clark and Juanita Clark, minors; and

IT IS FURTHER ORDERED that such payments shall begin as of June 1, 1943, and continue thereafter in equal monthly installments until further order of the Court, and that a certified copy of this order shall be the authority of the Department of the Interior to make such payments as hereinabove set forth.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 24 1943
H. P. Warfield, Clerk
U. S. District Court

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

In the Matter of the Estate
of
Peter Micco, Seminole 1600,
deceased.

No. 826 Civil

O R D E R

On this 24 day of May, 1943, this matter coming on for hearing on the application of G. Ellis Gable, a Co-Administrator of the estate of Peter Micco, Seminole 1600, deceased, showing to the Court that N. B. Day, a co-administrator herein, had heretofore filed with this Court an individual claim against said estate supported by judgment of the County Court of Tulsa County, Oklahoma, in Probate Case No. 14579, entitled In the Matter of the Guardianship of Peter Micco, Incompetent, which matter was heard on appeal by the District Court of Tulsa County in Case No. 71219, entitled In re appeal In the Matter of the Guardianship of Peter Micco, Seminole 1600, an Incompetent, and the last named Court affirmed the said County Court in granting a judgment in favor of the said N. B. Day for the sum of \$4,000.00 for compensation for ordinary and extraordinary services as guardian of the said Peter Micco, Seminole 1600, incompetent, and now deceased; and that thereafter this Court by proper order, took no action upon the said claim of N. B. Day and held the matter in obedience; and that the said N. B. Day within the statutory time allowed by law brought an independent action in the District Court of Tulsa County numbered 71501 and entitled N. B. Day vs. G. Ellis Gable, Co-Administrator of the Estate of Peter Micco, Seminole No. 1600, deceased, and Estate of Peter Micco, Seminole No. 1600, deceased, which case is now pending and applicant shows to the Court

that by compromise settlement with the Department of the Interior the said N. B. Day has settled said claim for the sum of \$3,500.00 as full and complete payment of all services rendered by him as guardian of the said Peter Micco, incompetent, and now deceased; and the Court further finds that the Department of the Interior, pursuant to a telegram dated May 18, 1943, to the Superintendent for the Five Civilized Tribes, a copy thereof being attached to the application herein considered, the Secretary directed that from funds belonging to the estate of said Peter Micco, deceased, there be paid direct to N. B. Day said sum of \$3,500.00, and applicant prays an order of this Court ratifying and confirming such payment and directing the Superintendent for the Five Civilized Tribes to disburse such sum direct to N. B. Day and the Court being well and sufficiently informed in the premises finds that such application should be in all things allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the action of the Superintendent for the Five Civilized Tribes in paying to the said N. B. Day from the funds of Peter Micco, Seminole 1600, deceased, the sum of \$3,500.00 in full and complete settlement of said claim against the estate of Peter Micco, deceased, as ordinary and extraordinary compensation as guardian, be, and the same is hereby approved and confirmed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 24 1943
H. P. Warfield, Clerk
U. S. District Court

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

The City of Drumright, Oklahoma, a
Municipal Corporation, ex rel
Leonard Versluis, Complainant and Relator,)
)
) CIVIL ACTION NO. 929
)
 vs.)
)
 Ruth Alexander, et al, Defendants.)

SPECIAL APPOINTMENT FOR SERVICE OF PROCESS

It appearing to the court that substantial savings in travel fees will result from a special appointment herein, upon application of the complainant, it is, by the court,

ORDERED, that C. E. Winans, of Drumright, Oklahoma, be, and he is hereby specially appointed to make service of summons upon the various defendants in this action.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 24 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

PRETISS M. BROWN, Administrator, Office of Price Administration,	Plaintiff,)	
)	
vs.		)	CIVIL NO. 996
)	
Dawson Produce Company, an Oklahoma, Corporation,	Defendant.)	

J U D G M E N T

NOW, on this 24th day of May, 1943, this cause came on for trial at which time the same was regularly set for trial upon application of plaintiff for permanent injunction against the defendant herein, at which time plaintiff appeared by and through his attorneys, Joe N. Shidler and A. M. Covington, and defendant appeared in person and by and through its attorneys, Charles Skalnik, at which time a formal stipulation was presented, wherein it was agreed a permanent injunction should issue and the Court having heard the statement of counsel and being fully advised in the premises finds that said injunction should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the defendant, its agents, servants, employees and all persons in active concert or participation with defendant, be and they are hereby, permanently enjoined from directly or indirectly, selling, delivering, transferring or offering for sale any commodities for prices in excess of the maximum prices established by Maximum Price Regulation No. 271, as amended.

IT IS FURTHER ORDERED that defendant be required to pay the costs of this action.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 24 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

PRETISS M. BROWN, Administrator, Office of Price Administration,	Plaintiff,)	
)	
vs.		)	CIVIL NO. 997
)	
ELLIS DOBSON, an individual, d/b/a Stadium Market,	Defendant.)	

J U D G M E N T

NOW, on this 24th day of May, 1943, this cause came on for trial at which time the same was regularly set for trial upon application of plaintiff for permanent injunction against the defendant herein, at which time plaintiff appeared by and through his attorneys, Joe N. Shidler and A. M. Covington, and defendant appeared in person and at which time a formal stipulation was presented, wherein it was agreed a permanent injunction should issue and the Court having heard the statement of counsel and being fully advised in the premises, finds that said injunction should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and all persons in active concert or participation with defendant, be and they are hereby, permanently enjoined from directly or indirectly, selling, delivering, transferring or offering for sale any commodities for prices in excess of the maximum prices established by Maximum Price Regulation No. 271 as amended.

IT IS FURTHER ORDERED that defendant be required to pay the costs of this action.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 24 1943
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 25, 1943

On this 25th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Eugene Rice, Judges, present and presiding.

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

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

MISCELLANEOUS -- ORDER EMPANELING PETIT JURY.

On this 25th day of May, 1943, comes the Marshal and makes return on the Venire heretofore issued out of this Court for Petit Jurors for this Regular January 1943 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Chas. L. Bowman	Jess Floyd Richardson	Henderson G. Harrington
W. R. Howell	Everett Raymond Wiles	Victor E. Criswell
M. O. Brosius	Burnell Franklin Cove	Frank B. Murta
Gordon W. Talley	Herbert Earl Gibbs, Jr.	J. Z. Williams
Otis Lee Smith	Wm. J. Overton	John Russell Simpson
James Cecil Thomas	Raymond P. Akin	Russell S. Plankk
Neal Vann	Leonard N. Cotton	John Tyler Smith
Floyd S. Lytle	John William Davis	Howard Nichols
Roland Homer Kirkley	William N. Barber	Bert M. Hancock
James F. Kinslow	John Henry Crook	E. W. Hamilton
Herbert V. Shepherd	I. C. Carson Burnette	Wilber Clarence Kenyon
William F. McCown	Gay Moore	Harold A. Lynch
Benjamin Franklin Kyser	George Wesley Chambers	Haskell D. Trent
W. L. Kelsey	Clint H. Baker	James H. Gilmore
Maurice J. Keho	Leo Vern Hopp	Claude C. Nichols

Charles B. Corley
Joe H. Lyhene
Paul R. Large
Tom Hawkins
Arthur W. Broadus
Charles Edward Hudgens
Cleo Beard
Edw. Kirn

Robert Owen Trundle
George W. Chaney
Robert A. Bonnell
Henry C. Wachtman
Willis E. Lykins
Carl Edwards
Kenneth Taylor Wilson
B. N. Holland
Kennedy C. Carlin

A. C. Duerr
John E. Archer
A. J. Armour
Chas. Dude Wilson
James B. Boggs
Howard K. Miller
Henry Zalloske
Falkner C. Broach

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

Otis Lee Smith
Roland Homer Kirkley
Everett Raymond Wiles
Wm. J. Overton
Guy Moore
J. Z. Williams
Paul R. Large
Cleo Beard
Henry C. Wachtman
James B. Boggs

James Cecil Thomas
James F. Kinslow
Burnell Franklin Cove
John Henry Crook
George Wesley Chambers
John Russell Simpson
Tom Hawkins
Robert Owen Trundle
Carl Edwards
Kenneth C. Carlin

Floyd S. Lytle
Herbert V. Shepherd
Herbert Earl Gibbs, Jr.
I. C. Carson Burnette
Clint H. Baker
Joe H. Lyhene
Charles Edward Hudgens
George W. Chaney
Kenneth Taylor Wilson

are excused from service as Jurors for the term.

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

E. W. Hamilton

and of those not served

Maurice J. Keho
John E. Archer

Leonard N. Cotton
Howard K. Miller

William N. Barber

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular January 1943 Term of Court.

ENDORSED: Filed In Open Court
May 25 1943
H. P. Warfield, Clerk
U. S. District Court

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

(SEAL)

GREETING:

WHEREAS, lately in the United States Circuit Court of Appeals for the Tenth Circuit, in a cause between Board of County Commissioners of the County of Creek, State of Oklahoma, a Municipal Corporation et al., Appellants, and Evelyn Seber et al., Appellees, No. 2488, wherein the judgment of the said Circuit Court of Appeals, entered in said cause on the 2nd day of September, A. D. 1942, is in the following words, viz:

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

In 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."

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

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

ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs in the matters appealed from.

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

April 19, 1943.

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

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the twenty-fourth day of May, in the year of our Lord one thousand nine hundred and forty-three.

Costs of appellees
Clerk,) Paid by
Printing record)
Attorney) appellants

CHARLES ELMORE CROPLEY
Clerk of the Supreme Court of the United States.
By Mark W. Barr, Deputy

ENDORSED: Filed May 27, 1943
H. P. Warfield, Clerk
U. S. District Court ME

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause of action be and the same hereby is dismissed with prejudice.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 27 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
-vs-		) NO. 2659 - LAW
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, OKLAHOMA, et al,	Defendants.)

O R D E R

This matter coming on for hearing this 27th day of May, 1943, upon the motion of the defendant to dismiss and the United States appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, of the firm of Gray & Palmer, and the United States having announced that by virtue of the case of Board of County Commissioners of Muskogee County v. United States, recently decided by the Circuit Court of Appeals for the Tenth Circuit, it was determined that the Act of June 20, 1936, did not apply to taxes assessed by the State of Oklahoma for the year 1936 and that the United States was not making any contention since said decision, that said Act affected taxes for the year 1936, therefore, the court finds that this cause of action should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that this cause of action be and the same hereby is dismissed with prejudice.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 27 1943
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 28, 1943

On this 28th day of May, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 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,)
)
-vs-		) No. 652 - Civil
)
15,500 acres of land, more or less, situate in)
Mayes County, Oklahoma, and John H. Niehaus, Jr.,)
et al.,	Respondents,)

ORDER OF DISMISSAL AS TO TRACT NO. D-9

Now on this 28 day of May, 1943, this cause came on to be heard and the Court having been fully advised in the premises, finds that Tract No. D-9, which is owned by the Grand River Dam Authority, although within the perimeter description set forth in the petition in this cause, is not within the taking area;

That possession of said Tract No. D-9 has never been taken or disturbed and that said tract should be dismissed from this case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case be, and the same is hereby dismissed as regards Tract No. D-9 which is more particularly described as follows:

The South 50 ft. of NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; the South 50 ft. of W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; the E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; Lot 3 of Section 14, Township 20 North, Range 19 East situate in Mayes County, Oklahoma, combining in all 11.59 acres, more or less.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 28 1943
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,

v.

Arch G. Moll, Administrator of the Estate of Carl E. Riley, Deceased, Merl L. Riley, Margaret I. Boylen, Flora Bye Riley, all of whom are heirs of said estate; Morton D. Stevenson, Executor of the estate of B. T. Riley, Deceased, Estelle Amick, W. D. Riley, Dr. B. R. Riley, N. P. Riley, Joseph H. Riley, Pattie Riley Wisser, Adelle Vickers Van Pelt, Joseph E. Krumsick, George L. Krumsick, Anna Krumsick Barker, all being heirs of said estate; King Ridge, Charlie Ridge, Leo Ridge, Elpha Mathes, Delpha McGhee, Lizzie Ray, Cecil Benway, Lloyd Benway, Ancel Benway, Murlen Forney, Naomi Enyart, Elizabeth Booth, all being heirs of the estate of Mrs. M. S. Threestriker, also known as M. Sophie Winner, now deceased, and the Unknown heirs, executors, administrators, devisees, trustees, and assigns, immediate and remote, of the said Carl E. Riley, deceased, B. T. Riley, deceased, and Mrs. M. S. Threestriker, also known as M. Sophie Winner, deceased, and George B. Smith, Defendants.

No. 713 Civil

APPOINTMENT OF APPRAISERS

WHEREAS, on May 5, 1943, an Order of Sale was entered herein directing the United States Marshal for the District to advertise and sell after appraisal the following described property, to-wit:

East Half of Southwest Quarter and West Half of Southeast Quarter of Section 33, Township 25 North, Range 5 East, Osage County, State of Oklahoma.

WHEREAS, said United States Marshal has advertised pursuant thereto the sale of such property to be held at 2:00 P.M. on the 13th day of June, 1943, subject to all taxes due and unpaid to and at the office of the County Treasurer at Pawhuska, Osage County, Oklahoma.

IT IS THEREFORE ORDERED AND ADJUDGED that W. L. Mayes, Elmer Vick, and C. C. Weber, he, and they are hereby appointed as appraisers and after taking the necessary oath for making such appraisement of the property thus advertised for sale, they shall make their report herein accordingly.

ROYCE H. SAVAGE
JUDGE

EMDURSED: Filed May 28 1943
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
OF OKLAHOMA AT TULSA.

George Zearley,

Plaintiff,)

vs.)

No. 923 Civil

Oklahoma Inter State Mining Co.,
a corporation,

Defendant.)

O R D E R

NOW ON this 28 day of May, 1943, comes the plaintiff and defendant and stipulate that the above entitled cause has been duly settled and compromised and the plaintiff dismisses the above entitled cause of action with prejudice, at the defendant's cost.

It is Therefore ORDERED, ADJUDGED and DECREED that the above entitled cause be and hereby is dismissed with prejudice at the cost of the defendant.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 28 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

The City of Miami, Oklahoma, a municipal
corporation, ex rel Leonard Versluis,

Complainant,)

vs.)

Civil Action No. 928

Chas. L. Hale, et al,

Defendants.)

O R D E R

Now on this 28 day of May, 1943, the parties to the above entitled cause having stipulated that the defendants may have a further extension until August 1, 1943, in which to plead in said cause

It is hereby ordered that the defendants be and they are hereby given a further extension until August 1, 1943, in which to plead.

ROYCE H. SAVAGE
United States Judge

ENDORSED: Filed May 28 1943
H. P. Warfield, Clerk
U. S. District Court ME