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

REGULAR JANUARY 1942 TERM

WEDNESDAY, DECEMBER 23, 1942

21. The court expressly reserves jurisdiction over this cause for the entry of any and all further orders herein which may be necessary or essential for the completion of said sale or sales, the distribution of the proceeds thereof, and for the protection of the rights and interests of the parties hereto.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Dec 23 1942
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to January 2, 1943.

REGULAR JANUARY 1942 TERM

TULSA, OKLAHOMA

SATURDAY, JANUARY 2, 1943

On this 2nd day of January, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1942 Term at Tulsa, met pursuant to adjournment Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ORDER DISCHARGING GRAND JURORS.

Now on this 2nd day of January, A. D. 1943, it is ordered by the Court that the Grand Jury be and it is hereby discharged Sine Die.

It is this day ordered in pursuance of Section 12 of the Judicial Code, that the Regular January 1942 Term of said Court at Tulsa, Oklahoma, be adjourned Sine Die.

Court adjourned to January 2, 1943.

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

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REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 4, 1943

On this 4th day of January, 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. Royce H. Savage, Judges, present and presiding.

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

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

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

Bessie Hunt as administratrix of the
estate of E. W. Hunt, deceased,

Plaintiff,

)
)
) No. 725 Civil
)
)
)

vs

H. T. Fisher, etc.

Defendant.

O R D E R

Now this 4 day of Jan., 1943, the same being a judicial day of said court, this matter comes on for hearing on the Application herein filed by the defendant, H. T. Fischer, asking the order of this court directing the Clerk thereof, to pay to defendant the sum of \$60.00, which moneys were heretofore paid into the office of the Clerk of said Court by one F. C. Spoon, purporting to act as Receiver herein, and is money collected by said F. C. Spoon as rentals from certain properties owned by the defendant, and which the said F.C. Spoon assumed to have in his official custody as receiver.

The court finds that the appointment of said F. C. Spoon as receiver herein is and was null and void, as heretofore determined by this court; that said F. C. Spoon had no authority or right to collect said moneys, and that said moneys belong to the defendant herein and should be paid to the defendant herein, and no objections or exceptions having been filed to said application and no appearance in opposition thereto having been made;

IT IS ORDERED that the Clerk of this court do pay said sum of \$60.00 to the defendant, H. T. Fischer, which moneys were now in the custody of said Clerk.

ROYCE H. SAVAGE
JUDGE

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

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

REGULAR JANUARY 1942 TERM

MONDAY, JANUARY 4, 1942

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Thereupon, the Court proceeded to hear and pass upon said motion, the Petition for Condemnation and Declaration of Taking and finds that:

(1) Each and all of the allegations in said Petition and Declaration are true, and the United States of America is entitled to acquire property by eminent domain for the purposes set forth in said petition.

(2) In said Petition and Declaration of Taking a statement of the authority under which and the public use for which said lands were taken is set forth.

(3) The Petition and Declaration of Taking were filed at the request of the Secretary of War of the United States, the person duly authorized by law to acquire the lands described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings.

(4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking and Petition for Condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) A statement is contained in said Declaration of Taking for the sum of money estimated by the acquiring authority to be just compensation for the lands taken, in the amount of Three Thousand Four Hundred and no/100 Dollars (\$3,400.00), and said sum was deposited in the Registry of this Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking.

(6) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property in the opinion of the Secretary of War of the United States, will probably be within any limits prescribed by Congress on the price to be paid therefor.

(7) And the Court having fully considered the Petition for Condemnation, the Declaration of Taking, the Act of Congress approved February 28, 1931 (46 Stat. 1421, 40 U.S.C. Sec. 258a) and Acts supplementary thereto and amendatory thereof, and under the further authority of the Act of Congress approved August 18, 1890, (26 Stat. 316) as amended by the Acts of Congress approved July 2, 1917, (40 Stat. 241), April 11, 1918 (40 Stat. 518; 50 U.S.C., Sec. 171) and March 27, 1942 (Public Law 507-77th Congress) which acts authorize the acquisition of land for military purposes, and the Act of Congress approved December 18, 1941 (Public Law 354 - 77th Congress) which act appropriated funds for such purposes, and other Acts of Congress amendatory thereof and supplementary thereto, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the full fee simple title, subject however to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines, in and to the following described lands was vested in the United States of America upon the filing of said Declaration of Taking and the depositing in the Registry of this Court of the said sum of Three Thousand Four Hundred Dollars (\$3,400.00), and said lands are deemed to have been condemned and taken for the use of the United States, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands aggregate 77.15 acres, more or less, and are described as follows, to-wit:

Tract No. F-200

All that part or parcel of land situate in the County of Mayes,
State of Oklahoma, and more particularly described as follows:

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

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All of Lot Three (3) of Section Eleven (11), and Southeast Quarter of Southwest Quarter of Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$) and Southwest Quarter of Southwest Quarter of Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$) of Section Twelve (12), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, containing 28.65 acres of land, more or less.

Tract No. F-201

All that part or parcel of land situate in the County of Mayes, State of Oklahoma, and more particularly described as follows:

Northeast Quarter of Northwest Quarter of Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) and South Half of Northwest Quarter of Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$) and Northwest Quarter of Northwest Quarter of Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) of Section Thirteen (13) and all of Lot One (1) in Section Fourteen (14) all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, containing in all 48.50 acres, more or less.

subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines.

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

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

Entered this 4th day of January, 1943.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed 9:25 A.M.
Jan 4 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

W. EUGENE KAY,

Plaintiff,)

v.)

No. 924 Civil)

JAMES SHERMAN STARR, et al.,

Defendants.)

O R D E R

Now on this 4th day of January, 1943, this matter coming on before the Court upon the motion of the United States of America for permission to intervene in this cause of action, and it appearing to the Court that this action involves lands allotted to a restricted Cherokee Indian, and that the United States of America should be a party to this action,

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

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MONDAY, JANUARY 4, 1943

IT IS THEREFORE THE ORDER OF THIS COURT that the United States of America be and it hereby is granted permission to intervene in this cause of action.

ROYCE H. SAVAGE
JUDGE

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

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

The City of Miami, Oklahoma, a
Municipal Corporation, ex rel
Leonard Versluis,

Complainant and Relator,

CIVIL ACTION NO. 928

vs.

Chas. L. Hale, 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 Melt McCullough of Miami, 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 Jan 4 1943
H. P. Warfield, Clerk
U. S. District Court H

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.

Ruty 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 Verne McKinney, of Drumright, Oklahoma, be and he is hereby specially appointed to make service of summons upon the various defendants in this action.

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

ROYCE H. SAVAGE
United States District Judge

Court adjourned to January 5, 1943

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

J. W. CRANOR,	Plaintiff,)	
)	
v.		)	No. 922 Civil
)	
JAMES BRYANT McCARTLIN, et al,	Defendants.)	

O R D E R

NOW ON this 4th day of January, 1943, this matter coming on before the Court upon the motion of the United States of America for permission to intervene in this cause of action, and it appearing to the Court that this action involves lands allotted to a restricted Cherokee Indian, that the parties to this act on are restricted Cherokee Indians, and that the United States of America should be a party to this action,

IT IS THEREFORE THE ORDER OF THIS COURT that the United States of America be and it hereby is granted permission to intervene in this cause of action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 6 1943
H. P. Warfield, clerk
U. S. District Court JS

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
vs.)	
)	
One 1941 Chevrolet Coach Automobile, Motor		)	No. 932 CIVIL
No. AA-11,467, and 20 gallons of Untaxpaid)	
Whiskey seized therein; Artemas T. Hunnicutt,)	
and the Interstate Securities Company, Incorporated)	
Tulsa, Oklahoma,	Claimants.)	

ORDER FOR MONITION

Now on this 6th day of January, 1943, it appearing to the Court that the above named automobile, described herein as a 1941 Chevrolet Coach, motor No. AA-11,467, and twenty (20) gallons of untaxpaid whiskey were seized at the rear of premises designated as 616 East Archer Street in the City of Tulsa, in Tulsa County, Northern Judicial District of Oklahoma and within the jurisdiction of this Court, on or about October 1, 1942, by John Smitherman and Lonnie Williams, Tulsa Police Officers, by virtue of the authority of their said office, while said automobile was being used by Artemas T. Hunnicutt for the transportation, deposit and concealment of untaxpiad liquor, to-wit: whiskey, with the unlawful intention to defraud the United States of the tax thereon; it further appearing that thereupon said property was appraised at less than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein upon transmittal of summary proceedings as provided by law, and requests issuance of monition notifying claimants Artemas T. Hunnicutt and the Interstate Securities Company, Incorporated, Tulsa, Oklahoma, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Artemas T. Hunnicutt and the Interstate Securities Company, Incorporated, Tulsa, Oklahoma, unless notice thereof be waived, and any other person that might claim any interest in said automobile

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

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and intoxicating liquors, requiring them to appear in said court on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of the Internal Revenue Laws of the United States.

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

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to January 8, 1943.

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, JANUARY 8, 1943

On this 8th day of January, 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, Honorable 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 - ADMISSION TO BAR.

On this 8th day of January, A.D. 1943, it being made satisfactorily to appear that H. W. Carver is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

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

JUDGMENT

And now on this 8th day of January, 1943, this cause coming on to be heard on the motion of the plaintiff for a new trial and plaintiff's exceptions to the findings of fact and conclusions of law and the plaintiff being present in open court by his attorney, C. B. Rogers, and the defendants being present by their respective attorneys, and all parties announcing ready for hearing said motion and

exceptions, the Court doth proceed to hear and determine the same. The Court, after hearing the argument of plaintiff's attorney and considering the same together with the motion for new trial and exceptions to the findings of fact and conclusions of law, finds the same should be overruled and disallowed.

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED that plaintiff's motion for new trial and his exceptions to the findings of fact and conclusions of law is each hereby overruled and disallowed, to all of which plaintiff excepts.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to January 11, 1943

On this 11th day of January, 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:

H. C. HOVENDEN,	Plaintiff,)
)
-vs-		) No. 340 - Civil
)
CITY OF BRISTOW, a municipal corporation,	Defendant.)

Now on this 11th day of January, A. D. 1943, it is ordered by the Court that the Clerk file and spread of the record the Mandate in the above styled cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between H. C. Hovenden, plaintiff, and City of Bristow, a municipal corporation, defendant, No. 340, Civil, the judgment of the said district court in said cause, entered on September 16, 1941, was in the following words, viz:

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 11, 1943

* * * * *

It is therefore ordered, adjudged and decreed that the plaintiff have and recover judgment in rem against the defendant, City of Bristow, Oklahoma, on the properties hereinabove described, the following amounts:

	Tract #1	Tract #2	Tract #3	Tract #4	Tract #5	Tract #6
1933	\$110.12	\$92.58	\$92.58	\$95.01	\$176.12	\$190.65
1934		87.78	87.78			
1935	<u>99.70</u>	82.98	82.98	<u>85.16</u>	<u>157.86</u>	<u>170.88</u>
1936	92.99	78.18	78.18	80.23	148.72	160.99
1937	87.28	73.38	73.38	75.31	139.59	151.11

together with penalty interest on the amount of each delinquent instalment from the first day of September of the year within which same became payable at the rate of 12% per annum until paid.

It is further ordered, adjudged and decreed that the amount of said judgments when paid shall be paid to the City Treasurer of Bristow, Oklahoma, to be placed to the credit of Street Improvement District No. 30, Bristow, Oklahoma.

It is further ordered, adjudged and decreed that the jurisdiction of this court is retained for such other and further action as may be necessary to effectuate this judgment.

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

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

On consideration whereof, it is now here ordered and adjudged by the court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that H. C. Hovenden, appellee, have and recover of and from City of Bristow, a municipal corporation, appellant, his costs herein.

-- December 2, 1942.

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

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 7th day of January, in the year of our Lord one thousand nine hundred and forty-three.

COSTS OF	APPELLEE
Clerk	\$-- --
Printing Record	\$-- --
Attorney	<u>\$20.00</u>
	<u>\$30.00</u>

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

ENDORSED: Filed Jan 11 1943
H. P. Warfield, Clerk
U. S. District Court H

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

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REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 11, 1943

H. C. HOVENDEN, ET AL,	Plaintiff,)	
)	
-vs-	)	No. 465 - Criminal
)	
R. CAHILL, ET AL,	Defendant.)	

Now on this 11th day of January, A. D. 1943, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled and numbered cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, SS:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

(SEAL)

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between H. C. Hovenden, et al., plaintiffs, and R. Cahill et al., defendants, No. 465, Civil, the judgment of the said District Court in said cause, entered on September 16, 1941, was in the following words, viz:

* * * * *

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

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that H. C. Hovenden, and The City of Bristow, Oklahoma, a municipal corporation, ex rel. H. C. Hovenden, appellees, have and recover of and from R. Cahill et al., appellants, their costs herein.

-- December 2, 1942.

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

WITNESS, the Honorable HARRIAN F. STONE, Chief Justice of the United States, the 7th day of January, in the year of our Lord one thousand nine hundred and forty-three.

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

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

ENDORSED: Filed Jan 11 1943
H. P. Warfield, Clerk
U. S. District Court H

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

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TULSA, OKLAHOMA

MONDAY, JANUARY 11, 1943

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. 828 Civil)

ORDER DISAPPROVING CLAIMS FILED AGAINST SAID ESTATE AND FOR OTHER PURPOSES.

On this 11th day of January, 1943, this matter coming on for hearing on motion of N. B. Day and G. Ellis Gable, co-administrators, for disapproval of claims filed against said estate as follows:

Table with 2 columns: Claimant Name and Amount. Includes Box Hardware Company (\$12.18), Ming-Vernon Clinic (154.85), Rev. Willie Haney (25.00), and Brent Crawley and Louis A. Fischl (5000.00).

and for consideration by this court, without recommendation of said administrators, claim filed herein by N. B. Day, one of the co-administrators, for allowance of his claim reduced to judgment by the District Court of Tulsa County, Oklahoma, in Case No. 71219 in the sum of \$4,000.00, and the Court being well and sufficiently informed in the premises finds that the first four above named claims, to-wit:

Table with 2 columns: Claimant Name and Amount. Includes Box Hardware Company (12.18), Ming-Vernon Clinic (154.85), Rev. Willie Haney (25.00), and Brent Crawley and Louis A. Fischl (5000.00).

be and the same are hereby disapproved.

And the Court further finds that the claim filed herein by the said N. B. Day, since the same has been reduced to judgment in the State Court and is now being contested by M. S. Robertson, United States Probate Attorney, in behalf of the heirs and next of kin of Peter Micco, deceased, is hereby held in abeyance and this court is taking no action thereon.

ROYCE H. SAVAGE Judge

ENDORSED: Filed Jan. 11 1943 H. P. Warfield, Clerk U. S. District Court H

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 11, 1943

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.)
		) No. 894 - Civil
Certain Parcels of Land in the Town of)
Dawson, County of Tulsa, Oklahoma, and)
Town of Dawson, et al.,	Respondents.)

ORDER OF DISTRIBUTION AS TO TRACT NO. 2

Now on this 11th day of January, 1943, this matter came on to be heard on the application of the petitioner for a distribution of funds as to Parcel No. 2, and the Court finds that the \$10.00 deposited for said Parcel should be distributed at this time.

IT IS, THEREFORE, ORDERED AND DIRECTED that the Clerk of this Court issue a check in the sum of Ten and no/100 Dollars (\$10.00) payable to the order of St. Louis-San Francisco Railway Company.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 11 1943
H. P. Warfield, Clerk
U. S. District Court AC

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

EDDIE MOFFER,	Plaintiff,)
)
v.		) No. 916 Civil
)
SINCLAIR PRAIRIE OIL COMPANY, et al.,)
	Defendants.)

O R D E R

Now on this 8th day of January, 1943, this matter coming on for hearing upon motion of the United States of America to quash service of notice on the Superintendent of the Five Civilized Tribes Agency, and the Court being fully advised in the premises finds that said motion should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the motion of the United States to quash service of notice on the Superintendent of the Five Civilized Tribes Agency be and the same hereby is overruled, to which action of the Court the United States excepts and exceptions are duly allowed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 11 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to January 12, 1943

On this 12th day of January, 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, Eugene Rice and Royce H. Savage, Judges, present and presiding.

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

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

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

United States of America,	Plaintiff,)
)
vs)
		) NO. 693 CIVIL
Board of County Commissioners of Pawnee)
County, State of Oklahoma, John Maltsberger,)
County Treasurer, and Amos Teeter, Tax)
Assessor, of Pawnee County, State of)
Oklahoma,	Defendants.)

JOURNAL ENTRY

Now on this 4th day of January, 1943, this matter comes on before this court for decision, and said cause of action having heretofore been heard and evidence presented to this court on November 2, 1942, and the court having requested briefs to be filed by both parties hereto, and said briefs having been supplied, and the court having been fully advised herein, the court now on this date finds the facts to be as set out in the Court's Findings of Fact, filed this date, and concludes as a matter of law as set out in Conclusions of Law filed this date.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

Southwest Quarter of Northwest Quarter of Section 1, and
East Half of Southeast Quarter of Northeast Quarter of Section
2, Township 21 North, Range 4 East, situated in Pawnee County,
State of Oklahoma,

is held in trust by the United States of America for Wilson Freemont Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT the

Southwest Quarter of Northeast Quarter of Section 14,
Township 22 North, Range 5 East, situate in Pawnee County,
State of Oklahoma,

is held in trust by the United States of America for Phyllis Sadie Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from

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

REGULAR JANUARY 1943 TERM

TUESDAY, JANUARY 12, 1943

proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

East Half of Southwest Quarter of Section 15, Township 21 North, Range 4, East, situate in Pawnee County, State of Oklahoma,

is held in trust by the United States of America for Regina Margaret Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1942, and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

South Half of Southwest Quarter of Section 20, Township 21 North, Range 5 East, situate in Pawnee County, State of Oklahoma,

is held in trust by the United States of America by Phyllis Sadie Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that said plaintiff have and recover judgment as prayed for in its complaint, except that said property is held to be taxable for the year 1940 and that said plaintiff is entitled to payment of its costs incurred herein.

F. E. KENNAMER
JUDGE

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

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

MITCHELL KNIGHTEN, Plaintiff,)
vs,) No. 694 Civil
SINCLAIR PRAIRIE OIL COMPANY, a corporation, etal, Defendants.)

ORDER CANCELLING LIEN CLAIM

Now is this 12 day of January, 1943, a being a regular day of the January term, it appearing to the Court that on the 14th day of October, 1942, plaintiff filed herein his ancillary complaint asking to cancel, set aside and remove as a cloud upon his cause of action, the attorneys li

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

THURSDAY, JANUARY 14, 1943

On this 14th day of January, 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

Ralph W. White, Administrator of the Estate of Mary Vieux Bruno, deceased, John A. Bruno, Ethel Bruno Shopwetuck, Mary Bruno Webb, Ose Bruno DeLonais, Nora Bruno Kemohah, John A. Bruno Jr., and Eveline Bruno Cody, Plaintiffs,

No. 836 Civil

vs,

Sinclair Prairie Oil Company, a Corporation; The Prairie Oil and Gas Company, a Corporation; Mid-Kansas Oil and Gas Company, a Corporation; and The Ohio Oil Company, a Corporation, Defendants.

ORDER OVERRULING MOTION FOR NEW TRIAL

On this 8th day of January, 1943, a juridical day of said court, this cause coming on to be heard on a motion of the plaintiffs for a new trial, pursuant to assignment on the regular motion docket, all parties appearing by their respective counsel, and the court having heard the argument of counsel, and being advised in the premises, finds that said motion for new trial should be overruled.

It is therefore ordered by the court that plaintiffs' motion for a new trial be, and so is by the court, overruled. To which finding, ruling and order plaintiffs object and except and their exceptions are allowed.

ROYCE H. SAVAGE
United States District Judge

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
vs.)	
)	
One 1941 Ford Sedan Automobile, Motor No.		)	NO. 893 CIVIL
18-6,455,393, and approximately ninety)	
gallons of taxpaid intoxicating liquors;)	
Hubert N. Bleigh and Universal Credit)	
Company of Tulsa, Oklahoma,	Claimants.)	

JOURNAL ENTRY

Now on this 14th day of January, 1943, this matter coming on for hearing before this Honorable Court, and the court after hearing the testimony of witnesses, arguments of counsel and being otherwise fully advised in the premises, finds that said 1941 Ford Sedan Automobile, Motor No. 18-6, 455,393, should and the same is hereby ordered forfeited.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the claimant, Universal Credit Company's petition for remission and mitigation is hereby allowed, and that said automobile is ordered delivered to said claimant, Universal Credit Company, upon payment by said Universal Credit Company of all costs incident to the seizure thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that delivery of the 90 gallons of assorted tax-paid intoxicating liquors seized herein, be ordered delivered to the agencies of the Treasury Department of the United States for proper disposition of said agencies according to law.

ROYCE H. SAVAGE
JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
)	
vs.)	
)	
One 1941 Chrysler Sedan Automobile, Motor		)	NO. 901 CIVIL
No. C30-2770, approximately 60 gallons)	
of assorted taxpaid intoxicating liquors,)	
and George E. Buelke,	Claimants.)	

JOURNAL ENTRY

This matter coming on for hearing on this 14th day of January, 1943, pursuant to regular assignment, the United States of America appearing by Whit V. Rauzy, United States Attorney in and for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney in and for said District, and the claimant George E. Buelke, appearing not, and the court having examined the proceedings filed in this cause of action, finds that the said George E. Buelke was served with order of monition.

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, JANUARY 15, 1943

that none of the defendants in this cause are in the military service of the United States, except the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to-wit:

Hazel F. Neuschwanger;
John H. Bauman;
William J. Bauman;
Joseph S. Bauman;
Minnie Schrock;
Lydia Plattner;
Elizabeth Fulton;
Emma Bauman, now Wissler;
Aldena Blaser,
Joseph S. Bauman, attorney-in-fact for William J. Bauman,
John H. Bauman, Minnie Schrock, Lydia Plattner, Elizabeth
Fulton, Emma Bauman, now Wissler and Aldena Blaser;
Mary Buffington, R. J. Lawless, Annie E. Campbell, Margaret
Clare Johnston, Florence Elizabeth Briddle, Martha Louise
Nichols, James H. Huckleberry, Jr., Malcolm L. Huckleberry,
H. T. Swain, C. S. Walker, C. W. Steele, and N. B. Held, if
living, or if deceased, their known and unknown heirs,
executors, administrators, devisees, legatees, trustees,
creditors and assigns, immediate and remote, and their
spouses, if any; and the known and unknown heirs, executors,
administrators, devisees, legatees, trustees, creditors and
assigns, immediate and remote, and their spouses, if any,
of Jonas Ragsdale, Cherokee Freedman, Roll No. 1912, deceased;
of Augustus Buffington, Cherokee Freedman, Roll No. 1734, de-
ceased; of Elizabeth Bauman, deceased; of Mary
Buffington, Cherokee Freedman, Roll No. 1860, deceased;
of L. B. Campbell, deceased;

and that the defendant Edgar N. Frye is in the military service of the United States of America; and i further appearing to the Court that an attorney should be appointed to represent and protect the inter-ests of each of said defendants;

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Relief Act of 1940, approved October 17, 1940, as amended, and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to-wit:

Edgar N. Frye;
Hazel F. Neuschwanger;
John H. Bauman;
William J. Bauman;
Joseph S. Bauman;
Minnie Schrock;
Lydia Plattner;
Elizabeth Fulton;
Emma Bauman, now Wissler;
Aldena Blaser;
Joseph S. Bauman, attorney-in-fact for William J. Bauman;
John H. Bauman, Minnie Schrock, Lydia Plattner, Elizabeth
Fulton, Emma Bauman, now Wissler and Aldena Blaser;

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, JANUARY 15, 1943

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

TRACT NO. 1 (306 - 1.3 Rev)

R. D. Hudson, fee owner \$30.00

TRACT NO. 2 (306 - 1.3A)

School District No. 13, Mayes County, Oklahoma, fee owner \$5.80

TRACT NO. 3 (306 - 2.0)

C. W. Knotts, fee owner, has been paid the sum of \$24.60, as per order of this Court of May 29, 1942.

TRACT NO. 4 (306 - 2.1)

C. W. Knotts, and Lola Knotts - fee owners - have been paid the sum of \$50.20 as per order of this Court of May 29, 1942.

TRACT NO. 5 (306 - 2.2)

C. W. Knotts - fee owner - has been paid the sum of \$24.60 as per order of this Court of May 29, 1942.

TRACT NO. 6 (306 - 2.3)

C. C. Dodd - fee owner \$93.00

Carl West - tenant -- has been paid the sum of \$15.00 per order of this Court of September 9, 1942.

TRACT NO. 7 (306 - 2.4)

Asaneth Parrish, now Ketchum, Cherokee E. B. Roll No. 1568 (restricted) - fee owner, Check to be made payable to the Superintendent of the Five Civilized Tribes, for the owner \$62.25

Carl West - tenant - has been paid the sum of \$5.00 as per order of Court of September 9, 1942.

TRACT NO. 8 (306 - 3.1)

J. C. West, fee owner -- as per order of this Court dated September 9, 1942, the sum of \$73.00 was paid to the State Life Insurance Company, a corporation, mortgagee, for J. C. West, fee owner.

Carl West - tenant -- was paid the sum of \$5.00 as per
order of this Court of September 9, 1942.

TRACT NO. 9 (306 - 3.3)

John H. Bauman,
William J. Bauman,
Joseph S. Bauman,
Minnie Schrock,
Lydia Plattner,
Elizabeth Fulton,
Erma Bauman, now Wissler,
Aldena Blaser, - fee owners -- check should be made
payable to Joseph S. Bauman, Attorney-in-fact for
the fee owners, \$198.40

Tom Carroll - tenant \$ 5.00

TRACT NO. 10 (306 - 4.1)

Willie B. Sparks - fee owner \$10.00

TRACT NO. 11 (306 - 4.1A)

Jas. S. Wilson - fee owner \$30.00

TRACT NO. 12 (306 - 4.2)

Cecil C. Anderson - fee owner -- was paid the sum of
\$125.00, as per order of this Court of June 29, 1942.

Tom Carroll - tenant -- was paid the sum of \$35.00,
as per order of this court of June 29, 1942.

TRACT NO. 13 (306 - 4.3)

Page Crahan - fee owner \$52.50

Tom Carroll - tenant -- has been paid the sum of
\$15.00 per order of this Court of June 29, 1942.

TRACT NO. 14 (306 - 5.1)

Emory Martin, also known as J. E. Martin - fee owner,
\$170.00

TRACT NO. 15 (306 - 5.2)

Emory Martin - fee owner \$155.00

TRACT NO. 16 (306 - 5.3)

John Stephens - fee owner - Stipulation for the
payment of the compensation to the Federal Land Bank
of Wichita, for the Land Bank Commissioner and the
Federal Farm Mortgage Corporation, a corporation,
mortgagee, \$67.00

that none of the defendants in this cause are in the military service of the United States, except that the petitioner is unable to determine whether or not of any of the following defendants are in the military service of the United States, to-wit:

James S. Freeman, and
E.G. Hedges, if living, or if deceased, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of William Bean, Cherokee Freedman, Roll No. 1849, deceased; of C. S. Kenzer, also known as C. S. Kinzer and Christian S. Kinzer, deceased; of L. B. Campbell, deceased; of Mary Jane Bowman, deceased; of Carrie McCoy, deceased; of Milly Frye, deceased;

and that the defendants;

Edgar H. Frye;
J. Elmer Frye;
Leander Frye;
Vance Vernon Frye;

are in the military service of the United States of America; and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants.

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Relief Act of 1940, approved October 17, 1940, as amended, and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to-wit:

Edgar H. Frye;
J. Elmer Frye;
Leander Frye;
Vance Vernon Frye;
James S. Freeman, and
E.G. Hedges, if living, or if deceased, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of William Bean, Cherokee Freedman, Roll No. 1849, deceased; of C. S. Kenzer, also known as C. S. Kinzer and Christian S. Kinzer, deceased; of L. B. Campbell, deceased; of Mary Jane Bowman, deceased; of Carrie McCoy, deceased; of Milly Frye, deceased;

and it is further ordered and directed that a judgment be entered in this cause, confirming the report of commissioners.

ROYCE H. SAVAGE JUDGE

ENDORSED: Filed Jan 15 1943

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

TRACT NO. 4 (305 - 33.1 & 32.7)

John Bogle - fee owner - has been paid the sum of
\$45.00 as per order of this Court of October 23, 1942.

Ezra C. Harp - tenant -- has been paid the sum of
\$20.00 as per order of this Court of October 23, 1942.

TRACT NO. 5 (305 - 33.2)

Milly Frye, now deceased - fee owner, Compensation to be paid to: Florence Venters, Administratrix of the estate of Milly Frye, deceased,	\$55.00
G. R. Bracken - tenant	5.00

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 15 1943
H. P. Warfield, Clerk
U. S. District Court JS

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.	)	CIVIL NO. 833
)	
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA; and G. R. Bracken, et al,)	
)	
	)	Defendants.

ORDER APPOINTING AN ATTORNEY TO REPRESENT AND
PROTECT THE INTERESTS OF CERTAIN DEFENDANTS
AND DIRECTING ENTRY OF JUDGMENT CONFIRMING
REPORT OF COMMISSIONERS IN THE ABOVE STYLED CASE.

NOW, on this 15th day of January, 1943, it appearing to the Court that the petitioner,
United States of America, in the above styled cause has filed the affidavit of R. L. Davidson, Soecial
Assistant United States Attorney for the Northern District of Oklahoma, and attorney for the petitioner
that none of the defendants in this cause are in the military service of the United States, except that
the petitioner is unable to determine whether or not any of the following defendants in the military
service of the United States, to-wit:

Tobias Bean, Cherokee Roll No. 3773, if living, or if deceased,
his heirs, executors, administrators, devisees, legatees, trustees,
creditors and assigns, immediate and remote, and their spouses, if any;
and the known and unknown heirs, executors, administrators, devisees, legatees,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
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trustees, creditors and assigns, immediate and remote, and their spouses, if any, of Andy Frye, Cherokee Freedman, Roll No. 1960, deceased; of Milly Frye, deceased; of Mary Jane Bowman, deceased; of Carrie McCoy, deceased; of Homer L. Haines, Cherokee Roll No. 30981, deceased; and of Henry C. Haddock, deceased;

and that the following defendants are in the military service of the United States, to-wit:

Edgar N. Frye;
J. Elmer Frye;
Leander Frye;
Vance Vernon Frye;
Henry Francis Haddock;

and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants.

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors Civil Relief Act of 1940, approved October 17, 1940, as amended and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, be and he is hereby appointed to represent and protect the interests of each of the following defendants, to-wit:

Edgar N. Frye;
J. Elmer Frye;
Leander Frye;
Vance Vernon Frye;
Henry Francis Haddock;
Tobias Bean, Cherokee Roll No. 3773, if living, or if deceased, his heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, known heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of Andy Frye, Cherokee Freedman, Roll No. 1960, deceased; of Milly Frye, deceased; of Mary Jane Bowman, deceased; of Carrie McCoy, deceased; of Homer L. Haines, Cherokee Roll No. 30981, deceased; and of Henry C. Haddock, deceased;

and it is further ordered and directed that a judgment be entered in this cause, confirming the report of commissioners.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 15 1943
E. 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. 833
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)	
OKLAHOMA; and G. R. Bracken, et al.,)	
	Defendants.)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 15th day of January, 1943, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

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

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

TRACT NO. 1 (305 - 33.3)

Andy Frye, now deceased - fee owner	
Compensation to be paid to Florence Venters,	
Administratrix of the estate of Andry Frye,	
deceased	\$52.50

G. R. Bracken - tenant	10.00
------------------------	-------

TRACT NO. 2 (305 - 33.4)

State of Oklahoma (Commissioners of the Land Office	
of the State of Oklahoma) - fee owner; and G. R.	
Bracken, holder of a certificate of purchase --	30.00

TRACT NO. 3 (305 - 33.5)

John H. Smith, also known as J. H. Smith - fee owner -	
has been paid the sum of \$22.00 as per order of this	
Court of October 27, 1942	

S. B. Simons - tenant	10.00
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TRACT NO. 4 (305 - 34.1)

John Kraft and Mary Kraft - fee owners	\$25.00
Clyde A. Turner - tenant	5.00

TRACT NO. 5 (305 - 34.2)

Feriby L. Moore - fee owner	\$10.00
-----------------------------	---------

TRACT NO. 6 (305 - 34.3)

Henry C. Haddock (deceased) and
Vesta A. Haddock - fee owners of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 3, T 23 N - R 21 E;
Henry C. Haddock (deceased) - fee owner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 3, T 23 N - R 21 E.
Distribution should be made as follows, to-wit:

Vesta A. Haddock	\$25.00
Ethel Perryman	2.08
Jess Haddock	2.08
Alice Wells	2.08
Mary Jackson	2.08
Idabel Stoops	2.08
James L. Haddock	2.08
Vesta Andrews	2.08
Orville Haddock	2.08
Eula Flock	2.08
George Haddock	2.08
Idabel Haddock	1.05
Ruth Haddock, now Lytle	1.05
Henry Francis Haddock	1.05
Andre Haddock, now Johnston	1.05

TRACT NO. 7 (305 - 34.4)

A. R. Dye and Mary E. Dye, fee owners, and O. B. Garver, mortgagee	\$15.00
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TRACT NO. 8 (305 - 34.5)

R. A. Byers, - fee owner -- was paid the sum of
\$32.00 as per order of this Court of October
27, 1942.

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

ROYCE M. SAVAGE
JUDGE

ENDORSED: Filed Jan 13 1943
H. P. Garfield, Clerk
U. S. District Court JS

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

THE CITY OF VINITA, a Municipal Corporation,)
Plaintiff,)

vs.)

INA O'FIELD COMING, a full-blood Cherokee Indian,)
enrolled opposite Roll No. 2892-M,)
ELEANOR MAXINE COMING, and the)
Unknown heirs, executors, administrators, devisees,)
trustees and assigns, immediate and remote, of)
Berry Coming, a full-blood Cherokee Indian,)
enrolled opposite Roll No. 3651-M, deceased, and)
the United States of America, Defendants.)

Case No. 907.

ORDER APPOINTING COMMISSIONERS

This matter coming on to be heard on this 5th day of January, 1943 upon the Petition of the above named Plaintiff for an order appointing commissioners in said cause, and it being made to appear to the Court that the City of Vinita, Oklahoma, a Municipal Corporation, has the right of eminent domain and may condemn land for the purpose of using the same for an "airport" or "flying field", and that the City of Vinita, Oklahoma, a Municipal Corporation, has determined to build an "airport" or "flying training field", and it is necessary for the plaintiff, in its construction thereof, to acquire the fee simple title in and to the following described property, to-wit:

North Half of the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of the Northwest Quarter, Section 35, Township 26 North, Range 20 East, Craig County, Oklahoma,

That the City of Vinita, Oklahoma, a Municipal Corporation, has been unable, by private purchase, to secure the same; and that due notice of this application has been given.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Gillett, Hugh McClure, and Walter Gumm, three disinterested freeholders within the Northern District of Oklahoma, be and they are hereby appointed as commissioners to inspect said real property hereinbefore described and consider and appraise the injury, if any, which the defendants, as the owners thereof, will sustain by such appropriation of their lands; and said commissioners are hereby authorized, empowered and directed to take the oath prescribed by law, and to forthwith inspect said property and make their report, as provided by law.

IT IS FURTHER ORDERED that the U. S. Marshal of the Northern District of Oklahoma, be and is hereby directed to forthwith serve a copy of this order upon each of said commissioners, as aforesaid.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jan 15 1943
H. P. Warfield, Clerk
U. S. District Court JS

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

The Creek Indians National Council, et al.,)	
	Plaintiffs,)
)	
-vs-	)	No. 927 Civil
)	
Nancy Barnett, James Isaiah Wallace,)	
Executor, Sinclair Prairie Oil Company,)	
et al.,	Defendants.)

O R D E R

The motion of plaintiffs to remand this action to the District Court of Creek County, Oklahoma, was heard on this 14th day of January, A. D. 1943; the plaintiffs appeared by their attorney, W. R. Kerr; the defendant, Sinclair Prairie Oil Company, appeared by its attorneys, John H. Miley, Summers Hardy and Robert L. Imler. The Court heard argument of counsel, and being of opinion that the motion should be denied -

IT IS ORDERED that the motion of the plaintiffs to remand this action to the District Court of Creek County, Oklahoma, from which court it was removed, be and the same is hereby denied and overruled, to which plaintiffs except.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to January 16, 1943

On this 16th day of January, 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 DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

RECORDED JANUARY 1943 TERM

SATURDAY, JANUARY 16, 1943

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

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

J U D G M E N T

NOW, on this 15th day of January, 1943, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate involved in this proceeding and hereinaft specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, the petition for condemnation, report of commissioners, and all other matters herein, and finds that:

- (1) Each and all of the allegations of said petition for condemnation are true, and the United States of America entitled to acquire property by eminent domain for the uses and purposes therein set forth.
- (2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.
- (3) In said petition for condemnation a statement of the authority under which and the public use for which the estate in said lands were taken was set forth.
- (4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.
- (5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.
- (6) The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court further finds that the commissioners appointed herein to appraise and fix the value of the estate taken in the real estate involved in this proceeding, duly qualified on the 12th day of August, 1942, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the fair market value of the estate taken, filed their report herein on the 18th day of August, 1942, wherein they fixed the fair, cash, market value of the estate taken, and all damages to the remainder, if, any, as to the lands involved in this proceeding, as more particularly designated and described as follows, to-wit:

TRACT NO. 1 (306 - 1.3 Rev)
Perpetual Easement

A strip of land 100 feet in width in the SW¹/₄ SE¹/₄, Sec. 15, T. 23

N. R. 21 E of the Indian Base and Meridian, in Mayes County, Oklahoma (except the following described tract of land, to-wit:
"Beginning at the NE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, thence W 970 feet; thence S 300 feet; thence E 370 feet; thence N 267 feet; thence E 600 feet; thence N 33 feet to the point of beginning") the center line of which is described as follows, to-wit:

TRACT A:

Beginning at a point in the East boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 891.4 feet from the SE corner thereof; thence Northwesterly to a point in the West boundary of the East 600 feet of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 270.6 feet from the NW corner thereof.

TRACT B:

Beginning at a point in the West boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 1238.2 feet from the Sw corner thereof; thence Southeasterly to a point in the West boundary of the East 970 feet of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 173.2 feet from the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$30.00

TRACT NO. 2 (306 - 1.3A)
Perpetual Easement

A strip of land 100 feet in width in the following described tract of land, to-wit: "Beginning at the NE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, thence W 970 feet; thence S. 600 feet thence N 33 feet to the point of beginning, the center line of said 100-foot strip being described as follows, to-wit:

Beginning at a point in the West boundary of the E 600 feet of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ 270.6 feet from the NW corner thereof; thence Northwesterly to a point in the West boundary of the East 970 feet of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ 173.2 feet from the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$5.80

TRACT NO. 3 (306 - 2.0)
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ 81.2 feet from the NE corner thereof; thence Northwesterly to a point in the West boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 87.7 feet from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$24.60

TRACT NO. 4 (306 - 2.1)
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16,
T 23 N, R 21 E of the Indian Base and Meridian in Mayes Co nty,
Oklahoma, the center line of which is described as follows,
to-wit:

Beginning at a point in the East boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
27.8 feet from the SE corner thereof; thence Northwesterly to
a point in the West boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 256.6 feet
from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) and all damages to the remainder, if any \$50.20

TRACT NO. 5 (306 - 2.2)
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section
16, T 23 N, R 21 E of the Indian Base and Meridian in Mayes
County, Oklahoma, the center line of which is described as
follows, to-wit:

Beginning at a point in the East boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
256.6 feet from the SE corner thereof; thence North easterly to
a point in the West boundary of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 425.5 feet
from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$24.60

TRACT NO. 6 (306 - 2.3)
Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$
SW $\frac{1}{4}$, Sec. 16, T 23 N, R 21 E of the Indian Base and Meridian in
Mayes County, Oklahoma, the center line of which is described as
follows, to-wit:

Beginning at a point in the East boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
425.5 feet from the SE corner thereof; thence Northwesterly to
a point in the West boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ 932.2 feet from
the SE corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$108.90

TRACT NO. 7 (306 - 2.4)
Perpetual Easement

A strip of land 100 feet in width in the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16,
T 23 N, R 21 E of the Indian Base and Meridian in Mayes County,
Oklahoma, the center line of which is described as follows,
to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, 272.2 feet from the SE corner thereof; thence Northwesterly to a point in the West boundary of said $N\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, 50 feet from the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$67.25

TRACT NO. 8 (306 - 3.1)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the $S\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, 50 feet from the NE corner thereof; thence Northwesterly to a point in the West boundary of said $S\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 300 feet from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$78.00

TRACT NO. 9 (306 - 3.3)
Perpetual Easement

A strip of land 100 feet in width in the $SW\frac{1}{4}$ NE $\frac{1}{4}$, $SE\frac{1}{4}$ NW $\frac{1}{4}$, $N\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, and the $S\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $SW\frac{1}{4}$ NE $\frac{1}{4}$, 300 feet from the SE corner thereof; thence Northwesterly to a point in the North boundary of said $N\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 125 feet from the NW corner thereof; thence Westerly to a point in the West boundary of said $N\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 4.4 feet from the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$203.40

TRACT NO. 10 (306 - 4.1 Rev)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ South of the K. C. & G. R. R., Sec. 13, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 4.4 feet from the NE corner thereof; thence Westerly a distance of 224 feet to a point in the east right-of-way line of said K. C. & G. R. R. right-of-way; said center line of the 100-foot right-of-way if projected Westerly would intersect the West boundary of said $N\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ at a point 50.4 feet South of the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$10.00

TRACT NO. 11 (306 - 4.1a Rev)
Perpetual Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ North of the K. O. & G. R. R. and the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ except the K. O. & G. R. R. Right of Way, Sec. 18, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

A strip of land 100 feet in width, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 50.4 feet from the NW corner thereof; thence Easterly a distance of 953 feet to a point in the West right-of-way line of said K. O. & G. R. R. right-of-way; said center line of the 100-ft strip if projected Easterly would intersect the East boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ at a point 4.4 feet South of the NE corner thereof.

TRACT B:

The South 46 feet of the part of said S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of the K. O. & G. R. R.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$30.00

TRACT NO. 12 (306 - 4.2)
Perpetual Easement

A strip of land 100 feet in width in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 50.4 feet from the Northeast corner thereof; thence Westerly to a point in the West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, 142.4 feet from the Northwest corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$160.00

TRACT NO. 13 (306 - 4.3)
Perpetual Easement

A strip of land 100 feet in width in the N $\frac{1}{2}$ of Lot 2, Sec. 18, T 23 N, R 21 East of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said Lot 2, 142.4 feet from the Northeast corner thereof; thence Westerly to a point in the West boundary of said N $\frac{1}{2}$ of Lot 2, 132 feet from the Northwest corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$67.50

TRACT NO. 14 (306 - 5.1)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $S\frac{1}{2}$ $NE\frac{1}{4}$ Sec. 13, T
23 N, R 20 E of the Indian Base and Meridian in Mayes County,
Oklahoma, the center line of which is described as follows, to-
wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $S\frac{1}{2}$ $NE\frac{1}{4}$, 182
feet from the NE corner thereof; thence Westerly to a point in the
West boundary of said $N\frac{1}{2}$ $S\frac{1}{2}$ $NE\frac{1}{4}$, 241.6 feet from the NW corner
thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$170.00

TRACT NO. 15 (306 - 5.2)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 13, T
23 N, R 20 E of the Indian Base and Meridian in Mayes County,
Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$
241.6 feet from the NE corner thereof; thence Westerly to a
point in the West boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ 271.4 feet from
the Northwest corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$155.00

TRACT NO. 16 (306 - 5.3)

A strip of land 100 feet in width in the $N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 13,
T 23 N, R 20 E of the Indian Base and Meridian in Mayes County,
Oklahoma, the center line of which is described as follows,
to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$,
271.4 feet from the NE corner thereof; thence Westerly to a
point in said $N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, 277 feet South and 1062 feet East of
the NW corner thereof; thence Westerly to a point in the West
boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, 266 feet from the NW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$67.00

TRACT NO. 17 (306 - 6.1)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 14,
T 23 N, R 20 E of the Indian Base and Meridian in Mayes County,
Oklahoma, the center line of which is described as follows, to-
wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, 266
feet from the NE corner thereof; thence Westerly to a point in the

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West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 252.6 feet from the Northwest corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$80.00

TRACT NO. 18 (306 - 6.2)
Perpetual Easement

A strip of land 100 feet in width in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T 23 N, R 20 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 252.5 feet from the Northeast corner thereof; thence Westerly to a point in the West boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 239 feet from the Northwest corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$105.00

TRACT NO. 19 (306 - 6.3)
Perpetual Easement

A strip of land 100 feet in width in the N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T 23 N, R 20 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, 239 feet from the Northeast corner thereof; thence Westerly to a point in the West boundary of said N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, 212 feet from the Northwest Corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$179.00

and said report and proceedings are in all respects regular and in accordance with the law and orders of this court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein and no written exceptions nor demands for jury trial have been filed by the petitioner or the defendants herein as to the tracts of land designated and described herein, and that said report of commissioners filed herein should be confirmed and approved in every respect.

(8) The United States of America did on April 30th, 1942, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (306 - 1.3 Rev)	\$ 30.00
TRACT NO. 2 (306 - 1.3A)	5.80
TRACT NO. 3 (306 - 2.0)	24.60
TRACT NO. 4 (306 - 2.1)	50.20
TRACT NO. 5 (306 - 2.2)	24.60
TRACT NO. 6 (306 - 2.3)	108.00
TRACT NO. 7 (306 - 2.4)	67.25

TRACT NO. 8 (306 - 3.1)	78.00
TRACT NO. 9 (306 - 3.3)	303.00
TRACT NO. 10 (306 - 4.1 Rev)	10.00
TRACT NO. 11 (306 - 4.1A Rev)	35.00
TRACT NO. 12 (306 - 4.2)	160.00
TRACT NO. 13 (306 - 4.3)	69.00
TRACT NO. 14 (306 - 5.1)	170.00
TRACT NO. 15 (306 - 5.2)	155.00
TRACT NO. 16 (306 - 5.3)	67.00
TRACT NO. 17 (306 - 6.1)	80.00
TRACT NO. 18 (306 - 6.2)	105.00
TRACT NO. 19 (306 - 6.3)	179.00

TOTAL-----\$1,721.45

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 13, 1933, 48 Stat. 195, 200, (U.S.C. 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, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein as to said lands particularly designated and described therein, is final, and the fair, cash, market value of the estate taken and the damages sustained as set out and fixed in said report of commissioners is final, and is just compensation as to said lands values, and estates therein taken, all as follows, to-wit:

TRACT NO. 1 (306 - 1.3 Rev)	\$ 30.00
TRACT NO. 2 (306 - 1.3A)	5.20
TRACT NO. 3 (306 - 2.0)	24.60
TRACT NO. 4 (306 - 2.1)	50.20
TRACT NO. 5 (306 - 2.2)	24.60
TRACT NO. 6 (306 - 2.3)	108.00
TRACT NO. 7 (306 - 2.4)	67.25
TRACT NO. 8 (306 - 3.1)	78.00
TRACT NO. 9 (306 - 3.3)	303.40
TRACT NO. 10 (306 - 4.1 Rev)	10.00
TRACT NO. 11 (306 - 4.1A Rev)	30.00
TRACT NO. 12 (306 - 4.2)	160.00
TRACT NO. 13 (306 - 4.3)	67.50
TRACT NO. 14 (306 - 5.1)	170.00
TRACT NO. 15 (306 - 5.2)	155.00
TRACT NO. 16 (306 - 5.3)	67.00
TRACT NO. 17 (306 - 6.1)	80.00
TRACT NO. 18 (306 - 6.2)	105.00
TRACT NO. 19 (306 - 6.3)	179.00

TOTAL-----\$1,615.25

and the estate taken is a perpetual easement to erect, operate and maintain a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures for the transmission of electric current upon, overhead across said lands together with the perpetual easement and right to cut down, remove and trim any trees which may interfere with or endanger said transmission line or lines or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles, and anchors and to attach all guy wires thereto.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on April 30, 1942, upon the filing of the declaration of taking and the depositing of the sum of One Thousand Seven Hundred Twenty One and 45/100 dollars (\$1,721.45) with the registry of this Court, for the estate taken in the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinabove specifically set out, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed therein for the taking of said estate in said tracts of land is vested in the persons lawfully entitled thereto as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$1,615.35 is, and does constitute the just compensation for the estate taken and for all lawful damages occasioned to all of said tracts of land herein described; that the petitioner has deposited in the registry of this Court the sum of \$1,721.45, as the estimated just compensation, and that sum so deposited is in excess of the just compensation herein determined; that upon distribution the petitioner have and receive a refund, in the sum of \$106.10, said sum being the difference between the estimated just compensation deposited by the petitioner in the registry of this Court and the just compensation fixed and determined herein.

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

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

ENDORSED: Filed Jan 16 1943
H. P. Warfield, Clerk
U. S. District Court JS

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

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

J U D G M E N T

NOW, on this 15th day of January, 1943, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate involved in this proceeding and hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, the petition for condemnation, report of commissioners, and all other matters herein, and finds that:

(1) Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

(2) The said petition for condemnation filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.

(3) In said petition for condemnation, a statement of the authority under which and the public use for which the estate in said lands were taken was set forth.

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court further finds that the commissioners appointed herein to appraise and fix the value of the estate taken in the real estate involved in this proceeding, duly qualified on the 26th day of August, 1942, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the fair market value of the estate taken, filed their report herein on the 28th day of August, 1942, wherein they fixed the fair, cash, market value of the estate taken, and all damages to the remainder, if any, as to the lands involved in this proceeding, as more particularly designated and described as follows, to-wit:

TRACT NO. 1 (305 - 32.4)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$40.00

TRACT NO. 2 (305 - 32.5)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$103.00

TRACT NO. 3 (305 - 32.6)
Perpetual Easement

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

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TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$57.50

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$65.00

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$60.00

and said report and proceedings are in all respects regular and in accordance with the law and the orders of this court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein and no written exceptions nor demands for jury trial have been filed by the petitioner or the defendants herein as to the tracts of land designated and described herein, and that said report of commissioners filed herein should be confirmed and approved in every respect.

(8) The United States of America did on May 29th, 1942, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (305 - 32.4)	\$40.00
TRACT NO. 2 (305 - 32.5)	85.00
TRACT NO. 3 (305 - 32.6)	50.00
TRACT NO. 4 (305 - 33.1 & 32.7)	65.00
TRACT NO. 5 (305 - 33.2 Revised)	60.00
TOTAL -----	\$300.00

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 195, 200 (U.S.C. Title 40, Secs. 401-407, 409, 411, 413, and 414) and 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, is of the opinion that the United States of America was and is entitled to take said property and have the title therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein as to said lands particularly designated and described therein, is final, and the fair, cash, market value of the estate taken and the damages sustained as set out and fixed in said report of commissioners is final, and is just compensation as to said lands, values, and estates therein taken, all as follows, to-wit:

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DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

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TRACT NO. 1 (305 - 32.4)	\$40.00
TRACT NO. 2 (305 - 32.5)	103.00
TRACT NO. 3 (305 - 32.6)	57.50
TRACT NO. 4 (305 - 33.1 & 32.7)	65.00
TRACT NO. 5 (305 - 33.2 Revised)	<u>60.00</u>
TOTAL-----	\$325.50

and the estate taken is a perpetual easement to erect, operate and maintain a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures for the transmission of electric current upon, over and across said lands together with the perpetual easement and right to cut down, remove and trim any trees which may interfere with or endanger said transmission line or lines or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles and anchors, and to attach all guy wires thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on May 29th, 1942, upon the filing of the declaration of taking, and the depositing of the sum of THREE HUNDRED DOLLARS (\$300.00) with the registry of this Court, for the estate taken in the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinafter specifically set out, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land is vested in the persons lawfully entitled thereto as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner herein pay into Court, forthwith, for the use and benefit of the rightful claimants thereto, an additional sum of \$25.50, which is, and does constitute the balance of the just compensation for the estate taken, and for all lawful damages occasioned as to the following tracts, to-wit:

TRACT NO. 2 (305 - 32.2)	18.00
TRACT NO. 3 (305 - 32.6)	7.50
TOTAL	\$25.50

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

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

ENDORSED: Filed Jan 16 1943
H. P. Warfield, Clerk
U. S. District Court JS

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

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TULSA, OKLAHOMA

SAURDAY, JANUARY 16, 1943

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 833
CERTAIN PARCELS OF LAND IN HAYES COUNTY,)	
OKLAHOMA; and G. R. Bracken, et al.,	Defendants.)	

JUDGMENT

NOW, on this 15th day of January, 1943, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate involved in this proceeding and herein after specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, the petition for condemnation, report of commissioners, and all other matters herein, and finds that:

- (1) Each and all of the allegations of said petition for condemnation are true and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.
- (2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.
- (3) In said petition for condemnation, a statement of the authority under which and the public use for which the estate in said lands were taken was set forth.
- (4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.
- (5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.
- (6) The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court further finds that the commissioners appointed herein to appraise and fix the value of the estate taken in the real estate involved in this proceeding, duly qualified on the 24th day of September, 1942, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the fair market value of the estate taken, filed their report herein on the 29th day of September, 1942, wherein they fixed the fair, cash market value of the estate taken, and all damages to the remainder, if any, as to the lands involved in this proceeding, as more particularly designated and described as follows, to-wit:

TRACT NO. 1 (305 - 33.3)
Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 10, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$, and 283.5 feet East of the NW corner thereof; thence S 22° $02'$ E a distance of 994.2 feet; thence Southerly to a point in the South boundary of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ and 660 feet East of the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$62.50

TRACT NO. 2 (205 - 33.4)
Perpetual Easement

A strip of land 100 feet in width in the $NE\frac{1}{4}$ $NW\frac{1}{4}$ and $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$, Section 10, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said $NE\frac{1}{4}$ $NW\frac{1}{4}$ and 1281.7 feet South of the NW corner thereof; thence S. 22° $02'$ East a distance of 755.6 feet to a point in the South boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and 283.5 feet East of the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$30.00

TRACT NO. 3 (305 - 33.5)
Perpetual Easement

A strip of land 100 feet in width in the $NW\frac{1}{4}$ $NW\frac{1}{4}$ and the $E\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 10, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma; the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said $NW\frac{1}{4}$ $NW\frac{1}{4}$ and 902.5 feet East of the NW corner thereof; thence S. 22° $02'$ E a distance of 1382.7 feet to a point in the East boundary of said $NW\frac{1}{4}$ $NW\frac{1}{4}$ and 1281.7 feet South of the NE corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$42.00

TRACT NO. 4 (305 - 34.1)
Perpetual Easement

A strip of land 100 feet in width in the $NW\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ and $S\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 3, T 23 N, R 21 E of the Indian Base and Meridian

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Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 267.7 feet East of the NW corner thereof; thence S 22° 02' East a distance of 1425.6 feet to a point in the South boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 802.5 feet East of the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$30.00

TRACT NO. 6 (305 - 34.2)
Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows: to wit:

Beginning at a point in the North boundary of said S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 98.4 feet from the NW corner thereof; thence Southeasterly to a point in said S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, 234.7 feet South and 100.2 feet East of the NW corner thereof; thence Southeasterly to a point in the South boundary of said S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, 267.7 feet East of the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$10.00

TRACT NO. 6 (305 - 34.3)
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 88.4 feet from the NW corner thereof; thence Southeasterly to a point in the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ S $\frac{1}{4}$, 98.4 feet from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$50.00

TRACT NO. 7 (305 - 34.4)
Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 88.5 feet from the NW corner thereof; thence Southeasterly to a point in the South boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ 88.4 feet from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$15.00

TRACT NO. 8 (305 - 34.5)

Perpetual Easement

A strip of land 10 feet in width in Lot 4, Sec. 3, T 23 N, R 21 E
of the Indian Base and Meridian in Mayes County, Oklahoma, the
center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said Lot 4, 73.5
feet from the NW corner thereof; thence Southerly to a point
in the South boundary of said Lot 4, 83.5 feet from the SW
corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$32.00

and said report and proceedings are in all respects regular and in accordance with the law and orders
of this court.

(7) More than sixty (60) days have elapsed since the filing of the report of com-
missioners herein and no written exceptions nor demands for jury trial have been filed by the petitioners
of the defendants herein as to the tracts of land designated and described herein, and that said report
of commissioners filed herein should be confirmed and approved in every respect.

(8) The United States of America did on June 15th, 1942, file its Declaration of
Taking herein, and paid to the Clerk of this Court for the use and benefit of the prisons entitled there-
to, the following sums, to-wit:

TRACT NO. 1 (305 - 33.3)	\$62.50
TRACT NO. 2 (305 - 33.4)	30.00
TRACT NO. 3 (305 - 33.5)	42.00
TRACT NO. 4 (305 - 34.1)	30.00
TRACT NO. 5 (305 - 34.2)	10.00
TRACT NO. 6 (305 - 34.3)	27.50
TRACT NO. 7 (305 - 34.4)	15.00
TRACT NO. 8 (305 - 34.5)	<u>32.00</u>
TOTAL	\$249.00

(9) The Court having fully considered the petition for condemnation, the declaration
of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June
16, 1933, 48 Stat. 195, 200 (U.S.C. Title 40, Secs. 401-407, 409, 411, 413 and 414) as amended and sup-
plemented; 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, is of the opinion that the United States of America was and is entitled
to take said property and have the title to the estate therein taken vested in it, and that the alleged
purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in
fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed
herein as to said lands particularly designated and described therein, is final, and the fair, cash,
market value of the estate taken and the damages sustained as set out and fixed in said report of com-
missions is final and is just compensation as to said lands, values, and estates therein taken, all
as follows, to-wit:

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TRACT NO. 1 (305 - 33.3)	\$62.50
TRACT NO. 2 (305 - 33.4)	30.00
TRACT NO. 3 (305 - 33.5)	42.00
TRACT NO. 4 (305 - 34.1)	30.00
TRACT NO. 5 (305 - 34.2)	10.00
TRACT NO. 6 (305 - 34.3)	50.00
TRACT NO. 7 (305 - 34.4)	15.00
TRACT NO. 8 (305 - 34.5)	<u>32.00</u>
TOTAL	\$ 271.50

and the estate taken is a perpetual easement to erect, operate and maintain a line or lines of pole, h-frame structures, towers, or other structures, wires, cables and fixtures for the transmission of electric current upon, over and across said lands together with the perpetual easement and right to cut down, remove and trim any trees which may interfere with or endanger said transmission line or lines or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles and anchors, and to attach all guy wires thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on June 15th, 1942, upon the filing of the declaration of taking and the depositing of the sum of TWO HUNDRED FORTY NINE DOLLARS (\$249.00) with the registry of this Court, for the estate taken in the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as here-above specifically set out, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land is vested in the persons lawfully entitled thereto as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner herein pay into Court forthwith, for the use and benefit of the rightful claimants thereto, an additional sum of \$22.50, which is, and does constitute the balance of the just compensation for the estate taken, and for all lawful damage occasioned as to:

TRACT NO. 6 (305 - 34.3)	\$22.50
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This case is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

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

EMBOSSED: Filed Jan 16 1943
 H. P. Warfield, Clerk
 U. S. District Court

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

Linda Fiels, formerly Keener,	Plaintiff,)
)
vs.		) NO. 382 CIVIL
)
Robert Kenner, et al,	Defendants.)
)
United States of America,	Intervener)

ORDER CONFIRMING COMMISSIONERS REPORT AND DIRECTING SALE
OF REAL ESTATE

This case coming on for hearing in its regular order this 16th day of January, 1943, upon return and report of the commissioners heretofore appointed by this court and upon plaintiff's motion to confirm the same as filed, and it being shown to the court that said report is in all things made as directed by the order of this court made in said cause and filed herein. The plaintiff appearing by her attorneys, Ben L. Murdock and John S. Severson; the defendants, Juanita Isaac and Levi Isaac, minors, appearing by their guardian ad litem, M. S. Robertson, United States Probate Attorney and the United States of America appearing by Whit Y. Kauzy, United States District Attorney as well for the Government as the full blood Indians, parties to said action and the court having examined the said report there being no written objections to the same as filed herein and having heard the argument of counsel and being fully advised in the premises finds that said report should be in all things approved and confirmed and made firm and effectual forever.

The court further finds that the commissioners report discloses that the lands involved cannot be partitioned in kind between the plaintiff and the defendants, the owners thereof, without manifest injury to the rights of said parties and that the valuation made thereof by the commissioners to-wit the sum of \$1600.00 is fair and reasonable and not disproportionate to the real value of said estate and that said land should be sold by the United States Marshal for the Northern District of Oklahoma and the proceeds there of divided among the parties to this action as more fully set out in the decree of partition entered herein on the 16th day of December, 1942, after a reasonable time is given the United States of America to exercise its preferential right to take said land at the appraised price

IT IS THEREFORE ordered, adjudged and decreed by the court that said commissioners report be and the same is in all things approved and confirmed and made firm and effectual forever and inasmuch as neither of the parties to this action have elected to take the same at the appraised value that a sale of the premises should be had unless the United States of America should elect to take the same at the appraised price within ten days after the date of this decree.

IT IS FURTHER ordered, adjudged and decreed by the court that the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, proceed to advertise and sell said real estate involved herein and described as follows, to-wit:

The Southeast 10 acres of Lot 4 and the South Half of the Southeast Quarter of the Southwest Quarter of Section 7, and the Southwest 9.27 acres of Lot 3 and the West 18.53 acres of Lot 4 and the Northeast 10 acres of Lot 4 and the North Half of the Southeast quarter of the Southeast Quarter, all in Section 7, Township 27 North, Range 15 East, Nowata County, Oklahoma,

if no election to take said premises at the appraised price is made within ten days from date hereof, the said lands to be sold for cash in the same manner as in the case of sales of real estate under execution under the laws of the State of Oklahoma to be made for not less than two-thirds of the appraised price as fixed by the commissioners which was \$1600.00 and that said United States Marshal

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

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make due return of his proceedings hereunder to this court for confirmation and further orders of the court and that this order is made pursuant to the jurisdiction conferred on this court by the Act of Congress and in accordance with the procedural provisions of the Statutes of the State of Oklahoma in like cases made and provided.

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

ENDORSED: Filed Jan 16 1943
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to January 18, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 18, 1943

On this 18th day of January, 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 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

Ray P. Hall, Trustee in bankruptcy of George W. Sprenger, Bankrupt, Plaintiff,)
-vs-) No. 359 Civil
Anna Brahm, Defendant.)

J U D G M E N T

Upon the findings of fact and conclusions of law heretofore entered in this cause the court orders the entry of the following judgment:

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff take nothing upon its first cause of action or upon its second cause of action, and that judgment be and the same is hereby entered for the defendant upon both causes of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the costs in this action are assessed against the plaintiff.

Dated at Tulsa, Oklahoma, January 4, 1943.

F. E. KIRKAMER
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 18 1943
H. P. Warfield, Clerk
U. S. District Court H

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 18, 1943

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

FRICK-REID SUPPLY CORPORATION,
a corporation,

Plaintiff,

vs.

No. 866 - Civil

MURRAY & GRIFFEY, a co-partnership composed
of C. M. Murray and C. A. Griffey; and C. M.
Murray, C. A. Griffey, James H. Murray, Sr.,
and LaGrange Ratcliffe, Trustee, Defendants.

J U D G M E N T

Now on this 5th day of November, 1942, the above entitled cause coming on for hearing plaintiff appearing by its attorney, Hugh Webster, the defendant Murray & Griffey, a co-partnership composed of C. M. Murray and C. A. Griffey, and the defendant C. M. Murray appearing by their attorneys, Eist, Dewberry, Shidler & Bragg, and the defendant, C. A. Griffey, appearing by his attorney, W. A. Breckenridge, and both sides having announced ready for trial, said cause proceeds to trial to the court without a jury; whereupon the plaintiff dismisses without prejudice that part of its cause of action contained in paragraphs 8 and 9 and as against the defendants James H. Murray, Sr. and LaGrange Ratcliffe, Trustee; and the court, after hearing testimony of witnesses and being well and sufficiently advised in the premises, finds that the defendants Murray & Griffey, a co-partnership composed of C. M. Murray and C. A. Griffey, and C. M. Murray and C. A. Griffey, individually, are indebted to the plaintiff, Frick-Reid Supply Corporation, a corporation, in the total sum of Seven Thousand Five Hundred Sixteen Dollars Ninety Nine Cents (\$7,516.99) with interest at Six Per Cent (6%) from July 1, 1942, and costs; the court further finds that the mortgage and assignments referred to in paragraph 9 of the answer of C. M. Murray and Murray & Griffey, a co-partnership, are valid and still in full force and effect and that the income received under such assignment should be credited upon the judgment herein rendered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff, Frick-Reid Supply Corporation, a corporation, have and recover of and from the defendants, C. M. Murray and C. A. Griffey, and Murray & Griffey, a co-partnership composed of C. M. Murray and C. A. Griffey, and each of them, the sum of Seven Thousand Five Hundred Sixteen Dollars Ninety Nine Cents (\$7,516.99) and the costs of this action, for all of which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the mortgage given by the defendants herein to secure the indebtedness herein adjudged due on what is known as the Pace Lease, K. L. A. Pool in Wichita County, Texas, and the assignment of oil payments due from the Terrell and Vineyard wells at Pearson's Switch, in Pottawatomie County, Oklahoma, are valid, outstanding and in full force and effect and that any payments received under the same should be credited upon the judgment herein rendered.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jan 18 1943
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to January 19, 1943

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

TU SDAY, JANUARY 19, 1943

On this 19th day of January, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, not pursuant to adjournment, Hon. Royce H. Savage and Hon. Eugene Rice, Judges, are present and presiding.

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

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

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

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

-vs-

No. 504 Civil
Tract No. 1 (FOT 11.4)

Jesse Hummingbird, Cherokee Roll No. 27460, et al.,)
Defendants.)

ORDER

Now on this 19th day of January, 1943, this matter coming on before the Court on the application of the United States of America for an order directing distribution of the funds held by the Clerk of this court and deposited by the Grand River Dam Authority in this cause of action, and it appearing to the Court that on the 27th day of June, 1941, the petitioner, Grand River Dam Authority, filed its petition in this cause seeking a condemnation of the land involved in this cause of action for the purpose of constructing and maintaining an electric transmission line; that appraisers have been appointed by the Court, and that on September 5, 1941 said appraisers filed their report showing damage to said land to be in the sum of \$100.00; that the Court thereafter, on trial of said cause determined said damage to be in the sum of \$100.00, and it appearing that said sum has been paid to the Clerk by the Grand River Dam Authority and that the United States of America has filed its application herein seeking an order of this Court distributing said funds to the parties entitled thereto; and it further appearing to the Court that the allottee to whom the land involved herein was allotted is now deceased, and that the funds involved herein should be disbursed to the Superintendent of the Five Civilized Tribes Agency for distribution to the heirs of said deceased allottee, and that said funds should continue restricted in accordance with the applicable acts of Congress.

IT IS THEREFORE THE ORDER OF THE COURT that H. P. Warfield, Clerk of this Court be and he is hereby instructed to pay to A. L. Landman, Superintendent of the Five Civilized Tribes Agency the sum of \$100.00, deposited with said Clerk by the Grand River Dam Authority, as aforesaid, to be distributed by said Superintendent of the Five Civilized Tribes to the heirs of the deceased allottee, Nancy Ragsdale Hummingbird.

IT IS THE FURTHER ORDER OF THE COURT that said fund shall continue restricted in accordance with the applicable acts of Congress.

ROYCE H. SAVAGE
JUDGE

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

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

REGULAR JANUARY 1943 TERM

MEMPHIS, OKLAHOMA

TUESDAY, JANUARY 19, 1943

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

KATIE BOWEN, nee TERRELL, et al., Plaintiffs,
vs.
The Unknown Heirs, executors, Administrators, Devisees, Trustees and Assigns, Immediate and Remote, of William Terrell, et al., Defendants.
United States of America, Intervener.

NO. 727 CIVIL

ORDER APPROVING COMMISSIONERS' REPORT AND DIRECTING SALE OF REAL ESTATE

Now, on this 19th day of January, 1942, there came on for hearing the Report of Commissioners, filed herein on October 5, 1942; said Commissioners having been appointed by Decree of this Court made and entered herein on September 18, 1942, in which said Commissioners were ordered and directed to make partition of the lands in controversy described in said judgment, and hereinafter particularly described, among the several parties of interest, as fixed and determined by said judgment, and if partition in kind could not be made, without manifest injury to the interested parties, to appraise the said real estate and report with their recommendations to this Court.

And the Court having examined the return and report of said Commissioners herein finds, as found by said Commissioners, that the lands in controversy are not susceptible of division in kind among the interested parties, without manifest injury to the interested parties, and finds that the appraisal of said real estate, to-wit:

The SE4 of the NE4 and the NE4 of the SE4 of Section 22, Township 27 North, Range 13 East, Washington County, Oklahoma;

at a valuation of \$3200.00, as fixed by said Commissioners, is a fair and reasonable appraisal.

The Court further finds that the said Report of Commissioners should be, in all things approved, and that John P. Logan, U. S. Marshal for the Northern District of Oklahoma, should be ordered and directed to advertise and sell the said real estate, in the manner provided by law, to the highest and best bidder for cash, for a consideration of not less than two-thirds of the appraised value of said real estate.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY the Court, that the Report of Commissioners, filed herein on October 5, 1942, should be, and the same is, hereby, in all things approved.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that John P. Logan, U. S. Marshal for the Northern District of Oklahoma, should be, and he is, ordered and directed to sell, at public outcry, after notice as provided by law, to the highest and best bidder for cash, all of the real estate involved herein, to-wit:

The SE4 of the NE4 and the NE4 of the SE4 of Section 22, Township 27 North, Range 13 East, Washington County, Oklahoma;

for a consideration of not less than two-thirds of the appraised value of said real estate.

ENTERED: Filed Jan 19 1943
H. P. Marshall, Clerk
U. S. District Court 13

ROBERT W. PARSONS
U. S. District Judge for the Northern District of Oklahoma

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

TUESDAY, JANUARY 19, 1943

Estate of Mollie Davis nee Jones, deceased,)
Defendants.)

O R D E R

On this the 8th day of January, 1943, on motion of the defendants, Board of County Commissioners of Tulsa County, Oklahoma, and Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma, to dismiss the petition heretofore filed in this cause; the Court, being fully advised in the premises, and upon consideration thereof, finds that said motion of the above named defendants should be sustained;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the motion of the defendants, Board of County Commissioners of Tulsa County, Oklahoma, and Joe T. Parkinson, County Treasurer of the Tulsa County, Oklahoma, to dismiss the petition in this cause, be and the same is hereby sustained.

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)
)
v.)
)
One 1939 Pontiac Coach Automobile, Motor) No. 909 CIVIL
No. 6-508-519, and approximately 21 gallons)
of Assorted Taxpaid Intoxicating Liquors)
seized therein; Lee Roy Gibbs and South-)
western Finance Company of Tulsa, Okla-)
homa, Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of January, 1943, this cause having come on before the Court, pursuant to regular assignment, libelant appearing by Whit V. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and the claimant, Lee Roy Gibbs, having heretofore filed his waiver making his general appearance and disclaiming any interest in and to said automobile and intoxicating liquors described herein, and the Southwestern Finance Company of Tulsa, Oklahoma, having filed its answer and appearing by its attorney, Frank Hickman, and libelant and the said claimant, Southwestern Finance Company of Tulsa, Oklahoma, present their evidence and rest, and the Court, after hearing the arguments of counsel and being fully advised in the premises, finds that the said automobile, insofar as the interest of Lee Roy Gibbs is concerned, should be forfeited, and that the claim of the Southwestern Finance Company of Tulsa, Oklahoma should be denied, and that the said intoxicating liquors should be forfeited.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be, and the same is hereby allowed as to the said described 1939 Pontiac Coach automobile, motor No. 6-508,519, insofar as the interest and rights of claimant Lee Roy Gibbs are concerned.

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 20, 1943

950

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

UNITED STATES OF AMERICA, Petitioner,)
- vs -) CIVIL NO. 725
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA; and Laura E. Jones, et al., Defendants.

ORDER FIXING ATTORNEY FEES

NOW, on this the 15th day of January, 1943, it appearing to the Court that the petitioner, United States of America, filed its affidavit as to the military service of the defendants herein in compliance with Section 200 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and it appearing from said affidavit that the petitioner was unable to determine if all of said defendants were not in the military service of the United States and that it was necessary that the Court appoint an attorney as provided in said Act, and the Court did appoint R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, to represent such defendants, and it further appearing that R. P. Colley did appear and plead for certain defendants, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley do, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants in this case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said R. P. Colley an attorney fee in the sum of \$15.00.

ROYCE H. SAVAGE
JUDGE

ENCLOSURE: Filed Jan 20 1943
H. P. Warfield, Clerk
U. S. District Court NE

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

UNITED STATES OF AMERICA, Petitioner,)
- vs -) CIVIL NO. 704
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA; and Strick Armstrong, et al., Defendants.

ORDER FIXING ATTORNEY FEES

NOW, on this the 15th day of January, 1943, it appearing to the Court that the petitioner, United States of America, filed its affidavit as to the military service of the defendants herein in compliance with Section 200 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and it appearing from said affidavit that the petitioner was unable to determine if all of said defendants were not in the military service of the United States and that it was

cc.

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

FILED JANUARY 20 1943

OKLAHOMA, OKLAHOMA

WEDNESDAY, JANUARY 20, 1943

necessary that the Court appoint an attorney as provided in said Act, and the Court did appoint R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, to represent such defendants, and it further appearing that R. P. Colley did appear and plead for certain defendants, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley be, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants in this case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said R. P. Colley an attorney fee in the sum of \$15.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 20 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-) CIVIL NO. 798
)
CERTAIN PARCELS OF LAND IN MAYNS COUNTY,)
OKLAHOMA; and Dora E. Warner, et al.,)
Defendant.)

ORDER FIXING ATTORNEY FEES

NOW, on this the 15th day of January, 1943, it appearing to the Court that the petitioner, United States of America, filed its affidavit as to the military service of the defendants herein in compliance with Section 200 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and it appearing from said affidavit that the petitioner was unable to determine if all of said defendants were not in the military service of the United States and that it was necessary that the Court appoint an attorney as provided in said Act, and the Court did appoint R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, to represent such defendants, and it further appearing that R. P. Colley did appear and plead for certain defendants, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley be, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants in this case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said R. P. Colley an attorney fee in the sum of \$15.00.

ROYCE H. SAVAGE
JUDGE

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 20, 1943

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

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

ORDER FIXING ATTORNEY FEES

NOW, on this the 15th day of January, 1943, it appearing to the Court that the petitioner, United States of America, filed its affidavit as to the military service of the Defendants herein in compliance with Section 200 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and it appearing from said affidavit that the petitioner was unable to determine if all of said Defendants were not in the military service of the United States and that it was necessary that the Court appoint an attorney as provided in said Act, and the Court did appoint R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, to represent such defendants, and it further appearing that R. P. Colley did appear and plead for certain defendants, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley be, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain Defendants in this case, who are in or may be in the military services of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said R. P. Colley an attorney fee in the sum of \$15.00.

ROYCE W. SAVAGE
J U D G E

ENDORSED: Filed Jan 20 1943
H. P. Warfield, Clerk
U. S. District Court MS

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 28, 1943

all of said defendants were not in the military service of the United States and that it was necessary that the Court appoint an attorney as provided in said Act, and the Court did appoint R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, to represent such defendants, and it further appearing that R. P. Colley did appear and plead for certain defendants, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley be, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants in this case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said R. P. Colley an attorney fee in the sum of \$15.00.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jan 29 1943
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)

v.)

No. 395 CIVIL

One 1939 Ford Coach Automobile, Motor No. 18-5,092,513; and Approximately 40 gallons of Assorted Taxpaid Intoxicating Liquors seized therein; Melvin Chambers, alias Jack Chambers, alias P. J. Jones, Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of January, 1943, this cause having come on before the Court pursuant to regular assignment, libelant appearing by Whit V. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and the claimant, Melvin Chambers, alias Jack Chambers, alias P. J. Jones, having heretofore filed his answer, asserting to be the owner of the above described automobile and praying that said automobile be released to him, and now appearing by his attorney, G. Ellis Gable, whereupon the libelant and the said claimant present their evidence and rest, and the Court, after hearing the arguments of counsel and being fully advised in the premises, find that the evidence is insufficient to show that said automobile was used in the importation of said described whiskey into Oklahoma, but finds that such evidence is sufficient to warrant a forfeiture of said described whiskey because of its importation into the State of Oklahoma.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be, and the same is hereby denied as to the said described one 1939 Ford coach automobile, motor No. 18-5,092,513, and the United States Marshal for the Northern District of Oklahoma is hereby directed to release and deliver over said described automobile to the said claimant or his authorized agent, upon payment of all storage charges and expenses incident to the seizure of said automobile.

WEDNESDAY JANUARY 1943 THREE

OKLAHOMA

THURSDAY, JANUARY 22, 1943

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

UNITED STATES OF AMERICA, Petitioner,
-vs- CIVIL NO. 906
CERTAIN PARCELS OF LAND IN HAYES COUNTY, OKLAHOMA, and R. D. Hudson, et al, Defendants.

ORDER DIRECTING REFUND TO THE UNITED STATES

NOW, on this the 21st day of January, 1943, it appearing to the Court that the petitioner, United States of America, has deposited the sum of \$1,721.43 as the estimated just compensation for the taking of the estates in the tracts of land involved herein and that this Court, on the 15th day of January, 1943, entered a judgment determining and fixing the just compensation for the taking of estates in all of said tracts involved herein in the sum of \$1615.35, and directed that the petitioner, United States of America, have and receive a refund of the difference between the estimated just compensation deposited and the just compensation as fixed and determined by said judgment, in the sum of \$106.10-- and it now appearing to the court that there now remains on deposit in the registry of this Court the sum of \$106.10, over and above the sums necessary to pay the just compensation for all of the tracts taken in this proceeding.

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 refund to the Treasurer of the United States the sum of \$106.10.

ROYCE H. SAVAGE
JUDGE

RECORDED: Filed Jan 21 1943
H. P. Garfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,
v. No. 342 CIVIL
Robert Williams, Thelma Williams, Defendants.

JOURNAL ENTRY OF JUDGMENT

NOW on this 21st day of January, 1943, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Maury, United States Attorney and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and it being shown to the Court that the above named defendants have been regularly served with summons and a copy of the complaint in this cause more than twenty (20) days prior to this date, and it further appearing that they have failed to answer or otherwise plead herein, and it further appearing that neither of said defendants are now in the military services of the United States, they are, by the Court, found to be in default and the Court finds that plaintiff is entitled to judgment in the amount of Four Hundred and Nine Dollars and Sixty-four Cents (\$409.64).

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff have and recover judgment against the defendants, Robert Williams and Thelma Williams, in the amount of Four Hundred Nine Dollars and Sixty-four Cents (\$409.64) with interest thereon at the rate of Six Per Cent (6%) per annum

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

REGULAR JANUARY 1943 TERM

TRISA, OKLAHOMA

THURSDAY, JANUARY 21, 1943

from April 16, 1941, until paid, and the costs of this action.

Let execution issue.

ROYCE H. SAVAGE
JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
)
v.) No. 399 CIVIL
)
Alva Clevenger, Gussie Clevenger, Defendants.)

JOURNAL ENTRY OF JUDGMENT

NOW on this 21st day of January, 1943, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and it being shown to the Court that the above named defendants have been regularly served with summons and a copy of the complaint in this cause more than twenty (20) days prior to this date, and it further appearing that they have failed to answer or otherwise plead herein, and it further appearing that neither of said defendants are now in the military services of the United States, they are, by the Court, found to be in default and the Court finds that plaintiff is entitled to judgment in the amount of Five Hundred Four Dollars and Thirty-five Cents (\$504.35).

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff have and receive judgment against the defendants, Alva Clevenger and Gussie Clevenger, in the amount of Five Hundred Four Dollars and Thirty-five Cents (\$504.35) with interest thereon at the rate of Six Per Cent (6%) per annum from May 9, 1941, until paid, and the costs of this action.

Let execution issue.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to January 22, 1943

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

991

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, JANUARY 30, 1943

On this 22nd day of January, 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. Marfield, Clerk, U. S. District Court
Whit Y. Rausy, 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,)

O R D E R

On this 21st day of January, 1943, this matter coming on for hearing on the application of H. S. Robertson, United States Probate Attorney, in his official capacity, and in behalf of the heirs and next of kin of Haney Micco then Larney, now deceased, a surviving sister and heir at law of Peter Micco, Seminole 1600, deceased, and Jennite Clark, Katie May Clark, Serina Micco, Sallie Micco, and Norman Micco, nieces and nephew and heirs at law of said Peter Micco, deceased, being the surviving issue of Selina Micco, Seminole 590, a predeceased sister of said decedent, and in behalf of Andy Hulwa, nephew and heir at law of said Peter Micco, deceased, being the surviving issue of Martha Micco then Hulwa, Seminole 1602, a predeceased sister of said decedent, showing to the Court that H. B. Day, a co-administrator herein, holds an individual judgment as a claim against said estate and in favor of himself for guardian's compensation prior to the death of the said Peter Micco, deceased, and that a judgment for said claim was entered in the County Court of Tulsa County, Oklahoma, in re: The Guardianship of Peter Micco, Seminole 1600, incompetent, from which judgment H. S. Robertson, the applicant herein, in his official capacity, in behalf of the heirs and next of kin of the said Peter Micco, deceased, appealed to the District Court of Tulsa County, Oklahoma wherein such appeal was entered under Case No. 71219, and on trial de novo in the said District Court, the lower court's judgment was affirmed and a decree entered in favor of the said H. B. Day for the sum of \$4,000, and that the applicant, H. S. Robertson, has given notice of his appeal from the said judgment of the District Court to the Supreme Court of Oklahoma.

And said applicant further shows that H. B. Day, as a co-administrator herein, is disqualified to defend said estate and the heirs and beneficiaries thereunder in such appeal, and that the disqualification of the said H. B. Day should be shown by order of this court, and that the said G. Ellis Coole, co-administrator, should be authorized and directed, as administrator, to join with the said applicant, H. S. Robertson, United States Probate Attorney, in perfecting said appeal to the Supreme Court of Oklahoma, and the Court being well and sufficiently informed in the premises finds:

That this court has heretofore entered an order on January 11, 1943, wherein the claim of H. B. Day against said estate for \$4,000 was by this court held in abeyance and no action taken thereon; and the court further finds that the said H. B. Day is in an inconsistent position in that he is seeking to maintain his individual judgment as a claim against said estate and thereby is disqualified in said matter of appearing in such appeal in behalf of said estate, and that said H. B. Day should be disqualified in said matter.

The court further finds that it is to the best interest of said estate that an appeal be taken from said judgment to the Supreme Court of Oklahoma.

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

WEDNESDAY JANUARY 1943 TERM

U. S. A., OKLAHOMA

FRIDAY, JANUARY 22, 1943

The court further findeth that G. Ellis Goble should properly join M. S. Robertson, United States Probate Attorney, in defending said estate against such claim and judgment of the said N. B. Day, and that said appeal is justified and to the best interest of such estate that the same be perfected and appeal be taken to the Supreme Court of Oklahoma.

The court further finds that Brent Crawley and Louis A. Fischl have brought suit against said estate in the District Court of Tulsa County, being No. 71494, under the title of, Brent Crawley, et al, vs. Nettie Nicco, et al, seeking judgment against said estate for the sum of \$5,000, and that the administrators herein are authorized and directed to defend said estate against such suit.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that N. B. Day, co-administrator herein, be and he is hereby declared to be disqualified to appear in behalf of said estate as co-administrator, in an appeal to the Supreme Court of Oklahoma from a judgment of the District Court of Tulsa County, Oklahoma, which said judgment is in favor of N. B. Day as a claim against the estate of the interstate Peter Nicco, Serinole 1600, deceased; and

IT IS FURTHER ORDERED that G. Ellis Goble, individually, as a co-administrator herein, be and he is hereby directed to join said applicant, M. S. Robertson, United States Probate Attorney, in behalf of said estate in the prosecution of an appeal to the Supreme Court of Oklahoma from the judgment of said District Court in favor of N. B. Day for \$4,000; and

IT IS FURTHER ORDERED that the said applicant, M. S. Robertson, United States Probate Attorney, be and he is hereby designated and authorized to appear in behalf of the administrators together with the heirs and next of kin of said decedent and represent said estate and the beneficiaries thereof in all litigation that may arise.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 22 1943
H. P. Warfield, Clerk
U. S. District Court N

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

UNITED STATES OF AMERICA, Petitioner,)
)
-vs-) No. 867 - Civil
)
Certain Parcels of Land Situate in)
the County of Tulsa, State of Oklahoma, and)
Frank Jones, et al., Respondents.)

ORDER CONFIRMING COMMISSIONERS REPORT AS TO TRACTS
Nos. 7 and 7-A

Now on this 20th day of January, 1943, this cause came on to be heard and the Court having been fully advised in the premises finds that the commissioners' awards as to Tracts No. 7 and A-7 have become final, and that said awards should be confirmed and adopted by the Court.

The Court finds that said lands value of Tract No. 7 at \$2500.00 and Tract No. A-7 at \$2150.00 or a total of \$4650.00.

The Court further finds that the United States of America has heretofore deposited in Court the sum of \$2500.00 for Tract No. 7 and A-7 involved herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Commissioners' Report as to Tract No. 7 in the amount of \$4500.00 and Tract No. A-7 in the amount of \$2650.00, be and the same is hereby adopted and confirmed by the Court.

IT IS FURTHER ORDERED that the petitioner herein, the United States of America, deposit the additional sum of \$650.00 to complete the payment for said Tracts No.s 7 and A-7.

EUGENE RICE
JUDGE

ENDORSED: Filed Jan 22 1943
H. P. Farfield, Clerk
U. S. District Court H

Court adjourned to January 25, 1943

On this 25th day of January, 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. Farfield, Clerk, U. S. District Court
Walt Y. Henry, 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

William Beaver, Plaintiff, /
vs. /
Jack Wagnon, et al, Defendants. / NO. 724 CIVIL
United States of America, Intervenor. /

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now on this the 25 day of January, 1943, coming on for hearing, motion of plaintiff for an order approving the sale of real estate made in the above action on the 13th day of January, 1943, return and report of said sale being filed in this court on the 21st day of January, 1943; the plaintiff appearing by his attorneys, Ernest A. Brown, and John S. Sawyer, the United States of America appearing by the Honorable Walt Y. Henry, United States District Attorney for the Northern District of Oklahoma, said United States District Attorney also appearing in behalf of the restricted Indians, parties to this action as well as for the United States and the Court having heard said motion and being fully advised finds that pursuant to the decree and orders of this Court heretofore made, the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, did on the 19th day of January, 1943, sell the real estate involved in the above action after advertising the same in all particulars required by law for the sum of \$120.00 the same being the highest and best price that could be obtained and that said sum is within the amount as fixed by the Commissioners appointed by this court, which was the sum of

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

REVENUE JANUARY 1943 TERM

MUSKOGEE, OKLAHOMA

MONDAY, JANUARY 26, 1943

\$640.00; that said sale was made in all particulars in accordance with the orders of this court and the Statutes both State and Federal in like cases made and provided; and that said report of sale should in all things be confirmed and approved and made firm and effectual forever and that distribution of said funds should be made by the United States Marshal.

IT IS THEREFORE ordered and adjudged by the court that the said United States Marshal's sale of the land described in this action as follows, to-wit:

The South Half of the Southeast Quarter of Section 7, Township 20 North, Range 21 East, Mayes County, Oklahoma,

being the real estate involved herein, be, and the same is in all things approved and confirmed and made firm and effectual forever and that the purchasers at said sale, namely, Owen Walters and Genevive Walters, as joint tenants, with right of survivorship are hereby subrogated to the rights of all parties to this action for the protection of title.

IT IS FURTHER ordered, adjudged, and decreed by the court that said United States Marshal make, execute, and deliver to said purchasers, a proper deed conveying the said land to them in accordance with this order and the orders of this court heretofore made in this action.

IT IS FURTHER ordered, adjudged, and decreed by the court that the said United States Marshal deduct out of the funds in his hands the sum of \$16.00 being the cost of publishing the notice of sale herein and that he pay to the Clerk of this court the sum of \$69.80 costs incurred herein; that he pay to the Court Clerk of Mayes County, Oklahoma, the sum of \$34.85 being the cost incurred prior to the removal to this court; that he pay to John S. Severson and Ernest R. Brown, the sum of \$80.00 a reasonable attorney's fee in this action; \$45.00 to Ernest R. Brown and \$35.00 to John S. Severson; said payment to be made in two checks of amounts payable to their several orders; that distribution of the balance remaining in his hands be made to the Treasurer of the United States and sent to F. W. Sundervirth Disbursing Agent for the Five Civilized Tribes, at Muskogee, Oklahoma, for the use and benefit of the plaintiff and the defendants herein named, distribution to be made by said Disbursing Agent among the parties to this action as follows to-wit:

- To the plaintiff, William Beaver, 1/2,
- To the defendant, Jack Wagon, 1/2,

and that said United States Marshal file a report of said disbursements with the Clerk of this court.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jan 25 1943
H. P. Warfield, Clerk
U. S. District Court E

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 26, 1943

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

EIMER RAY,	Plaintiff,)	
)	
vs.)	
		)	No. 773 - Civil
JIM JOSEPH,	Defendant,)	
)	
MID-CONTINENT PETROLEUM CORPORATION,	Garnishee,)	

ORDER POSTPONING EXECUTION SALE

NOW, on this 25th day of January, 1943, the above styled and numbered cause coming on for hearing upon the motion of Interpleader P. Jim Joseph to release and discharge from the levy of execution herein a certain oil and gas mining lease upon and covering the following described lands located in Logan County, Oklahoma, to-wit:

Northe at quarter (NE $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 23, Township 19 North, Range 15 East, in Logan County, Oklahoma,

and said Interpleader being present by his attorneys, Kirk, Phipps, Campbell & Letting, and plaintiff being present in person and by his attorney, W. I. Shirey, and the Court having considered said motion and having heard the statement of counsel, for the respective parties interested, and it appearing that said Interpleader P. Jim Joseph is the record owner and is asserting actual ownership of said oil and gas mining lease, or which plaintiff has caused execution to be levied under a judgment against the defendant Jim Joseph, and the court having determined that the sale of said oil and gas lease which has been advertised to be held at Logan, Oklahoma, on January 25, 1943, should be postponed indefinitely until the motion of said Interpleader may be fully heard and ownership of said property determined by the court.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that the sale of the above described oil and gas lease shall stand void and the same is hereby postponed indefinitely and the execution thereon by the United States Marshal for the Eastern District of Oklahoma is hereby recalled and the same is hereby recalled;

IT IS FURTHER ORDERED that the aforesaid motion of Interpleader P. Jim Joseph be and the same is hereby set for final hearing on the 2nd day of February, 1943, at 9:30 A.M. before the undersigned at Tulsa, Oklahoma.

IT IS FURTHER ORDERED that the ownership and disposition of certain funds held by Mid-Continent Petroleum Corporation under garnishment proceedings herein be determined at the same time and place as the hearing upon the aforesaid motion.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 25 1943
H. P. Warfield, Clerk
U. S. District Court H

petition of the United States of America for an order appointing commissioners in said cause. And it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the lands hereinafter described, and that the acquisition of said lands is necessary for the United States of America for the expansion of facilities in connection with the Oklahoma Ordnance Works, Oklahoma, 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 filed herein.

Petitioner has heretofore instituted proceedings for the taking of said lands herein involved and hereinafter described, by eminent domain.

It further appears that it is necessary, convenient, and expedient in the furtherance of justice that commissioners be appointed to appraise said real estate at this time without further delay.

Said lands are described as follows:

Tract No. F-200

All of Lot Three (3) of Section Eleven (11) and the South east Quarter of the Southwest Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$); and the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$) of Section Twelve (12), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, State of Oklahoma, and containing 28.65 acres of land, more or less.

Tract No. F-201

The Northeast Quarter of the Northwest Quarter of the Northwest Quarter ($NE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$), and the South Half of the Northwest Quarter of the Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$); and the Northwest Quarter of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$) of Section Thirteen (13); and all of Lot One (1) of Section Fourteen (14); all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, State of Oklahoma, and containing 48.50 acres of land, more or less.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that W. L. Mayes of the City of Mayes County, Oklahoma; Elmer Vick, Tulsa County, Oklahoma and C. C. Weber of Tulsa County, Oklahoma, disinterested freeholders of said district, and not interested in any like question, be, and they are hereby appointed as commissioners to forthwith inspect said real property hereinabove described, and consider the fair, cash, market value of said real estate, and estate therein taken, and award said fair, cash, market value to the respondents in this cause.

Said Commissioners are hereby authorized, empowered and directed to forthwith take the oath prescribed by law, and to immediately inspect said property as provided by law, and file their report herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 25 1943
H. P. Warfield, Clerk
U. S. District Court H

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 25, 1943

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America, Libelant,)
)
 v.) No. 925 Civil
)
 5900 pounds of Sugar, Minerva Romine, and)
 William F. Romine, Defendants.)

O R D E R

NOW on this 22nd day of January, 1943, it appearing to the Court that on December 21, 1942, 5900 pounds of sugar seized by Henry R. Smith and William F. Wolverton, Investigators for the Alcohol Tax Unit of the United States, from the claimants, Minerva Romine and William F. Romine, was forfeited to the United States of America for reasons therein stated, and it further appearing to the Court that 4000 pounds of such sugar was ordered delivered to certain agencies named herein and that there remained 1900 pounds of such sugar, pending the further order of this Court, and the Court being otherwise advised in the premises, finds that 90 pounds of such sugar should be delivered to the Lighthouse Mission of Tulsa, Oklahoma.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that 80 pounds of said sugar be, and the same is hereby ordered delivered to the Lighthouse Mission of Tulsa, Oklahoma, upon presentation by them of the proper O.P.A. certificates.

ROYCE H. SAVAGE
Judge

ENDORSED: Filed Jan 25 1943
H. P. Warfield, Clerk
U. S. District Court H

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.)

ORDER EXTENDING TIME

Now on this 25 day of January, 1943, the defendants The Church of Christ, E. R. Chappell, Anna M. Roberts, Arnold Radford, Ethel M. Radford, R. E. Shackelford, Iona L. Shackelford, Chester Crabtree, Nola B. Crabtree, Dora Featherstun, Jessie Orcutt, E. F. Orcutt, L. E. Divine, Joe R. Colvard, Lois B. Colvard, Security State Bank, Miami, Oklahoma, Board of County Commissioners, Ottawa County, Oklahoma, W. C. Glenn, City Clerk of the City of Miami, Oklahoma, and the City of Miami, Oklahoma, a municipal corporation, bring filed herein their request for an extension of time in which to answer or plead in this cause and it appearing to the Court that said extension should be granted,

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 25, 1943

It is hereby ordered that said defendants be, and they are hereby, given an extension of sixty days from this date in which to answer or plead in the above entitled cause.

ROYCE H. SAVAGE
United States Judge

ENDORSED: Filed Jan 25 1943
H. P. Warfield, Clerk
U. S. District Court JS

Court adjourned to January 26, 1943

Continued to Journal 6.