

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

REGULAR JANUARY 1943 TERM

TUESDAY, MARCH 9, 1943

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

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

JOURNAL ENTRY

This matter coming on for hearing this 9th day of March, 1943, for pre-trial conference and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, and the court being advised in the premises finds that a Stipulation of Facts has been filed herein. That Causes of Action 3, 5, 6 and 7 and that part of Cause of Action No. 10 involving the following described real estate:

South Half of Southwest Quarter of Section 27, Township 25, Range 9, Osage County, Oklahoma,

and Causes of Action No. 12, 3, 15, 17, 21, 23, 24, 26, 27, 28, 32 and that part of Cause of Action No. involving the following described real estate:

Lots 23 and 24, Block 4, Tallchief Addition to Fairfax, Oklahoma,

and that part of Cause of Action No. 36 involving the following described real estate:

Lot 16, Block 57, Original Town of Pawhuska, Oklahoma,

Cause of Action No. 37 and that part of Cause of Action No. 40, involving the following described real estate:

South Half of Southeast Quarter of Section 16, and North Half of Northeast Quarter of Section 21, Township 25, Range 11, and South Half of Southwest Quarter of Southeast Quarter of Southeast Quarter and Southeast Quarter of Southeast Quarter of Southeast Quarter of Section 20, Township 25, Range 11,

Causes of Action No. 45, 46, 51, 56, 59 and that part of Cause of Action No. 61 involving the following described real estate:

Northwest Quarter of Southeast Quarter and South Half of Southeast Quarter of Section 5, Township 27, Range 8, and East Half of Southeast Quarter of Section 6, Township 27, Range 8, and East Half of Northwest Quarter of Section 7, Township 27, Range 8, and East Half of Southwest Quarter and Southwest Quarter of Southwest Quarter and East Half of East Half of Northwest Quarter of Southwest Quarter and East Half of West Half of East Half of Northwest Quarter of Southwest Quarter of Section 17, Township 23, Range 10,

Causes of Action No. 65, 66 and that part of Cause of Action No. 77 involving the following described real estate:

Southeast Quarter of Northwest Quarter of Section 36,
Township 26, Range 9, and South Half of Northeast
Quarter and Northwest Quarter of Southeast Quarter
and Southeast Quarter of Northwest Quarter of Section
6, Township 25, Range 10,

and that part of Cause of Action No. 78 involving the following described real estate:

East Half of Northeast Quarter and Northeast Quarter
of Northwest Quarter and West Half of Northeast Quar-
ter and South Half of Northwest Quarter of Section
17, Township 25, Range 8, and Southwest Quarter of
Southwest Quarter and North Half of Southwest Quarter
and Southeast Quarter of Southwest Quarter of Section
9, Township 25, Range 8, and Southeast Quarter of
Southeast Quarter and Southwest Quarter of Southeast
Quarter and Southeast Quarter of Southwest Quarter
and Northeast Quarter of Southeast Quarter of Section
8, and Northeast Quarter of Northwest Quarter of
Section 16, and Southeast Quarter of Northeast Quarter
of Section 18, Township 25, Range 8, Osage County,
Oklahoma,

Causes of Action No. 79, 81, 82 and 84, should be dismissed for the reason that the property involved in
said causes of action is not subject to the provisions of the Act of Congress of June 20, 1936.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Cause of Action No. 3, relating
to the following described property, to-wit:

East Half of Southwest Quarter and West Half of South-
east Quarter of Section 3, Township 24, Range 6, Osage
County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 5, relating
to the following described property, to-wit:

Lot 5, Section 3, Township 23, Range 4, and Lots 5 and
7, Section 10, Township 23, Range 4, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 6, relating
to the following described property, to-wit:

South Half of Northwest Quarter of Northeast Quarter
of Section 33, Township 20, Range 12, Osage County,
Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 7, relating
to the following described property, to-wit:

South Half of Southwest Quarter of Section 9, Town-
ship 23, Range 4, and Northwest Quarter of Northeast
Quarter and Northeast Quarter of Northwest Quarter
of Section 16, Township 23, Range 4, Osage County,
Oklahoma,

be and the same hereby is dismissed without prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 10, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 12, relating to the following described property, to-wit:

127.58 acres out of the Northwest Quarter of Section
34, Township 23, Range 8, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 13, relating to the following described property, to-wit:

Southwest Quarter of Section 26, and East Half of
Northeast Quarter of Southeast Quarter of Section
27, Township 22, Range 9, and Lots 13 and 14, Block
4, Wimberly Addition to the City of Hominy, Osage
County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 25, relating to the following described property, to-wit:

Northeast Quarter of Section 25, Township 29, Range
7, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 27, relating to the following described property, to-wit:

Lots 1 and 2, South Half of Northeast Quarter and Southeast
Quarter of Section 4, Township 21, Range 7, Osage County,
Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 21, relating to the following described property, to-wit:

South Half of Northeast Quarter of Section 21, and
South Half of Northwest Quarter of Section 22, Town-
ship 28, Range 7, and Northeast Quarter of Northwest
Quarter and South Half of Northwest Quarter of
Section 32, and Lots 3 and 4, and East Half of South-
west Quarter of Section 30, Township 26, Range 10,

and Southeast Quarter of Northeast Quarter of Section 32, Township 25, Range 10, and Southwest Quarter of Southeast Quarter of Northeast Quarter and West Half of Southeast Quarter of Southeast Quarter of Northeast Quarter of Section 2, Township 25, Range 11, and West Half of Southwest Quarter of Section 29, Township 26, Range 10, and Northeast Quarter of Northeast Quarter of Section 31, and Northwest Quarter of Northwest Quarter of Section 32, Township 26, Range 10, Tracts 3, 5 and 8, Section 34, Township 26, Range 9, Tract 9 and Tract 10, Section 34, Township 26, Range 9, all in Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 23, relating to the following described property, to-wit:

South Half of Southwest Quarter of Southwest Quarter of Section 8, Township 24, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 24, relating to the following described property, to-wit:

West Half of Southeast Quarter of Section 20, and Northwest Quarter of Northeast Quarter and Northeast Quarter of Northwest Quarter of Section 29, and East Half of Southeast Quarter and East Half of Southwest Quarter of Section 20, Township 22, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 26, relating to the following described property, to-wit:

Southwest Quarter of Section 21, Township 22, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 27, relating to the following described property, to-wit:

Northwest Quarter of Section 21, Township 22, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 28, relating to the following described property, to-wit:

Southwest Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter of Section 24, Township 24, Range 11, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 32, relating to the following described property, to-wit:

Industrial Subdivision Addition (Pawhuska) of Lot 4, (Sec. 3, Township 25, Range 9) or (NE 50 Ft. x 155 Ft.) Part of Tract A, Lot 9, Block 1, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 34, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 36, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 37, relating to the following described property, to-wit:

Lot 1, and East Half of Lot 2, Block 86, Original Townsite of Pawhuska, Oklahoma, and Lot 9, and East Half of Lot 8, Block 15, Original Townsite of Pawhuska, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 40, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 45, relating to the following described property, to-wit:

Lots 17 and 18, Block 29, Prudom Addition to Pawhuska Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 46, relating to the following described property, to-wit:

Northeast Quarter of Southeast Quarter of Section 19, Township 23, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 51, relating to the following described property, to-wit:

Lots 13, 14, 15 & 16, Block 7, Tallchief Addition to the City of Fairfax, and East Half of Northwest Quarter and East Half of Southwest Quarter of Section 23, Township 25, Range 5, and West Half of Northeast Quarter of Section 10, and North Half of Northwest Quarter of Section 16, Township 25, Range 4, and North Half of Southeast Quarter and Southeast Quarter of Southeast Quarter of Section 2, Township 22, Range 10, and Lots

1 & 2, South Half of Northeast Quarter of Section 4, Township 24, Range 5, and Southeast Quarter of Section 1, and South Half of Northwest Quarter of Southwest Quarter of Southeast Quarter and Southwest Quarter of Southwest Quarter of Southeast Quarter of Section 2, Township 22, Range 10, and Southeast Quarter of Section 5, Township 24, Range 5, and Lots 1 & 2, South Half of Northeast Quarter and North Half of North Half of Southwest Quarter of Southeast Quarter of Section 2, Township 22, Range 10, and South Half of South Half of North Half of Southwest Quarter of Southeast Quarter, of Section 29, Township 24, Range 4, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 56, relating to the following described property, to-wit:

Southwest Quarter of Northwest Quarter and West Half of Southwest Quarter of Section 29, and Northeast Quarter of Northeast Quarter of Section 30, Township 26, Range 7, and South Half of Southeast Quarter of Section 7, and North Half of Northeast Quarter of Section 18, Township 21, Range 9, and Lot 9, Block 32, Original Townsite of Fairfax, South Half of Northwest Quarter and North Half of Southwest Quarter of Section 28, Township 23, Range 6, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 59, relating to the following described property, to-wit:

Southwest Quarter of Southwest Quarter of Section 15, Township 28, Range 6, and Lot 4, Section 2, and Lot 1, South Half of Northeast Quarter of Section 3, Township 24, Range 8, and Northwest Quarter of Southwest Quarter of Northwest Quarter and North Half of Southwest Quarter of Southwest Quarter of Northwest Quarter of Section 23, Township 23, Range 11, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 61, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 65, relating to the following described property, to-wit:

Lots 1 & 2, Block 2, Original Townsite of Foraker, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 66, relating to the following described property, to-wit:

Northeast Quarter of Southeast Quarter of Section 26,
Township 23, Range 8, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 77, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 78, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 79, relating to the following described property, to-wit:

Northwest Quarter of Southeast Quarter and Southwest
Quarter of Southeast Quarter of Section 26, Township
25, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 81, relating to the following described property, to-wit:

Northwest Quarter of Section 9, Township 22, Range 9,
Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 82, relating to the following described property, to-wit:

East Half of Southwest Quarter and South Half of Southeast Quarter of
Section 22, Township 26, Range 10, Osage County, Oklahoma,

be and the same is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 84, relating to the following described property, to-wit:

Lot 3, and North Half of Lot 4, Block 9, Original Townsite of
Fairfax, Osage County, Oklahoma,

be and the same hereby is dismissed.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Mar 9 1943
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs)
)
)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, STATE OF OKLAHOMA, et al,	Defendants.)

No. 2699 - LAW

JOURNAL ENTRY

This matter coming on for hearing this 9th day of March, 1943 for pre-trial conference and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, and the court being advised in the premises finds that a Stipulation of Facts has been filed herein. That that part of Cause of Action No. 22, relating to the following described property, to-wit:

Northwest Quarter of Northwest Quarter of Section 27,
Township 24, Range 9, Osage County, Oklahoma,

and that part of Cause of Action No. 25, relating to the following described property, to-wit:

Northeast Quarter of Section 12, Township 23, Range 3,
Osage County, Oklahoma,

and Cause of Action No. 52, covering the following described real estate, to-wit:

West Half of Northwest Quarter of Section 26, and East
Half of Northeast Quarter of Section 27, Township 26,
Range 8, Osage County, Oklahoma,

and that part of Cause of Action No. 53, relating to the following described real estate, to-wit:

Lots One (1) and Two (2), and South Half of Northeast Quarter
of Section 4, Township 22, Range 8, Osage County, Oklahoma,

should be dismissed for the reason that the property involved in said Causes of Action is not affected by the provisions of the Act of Congress of June 20, 1936.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 22, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 25, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 52, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 53, covering the property hereinbefore described, be and the same hereby is dismissed.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Mar 9 1943
H. P. Warfield, Clerk
U. S. District Court H

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

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

JOURNAL ENTRY

This matter coming on for hearing this 9th day of March, 1943, for pre-trial conference and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, and the court being advised in the premises finds that a Stipulation of Facts has been filed herein. That the land described in the Fourth Cause of Action, as follows:

Southeast Quarter of Northwest Quarter and North Half of Southwest Quarter and Southwest Quarter of Southwest Quarter of Section 35, Township 24, Range 9, and the Southeast Quarter of Northeast Quarter and East Half of Southeast Quarter and Southwest Quarter of Southeast Quarter of Section 22, Township 24, Range 11, and West Half of Southwest Quarter of Northwest Quarter of Section 23, Township 24, Range 11, Osage County, Oklahoma,

and that the real estate described in Causes of Action No. 5, 6 and 7 is not affected by the provisions of the Act of Congress of June 20, 1936 and that said Causes of Action or parts of Causes of Action aforesaid should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that that part of Cause of Action No. 4, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 5, relating to the following described real estate, to-wit:

Southwest Quarter and West Half of Northeast Quarter of Southeast Quarter of Section 34, Township 21, Range 11, and Lots One (1) and Two (2) (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and North Half of Southeast Quarter of Northeast Quarter of Section 2, Township 22, Range 8, Lots Six (6) and Seven (7), Block Thirty-four (34), Original Townsite of Hominy, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 6, relating to the following described real estate, to-wit:

Northeast Quarter of Section 9, Township 27, Range 11, Osage County, Oklahoma,

be and the same is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Cause of Action No. 7, relating to the following described real estate, to-wit:

REGULAR JANUARY 1943 TERM

DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

WEDNESDAY, MARCH 10, 1943

IT IS ORDERED that said defendant is hereby granted leave to take the depositions of the following witnesses, to-wit:

Heber Skinner,	Ranch, North of Talala, about 12 miles;
H. P. Daugherty;	County Attorney of Rogers County, Oklahoma, Claremore, Oklahoma;
Andrew Williams;	Under Sheriff, Rogers County, Oklahoma, Claremore, Oklahoma;
Tom Dean,	Sheriff, Rogers County, Oklahoma, Claremore, Oklahoma;
Dow Andrews,	Justice of the Peace, Rogers County, Oklahoma, Claremore, Oklahoma;
Buck Allen,	Ranch next to Skinner Ranch, Talala, Oklahoma,
John Topping,	near Talala, Oklahoma;

for use as evidence in this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 10 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.)	
		)	No. 932 CIVIL ✓
One 1941 Chevrolet Coach Automobile, Motor)	
No. AA-11,467, and 20 gallons of Untaxpaid)	
Whiskey seized therein; Artemas T. Hunnicutt,)	
and the Interstate Securities Company, In-)	
corporated, Tulsa, Oklahoma,	Claimants.)	

JOURNAL ENTRY OF JUDGMENT

NOW on this 10th day of March, 1943, this cause of action having come on before the Court, libelant appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and the claimant, Artemas T. Hunnicutt having made his general appearance herein, waived the issuance and service of monition and failed, neglected and refused to file any pleadings or contest this action, is, by the Court found to be in default, and the claimant, the Interstate Securities Company, Incorporated, Tulsa, Oklahoma, appearing by its attorney, C. A. Warren, whereupon libelant presents its evidence and rests, and the claimant, Interstate Securities Company, presents its evidence and rests, and the Court, after hearing the arguments of counsel and being fully advised in the premises, finds that a forfeiture should enter as to said automobile and intoxicating liquors and further finds that the claimant, Interstate Securities Company, is the holder in good faith of a chattel mortgage upon said automobile and that by reason thereof, said claimant's interest in said automobile now amounts to one Hundred Seventy-five Dollars (\$175.00), and that the interest of the said Artemas T. Hunnicutt, the owner thereof, amounts to Two Hundred Seventy-five Dollars (\$275.00), which is:

On this 12th day of March, A. D. 1943, the District Court of the United States in and for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

SARAH PERRYMAN, et al.	Plaintiffs,)	
vs.)	
OKEMAH REYNOLDS, et al,	Defendants,	)	No. 723 Civil
UNITED STATES OF AMERICA,	Intervener.)	

O R D E R

NOW on this 12th day of March, 1943, upon application of the defendant, P. A. McNeal, and for good cause shown, it is ORDERED that said P. A. McNeal be, and he hereby is, granted permission to forthwith file in this cause his Second Answer to the Complaint in Intervention of the United States and his Amended Cross-Petition.

ROYCE H. SAVAGE
District Judge

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

Court adjourned to March 15, 1943

On this 15th day of March, 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. F. E. Kennamer, Judges, present and presiding.

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

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

MISCELLANEOUS - RE: RULES OF COURT

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

RULE 3 - ATTORNEYS, Paragraph C thereof, PROCEDURE FOR ADMISSION ADOPTED by this Court January 17, 1940,
be and it is amended to read as follows:

- (c) PROCEDURE FOR ADMISSION - There is hereby created a Committee on Admissions and Grievances, consisting of three members of this bar, appointed by the Court, to whom shall be referred all applications for admission, and who shall make such investigation into the qualifications of the applicant as is necessary to determine his fitness to be admitted to the bar of this Court, and shall report their recommendations in writing to the Clerk of this Court.

Every applicant for admission to the bar of this Court shall file with the Clerk of this Court, on a form prescribed by the Court and supplied to the applicant by the Clerk, a written petition for admission, which petition shall be referred by the Clerk immediately to the Committee on Admissions and Grievances. Upon a favorable report of the Committee, filed with the Clerk, the said applicant may be admitted in open Court at any opening session of the Court, upon motion of any member of the Bar of this Court, and shall take and subscribe the following oath:

"I, _____ do solemnly swear (or affirm) that I will demean myself, as an attorney and counselor of this court, uprightly, and according to law; and that I will support the Constitution of the United States. SO HELP ME GOD".

Dated at Tulsa, Oklahoma, this 15th day of March, A. D. 1943.

ROYCE H. SAVAGE
JUDGE, U. S. DISTRICT COURT

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

Misc - Admission to Bar.

Now on this 15th day of March, A. D. 1943, it being made satisfactorily to appear that David B. Love is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 628 - CIVIL
)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, STATE OF OKLAHOMA, et al,	Defendants.)	

JOURNAL ENTRY

This matter coming on for hearing this 9 day of March, 1943, for pre-trial conference and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, and the court being advised in the premises finds that a Stipulation of Facts has been filed herein. That the land described in the Second Cause of Action as follows, to-wit:

Southeast Quarter of Section Twenty-three (23), Township Twenty-seven (27), Range Eleven (11), Osage County, Oklahoma,

is not affected by the provisions of the Act of Congress of June 20, 1936 and that said Cause of Action should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Cause of Action No. 2, covering the property hereinbefore described, be and the same hereby is dismissed.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
v.		)	No. 669 Civil
)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, STATE OF OKLAHOMA, ET AL.,	Defendants.)	

JOURNAL ENTRY

This matter coming on for hearing this 9th day of March, 1943, for pre-trial conference and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Chas. R. Gray, and the court being advised in the premises finds that a Stipulation of Facts has been filed herein. That that part of Cause of Action No. 1, relating to the following described property, to-wit:

The East Half of the Northeast Quarter and the East Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 32; and the Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 33, Township 24, Range 9, Osage County, Oklahoma;

and Causes of Action Nos. 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, 17, 18 and that part of Cause of Action No. 19, relating to the following described real estate, to-wit:

Lots One (1) and Two (2) and the Southeast Quarter of the Northeast Quarter of Section 1, Township 24, Range 4, Osage County, Oklahoma;

and Causes of Action Nos. 20, 22, 26, 27, 28, 32, 33, 34, 37, 38, 39, 42, 45, 48, and 49, should be dismissed for the reason that the property involved in said cause of action is not affected by the provisions of the Act of Congress of June 20, 1936; that Causes of Action Nos. 35 and 36, relate to lands in Washington County, Oklahoma, and should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 1, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 2 involving the following described real estate, to-wit:

South Half of Northeast Quarter of North Half of Southeast Quarter of Section 3, Township 22, Range 9, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 3, involving the following described real estate, to-wit:

West Half of Northwest Quarter of Section 32, and South Half of Southeast Quarter of Section 30, Township 24, Range 7, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 4, involving the following described real estate, to-wit:

Lots One (1) and Two (2), less West thirty (30) feet, Block Thirty-eight (38), Palmer Highland Addition to the City of Pawhuska, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 5, involving the following described real estate to-wit:

Southeast Quarter of Northwest Quarter of Section 27, Township 25, Range 4, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 6, involving the following described real estate, to-wit:

Lot Two (2), Block Seven (7), Original Townsite of Pawhuska, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 9, involving the following described real estate, to-wit:

East Half of Southwest Quarter of Northeast Quarter of Section 14, Township 22, Range 8, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 12, involving the following described real estate, to-wit:

South Half of Southeast Quarter of Section 28, Township 23, Range 6, and Southwest Quarter of Section 27, Township 25, Range 8, and Southwest Quarter and West Half of Northwest Quarter of Southeast Quarter of Section 1, Township 22, Range 11, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 13, involving the following described real estate, to-wit:

West Half of Northwest Quarter and Southwest Quarter of Section 10, and North Half of Northwest Quarter and Southwest Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter of Section 15, Township 26, Range 9, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 14, involving the following described real estate, to-wit:

Southeast Quarter of Northeast Quarter and Northeast Quarter of Southeast Quarter of Section 17, Township 26, Range 10, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 16, involving the following described real estate, to-wit:

South Half of Southwest Quarter of Section 35, Township 29, Range 10, and Southwest Quarter and Northeast Quarter of Section 2, Township 28, Range 10, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 17, involving the following described real estate, to-wit:

Northeast Quarter of Section 35, Township 29,
Range 8, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 18, involving the following described real estate, to-wit:

Lots One (1), Two (2), Three (3), and Four (4),
and East Half of Northwest Quarter and East
Half of Southwest Quarter of Section 31, Town-
ship 25, Range 9, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 19 covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 20, involving the following described real estate, to-wit:

Southeast Quarter of Section 4, Township 24,
Range 10, and South ¹/₂ of South Half of South-
west Quarter of Southwest Quarter and South Half
of North Half of South Half of Southwest Quarter
of Southwest Quarter of Section 27, Township 25,
Range 10, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 22, involving the following described real estate, to-wit:

Lots Nine (9), Ten (10), Eleven (11), and Twelve
(12), Block Six (6), Pettit Addition to Hominy,
Osage County, State of Oklahoma, and Lots Ten
(10), Eleven (11), Twelve (12) and Thirteen
(13) Block Seventeen (17), Original Townsite of
Barnsdall, Osage County, State of Oklahoma, and
Lots One (1), Two (2) and Three (3), Block
Forty (40), Original Townsite of Hominy, Osage
County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 26, involving the following described real estate, to-wit:

North Half of Northeast Quarter and Southeast
Quarter of Northeast Quarter and Northeast
Quarter of Southeast Quarter and Northeast
Quarter of Southwest Quarter of Northeast
Quarter and East Half of Southeast Quarter of
Southwest Quarter of Northeast Quarter and
West Half of Southeast Quarter of Southwest
Quarter of Northeast Quarter of Section 36,

Township 21, Range 9 and Southeast Quarter of Northwest Quarter and Lot Two (2) of Section 31, Township 21, Range 10, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 27, involving the following described real estate, to-wit:

Lots Seven (7), Eight (8) and Nine (9), Block Twelve (12), Tall Chief Addition to Fairfax, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 28, involving the following described real estate, to-wit:

Northeast Quarter of Northeast Quarter and East Half of Southeast Quarter and Southwest Quarter of Southeast Quarter of Section 19, Township 23, Range 7, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 32, involving the following described real estate, to-wit:

Northwest Quarter of Northeast Quarter and North Half of Northwest Quarter and Southeast Quarter of Northwest Quarter of Section 17, Township 24 Range 9, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 33, involving the following described real estate, to-wit:

Lots Nine (9), and South Half of Lot Ten (10) Block Seventeen (17), Original Townsite of Fairfax, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 34, involving the following described real estate, to-wit:

Northeast Quarter of Northeast Quarter and South Half of Northeast Quarter and Southeast Quarter of Northwest Quarter of Section 19, and South Half of Southwest Quarter and Lots One (1) and Two (2), and Northwest Quarter of Northeast Quarter and Northeast Quarter of Northwest Quarter of Section 19, and East Half of Southwest Quarter and Lots Three (3) and Four (4), and West Half of West Half of Southwest Quarter of Southeast Quarter of Section 18, Township 23, Range 12, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 37, involving the following described real estate, to-wit:

East Half of Southwest Quarter and Lots One (1), Two (2) and Three (3), and South Half of Northwest Quarter and South Half of Northeast Quarter and West Half of Southwest Quarter and Southeast Quarter, less 3.33 acres and Lot Four (4), of Section 1, Township 25, Range 8, and Lot One (1) and Southeast Quarter of Northeast Quarter and Northeast Quarter of Southeast Quarter of Section 2, Township 25, Range 8, and Southeast Quarter of Southeast Quarter and Southwest Quarter of Southeast Quarter of Section 36, Township 28, Range 8, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 38, involving the following described real estate, to-wit:

Southwest Quarter of Northwest Quarter and Lot Four (4) of Section 4, Township 21, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 39, involving the following described real estate, to-wit:

Southeast Quarter of Section 9, Township 25, Range 4, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 42, involving the following described real estate, to-wit:

Lots Twelve (12), Thirteen (13), and Fourteen (14), Block Seventeen (17), Original Townsite of Fairfax, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 45, involving the following described real estate, to-wit:

East Half of Southwest Quarter of Section 18, Township 24, Range 11, and North Half of Northeast Quarter and Southeast Quarter of Northeast Quarter and Northeast Quarter of Southeast Quarter of Section 22, Township 29, Range 11, and Lots Eleven (11), and Twelve (12), Block Fourteen (14), Prudom Addition to the City of Pawhuska, Osage County, State of Oklahoma,

be and the same hereby is dismissed.

The court being advised by the Clerk that notice has been given the defendants P. A. McNeal, J. M. Maurer and Hazeltine Maurer of the setting of this pre-trial conference on this date, and the defendants although being duly advised, having failed to appear are therefore, adjudged to be wholly in default.

The court having heard the testimony of one witness sworn at this pre-trial conference, and having heard the statement of counsel, having considered the pleadings and the admission of counsel at the pre-trial conference, and the court being fully advised in the premises, finds:

I.

That the property involved in this action is a portion of the homestead allotment of George B. Perryman, deceased, a three-quarter blood Creek Indian, No. 2629; that the said George B. Perryman died testate, a resident of Tulsa County, Oklahoma, on July 17, 1937, leaving as the sole and only heirs at law, his widow, Sarah Perryman, an only son, Newman Perryman, and an only daughter, Okemah Reynolds, nee Perryman; that the last will and testament of George B. Perryman, deceased, has been admitted to probate in the County Court of Tulsa County, Oklahoma, in case 13181, therein. All of the property of George B. Perryman, deceased, was distributed in said probate action to Sarah Perryman, Newman Perryman, Okemah Reynolds, nee Perryman, and Maxine Ophia Hennebergh, who is also known as Mrs. L. W. Hennebergh. The said distribution was made in accordance with the valid contract of family settlement, which said contract of settlement was entered into on July 18, 1938, by all of the devisees under the will of George B. Perryman, and each of his heirs, said contract of settlement was approved by the County Court of Tulsa County, Oklahoma, and the distribution was made on December 27, 1938; The court finds that Maxine Ophia Hennebergh died intestate on April 6, 1938, and that her estate was administered in the County Court of Tulsa County in case 13593; that her heirs were judicially determined to be Okemah Reynolds, nee Perryman, and L. W. Hennebergh. The court finds that the title to the property described in the contract of family settlement, dated July 18, 1938, and in the decree of distribution in the County Court of Tulsa County, Oklahoma, dated December 27, 1938, should be quieted as described therein, in Sarah Perryman, Newman Perryman, Okemah Reynolds, nee Perryman, and L. W. Hennebergh and Okemah Reynolds, nee Perryman, as the sole and only heirs of Maxine Ophia Hennebergh, deceased, subject however, to the rights acquired from said devisees and heirs as herein determined, by M. W. Turner, John S. Zink and L. E. Dunn.

II.

The court finds that on March 31, 1939, in Probate Case 13181, Tulsa County, State of Oklahoma, entitled, "Estate of George B. Perryman, deceased", an order was made by the County Court of Tulsa County, State of Oklahoma, authorizing Newman Jacobs, Administrator of the Estate of George B. Perryman, deceased, to sell certain property hereinafter described, containing 4.99 acres, more or less; that on April 8, 1939, sale of such described property was made to John S. Zink, and thereafter on April 18, 1939, such sale was confirmed by the Probate Court of Tulsa County, State of Oklahoma, and on May 4, 1939, a certain administrator's deed was executed and delivered by Newman Jacobs, Administrator of the Estate of George B. Perryman, deceased, to John S. Zink, recorded in Book 1321, page 192 of the records of Tulsa County, State of Oklahoma, and the said John S. Zink further acquired conveyance of title to the property described in said administrator's deed from all of the distributees, Sarah Perryman, Newman Perryman, Okemah Reynolds, nee Perryman, and L. W. Hennebergh. The court further finds that title should be quieted into John S. Zink in and to the property described, from the said distributees and the property described in the administrator's deed hereinabove set out.

III.

The court finds that Okemah Perryman Reynolds entered into a contract of sale with M. W. Turner, also known as Morris W. Turner, dated and filed August 19, 1938, recorded in Book 1285, page 515, and that Okemah Perryman, Reynolds, executed a real estate mortgage to Morris W. Turner, dated and filed August 19, 1938, recorded in Book 1285, page 518, for consideration of \$750.00, and that Okemah Perryman Reynolds executed a further mortgage to Morris W. Turner, dated November 26, 1938, filed March 20, 1939, recorded in Book 1314, page 333, for consideration of \$200.00. The court finds that the title of

Okemah Reynolds, nee Perryman herein quieted in her, is subject to the said contract of sale, and the said two real estate mortgagees above described, are vested in Morris W. Turner.

IV.

The court further finds that Okemah Perryman, Reynolds and L. W. Hennebergh, for a good and valuable consideration, made, executed and delivered on July 7, 1939, to L. E. Dunn a general warranty deed, covering the property, the title to which in this decree is ordered quieted in the defendant L. E. Dunn. The court finds that title to said property should be quieted in the defendant L. E. Dunn against all the other parties to this action, except the defendant, M. W. Turner.

V.

The court finds that the defendant Seth Hughes, has no right, title or interest in and to the property involved in this action.

VI.

The court further finds that the defendant P. A. McNeal, J. M. Maurer and Hazeltine Maurer have no right, title or interest, legally or equitable, in and to the property described in this action, or any part thereof. The court further finds that upon the evidence presented upon a request for admission, and the response of Joe Houston to said request for admission, that a certain deed executed by L. W. Hennebergh to J. M. Maurer, the property purchased by J. M. Maurer from the estate of George B. Perryman, deceased, which purchase was thereafter vacated, was never delivered, no consideration was paid by J. M. Maurer to L. W. Hennebergh for said deed, and that said deed should be cancelled. The court further finds that the mortgage executed by J. M. Maurer and Hazeltine R. Maurer to P. A. McNeal dated July 3, 1940, filed September 12, 1940 in the office of the County Clerk, Tulsa, County, Oklahoma, in Book 1393, page 251, covering the property described therein, constitutes a cloud on the title herein quieted and that J. M. Maurer and Hazeltine R. Maurer had no right, title or interest in said property to mortgage the same, and that said mortgage should be cancelled, set aside and held for naught.

VII.

The court further finds that the lands involved in this action are not restricted lands and have not been restricted lands since the date of the death of George B. Perryman, deceased.

VIII.

The court further finds that the lands described as follows: to-wit:

A tract of land commencing at a point 500 feet west of the Southeast corner of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma, and then running west along the south line of said Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma, for a distance of 820 feet to the Southwest corner of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) above described; thence north along the west line of said above described tract a distance of 496.50 feet to the southwest corner of the tract of land heretofore sold to John S. Zink, thence in a northeasterly direction, following the south line of the Zink land, a distance of 347.13 feet to a point, said point being 660.00 feet south of the north line, and 303 feet east of the west line,

of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, Township 19 North, Range 13, East, thence north along the line of the tract of land purchased by John S. Zink, a distance of 635.25 feet to a point 24.75 feet south of the north line of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) thence east a distance of 187 feet to a point 24.75 feet south of the north line of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, thence south a distance of 635.25 feet to the southwest corner of the Sarah Perryman tract, thence east along the south line of Sarah Perryman tract a distance of 330 feet, thence South 635.25 feet to the point of beginning,

are vested in L. W. Hennebergh and Okemah Reynolds, nee Perryman, jointly, to the extent of .825-acres interest, and that the remainder of the above-described property is vested equally in Sarah Perryman, Newman Perryman, and Okemah Reynolds, nee Perryman. The interest of Okemah Reynolds Perryman is subject, however, to the rights of M. W. Turner herein determined. The court finds that partition of said lands be made accordingly as said interest is determined in said parties, and that J. F. Pickens, Tom V. Williams, and Woodrow Tiger are hereby appointed Commissioners and upon taking the oath prescribed by law shall proceed to make said partition and report the same to this court.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that George B. Perryman died testate; that the property of which he died seized has been lawfully distributed by the County Court of Tulsa County, Oklahoma, and that the title of the distributees be quieted and that title be quieted against all the parties in this action, in Sarah Perryman, widow of George B. Perryman, deceased, in and to the following described property, to-wit:

Commencing at a point 500 feet west of the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma; thence 330 feet west along the north line of said section; thence south at a right angle 660 feet; thence east 330 feet; thence north 660 feet to the point of beginning.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the following described tract of land

Commencing at the southeast corner of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Nineteen (19), Township Nineteen (19) North, Range Thirteen (13) east, Tulsa County, Oklahoma, and extending west along the south line of said above described land a distance of Five Hundred (500) feet, thence north One Hundred Sixty-seven and One-half ($167\frac{1}{2}$) feet; thence east Five Hundred (500) feet, thence South along the east line of the George B. Perryman, tract a distance of One Hundred Sixty Seven and One-half ($167\frac{1}{2}$) feet to the place of beginning,

is hereby quieted and confirmed in Okemah Reynolds, nee Perryman against all other parties to this action except M. W. Turner, whose interest is described herein.

tract, IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the following described

A portion of the Northeast quarter of the Northwest quarter (NE/4 NW/4) of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma; Beginning at a point 167 $\frac{1}{2}$ feet north and 25 feet west of the Southeast corner of said NE/4 NW/4 of Said Section 19; thence west parallel with the south line of said NE/4 NW/4 a distance of 475 feet; thence north parallel with the eastline of said tract 167 $\frac{1}{2}$ feet; thence east 475 feet to a point, which point is 335 feet north and 25 feet west of the SE corner of the NE/4 NW/4 of Section 19, Township 19 North, Range 13 East, thence south 167 $\frac{1}{2}$ feet to the place of beginning.

is hereby quieted and confirmed in L. E. Dunn, against all the other parties to this action, except M. W. Turner.

tract, IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the following described

Commencing at a point on the east line of the George B. Perryman tract Three Hundred and Thirty-five (335) feet north of the south line of the George B. Perryman property, said point being the northeast corner of the land set apart to the estate of Mrs. L. W. Hennebergh, last above described, thence west along and parallel with the north line of the last described property a distance of Five Hundred (500) feet, thence north One Hundred and Sixty-seven and one-half (167 $\frac{1}{2}$) feet; thence east Five Hundred (500) feet to a point on the east line of the George B. Perryman tract, thence south along said east line of the George B. Perryman tract a distance of One Hundred Sixty-seven and one-half (167 $\frac{1}{2}$) feet to the point of beginning,

is hereby quieted and confirmed in the plaintiff, Newman Perryman against all the other parties in this action.

tract, IT IS FURTHER ORDERED, ADJUDGED AND DECREED that title to the following described

Commencing at a point on the east line of the George B. Perryman tract Five Hundred and Two and One-half (502 $\frac{1}{2}$) feet north of the Southeast corner of the George B. Perryman land, which is the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nineteen (19), Township Nineteen (19) North, Range Thirteen (13) East, Tulsa County, Oklahoma, and

thence west along the north line of the last described property a distance of Five Hundred (500) feet; thence north Three Hundred and Seventeen and One-half ($317\frac{1}{2}$) feet; thence east along the south line of the A. R. Perryman tract a distance of Two Hundred and Seventy-five (275) feet to the northwest corner of the cemetery described immediately hereinafter, thence south along the west line of said cemetery One Hundred and Fifty (150) feet; thence east along the south side of said cemetery Two Hundred and Twenty-five (225) feet to the east line of the George B. Perryman tract; thence south One Hundred and Sixty seven and one-half ($167\frac{1}{2}$) feet to the point of beginning,

is hereby quieted and confirmed in the plaintiff, Sarah Perryman against all the other parties to this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that title to the following described tract:

Commencing at a point Five Hundred (500) feet south of the Northeast corner of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, Township 19 North, Range Thirteen (13) East, Tulsa County, Oklahoma, and thence south One Hundred Fifty (150) feet; thence West Two Hundred Twenty-five (225) feet; thence North One Hundred Fifty (150) feet and thence east Two Hundred Twenty-five (225) feet to the point of beginning,

is hereby quieted against all other parties in the action in Sarah Perryman, Newman Perryman, and Okemah Reynolds, nee Perryman, in equal interests, an undivided one-third interest in each.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the following described tract:

A tract of land commencing at a point 500 feet west of the Southeast corner of the Northeast quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma, and then running west along the south line of said Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma, for a distance of 820 feet to the Southwest corner of the Northeast quarter (NE/4) of the Northwest Quarter (NW/4) above described; thence north along the west line of said above described tract a distance of 496.50 feet to the southwest corner of the tract of land heretofore sold to John S. Zink, thence in a northeasterly direction, following the south line of the Zink land, a distance of 347.13 feet to a point, said point being 680.00 feet south of the north line, and 303 feet east of the west line, of the

Northeast quarter (NE/4) of the Northwest quarter (NW/4) of Section 19, Township 19 North, Range 13 East, thence north and along the line of the tract of land purchased by John S. Zink, a distance of 635.25 feet to a point 24.75 feet south of the north line of the Northeast quarter (NE/4) of the Northwest Quarter (NW/4), thence east a distance of 187 feet to a point 24.75 feet south of the north line of the Northeast quarter (NE/4) of the Northwest quarter (NW/4) of Section 19, thence south a distance of 635.25 feet to the southwest corner of the Sarah Perryman tract, thence east along the south line of Sarah Perryman tract a distance of 330 feet, thence south 635.25 feet to the point of beginning,

be quieted in L. W. Hennebergh and Okemah Reynolds, nee Perryman, jointly to the extent of .825-acres interest, and the remaining interest in and to the above-described property be quieted in Sarah Perryman, Newman Perryman, Okemah Reynolds, nee Perryman, equally, each having an undivided one-third of the remaining interest. The interest of Okemah Reynolds, nee Perryman, in the above-described tract is subject, however, to the rights of M. W. Turner, herein decreed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the following described tract:

Beginning at a point 1017 feet west, and 24.75 feet South of the Northwest corner of the NE/4 of Section 19, Township 19 North, Range 13 East, thence South and parallel with the west line of the NE/4 NW/4 of Section 19, Township 19 North, Range 13 East, a distance of 635.25 feet to a point; thence in a Southwesterly direction a distance of 347.13 feet to a point, said point being 1320 feet West and 823.5 feet South of the Northwest corner of the NE/4 of said Section 19, Township 19 North, Range 13 East, thence North along the West line of said NE/4 NW/4 of said Section 19, a distance of 798.75 feet to a point, said point being 24.75 feet South of the North line of said Section 19, thence east and parallel with the North line of said Section 19, a distance of 303 feet to the point of beginning; all in the NE/4 NW/4 of Section 19, Township 19 North, Range 13 East, Tulsa County, Oklahoma, and containing 4.99 acres more or less according to the U. S. G. S. Survey.

and it is hereby quieted against all the other parties to this action in the defendant John S. Zink.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that Morris W. Turner, also known as M. W. Turner, is vested with a valid and subsisting contract of sale executed to him by Okemah Reynolds, dated August 19, 1938, recorded in Book 1285, page 515, whereby said Morris W. Turner is entitled to purchase from Okemah Reynolds, nee Perryman, for the sum of \$1500.00, the following described property, to-wit:

Commencing at a point 25 feet west of the southeast corner of the Northeast quarter of the Northwest quarter of Section 19, 19 North, 13 East, Tulsa County, Oklahoma, and extending west along the south line of said above-described land a distance of 475 feet; thence north $167\frac{1}{2}$ feet; thence east 475 feet; thence south along Utica Avenue a distance of $167\frac{1}{2}$ feet to the place of beginning.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Morris W. Turner, also known as M. W. Turner, is the holder of two valid real estate mortgages covering all of the property distributed to Okemah Reynolds, nee Perryman, individually, from the estate of George B. Perryman, deceased, as described in this journal entry of judgment, one of said mortgages being dated and filed August 19, 1939, recorded in Book 1285, page 518, for an original consideration of \$750.00; also mortgage dated November 26, 1938, filed March 20, 1939, recorded in Book 1314, page 333, for an original consideration of \$200.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the defendants Seth Hughes and Newman Jacobs, Administrator of the Estate of George B. Perryman, deceased, have no right, title or interest legally or equitably, in any of the property involved in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the defendants J. M. Maurer, Hazeltine Maurer and P. A. McNeal have no right, title or interest, legally or equitably in and to any of the property described in this action, and it is further ordered and adjudged that the mortgage executed by J. M. Maurer and Hazeltine R. Maurer, his wife, to P. A. McNeal dated July 3, 1940, filed September 12, 1940, recorded in Book 1393, page 251, for a purported consideration of \$1372.00, is hereby cancelled, set aside and held for naught, and does not constitute a lien upon the property described in said mortgage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that certain purported deed executed by L. W. Hennebergh to J. M. Maurer, on or about July 19, 1940, covering the property sold at administrator's sale out of the estate of George B. Perryman, deceased, to J. M. Maurer, which sale was confirmed on March 25, 1940, and which confirmation was thereafter vacated, is hereby adjudged and decreed not to have been delivered, no consideration was paid for said deed and said deed is hereby cancelled, set aside and held for naught.

IT IS FURTHER ADJUDGED AND DECREED BY THE COURT that none of the lands involved in this action are restricted, and that said lands have not been restricted since the date of the death of George B. Perryman, deceased.

ROYCE H. SAVAGE
JUDGE

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

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

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

ORDER TO DISBURSE FUNDS

On this 15th day of March, 1943, this matter comes on for hearing on the application filed herein by N. B. Day and G. Ellis Gable, co-administrators of the estate of Peter Micco, Seminole 1600, deceased, for authority to withdraw from the Department of the Interior funds belonging to said estate for the payment of taxes accrued on real estate belonging to said estate, and it appearing that pursuant to order of this court on December 23, 1942, the Department of the Interior issued official check No. 283,048 for \$559.21 for the payment of taxes on lands in Okfuskee County, Oklahoma, as follows:

Tract No. 1 -- 4/5 interest in NW NW, or Lot 1;
North 10 acres of Lot 4; W $\frac{1}{2}$ NW NE; W $\frac{1}{2}$ E $\frac{1}{2}$ NW NE,
Section 18-11N-8E, Okfuskee County, Oklahoma \$199.26

Tract No. 2 - 4/5 interest in E $\frac{1}{2}$ NE, Section
6-11N-8E, Okfuskee County, Oklahoma, 197.99

together with taxes for the years of 1940 and 1941 on

Tract No. 3 -- SW, Section 8-11N-8E, Okfuskee
County, Oklahoma, 161.96

And applicants further show to the court that before such check could be issued and delivered to said County Treasurer of Okfuskee County additional tax penalties had accrued on said lands, and that there was paid from the proceeds of said check taxes on said Tract No. 1 for the years of 1935 to 1941, inclusive, together with taxes for the year of 1942 in the amount of \$24.95, in the aggregate amount of \$222.21, plus \$5.71, penalties, totaling \$228.92; and that taxes were paid on Tract No. 2 for the years 1935 to 1941, inclusive, together with taxes for 1942 in the amount of \$20.95, and the aggregate amount of taxes on said Tract No. 2 was \$217.65, plus penalties on \$6.58, totaling \$224.23, and that because said payment of taxes on Tracts No. 1 and No. 2 for the year 1942 in addition to previous years and taking care of penalties accrued, there was not sufficient funds from the proceeds of said check for \$559.21 to pay for the years 1940 and 1941 on Tract No. 3, described as:

SW, Section 8-11N-8E, Okfuskee County, Oklahoma

in the amount of \$161.95, and that payment was made on said last described tract for the year of 1940 only in the amount of \$89.13, plus penalties of \$2.52, totaling \$91.65; and that the total amount of taxes so paid were \$544.80, leaving an unused balance in the form of the County Treasurer of Okfuskee County check, payable to N. B. Day, administrator, for the amount of \$14.41.

Applicants further show that there is now due and payable taxes on lands belonging to said estate as follows:

Hughes County

3/20 interest SW SW, Section 26-7-9, taxes for
1932 to 1942, inclusive, \$25.46
3/10 interest NW SW, Section 32-7-9, taxes
for 1932 to 1941, 27.97

Total 53.43

Seminole County

3/5 interest SE, Section 33-11-8, 1942 taxes, 23.40
1/3 interest S SW, 8-10-6, 1932 to '42, inc. 141.55

1/3 interest East 20 acres Lot 6, 6-10-6, 1932 to 1942, inclusive,	74.75	
Total		239.70

Okfuskee County

SW, Section 8-11-8, for 1941 and 1942, inc.	518.42	
Less County Treasurer's check,	14.41	
		504.01

And it appearing to the court that it is to the best interest of said estate that such taxes be paid from the funds belonging to said estate on deposit with the Department of the Interior, that an appropriate order be made authorizing said Department of the Interior to disburse sufficient funds to the co-administrators herein for the payment of such taxes, and the court being well and sufficiently informed in the premises finds that said application should be in all things allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Department of the Interior, be and it is hereby requested and authorized to issue from the funds belonging to the estate of Peter Micco, Seminole 1600, deceased, for the payment of taxes as hereinabove set forth official checks as follows:

To County Treasurer of Okfuskee County, taxes on SW, 8-11-8, for years of 1941 and 1942 in the sum of \$513.67, plus \$4.75 penalty, totaling \$518.42, less deduction for check held by your co-administrators and issued by the County Treasurer of Okfuskee County for \$14.41, net amount,		\$504.01
--	--	----------

To County Treasurer of Hughes County, taxes on 3/20 interest SW SW, 26-7-9 for years 1932 to 1942, inc., \$25.29, plus \$0.17 penalty, totaling,	25.46	
3/10 interest NW SW, 32-7-9 taxes for 1932 to 1942 \$27.78, plus penalty, \$0.19, totaling,	27.97	
Total,		53.43

To County Treasurer of Seminole County, taxes on 3/5 interest SE, 33-11-8, for 1942, \$23.18 plus penalty \$0.22, totaling,	23.40	
1/3 interest S SW, 6-10-6, 1932 to '42, inc., \$140.15, plus penalty of \$1.40, totaling,	141.55	
1/3 interest East 20 Acres Lot 6, 6-10-6, 1932 to 1942, incl, \$74.01, plus penalty, \$0.74, totaling,	74.75	
Total		239.70

And it is further ordered that a certified copy of this order shall be authority of the Department of the Interior to make such disbursements from the funds belonging to the estate of Peter Micco, deceased, and payable to said co-administrators.

ROYCE H. SAVAGE
JUDGE

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

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

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

C R D E R

Now on this 15 day of March, 1943, this matter coming on before the Court on the application of the United States of America for additional time to plead in this cause of action, and it appearing to the Court that this is an action in which service of notice has been had on the Superintendent of the Five Civilized Tribes pursuant to the provisions of the Act of Congress of April 12, 1926, and that certain information is required by the United States in order to plead in this action, and that such information has not been obtained, and that the time should be extended for the United States to plead herein.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from March 16, 1941, within which to plead in this cause of action.

ROYCE H. SAVAGE
JUDGE

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

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

NANCY BRADBURN, nee YARHOLA, an incompetent)
by Sukey Jenkins, daughter and next)
friend,) Plaintiff,) No. 961 Civil
v.)
Shell Oil Company, Inc., a)
foreign corporation,) Defendant.)

C R D E R

This matter coming on for hearing this 15 day of March, 1943, upon application of the United States of America for additional time to plead in this action, and the Court being fully advised in the premises and for good cause shown, finds that the United States should be allowed additional time in which to file an intervening complaint herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America be and it hereby is granted thirty (30) days additional time from March 15, 1943, in which to file an intervening complaint herein.

ROYCE H. SAVAGE
JUDGE

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

Lots Six, Seven and Eight, Block 5, Tallchief Addition to Fairfax,
Oklahoma;

and Cause of Action No. 14, and that part of Cause of Action No. 15, involving the following described real estate;

West Half of the Northwest Quarter of Northwest Quarter of Section 15,
Township 21, Range 9, and

Lots Two and Three, and

South Half of Northeast Quarter of
Section 6, Township 22, Range 9, and

Northeast Quarter of Northeast Quarter
of Section 22, Township 23, Range 8, and

West Half of Northwest Quarter, and West
Half of Southwest Quarter of Section 23,
Township 23, Range 8, and

East Half of Southeast Quarter and Southwest
Quarter of Southeast Quarter of Section 12,
Township 22, Range 9, and

Northwest Quarter of Section 15, Township 22,
Range 9, and

Lot One, Block 22, Original Town of Hominy,
Oklahoma;

and that part of Cause of Action No. 16, involving the following described property, to-wit:

Lot Two, of Section 1, Township 25, Range 9,
and Seven Acres of the Northwest Quarter of
the Southeast Quarter of Section 1, Township
25, Range 9;

and Cause of Action No. 17, and that part of Cause of Action No. 18, involving the following described real estate:

Northwest Quarter of Section 12, Township 24, Range 5;

and that part of Cause of Action No. 19, involving the following described real estate:

Twenty-eight acres of the Northeast Quarter of the
Southeast Quarter of Section 33, Township 26,
Range 12;

and that part of Cause of Action No. 20, involving the following described real estate;

Northwest Quarter of Section 34, Township 25,
Range 6, and the North Half of the Southeast
Quarter, and

Lots One and Two, Section 9, Township 24,
Range 5, and

Lots Three, Four and Five, and the Southeast Quarter of the Northwest Quarter of Section 6, Township 23, Range 4, and the

East Half of the Northwest Quarter, and Lots One and Two, of Section 7, Township 23, Range 4;

and Causes of Action Nos. 21, 22, 23, 24, and that part of Cause of Action No. 26, involving the following described real estate;

Northwest Quarter of Section 9, Township 22, Range 11, and the West Half of the East Half of Southeast Quarter of Southwest Quarter, and East Half of the East Half of the West Half of the Southeast Quarter, and the Southwest Quarter of Section 4, Township 22, Range 11, and the South Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 4, Township 22, Range 11;

and Causes of Action Nos. 27 and 28, and that part of Cause of Action No. 29, involving the following described real estate;

East Half of the Southwest Quarter and Lots Three and Four, and the Southeast Quarter of Section 19, Township 29, Range 7, and Lots Twentyone, Twentytwo, Twentythree, Twentyfour, Twentyfive, Twentysix, Twentyseven and Twentyeight, Block 2, Tinker Addition to Hominy, Oklahoma;

and causes of Action Nos. 30, 31, 32, 33, and that part of Cause of Action No. 35, involving the following described real estate;

Lots Seven and Eight, Block 12, Walker Addition to Hominy, Oklahoma, and the South Seventeen (17) feet of Lot Six, Block 12, Walker Addition to Hominy, Oklahoma, and the Southwest Quarter of Section 23, Township 24, Range 9, and Lot Four and the Southwest Quarter of the Northwest Quarter of Section 3, Township 23, Range 9;

and that part of Cause of Action No. 36, involving the following described real estate;

South Half of the North Half of the Southwest Quarter of the Southeast Quarter, and the South Half of the Southwest Quarter of the Southeast Quarter of Section 25, Township 22, Range 9, and the

Northwest Quarter of the Southwest Quarter of Section 17, Township 25, Range 5, and the

West Half of the Northeast Quarter, and the North Half of the Southeast Quarter of Section 11, and the

South Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 13, Township 20, Range 11, and the

Southwest Quarter of Section 27, Township 25, Range 7, and the

North Half of the Northeast Quarter of Section 24, Township 21, Range 9, and

Lot Four and the Northeast Quarter of the Southwest Quarter of Section 7, Township 21, Range 10, and the

South Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter, and the Southwest Quarter of the Northeast Quarter of Southeast Quarter of Section 27, Township 28, Range 6;

and that part of Cause of Action No. 37, involving the following described real estate;

Northwest Quarter of the Southwest Quarter, and the North Half of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 21, Township 21, Range 11; and

Southwest Quarter of the Northeast Quarter and South Half of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 2, Township 22, Range 8;

and that part of Cause of Action No. 39, involving the following described real estate;

Southeast Quarter and the Southwest Quarter of Section 2, Township 21, Range 9, and the

South Half of the Southwest Quarter of the Southwest Quarter of Section 11, Township 21, Range 9, and the

Northeast Quarter of Section 9, and the

North Half of the Southwest Quarter of Section 10, Township 23, Range 9, and the

Northeast Quarter of Section 31, Township 24, Range 9;

and Cause of Action No. 40, should be dismissed for the reason that the property involved in said Causes of Action is not subject to the provisions of the Act of Congress of June 20, 1936.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Cause of Action No. 1, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 2, involving the following described real estate:

The Southwest Quarter of Southwest Quarter of Section 10, Township 24, Range 9, and the North Half of Northwest Quarter and South Half of Northwest Quarter of Section 16, Township 24, Range 9, Osage County, Oklahoma, be and the same hereby is dismissed.

IT IS THEREFORE FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 3, involving the following described real estate:

East Half of Southeast Quarter and Southeast Quarter of Northeast Quarter of Section 13, Township 23, Range 7, and Lots 3 and 4, Section 18, Township 23, Range 8 and Northeast Quarter and South Half of Northwest Quarter and North Half of Southwest Quarter of Section 8, Township 24, Range 7 and Northeast Quarter of Section 36, Township 23, Range 7, and East Half of Southwest Quarter and Southwest Quarter of Southeast Quarter and West Half of Southeast Quarter of Southeast Quarter of Section 33, Township 26, Range 11, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 7, covering the property hereinabove described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that cause of action No. 8, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 11, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 12, involving the following described real estate:

East Half of Southwest Quarter and Southwest Quarter of Southwest Quarter and North Half of Southeast Quarter of Section 3, Township 26, Range 9, Osage County, Oklahoma,

be, and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 13, covering the property hereinabove described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 14, involving the following described real estate;

Northwest Quarter of Section 24, Township 25, Range 6, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 15, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 16, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 17 involving the following described real estate:

Northwest Quarter and Southwest Quarter of Southwest Quarter of Northeast Quarter, and West Half of Southeast Quarter of Southwest Quarter of Northeast Quarter of Section 34, Township 23, Range 7, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 18, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 19, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 20, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 21, involving the following described real estate:

Northwest Quarter of Southwest Quarter, and South Half of Southwest Quarter and Southwest Quarter of Southeast Quarter of Section 24, Township 28, Range 7, and Northeast Quarter of Section 11, Township 28, Range 10, and South Half of Northwest Quarter of Northwest Quarter of Southwest Quarter and Southwest Quarter of Northwest Quarter of Southwest Quarter of Section 28, Township 24, Range 10, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 22, involving the following described property:

The Southwest Quarter of Section 29, Township 24, Range 7, and the West Forty (40) feet of Lot 11, Block 15, Original Townsite of Fairfax, Oklahoma, and the West Fifty (50) feet of the South Half of Lot 10, Block 15, Original Townsite of Fairfax, Oklahoma, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 23, involving the following described real estate:

The West Half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 5, Township 23, Range 4, and the Northeast Quarter of the Northwest Quarter of Section 8, Township 23, Range 4, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 24, involving the following described real estate:

Southwest Quarter of Section 14, Township 24, Range 9, and Northwest Quarter of Section 23, Township 24, Range 9, and Southwest Quarter of Northeast Quarter and Northeast Quarter of Southwest Quarter and West Half of Southeast Quarter and Southeast Quarter of Northwest Quarter of Section 33, Township 24, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 26, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 27, covering the following described real estate:

Lot 1, Southeast Quarter of Northeast Quarter of Section 1, Township 23, Range 8, and

Lots 4 and 5, Section 6, Township 25, Range 9, and

South Half of Northeast Quarter and Southeast Quarter of Section 6, Township 23, Range 8, and

Lots 1 and 2, South Half of Northeast Quarter of Section 4, Township 23, Range 8, and

East Half of Northeast Quarter and Northeast Quarter of Southwest Quarter of Northeast Quarter and East Half of Southeast Quarter of Southwest Quarter of Northeast Quarter of Section 34, Township 22, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 28, covering the following described property:

The South Half of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter and the North Half of the North Half of the South Half of the Southwest Quarter

DISTRICT OF OKLAHOMA

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 15, 1943

of the Southwest Quarter, and the North Half of the Southwest Quarter of Southwest Quarter of Section 27, Township 25, Range 10, and

The Northeast Quarter and the North Half of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 28, Township 25, Range 10, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 29, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 30, involving the following described property:

Lots 3 and 4, South Half of Northwest Quarter of Section 16, Township 29, Range 6; Southeast Quarter of Section 13, Township 25, Range 6, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 31, involving the following described real estate:

Southeast Quarter of Southeast Quarter of Southwest Quarter of Section 30, Township 23, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 32, involving the following described real estate:

North Half of Southwest Quarter and Southwest Quarter of Southwest Quarter of Section 3, Township 22, Range 7,

North Half of Northwest Quarter and North Half of Northeast Quarter, Lots 1 to 6, Section 10, Township 22, Range 7,

East Half of Northwest Quarter of Southeast Quarter of Southeast Quarter of Section 11, Township 22, Range 7, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 33, involving the following described real estate:

Lots 1 and 2, South Half of Northeast Quarter of Section 1, Township 25, Range 11,

Southeast Quarter of Section 30, Township 26, Range 10,

Northeast Quarter of Northeast Quarter of Section 21, Township 22, Range 8,

South Half of Southwest Quarter and Southwest Quarter of Southeast Quarter of Section 32, Township 29, Range 8,

Lots 3 and 4, East Half of Southwest Quarter of Section 18, Township 27,
Range 6,

Lot 2, Southeast Quarter of Northwest Quarter of Section 7, Township
25, Range 9, Osage County, Oklahoma,

be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 35, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 36, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 37, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that that part of Cause of Action No. 39, covering the property hereinbefore described, be and the same hereby is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cause of Action No. 40, covering the following described real estate:

Southeast Quarter of Northeast Quarter and East Half of Southeast Quarter of
Section 25, Township 25, Range 3, and

Lot 2, Section 30, Township 25, Range 4, Osage County, Oklahoma,

be and the same hereby is dismissed.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to March 16, 1943.

On this 16th day of March, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

EDNA WEST,

Plaintiff,

-vs-

J. W. BELT; JAP HOLLAND, Sheriff
of Delaware County, Oklahoma; and
the UNITED STATES FIDELITY AND
GUARANTY COMPANY,

Defendants.

No. 904 Civil

JOURNAL ENTRY

This case came on for hearing on the 16 day of March, 1943, before the Honorable Royce H. Savage, Judge of the Federal Court in and for the Northern District of Oklahoma, at a regularly scheduled and assigned pre-trial conference. The plaintiff appeared by her attorney, Mr. Harry D. Pitchford, of Okmulgee, Oklahoma, and the defendants by their attorney Mr. L. Keith Smith, of Jay, Oklahoma.

The Court after examining the files, pleadings and records in the case finds that the plaintiff is a resident of the State of Oklahoma, and that the defendants Jap Holland, and J. W. Belt, each are residents of the State of Oklahoma. The court further finds that the defendant Jap Holland, is a necessary party defendant to this action. The Court concludes that there is not a complete diversity of citizenship between the parties hereto and that this Court is wholly without jurisdiction of the case.

IT IS THEREFORE THE ORDER of the Court, that this case be and the same is hereby ordered dismissed at the cost of the plaintiff and without prejudice to the plaintiff.

ROYCE H. SAVAGE
FEDERAL JUDGE

ENDORSED: Filed Mar 20 1943
E. P. Warfield, Clerk
U. S. District Court ME

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

PRENTISS M. BROWN, Administrator,
Office of Price Administration,

Plaintiff,

vs.

RIVER VALLEY PACKING COMPANY,
a corporation,

Defendant.

CIVIL ACTION NO. 957

PERMANENT INJUNCTION

ON THIS, the 15th day of March, 1943, at the hour of 9:30 o'clock A.M., this cause came on for hearing on its merits upon the petition filed by the plaintiff herein, and the answer filed by the defendants herein, the issues being joined. The plaintiff appeared by his solicitors of record, and the defendant appeared by its attorneys, F. E. Riddle and R. R. Linker. Both sides announced ready for trial, and the plaintiff presented his evidence and rested, and the defendant presented its evidence and rested, and the Court, after hearing argument of counsel and being fully advised in the premises,

finds the issues for the plaintiff and against the defendant, and finds specifically that plaintiff is entitled to a permanent injunction against the defendant as prayed for in his Bill of Complaint.

NOW, THEREFORE, it is ORDERED that the defendant, RIVER VALLEY PACKING COMPANY, a corporation, its agents, servants, employees and attorneys, and all persons, who in active concert and participation with the defendant herein, do any acts in violation of this order, be, and they are hereby permanently enjoined and restrained from directly or indirectly;

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

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

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

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

Court adjourned to March 17, 1943

On this 17th day of March, 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. Kenamer 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

CONSOLIDATED CEMENT CORPORATION, a corporation,)
Plaintiff,)
-vs-) Civil No. 201
BUILDERS SUPPLY COMPANY, a corporation,)
Defendant.)

O R D E R

On this 17th day of March, 1943, for cause shown, J. H. Chandler, Receiver of the Builders Supply Company is hereby authorized as said Receiver to negotiate with The Equitable Life Assurance Society for a loan to pay the semi-annual premium and loan interest due March 14, 1943 on

policy No. 4712797 on the life of James T. Lynch.

ROYCE H. SAVAGE
District Judge

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

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

HOWARD GRAY, as Executor, of the
Estate of Julia S. Pearman, de-
ceased,

Plaintiff,

No. 877 - Equity

vs

EXCHANGE NATIONAL COMPANY, a Corporation,
et al.,

Defendants.

ORDER AUTHORIZING TRUSTEE TO SELL JUDGMENT

On this 17th day of March, 1943, upon application of J. H. McBirney, Successor Trustee, for authority to sell the deficiency judgment against Ira D. Hartshorn, Mattie L. Hartshorn, Mary L. Kirk and W. L. Kirk for the principal sum of Seventy-five (\$75.00) dollars because of the inability of the Trustee, in his judgment, to collect a larger sum thereon.

The Court finds that it is doubtful whether the Trustees could collect any substantial sum on said judgment and that it would be to the best interests of said estate to accept the offer of Seventy-five (\$75.00) dollars made by J. D. Casebeer.

IT IS, THEREFORE, ORDERED, that J. H. McBirney, Successor Trustee, be and he is authorized to sell to J. D. Casebeer and assign to him upon payment of the sum of Seventy-five (\$75.00) Dollars, the deficiency judgment entered against Ira D. Harshorn, Mattie L. Hartshorn, Mary L. Kirk and W. L. Kirk in District Court Case No. 58675 and that upon payment of said sum, the said J. H. McBirney, Successor Trustee, is hereby authorized and directed to execute and assignment of said judgments to the said J. D. Casebeer.

F. E. KENNAMER
United States District Judge

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

Court adjourned to March 18, 1943

On this 18th day of March, 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

James T. Spencer, Administrator of the)
Estate of JACKSON BARNETT, Deceased, Appellant,)
vs.) No. 39 - Civil.
Gypsy Oil Company, a corporation, et al, Appellees.)

ORDER EXTENDING TIME FOR FILING RECORD AND FOR DOCKETING APPEAL

It being satisfactorily shown to the Court, upon the motion of the appellant filed herein, that because of the illness of counsel for appellant, the record on appeal herein cannot be completed, and said appeal docketed in the appellate court within a period of forty (40) days from the date of filing of notice of appeal herein, on the 15th day of February, 1943, and that in order to complete said record and docket said appeal, further time is required therefor, and the Court, being fully advised in the premises,

IT IS ORDERED, that the time for completing the record on appeal and for docketing the appeal of appellant herein in the Circuit Court of Appeals for the Tenth Circuit, to which Court said appeal is prosecuted, is hereby extended to the 15th day of May, 1943.

DATED this 18 day of March, 1943.

ROYCE H. SAVAGE
JUDGE

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

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

Consolidated Cement Corporation, a)
corporation, Plaintiff,)
vs.) Civil No. 201
Builders Supply Company, a corporation, Defendants.)

O R D E R

J. M. Chandler, as Receiver for Builders Supply Company having filed herein his application for an order permitting H. A. Tallman to withdraw as attorney for said receiver and for an order fixing the final compensation of said attorney.

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

J. T. SMITH,	Plaintiff,)
)
vs.		) File No. 937
)
THE FOURTH NATIONAL BANK OF TULSA,	Defendant.)

O R D E R

Now on this 18 day of March, 1943, it appearing to the court that the defendant herein has consented in writing to the plaintiff amending his amended complaint by interlineation as follows: "V. Plaintiff does not have a plain, adequate and complete remedy at law". That such amendment should be allowed.

WHEREFORE, the Clerk of this Court is authorized and directed to permit said plaintiff to make the amendment above set out by interlineation.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to March 19, 1943

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

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 19th day of March, A. D. 1943, it being made satisfactorily to appear that Bryan W. Tabor 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

GEORGE DRYWATER, ET AL.,	Plaintiffs,)	
v.		)	NO. 305 CIVIL
SARAH RUSSELL, ET ALL,	Defendants.)	
UNITED STATES OF AMERICA,	Intervener.)	

JOURNAL ENTRY

This matter coming on for hearing this 19th day of March, 1943, in its regular order, upon the motion of the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the plaintiffs appearing by their attorney, Byron V. Boone, to dismiss this action insofar as it pertains to partition for want of prosecution, and the Court being fully advised in the premises, finds that said motion should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of the United States of America to dismiss the action insofar as it pertains to partition be and the same hereby is sustained.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this action insofar as it pertains to partition be and the same hereby is dismissed.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
United States District Judge

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

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

B ROCKER ENGINEERING COMPANY, a Michigan corporation,	Plaintiff,)	
-vs-)	
GRAND RIVER DAM AUTHORITY, a corporation, organized under the laws of Oklahoma, et al.,	Defendants.	)	NO. 646 CIVIL
FIDELITY & DEPOSIT COMPANY OF MARYLAND, a corporation, et al.,	Third Party defendants.)	

ORDER PERMITTING REFILEING OF MOTION FOR SUMMARY JUDGMENT

On this 19th day of March, 1943, on application of defendant Grand River Dam Authority, it is ordered that the clerk refile Grand River Dam Authority's motion for summary judgment herein to the end that the same shall be considered as being lodged against the complaint of plaintiff as amended by the amended filing succeeding the filing of said motion for summary judgment and upon the answer

of defendant Grand River Dam Authority to the amendment to plaintiff's complaint.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 19 1943
H. P. Warfield, Clerk
U. S. District Court H

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

Herbert Boone,)
Plaintiff,)
)
-vs-) No. 944 Civil
)
Sinclair Oil and Gas Company, et al,)
Defendants.)

O R D E R

On this the 19th day of March, 1943, this cause came on in regular order for hearing upon the motion of C. H. Rosenstein amicus curiae to quash summons and dismiss as to Minnehoma Oil Company and motion to dismiss of the defendant, Sinclair Prairie Oil Company, designated in the petition of plaintiff as Sinclair Oil and Gas Company. The Court having heard argument and being of the opinion that each of said motions should be sustained, IT IS ORDERED

1. That the motion of C. H. Rosenstein amicus curiae to quash summons and dismiss as to Minnehoma Oil Company be and the same hereby is sustained and said action is hereby dismissed as to Minnehoma Oil Company.

2. That said motion to dismiss of the defendant, Sinclair Prairie Oil Company, be and the same is hereby sustained and said cause be and the same is hereby dismissed.

DONE in open Court this 19th day of March, 1943.

ROYCE H. SAVAGE
JUDGE

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

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

C. W. BROOKS,	Plaintiff,)	
)	
vs.)	
		)	No. 945 Civil
R. C. BROOKS, DAVE H. HEWETT, D. B.)	
LeSTOURGEON and THE BROOKS PACKING)	
COMPANY, a corporation,	Defendants.)	

O R D E R

Motion for summary judgment by the defendants as to each count of the petition came on for hearing on Friday, March 19, 1943, and thereupon IT WAS ORDERED,

That the motion for summary judgment be as to each count of the petition denied and over-ruled.

IT WAS FURTHER ORDERED that the defendants have 10 days within which to answer and that the cause be set for trial on April 12, 1943.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to March 20, 1943

On this 20th day of March, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

The United States for the use and benefit of)	
Tom W. Kelly,	Plaintiff,)	
vs.		)	No. 722 - Civil
)	
Central Construction Company, a corporation,)	
and Continental Casualty Company, a corporation,	Defendants.)	
Amulco Products, Incorporated,	Intervenor.)	

FINAL DECREE ON EXCEPTIONS TO REPORT OF SPECIAL MASTER

This cause came on to be heard on March 16, 1943, upon exceptions of Continental Casualty Company to the Master's report filed herein, and was argued by counsel, and thereupon, upon consideration thereof, was ordered, adjudged and decreed as follows:

1. The exceptions of the defendant, Continental Casualty Company, to the report of the Special Master, numbered one, two and three, are overruled.

It is further ordered, adjudged and decreed, that a final decree and judgment be entered herein upon the report of said special master, in favor of the intervenor, Amulco Products, Incorporated, against the Central Construction Company and Continental Casualty Company, defendants, for \$767.13, with interest at the rate of six per cent from October 30, 1941.

Dated March 20, 1943.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Mar 20 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

The United States for the use and benefit of Tom W. Kelly,)	
Plaintiff,)	
vs.)	
	)	No. 722 - Civil
Central Construction Company, a corporation,)	
and Continental Casualty Company, a corporation,)	
Defendants.)	
IN RE THE CLAIM OF TOM W. KELLY,)	
Plaintiff.)	

FINAL DECREE ON EXCEPTIONS TO REPORT OF SPECIAL MASTER

This cause comes on to be heard on the 16th day of March, 1943, upon the exceptions of the defendant, Continental Casualty Company, to the master's report filed herein, and was argued by counsel and, thereafter, leave being granted by the court, counsel for Continental Casualty Company withdrew its exceptions to the report of the special master.

It is therefore ordered, adjudged and decreed that a final decree and judgment be entered herein upon the report of said master in favor of Tom W. Kelly, plaintiff, and against Central Construction Company and Continental Casualty Company for \$7,345.25, with interest at the rate of six per cent. per annum from the 14th day of November, 1941, and for his costs.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Mar 20 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

The United States for the use and benefit of)
 Tom W. Kelly, Plaintiff,)
)
 vs.) No. 722 - Civil
)
 Central Construction Company, a corporation,)
 and Continental Casualty Company, a corporation,)
 Defendants.)
)
 Cities Service Oil Company, Intervenor.)

FINAL DECREE ON EXCEPTIONS TO REPORT OF SPECIAL MASTER

This cause came on to be heard on March 16, 1943, upon exceptions of Continental Casualty Company to the master's report filed herein, and was argued by counsel and thereupon, upon consideration thereof, was ordered, adjudged and decreed as follows:

1. The exceptions of the defendant, Continental Casualty Company, to the report of the Special Master, numbered one, two, three and four, are overruled.

It is further ordered, adjudged and decreed, that a final decree and judgment be entered herein upon the report of said special master, in favor of the intervenor, Cities Service Oil Company, and against the Central Construction Company and Continental Casualty Company, defendants, for \$5,170.26, with interest at the rate of six per cent. per annum from November 19, 1941, and costs.

Dated March 20, 1943.

ROYCE H. SAVAGE
District Judge.

ENDORSED: Filed Mar 20 1943
E. P. Warfield, Clerk
U. S. District Court ME

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

The United States for the use and benefit of Tom)
 W. Kelly, Plaintiff,)
)
 vs.) No. 722 - Civil
)
 Central Construction Company, a corporation, and Con-)
 tinental Casualty Company, a corporation,)
 Defendants.)
)
 Liberty Oil Company, Intervenor.)

FINAL DECREE ON EXCEPTIONS TO REPORT OF SPECIAL MASTER

This cause came on to be heard on March 16, 1943, upon exceptions of Continental Casualty Company to the master's report filed herein, and was argued by counsel, and thereupon, upon consideration thereof, it was ordered, adjudged and decreed as follows:

1. The exceptions of the defendant, Continental Casualty Company, to the report of the special master, numbered one, two and three, are overruled.

It is further ordered, adjudged and decreed that a final decree and judgment be entered herein upon the report of said special master, in favor of the intervenor, Liberty Oil Company, and against the Central Construction Company and Continental Casualty Company, defendants for \$1082.52, with interest at the rate of six per cent. per annum from December 19, 1941 and costs.

Dated March 20, 1943.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Mar 20 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

THE UNITED STATES FOR THE USE AND BENEFIT)	
OF TOM W. KELLY,	Plaintiff,)
)
vs.)
		) No. 722 Civil
CENTRAL CONSTRUCTION COMPANY, a corporation,)	
and CONTINENTAL CASUALTY COMPANY, a corporation,)	
	Defendants.)
)
CLARENCE L. BOYD COMPANY,	Intervenor.)

FINAL DECREE ON EXCEPTIONS TO REPORT OF
SPECIAL MASTER

This cause came on to be heard on March 16, 1943, upon exceptions of the Continental Casualty Company to the Master's report filed herein, and was argued by counsel, and thereupon, upon consideration thereof, it was ordered, adjudged and decreed, as follows:

That the exception of the defendant, Continental Casualty Company, to the report of the Special Master be overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a final decree and judgment be entered herein upon the report of said Special Master in favor of the Intervenor, Clarence L. Boyd Company, in accordance with said Master's report, and against the Central Construction Company and Continental Casualty Company, defendants, for Thirteen Thousand Nine Hundred Thirty-one and 82/100 (\$13,931.82) Dollars, with interest at the rate of six per cent. per annum from December 15, 1941, until paid, and for the costs herein expended.

Dated this 20 day of March, 1943.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Mar 20 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES FOR THE USE AND BENEFIT OF)
 TOM W. KELLY,) Plaintiff,)
 vs.)
 Central Construction Company, incorporation,)
 and Continental Casualty Company, incor-)
 poration,) Defendants.)
 Carl Wasson,) Intervenor.)

No. 722 - Civil

JOURNAL ENTRY OF JUDGMENT, APPROVING REPORT AND FINDINGS OF
SPECIAL MASTER

On this 20th day of March, 1943, the above styled cause on the report of the Special Master and there having been filed no objections to said report and findings of the Master, the court approve and adopts the findings of fact and conclusions of law of the Special Master and finds that intervenor Carl Wasson, is entitled to recover from the Use Plaintiff, Tom W. Kelly, the sum of \$1140.81, with interest from the 23rd day of August, 1941, and is entitled to recover nothing from the defendants, Central Construction Company, and Continental Casualty Company.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the intervenor, Carl Wasson, have and recover of and from Tom W. Kelly, the sum of \$1140.81, with interest from the 23rd day of August, 1941, and his costs; it is further ordered, adjudged and decreed that intervenor, Carl Wasson, have and recover nothing of and from the defendants Central Construction Company and Continental Casualty Company.

Signed in Chambers this 5 day of April, 1943.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Apr 5 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

United States for the use and benefit of Tom)
 W. Kelly,) Plaintiff,)
 vs.)
 Central Construction Company, a corporation,)
 and Continental Casualty Company, a corporation,)
 Defendants.)
 Bradford Pipe & Tool Company, Oklahoma Electric)
 Company, C. B. Maxey, Marshall Supply and Equipment)
 Company, Vaughn Lumber Company, Steven Brown Lumber)
 Company, and Oklahoma Tire and Supply Company,)
 Intervenor.)

No. 722 - Civil

ORDER OF DISMISSAL

On this 26th day of March, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, ...

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

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

UNITED STATES OF AMERICA,	DISTRICT OF OKLAHOMA)	
	Petitioner,)	
)	
-vs-		)	No. 831 - Civil
)	
CERTAIN PARCELS OF LAND IN TULSA COUNTY,)	
OKLAHOMA and Cyrus S. Avery, et al.,	Respondents.)	

ORDER DISTRIBUTING FUNDS

Now on this 25th day of March, 1943, this cause came on to be heard, and the Court having been fully advised in the premises finds that distribution should be made as to various tracts involved in this proceeding.

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

Parcel 1	
Essie M. Avery (balance of award)	\$1569.20
Parcel 5	
Harold E. Coby (balance of award)	\$ 11.50
Parcel 6	
Harold E. Coby (balance of award)	\$ 42.84
Parcel 8	
R. F. Layman (balance of award)	\$ 47.03
Parcel 11 & 11-A	
Otto F. Bryan, Mrs. Otto F. Bryan, D. C. Bryan (balance of award)	\$ 357.68
Parcel 12	
Elbert L. Morgan (balance of award)	\$ 718.64
Parcel 13 & 13-A	
Ora A. Shaw, The Federal Land Bank of Wichita,	

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 DISTRIBUTING FUNDS

Now, on this 30th day of March, 1943, this cause came on to be heard, and the Court having been fully advised in the premises finds that distribution should be made as To Tract No. 7 and Tract No. A-7, involved in the above proceeding.

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

Tracts Nos. 7 & 7-A

Treasurer of the United States for the use and benefit of Frank Jones and Homer Jones, full blood Creek Indians (balance of award)	\$ 650.00
--	-----------

ROYCE H. SAVAGE
JUDGE

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

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

The City of Miami, Oklahoma, a municipal corporation, ex rel Leonard Versluis,	Complainant,)	
)	
vs.)	
		)	Civil Action No. 928
Chas. L. Hale, et al,	Defendants.)	

O R D E R

Now on this 30 day of March, 1943, the parties to the above entitled cause having stipulated that the defendants may have a further extension of sixty days from this date in which to plead in said cause.

IT is hereby ordered that the defendants be, and they are hereby, given the further extension of sixty days from this date in which to plead.

ROYCE H. SAVAGE
United States Judge

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

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

SCHUTT CONSTRUCTION COMPANY, INC.,
a corporation,

PLAINTIFF,

-vs-

NO. 934 CIVIL

GRAND RIVER DAM AUTHORITY, a
public corporation,

DEFENDANT.

C R D E R

IT IS ORDERED that the defendant have thirty days from and after this date in which to file its answer or other pleadings herein, to the complaint of plaintiff.

DATED this 22nd day of March, 1943.

ROYCE H. SAVAGE
District Judge

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

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

Ada Tiger, now Lozier,

Plaintiff,

vs.

No. 950 Civil

D. C. Sellers, Executor of the Estate
of L. E. Gibson, Deceased,

Defendant.

O R D E R

Now on this 30th day of March, 1943, upon motion of the defendant, D. C. Seller executor of the estate of L. E. Gibson, deceased, it is ordered that Charles E. Lozier, Bennie Hall, Cordelia Hall, and G. T. Bethel be made additional parties defendants, and that summons issue to them as required by law.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

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

ADA TIGER, now LOZIER,	Plaintiff,)
v.)
		) No. 950 Civil
D. C. SELLERS, EXECUTOR of the Estate of)
L. E. Gibson, deceased,	Defendant.)

O R D E R

Now on this 30th day of March, 1943, this matter coming on before the Court on the application of the United States of America for additional time to plead and it appearing to the Court for good cause shown, that said time should be granted,

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

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

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

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

NANCY BRADSHAW, NEE YARHOLA, AN INCOMPETENT, BY SUKEY JENKINS, DAUGHTER AND NEXT FRIEND,	Plaintiff,)
v.)
		) NO. 961 - Civil
SHELL OIL COMPANY, INCORPORATED, A CORPORATION,	Defendant.)

ORDER EXTENDING DEFENDANT'S TIME IN WHICH TO PLEAD OR
ANSWER

This matter coming on this 30th day of March, 1943, upon the application of defendant for an extension of time within which to plead or answer, the court, being fully advised in the premises, is of the opinion that the extension should be granted.

It is, therefore, ORDERED that the time within which the defendant Shell Oil Company Incorporated may plead or answer be extended for 30 days from date.

ROYCE H. SAVAGE
United States District Judge

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

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

LEE ROY GILLUM,	Plaintiff,)	
)	
-vs-		)	No. 966 - CIVIL
)	
OKLAHOMA STEEL CASTINGS CO.,	Defendant.)	
a corporation,)	

ORDER EXTENDING TIME TO PLEAD

FOR GOOD CAUSE SHOWN and pursuant to stipulation of counsel for the parties herein, it is hereby ordered that the Defendant, OKLAHOMA STEEL CASTINGS CO., a corporation, be and is hereby granted an extension of time within which to plead herein, until and including April 30, 1943.

DATED THIS 30th DAY OF MARCH, 1943,

ROYCE H. SAVAGE
JUDGE OF THE DISTRICT COURT

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

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

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

O R D E R

Now on this 30th day of March, 1943, on written application of the Trustee for permission and authority to release the real estate mortgage covering

Lot Four (4) in Block One (1) in Fred Yeager Addition to the City
of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and it appearing to the court that the indebtedness secured by said real estate mortgage has been fully paid and the court finds that said application shall be granted.

IT IS, THEREFORE, ORDERED BY THE COURT that J. H. McBirney, Successor Trustee, in Equity No. 877, be and he is hereby authorized and directed to execute a formal release of the real estate mortgage executed by G. A. Cantrell, a single man, on the 1st day of June, 1931, and recorded in Book 982 at page 284 of the records of Tulsa County, Oklahoma, covering the property hereinabove described.

F. E. KENNAMER
JUDGE

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

On this 31st day of March, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ORDER APPOINTING U. S. COMMISSIONER.

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

In the matter of the)
Appointment of United)
States Commissioner,)
Miami, Oklahoma.)

O R D E R

A vacancy having occurred in the United States Commissioner's office at Miami, Oklahoma, the Court deems it advisable to appoint his successor and does hereby appoint Bryce Ballinger of Miami, Oklahoma, for discharge of duties of said office as provided by law.

IT IS ORDERED by the Court that said Bryce Ballinger be, and he is hereby appointed United States Commissioner of Miami, Oklahoma, for the term of four (4) years, commencing the 1st day of April, 1943, or until the further order of this Court.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Mar 31 1943
H. P. Warfield, Clerk
U. S. District Court

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

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

ORDER APPROVING COMMISSIONERS REPORT AND DIRECTING COURT CLERK TO ISSUE ORDER OF SALE AND APPOINTING JOHN P. LOGAN, UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF OKLAHOMA TO MAKE SALE.

Now on this 31st day of March 1943, this matter coming on for hearing on the motion

of plaintiffs for an order of the court approving report of commissioners heretofore appointed to view and appraise the following land located in Creek County, State of Oklahoma, to-wit:

The Northwest Quarter of Section Seventeen (17) Township Eighteen (18) North, Range Eight (8) East,

and the plaintiffs appearing by their attorney, Mr. L. J. Burt, and the United States of America appearing by Whit Y. Mauzy, United States Attorney, in and for the Northern District of Oklahoma, and Kenneth G. Hughes, Assistant United States Attorney in and for said District, and the court being fully advised in the premises finds that commissioners have made their report in writing and the same has been filed herein, and upon due consideration the court finds that an order of sale should issue and John P. Logan, U. S. Marshal for the Northern District of Oklahoma, should be appointed to make sale of said land.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the commissioners report filed herein be and the same is approved and confirmed; it is the further order of the court that the clerk of this court be and he is hereby directed to issue an order of sale of the land herein described.

IT IS THE FURTHER ORDER OF THE COURT that John P. Logan, United States Marshal for the Northern District of Oklahoma, be and he is hereby appointed to advertise and sell the above described land as provided by law in such cases made and provided and that he report his doings therein for further order of this court.

ROYCE H. SAVAGE
DISTRICT JUDGE

ENDORSED: Filed Mar 31 1943
H. P. Warfield, Clerk
U. S. District Court H

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

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

O R D E R

Now on this 30 day of March, 1943, on application and recommendation of J. H. McBirney, Successor Trustee, for the acceptance of the sum of One Hundred Fifty (\$150.00) dollars, as consideration for the release from the lien of a judgment described in said application upon the property therein described, it is found by the court that said application should be granted.

IT IS, THEREFORE, BY THE COURT ORDERED, that J. H. McBirney, Successor Trustee, in Equity case No. 877 be and he is hereby authorized to accept the sum of One hundred fifty (\$150.00) as full consideration for the release of the judgment hereinafter described and he is hereby authorized and directed to release from the lien of that certain judgment obtained in the District Court of Tulsa

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

ELMER RAY,	Plaintiff,)
)
-vs-)
		) No. 954 - Civil
PHILLIP JOSEPH, H. M. COBB,)
et al,	Defendants.)

O R D E R

For good causes shown,

IT IS ORDERED that the defendants, and each of them, be, and they are hereby, granted an additional ten (10) days from this date in which to plead or answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 1 1943
H. P. Warfield, Clerk
U. S. District Court LN

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

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

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 1st day of April, 1943, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, the statutes in such cases made and provided, and the Executive Order of the President of the United States made pursuant to the authority contained in the Act of June 10, 1920, 41 stat. 1063 (U.S.C. Title 16, Section 809), and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; and that the Administrator of the Federal

Works Agency is the person duly authorized and empowered by law to acquire such lands as are described in the petition for the purpose of generating and supplying power for the manufacture of explosives or munitions of war or otherwise necessary to the safety and defense of the United States, and for the construction of Public Works; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of \$2945.00, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE on this 1st day of April, 1943, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to erect, operate and maintain a line or lines of poles, h-frame structures, towers of other structures, wires, cables and fixtures for the transmission of electric current upon, over and across said land, situate, lying and being in the County of Mayes, State of Oklahoma, and more particularly described by courses and distances as follows, to-wit:

TRACT NO. 1 (308 - 1.1)
Perpetual Easement

A strip of land 100 feet in width in the North 20.0 acres of Lot 1, Sec. 33, T 20 North, Range 19 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 North boundary of said Lot 1, 664.7 feet from the NW corner thereof; thence Southwesterly to a point in said North 20.0 acres of Lot 1 50.0 feet North and 125.0 feet East of the SW corner thereof; thence West to a point in the West boundary of said North 20.0 acres of Lot 1, 50.0 feet from the SW corner thereof.

TRACT NO. 2 (308 - 1.2)

The South 100 feet of the North $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 3 (308 - 1.3)

The South 100 feet of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 4 (308 - 1.4)
Perpetual Easement

The South 100 feet of the $N\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 5 (308 - 2.1)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ NE $\frac{1}{4}$ 610.0 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ NE $\frac{1}{4}$, 702.0 feet from the NW corner thereof.

TRACT NO. 6 (308 - 2.2)
Perpetual Easement

A strip of land 100 feet in width in the $E\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T 20 N - R 19 E of the Indian Base and Meridian, in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $E\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 702.0 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $E\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 725.0 feet from the NW corner thereof.

TRACT NO. 7 (308 - 2.3)
Perpetual Easement

A strip of land 100 feet in width in the $W\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $W\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 725.0 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $W\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 748.0 feet from the SW corner thereof.

TRACT NO. 8 (308 - 2.4)
Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T 20 N - R 19 E of the Indian Base and Meridian, in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 88.0 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 133.9 feet from the NW corner thereof.

TRACT NO. 9 (308 - 3.1)
Perpetual Easement

All that part of the $N\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, T 20 N - R 19 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 East boundary of said $N\frac{1}{2}$ NE $\frac{1}{4}$, 793.9 feet from the NE corner thereof, thence S. $87^{\circ} 49'$ W a distance of 381.6 feet to a point in said $N\frac{1}{2}$ NE $\frac{1}{4}$ which point is in the East right-of-way line of the existing Grand River Dam Project 100-foot easement strip, 808.4 feet South and 381.3 feet West of the NE corner of said $N\frac{1}{2}$ NE $\frac{1}{4}$.

TRACT B:

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 North boundary of said $N\frac{1}{2}$ NE $\frac{1}{4}$ 774.8 feet from the N E corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ NE $\frac{1}{4}$, 302.5 feet from the NW corner thereof.

TRACT C:

Beginning at a point in said $N\frac{1}{2}$ NE $\frac{1}{4}$, 858.4 feet South and 423.7 feet West of the NE corner thereof; said point being further described as being in the East boundary line of the existing Grand River Dam Project 100-foot easement strip and in the South boundary line of Tract "A" described above; thence N. $87^{\circ} 49'$ East along the South boundary line of Tract "A" described above, a distance of 50 feet; thence Southwesterly to a point in the East boundary line of said existing Grand River Dam Project 100-foot easement strip; thence Northerly along the East boundary line of said existing Grand River Dam Project 100-foot easement strip, a distance of 600 feet to the point of beginning.

TRACT NO. 10 (308 - 3.2)
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 1, Sec. 31, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, 302.5 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said Lot 1, 590.0 feet from the SW corner thereof,

TRACT NO. 11 (308 - 4.1)

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 20 N - R 19 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 said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 179.8 feet North and 333.8 feet East of the SW corner thereof, said point being in the West right-of-way line of the existing Grand River Dam Project 100-foot easement; thence Southwesterly to a point in the West boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 125.0 feet from the SW corner thereof.

TRACT B:

Beginning at the point of intersection of the North boundary line of Tract A described above, and the West boundary line of the existing Grand River Dam Project 100-foot easement strip; thence Northeasterly along the West boundary line of said existing Grand River Dam Project 100-foot easement strip, a distance of 500 feet; thence Southwesterly to a point in the North boundary line of said Tract "A" described above; thence Northeasterly along the North boundary line of said Tract "A" described above, a distance of 50 feet to the point of beginning, all situated in said SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29.

TRACT NO. 12 (308 - 5.1)
Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T 20 N - R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 125.0 feet from the SE corner thereof; thence Southwesterly to a point in the South boundary of said S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 774.3 feet from the SE corner thereof.

TRACT NO. 13 (308 - 6.1)
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 590.0 feet from the SE corner thereof; thence Southwesterly to a point in the West boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 174.4 feet from the NW corner thereof.

TRACT NO. 14 (308 - 6.2)Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said SW $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 174.4 feet from the N E corner thereof; thence Southwesterly to a point in the West boundary of said SW $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 278.8 feet from the NW corner thereof.

TRACT NO. 15 (308 - 6.3)Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 278.8 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 487.5 feet from the N W corner thereof.

TRACT NO. 16 (308 - 6.4)Perpetual Easement

A strip of land 100 feet in width in that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying East of the M. K. & T. Railway and that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying E. of the M. K. & T. railway, all in Sec. 36, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 487.5 feet from the N E corner thereof; thence S. 81° 02' W. a distance of 929 feet to a point in the East right-of-way line of the M. K. & T. Railway right-of-way.

TRACT NO. 17 (308 - 6.4A)Perpetual Easement

A strip of land 100 feet in width in that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying west of the M. K. & T. Railway and that part of the NW $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying west of the M. K. & T. Railway, all in Sec. 36, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NW $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, 36.3 feet from the NW corner thereof; thence N. 81° 02' East a distance of 206.5 feet to a point in the west right-of-way line of said M. K. & T. Railway right-of-way.

TRACT NO. 18 (308 - 6.5 (Rev.))
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, less the N. 600 feet of the W. 210 feet, all in Sec. 36, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 36.3 feet from the NE corner thereof; thence southwesterly to a point in the East boundary of said N. 600 feet of the W. 210 feet of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 211.8 feet from the NE corner of said W. 210 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

TRACT NO. 19 (308 - 6.6 (Rev.))
Perpetual Easement

A strip of land 100 feet in width in the North 600 feet of the West 210 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T 20 N, R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said N. 600 feet of the W. 210 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 211.8 feet from the NE corner thereof, thence southwesterly to a point in the west boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 245.0 feet from the NW corner thereof.

TRACT NO. 20 (308 - 7.1)
Perpetual Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T 20 N - R 18 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 in said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 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 $\frac{1}{4}$, 245 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 449.3 feet from the NW corner thereof, and

TRACT B:

Beginning at the NW corner of said S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence Easterly along the North boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 285.0 feet; thence Southwesterly to a point in the West boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence Northerly along the West boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 44.1 feet to the point of beginning.

TRACT NO. 21 (308 - 7.2)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. 35, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, 449.3 feet from the NE corner thereof; thence southwesterly to a point in the West boundary of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, 653.5 feet from the NW corner thereof.

TRACT NO. 22 (308 - 7.3)Perpetual Easement

A strip of land 100 feet in width in the $SE\frac{1}{4}$ $NW\frac{1}{4}$ and the $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 35, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point on the East boundary of said $SE\frac{1}{4}$ $NW\frac{1}{4}$, 653.5 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, 299.9 feet from the NW corner thereof.

TRACT NO. 23 (308 - 7.4)Perpetual Easement

A strip of land 100 feet in width in the $SW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 35, T 20 N - R 18 E of the Indian Base and Meridian, in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $SW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, 299.9 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $SW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, 258 feet from the SW corner thereof.

TRACT NO. 24 (308 - 8.1)Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 34, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, 258 feet from the SE corner thereof; thence Southwesterly to a point in the West boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, 55.5 feet from the SE corner thereof.

TRACT NO. 25 (308 - 8.2)Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 34, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said S_1 $SW\frac{1}{4}$ $NE\frac{1}{4}$, 55.5 feet from the SE corner thereof; thence Southwesterly to a point in the South boundary of said S_1 $SW\frac{1}{4}$ $NE\frac{1}{4}$, 361.3 feet from the SE corner thereof.

TRACT NO. 26 (308 - 8.3)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 34, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said $N\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, 361.8 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, 147 feet from the NW corner thereof.

TRACT NO. 27 (308 - 8.4)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $N\frac{1}{2}$ $SW\frac{1}{4}$, Sec. 34, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $N\frac{1}{2}$ $SW\frac{1}{4}$, 147 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ $N\frac{1}{2}$ $SW\frac{1}{4}$, 552 feet from the NW corner thereof.

TRACT NO. 28 (308 - 9.1)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $SE\frac{1}{4}$, Sec. 33, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$, 552 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ $SE\frac{1}{4}$, 958.5 feet from the NW corner thereof.

TRACT NO. 29 (308 - 9.2)
Perpetual Easement

A strip of land 100 feet in width in the $S\frac{1}{2}$ $N\frac{1}{2}$ $SW\frac{1}{4}$, and the $N\frac{1}{2}$ $S\frac{1}{2}$ $SW\frac{1}{4}$, Sec. 33, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $S\frac{1}{2}$ $N\frac{1}{2}$ $SW\frac{1}{4}$, 298.3 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ $S\frac{1}{2}$ $SW\frac{1}{4}$, 50 feet from the NW corner thereof.

TRACT NO. 30 (308 - 10.1)Perpetual Easement

The North 100 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T 20 N - R 18 E of the Indian Base and Meridian, in Mayes County, Oklahoma

TRACT NO. 31 (308 - 10.2)Perpetual Easement

The North 100 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and the North 100 feet of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the North 100 feet of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec. 32, T 20 N - R 18 E of the Indian Base and Meridian, in Mayes County, Oklahoma

TRACT NO. 32 (308 - 10.3)Perpetual Easement

The North 100 feet of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 33 (308 - 11.1)Perpetual Easement

The North 100 feet of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 34 (308 - 11.2)Perpetual Easement

The North 100 feet of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the North 100 feet of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TRACT NO. 35 (308 - 11.3)Perpetual Easement

The North 100 feet of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T 20 N - R 18 E of the Indian Base and Meridian in Mayes County, Oklahoma.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 1, 1943

surrender and deliver uppossession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 10th day of April, 1943, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Apr 1 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 2, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 2, 1943

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

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

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

MISCELLANEOUS - OATH OF BRUCE BALLINGER, U. S. COMMISSIONER.

UNITED STATES OF AMERICA,)
NORTHERN DISTRICT OF OKLAHOMA.) SS:

I, Bryce Ballinger, do solemnly swear that I will administer justice without respect to persons and do equal right to the rich and the poor, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as United States Commissioner, agreeably to the Constitution and Laws of the United States.

I further do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic and that I will bear true faith and allegiance to the same, and that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

BRYCE BALLINGER

ENDORSED: Filed Apr 2 1943
H. P. Warfield, Clerk
U. S. District Court

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

M. M. VALERIUS,

Plaintiff,

-vs-

The Unknown heirs, executors, adminis-
trators, devisees, trustees and assigns,
immediate and remote, of CE-KIE CARSE-
LUEK, full blood Cherokee Citizen, Roll
No. 32873, deceased, Defendants.

No. 632 Civil

UNITED STATES OF AMERICA,

Intervener.

JOURNAL ENTRY

On the 4 day of Jan., 1943, the same being a regular day of the January term of the Federal Court in and for the Northern District of the State of Oklahoma, and the above entitled and numbered cause came on for hearing before the Honorable Royce H. Savage, Judge of the Federal Court; the plaintiff being represented by L. Keith Smith, his attorney of record, and the United States of America, intervener in said cause, being represented by the Honorable Whit Y. Mauzy, United States Attorney; and it first being shown to the satisfaction of the Court that all of the defendants herein have been duly served with summons in said cause by publication. The Court thereupon examined the affidavit for publication, and the summons of publication, and the affidavit of non-mailing on file in said cause, and the Court having further examined the notice served upon the Superintendent of the Five Civilized Tribes, and the Marshal's return thereof; and having found each and all of the same to be good and sufficient, and the Court having approved said affidavits, summons by publication, the publication thereof, and the proof of said publication, together with the notice served upon the Superintendent of the Five Civilized Tribes, and the marshal's return thereof; and the Court having further found that an affidavit for the appointment of an attorney to represent the non-answering defendants who might be in the military service of the United States as provided for in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and the Court finding upon an examination of the files and records that an attorney had therefore been appointed to represent such non-answering defendants and that the answer of said attorney is on file herein; whereupon the Court proceeded to hear the evidence of witnesses sworn and examined in open Court, at the conclusion of which the Court entered its Findings of Fact and made its Conclusions of law, which are hereby referred to by the Court and in accordance with said Findings of fact and conclusions of law;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, M. M. Valerius, is the owner of the legal and equitable fee simple title in and to the following described property, to-wit:

The West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) and the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) and the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), of Section 26, Township 22 North and Range 23 East, of the Indian Base and Meridian, containing 130 acres, more or less, situated in Delaware County, Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Willie Pigeon be declared to be the sole and only heir of Ce-Kie Carseluke, deceased, and that said Willie Pigeon is the owner of the legal and equitable fee simple title in and to the following described property, to-wit:

The South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 26, Township 22 North

and Range 23 East, of the Indian Base and Meridian, situated in Delaware County, Oklahoma.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of the Court that the title to all of the above real estate be, and the same is hereby, quieted in M. M. Valerius and Willie Figeon as hereinabove set forth, as against each and all of the defendants herein, and that said defendants and each of them be and they are hereby barred, restrained and enjoined from setting up or asserting any right, title, interest or estate in or to said premises or any part thereof, and each of them are adjudged to have no right, title, interest or estate in or to said real estate hereinabove described.

IT IS THE FURTHER ORDER OF THE COURT that this judgment be entered as against all non-answering defendants who may be in the military service of the United States as the term is defined by the Soldiers' and Sailors' Civil Relief Act of 1940 as amended.

ROYCE H. SAVAGE
FEDERAL JUDGE

ENDORSED: Filed Apr 2 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 VINITA, OKLAHOMA, a Municipal Corporation,)
Plaintiff,)

Vs

Case No. 907

INDA O'FIELD COMING, a full-blood Cherokee Indian,)
enrolled opposite Roll No. 2892-M, et al.,)
Defendants.)

ORDER APPOINTING GUARDIAN AD LITEM

WHEREAS, plaintiff has filed herein its petition stating that Eleanor Maxine Coming is a full-blood Cherokee Indian minor; that said minor was duly and legally served with process in this action; that more than twenty days have expired since the date of service upon said minor; that said minor has not answered and that no one has filed a petition in her behalf for the appointment of a Guardian Ad Litem to represent the interests of said minor, in this action. Said plaintiff asks in said petition that the Court appoint a Guardian Ad Litem to represent said minor in this action.

The Court being well and sufficiently advised in the premises, finds that a Guardian Ad Litem should be appointed,

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Kenneth Hughes, of Tulsa, Oklahoma, be, and he is hereby appointed Guardian Ad Litem to represent the said Eleanor Maxine Coming a minor, Indian defendant in this action.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 2 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned April 2, 1943

On this 3rd day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

KATIE BOWEN, Nee Terrell, Et Al., Plaintiffs,

vs.

No. 727 Civil

The Unknown Heirs, Executors, Administrators, Devisees, Trustees and Assigns, immediate and remote, of William Terrell, et al., Defendants.

United States of America, Intervener.

ORDER APPROVING SALE AND DIRECTING DISBURSEMENT OF PROCEEDS

Now, on this 3rd day of April, 1943, there came on for hearing the Motion of Katie Bowen, nee Terrell, et al., plaintiffs herein, for approval and confirmation of sale of lands in controversy by the U. S. Marshal for the Northern District of Oklahoma, and directing payment of all costs attorney's fees and abstract fees, and directing disbursement of the residue of the proceeds of sale to those found entitled thereto. Said plaintiffs appearing in person and by C. F. Bliss, their attorney, and defendants herein, the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of William Terrell, of three-fourths quantum Indian bloody Roll No. 160-80, appearing by M. S. Robertson, U. S. Probate Attorney, and the United States of America, Intervener herein, appearing by Whit Y. Mauzy, its attorney.

And the Court having examined the Return of Sale, filed herein by the U. S. Marshal for the Northern District of Oklahoma, and all proceedings of sale, finds that said sale and return were in compliance with the Statutes of the State of Oklahoma, in such cases made and provided, and in obedience to the orders and judgment of this Court.

And all of said records of sale having been carefully examined by the Court, the Court is satisfied with the legality of the sale of said real estate, and finds that the sale of said real estate, and the proceedings of said Marshal in said sale, should be, and the same are, in all things approved, and the Clerk of the United States District Court, for the Northern District of Oklahoma, is directed to cause his records, by proper notation, to show that the Court is satisfied with the legality of said sale.

The Court finds that opportunity has been afforded the parties of interest to take the real estate in controversy at its appraised value, and that the parties of interest have failed to elect to take said real estate at its appraised value, and finds that the sale of the real estate involved, 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;

to E. K. Tyler, for a consideration of \$3200.00, should be, and is, hereby, approved and confirmed by this Court.

The Court further finds that there should be allowed, out of the purchase price of \$3200.00, the following items:

Court Clerk, Washington County, Oklahoma, for costs	\$ 27.50
Clerk, U. S. District Court, for costs,	105.37
U. S. Marshal, Commission,	47.84
Charles F. Bliss, Attorney's fees, Tahlequah	300.00
Morning Examiner, Publication fee	20.00

and that the residue should be, by the U. S. Marshal for the Northern District of Oklahoma, disbursed to the parties of interest, as follows:

Katie Bowen, nee Terrell, for her undivided 1/8th interest,	\$ 337.41
Ella Bean, nee Terrell, for her undivided 1/8th interest,	337.41
Susie Stonecipher, nee Terrell, for her undivided 1/8th interest	337.41
Viola Young, nee Terrell, for her undivided 1/8th interest,	337.41
Charlie Terrell, for his undivided 1/8th interest,	337.41
Etta Ballard, nee Terrell, for her undivided 1/8th interest,	337.41
Paul Terrell, for his undivided 1/8th interest,	337.41
Bill Terrell, for his undivided 1/8th interest,	337.42
Total	<u>3200.00</u>

The Court further finds that upon receipt of the consideration, as aforesaid \$3200.00, U. S. Marshal for the Northern District of Oklahoma, is hereby ordered and directed to execute to said purchaser a good and sufficient deed to said real estate, and that said purchaser have the immediate possession of said real estate, in each and every part thereof.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE
for the Northern District of Oklahoma

ENDORSED: Filed Apr 7 1943
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to April 5, 1943.

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 5, 1943

On this 5th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

No. 652 - Civil

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

Respondents.

ORDER OF DISMISSAL AS TO TRACTS NOS. B-17 and D-2

Now on this 5th day of April, 1943, this cause comes on to be heard upon the oral motion of the petitioner for an Order of Dismissal as to Tracts Nos. B-17 and D-2 involved in this proceeding, and the Court, having been fully advised in the premises, finds that said tracts have been acquired by direct purchase and no reason exists for the continuation of this cause as to said tracts.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause be, and the same is hereby dismissed as to Tract No. B-17, more particularly described as follows, to-wit:

Tract No. B-17

The East Half of the Southwest Quarter ($E\frac{1}{2} SW\frac{1}{4}$) and the East Half of the Northwest Quarter of the Southwest Quarter ($E\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$) of Section Two (2), Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 100 acres, more or less,

and as to Tract No. D-2, more particularly described as follows, to-wit:

Tract No. D-2

The Northwest Quarter ($NW\frac{1}{4}$) of Section Fifteen (15) Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, and containing 160 acres, more or less.

ROYCE H. SAVAGE
JUDGE

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

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

United States for the use and benefit
of Tom W. Kelly,

Plaintiff,

vs.

Central Construction Company,
a Corporation, and Continental
Casualty Company, a Corporation,

Defendants.

Clarence L. Boyd Company, a
corporation,

Intervenor.

No. 722 - Civil

ORDER GRANTING STAY

On Application of Continental Casualty Company, Defendant, supersedeas bond having been approved and filed, stay of execution is granted pending and during the appeal of this case to the United States Circuit Court of Appeals for the Tenth Circuit.

Signed in Chambers this 5 day of April, 1943.

ROYCE W. SAVAGE
District Judge

ENDORSED: Filed Apr 5 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

QUAY FRANKLIN, et al.,

Plaintiffs,

vs.

Civ. Action No. 390

SKELLY OIL COMPANY, a
corporation,

Defendant.

ORDER GRANTING LEAVE TO FILE AMENDED ANSWER

This cause came on to be heard on defendant's Motion for Leave to File An Amended Answer, and it appearing that the attorneys for the plaintiffs herein have been served with a copy of said motion, together with a copy of the amended answer attached thereto, and have consented to the filing of said amended answer in this cause, and for good cause shown, it is

ORDERED BY THE COURT that defendant be and it is hereby given leave to file said amended answer forthwith, and that plaintiffs be and they hereby are given ten (10) days from this date within which to reply or move with respect to said amended answer.

Dated this April 5, 1943.

ROYCE W. SAVAGE
JUDGE

ENDORSED: Filed Apr 5 1943
H. P. Warfield, Clerk
U. S. District Court ME

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

PRENTISS M. BROWN, Administrator,
Office of Price Administration,

Plaintiff,

CIVIL NO. 969

vs.

Chas. Butcher, an individual,

Defendant.

J U D G M E N T

Plaintiff having filed his Complaint, and defendant having appeared for himself and by and through counsel, and having waived answer, and any and all defenses to the claims set forth in the Complaint, and hearing and findings of fact and conclusions of law, in accordance with the stipulation between the parties hereto, entered into on the 15th day of April, 1943, filed herein, and sufficient reasons therefor appearing;

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

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

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

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to April 6, 1943

On this 5th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1943 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

The Unknown heirs, executors, administrators, devisees, trustees, and assigns, immediate and remote, of Berry Cuning, a full-blood Cherokee Indian, enrolled opposite Roll No. 3681-M, deceased,

and said plaintiff having requested the appointment of an attorney to represent all of said defendants as required by the Soldiers' and Sailors' Civil Relief Act of 1940,

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT, that Kenneth G. Hughes, a member of the local Bar of Tulsa County, Oklahoma, be, and he is hereby appointed attorney to represent all of the defendants hereinabove named who are now or may have been within the last thirty days, in the military service of the United States.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed In Open Court
Apr 5 1943.
H. P. Warfield, Clerk
U. S. District Court .H

Court adjourned to April 6, 1943

On this 6th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

United States of America,

Libelant,

vs.

No. 962 Civil

One 1941 Studebaker Sedan, Motor
No. H-140522; approximately 24.900
gallons of taxpaid whiskey; Frank
J. Fletcher and Commercial Credit
Corporation, of Tulsa, Oklahoma,

Claimants.

O R D E R

Now on this 6th day of April, 1943, this cause coming on to be heard on the petition of the Commercial Credit Corporation for recalculation and remission of forfeiture, and the Court having heard all of the evidence and argument of attorneys and being fully advised in the premises, having found that said petition for recalculation of the Commercial Credit Corporation should be granted and

and that the interest of Frank J. Fletcher in the automobile herein involved should be forfeited and confiscated.

IT IS THEREFORE ORDERED that the interest of Frank J. Fletcher in the automobile hereinafter described be and the same hereby is forfeited and confiscated and the petition of the Commercial Credit Corporation for remission of forfeiture is granted and the automobile hereinafter described, to-wit:

One 1941 Studebaker Sedan, Motor No. H-140522,

is remitted to the Commercial Credit Corporation by virtue of its conditional sales contract set out in its petition herein.

It is further ordered that the amount unpaid on said contract of Commercial Credit Corporation, including interest, is the sum of \$355.91.

It is further ordered that as a condition of the granting of said petition for remission of forfeiture, the Commercial Credit Corporation pay into Court as the value of the forfeiture interest of Frank J. Fletcher in the said automobile, the sum of \$200.00 and the storage costs herein.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to April 7, 1943

On this 6th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1943 Term at Vineta, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

J. M. Kurn and John G. Lonsdale, Trustees of St. Louis-San Francisco Railway Company, as trustees for Great American Insurance Company, Plaintiffs,

vs.

No. 897 Civil

C. R. Fickerill and C. R. Pickerill, doing business under the name and style of Southwest Oil Company, Charles Howerton and National Mutual Casualty Company, an Oklahoma corporation, Defendants.

ORDER DISMISSING ACTION

Now on this 6th day of April, 1943, this matter comes on to be heard at Vihta, Oklahoma, upon the motion of the plaintiffs for an order allowing said plaintiffs to dismiss this action with prejudice, and also upon the motion of the defendant C. R. Pickerill, doing business under the name and style of Southwest Oil Company, for an order dismissing the cross-complaint of said defendant with prejudice and at the costs of the defendants, and the Court being advised in the premises and being informed that said costs have been paid by the defendants finds that said motions should be in all things sustained.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiffs' cause of action shall be, and it is hereby dismissed with prejudice to the bringing of a future action, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the cross-complaint of the defendant C. R. Pickerill, doing business under the name and style of Southwest Oil Company, is hereby dismissed with prejudice to the bringing of a future action.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed in Open Court
Apr 6 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 7, 1943

On this 7th day of April, A. D. 1943, the District Court of the United States in and 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. Haury, 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

CONSOLIDATED CEMENT CORPORATION, a corporation,	Plaintiff,)	
)	
-vs-		)	Civil No. 201
)	
BUILDERS SUPPLY COMPANY, a corporation,	Defendant.)	

O R D E R

On this 7th day of April, 1943 there comes on for hearing application of J. E. Chandler, Receiver of the Builders Supply Company, for order of the court authorizing the withdrawal of H. A. Tallman as attorney for such Receiver, and the court being advised in the premises, and it being shown that due notice of this hearing has been given to all of the parties interested herein, the court finds that said application should be granted and it is so ordered. Final compensation to the said H. A. Tallman as attorney for the Receiver herein is hereby fixed at \$500.00, and the Receiver is authorized to pay the same out of the assets of said estate.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed In Open Court
Apr 7 1943
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.)	
)	
77.15 acres of land, more or less, situate in Mayes County, Oklahoma, and the known and un- known heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, of Will Giles, deceased, et al.,	Remnants.	)	No. 800 - Civil

ORDER FIXING TITLE, CONFIRMING COMMISSIONERS AWARD AS TO
TRACT NO. F-200, AND DISTRIBUTING FUNDS DEPOSITED AS
TO TRACT F-201

Now on this 8th day of April, 1943, this case came on to be heard, pursuant to due

notice given, and the Court having been fully advised in the premises finds that at the time of taking the petitioner fee simple title subject to no lien of any kind or character other than outstanding ad valorem taxes, if any, to the following described tracts of land was vested in the persons immediately thereafter set forth:

Tract No. F-200

Lot Three (3) of Section Eleven (11), and the South Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Twelve (12), Township Twenty (20) North, and Range Nineteen (19) East, of the Indian Base and Meridian, containing Twenty-eight and 65/100 (28.65) acres, more or less, situate in Mayes County, Oklahoma.

Title in:

Rosa Giles	10/27
Carrie Robbins	3/27
Minnie Carpenter	2/27
Lester Giles	2/27
Iva Featherston	2/27
Arthur Giles	2/27
Elmer Giles	3/27
Walter Reed	1/27
Eugene Giles	2/27

Tract No. F-201

The Northwest Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Thirteen (13); and Lot One (1) of Section Fourteen (14); all in Township Twenty (20) North, and Range Nineteen (19) East, of the Indian Base and Meridian, containing Forty-eight and 50/100 (48.50) acres, more or less, situate in Mayes County, Oklahoma.

Title in:

Ethel Reed	1/6
Edna Smith	1/6
Oscar Reed	1/6
Walter Reed	1/6
Irene Bewley	1/6

As to Tract F-200, the Court further finds that in addition to her 10/27 interest in the land, Rosa Giles has a homestead right of occupancy for her lifetime.

The Court further finds that as to Tract F-200, no objections to the commissioners award have been made by any party to this proceeding; that the time for filing objections to the commissioners award has expired; and that the commissioners award should be confirmed and approved as to Tract F-200.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that title to Tracts Nos. F-200 and F-201, at the time of taking by the petitioner, was vested in the persons hereinabove set forth in the findings of the Court, and that said persons are entitled to whatever awards are made to said tracts subject only to the payment of ad valorem taxes, if any.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the commissioners award as to Tract F-200 be, and the same is hereby adopted and approved by the Court, and the value of Tract F-200, including crops and all damages of every kind and character, is hereby fixed at the sum of \$1173.00.

IT IS FURTHER ORDERED that as To Tract F-201, the Court Clerk issue a check payable as follows:

Ethel Reed, Edna Smith, Oscar Reed, Walter Reed, Irene Bewley, and the County Treasurer of Meigs County, Oklahoma (distribution of deposit) \$2,150.00

ROYCE W. SAVAGE
JUDGE

ENDORSED: Filed Apr 7 1943
H. F. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA, Plaintiff,)
v.) No. 948 Civil
HOMER R. PEARSON and MRS. HOMER PEARSON, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 17th day of March, 1943, this matter coming on before the court upon the application of the plaintiff United States of America, for a permanent injunction, plaintiff appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and Kenneth G. Hughes, Assistant United States Attorney for said district, and the defendants appearing by their attorneys, Tillman and Tillman, and the court, after the introduction of evidence and hearing the testimony of witnesses taken in open court, and after argument of counsel, finds:

That the following described land located in Osage County, Oklahoma, to-wit:

South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 7; and the Northwest Quarter (NW $\frac{1}{4}$) and the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 18, Township 28 North, Range 6 East, Osage County, Oklahoma;

is restricted Osage Indian land. That Mary Kenworthy Henderson full-blood Osage Allottee No. 235, is the lawful owner of said land above described.

That said land is under the supervision, jurisdiction and control of the Secretary of the Interior of the United States.

That the defendants, Homer R. Pearson and Mrs. Homer R. Pearson, have no lease of whatsoever kind or nature, executed by the above-named land owner or approved by the Secretary of the Interior, as required by law.

and control of the above described premises.

And it further appearing to the court that said defendants have failed and refused to comply with such order heretofore entered in this cause, and are on this date retaining possession management and control of said premises in violation of said order.

NOW, therefore, John P. Logan, United States Marshal of the Northern District of Oklahoma, is hereby DIRECTED AND ORDERED to remove said defendants from possession of the above-described premises forthwith.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 7 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 8, 1943

On this 7th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1943 Term at Vinita, Oklahoma, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

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

vs.)

INDA O'FIELD COMING, a full-blood Cherokee)
Indian, enrolled opposite Roll No. 3882-11;)

ELEANOR MARINE COMING;)

) Case No. 907

The Unknown Heirs, Executors, Administrators)
Devisees, Trustees and Assigns, Immediate and)
Remote, of Berry Coming, a full-blood Cherokee)
Indian, enrolled opposite Roll No. 3881-11, de-)
ceased; and)

THE UNITED STATES OF AMERICA, Defendants.

ORDER CONFIRMING REPORT OF COMMISSIONERS
AND JUDICIAL ENTRY OF JUDGMENT FIXING TITLE

Now, on this 7th day of April, 1943, upon motion of plaintiff in the Court, the

Journal Entry filed herein on April 5, 1943, is ordered withdrawn for correction, and this Order and Journal Entry shall be in lieu and supersede the Order and Journal Entry filed herein on April 5, 1943.

Said cause of action and report of commissioners, filed hereon on the 15th day of January, 1943, coming on for hearing and the plaintiff, The City of Vinita, Oklahoma, a Municipal Corporation, appearing by its attorneys of record, Richard L. Wheatley, and the United States of America, appearing and being represented by the Honorable Whit M. Mauzy, United States District Attorney, and all parties announce ready for trial, and it appearing to this Court that the plaintiff, The City of Vinita, Oklahoma, a Municipal Corporation, filed herein, its petition and application for the acquisition by eminent domain of the fee simple title in and to all of the following described real estate 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; and

It appearing to this Court that The City of Vinita, Oklahoma, is a municipal corporation, and under and by virtue of the Constitution and Statutes of the State of Oklahoma, has the right of eminent domain; and

It further appearing that pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940, the plaintiff has filed herein its affidavit as to the military service of the defendants and that pursuant thereto, upon application of the plaintiff, this Court has appointed the Honorable Kenneth Hughes, an attorney of this Bar, to appearing in this cause and represent the interest of the defendants who are in the military service of the United States, and who, in the affidavit of the plaintiff, it is stated that plaintiff does not know whether they are in the military service of the United States or not, and the attorney appointed has filed herein answer for and on behalf of the said defendants, and appears in open Court to represent the interest of said defendants, and the law having been fully complied with, plaintiff is entitled to proceed in this cause against the said defendants to judgment; and

It further appearing that the plaintiff, The City of Vinita, Oklahoma, a Municipal Corporation, has heretofore established an "airport" or "flying training field" in Section 35, Township 26 North, Range 20 East, in Craig County, State of Oklahoma, and in preparing to and will build and construct or cause to be built or constructed thereon hangars, runways and other facilities necessary for the operation of said "airport" or "flying training field", and that in the construction of said "airport" or "flying training field" it is necessary for The City of Vinita, Oklahoma, a Municipal Corporation, appropriate the fee simple title in and to all of the above described real estate for such purposes, and

It further appearing that the plaintiff, The City of Vinita, Oklahoma, a Municipal Corporation, has been unable to acquire and secure the fee simple title in and to all of the real estate hereinabove described by purchase from said defendants and that the only manner in which The City of Vinita, Oklahoma, a Municipal Corporation, may acquire said fee simple title in and to said real estate is by condemnation; and

It further appearing to this Court that all requirements as required by law have been met by plaintiff, The City of Vinita, Oklahoma, a Municipal Corporation, and that all of the defendants, who are known and who are residents of the State of Oklahoma, either by personal service, or having entered their general appearance and waived the service of notice of the condemnation and appropriation and of the notice of the time and appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for appointment of commissioners, and that all of the defendants who are non-residents and who are unknown to the plaintiff, or who have not been informed and had neither granted nor refused to grant the right-of-way through and over their premises have been given four (4) weeks' notice by a description of such real estate by publication for four (4) consecutive weeks in the Vinita Leader, a newspaper of general circulation in Craig County, State of Oklahoma, prior to the date of the hearing of the application for appointment of commissioners, and that

all of the defendants herein named have had due and sufficient notice of this action and of the appointment of commissioners as prayed for in plaintiff's petition and application; and

That on the 5th day of January, 1943, the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma, after considering the petition and application of the plaintiff, selected and appointed from the regular jury list of names, R. P. Gillett, Hugh McClure, and Walter Gum, three (3) disinterested freeholders of Craig County, Oklahoma, to inspect said real property and consider the injury which said owners thereof, or those having any right, title or interest therein may sustain by reason of the condemnation and appropriation by plaintiff of the fee simple title in and to all of the real estate hereinabove described which said owners may sustain by such appropriation, irrespective of any benefits or any improvements proposed; and

That on the 12th day of January, 1943, said commissioners took the oath of office as commissioners to perform their duties impartially and justly and did actually go upon, and actually view and inspect the real property involved in this matter and did consider the injury which the owners thereof, and those having any right, title or interest therein, and did assess the damages which said owners thereof, and those having any right, title or interest therein may sustain by reason of the taking of said property for an "airport" or "flying training field", and that said commissioners did report in writing to the Clerk of this Court, setting forth quantity, boundaries and value of the property taken and the amount suffered by said injury, either directly or indirectly, which they assessed to the owners and those having any right, title or interest therein, said report having been filed with the Clerk of this Court on the 15th day of January, 1943. A copy of said report is hereto attached and made a part hereof; and

It further appearing to this Court that the plaintiff, The City of Vinita, Oklahoma a Municipal Corporation, has paid to the Clerk of this Court, for the use of said owners, and those having any right, title or interest in said real estate, the sums so assessed and reported; and

It further appearing that more than sixty (60) days have elapsed since the filing of the report of said commissioners and that neither plaintiff, or any of the defendants have filed written exceptions to the report of the commissioners, praying for a review by this Court or demanding a trial by jury; and

It further appearing that Eleanor Maxine Coming, a minor full-blood Cherokee Indian has been personally served with process in this action, and having failed to appear, except, demur, answer or plead, the Court has appointed Kenneth Hughes, of Tulsa, Oklahoma, as Guardian ad Litem to represent the interests of said minor.

The Court further finds that the real estate hereinabove described was a part of the allotment of Berry Coming, a full-blood Cherokee Indian, enrolled opposite Roll No. 3651-M, that the said Berry Coming, a full-blood Cherokee Indian, enrolled opposite Roll No. 3651-M, died intestate a resident of Mayes County, Oklahoma, on or about and during the month of September, 1942; that he left surviving as his sole and only heirs at law at the time of his death, the following named persons: Ina O'Field Coming, otherwise known as Ina O'Field Comings, surviving wife, and Eleanor Maxine Coming, daughter; and that the said Ina O'Field Coming, otherwise known as Ina O'Field Comings, and Eleanor Maxine Coming took, succeeded to and inherited the whole and entire estate of the said Berry Coming in and to the real estate hereinabove described, and are entitled to receive the award of the commissioners, paid into this Court in the following proportion: Ina O'Field Coming, an undivided one-half interest, and Eleanor Maxine Coming, an undivided one-half interest.

IT IS THEREFORE CONSIDERED, ORDERED AND DECREED that the report of the commissioner filed herein on the 15th day of January, 1943, be, and it is hereby confirmed and approved, and that the City of Vinita, Oklahoma, a municipal corporation, be, and it is hereby vested with the fee simple title both legal and equitable, in and to the following described real estate, 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; and

That such fee simple title, both legal and equitable, in and to said real estate, is hereby awarded, vested and decreed to be in The City of Vinita, Oklahoma, a Municipal Corporation, and that the owners thereof, and those having any right, title, or interest therein, are entitled to the awards deposited with the Clerk of this Court, which is just compensation for the property acquired by The City of Vinita, Oklahoma, a Municipal Corporation.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that Berry Coming, a full-blood Cherokee Indian, enrolled opposite Roll No. 3651-M, died intestate a resident of Mayes County, Oklahoma, on or about and during the month of September, 1942; that he left surviving as his sole and only heirs at law at the time of his death, the following named persons: Ina O'Field Coming, otherwise known as Ina O'Field Comings, surviving wife, and Eleanor Maxine Coming, surviving daughter; and that the said Ina O'Field Coming, otherwise known as Ina O'Field Comings and Eleanor Maxine Coming are the sole and only persons entitled to participate in the funds deposited herewith for the taking of the said property by said plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court is hereby ordered to forward the funds deposited herein to the Superintendent of the Five Civilized Tribes Agency, at Muskogee, Oklahoma, one-half interest thereof for the use and benefit of Ina O'Field Comings and one-half thereof for the use and benefit of Eleanor Maxine Coming, for proper credit to the said Indian owners.

F. E. KENNAMER
U. S. DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Apr 7 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned subject to call.

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 8, 1943

On this 8th day of April, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
v.		) NO. 721 CIVIL
BOARD OF COUNTY COMMISSIONERS OF CREEK COUNTY, OKLAHOMA,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 3 day of April, 1943, this cause of action coming on before the court pursuant to regular assignment, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Kenneth G. Hughes, Assistant United States Attorney for said district; the defendant Board of County Commissioners of Creek County, Oklahoma, appearing by G. B. Coryell, County Attorney of Creek County, Oklahoma; and both parties having announced ready for trial, a jury having been heretofore waived, the court having heard testimony of witnesses duly sworn in open court and statements of counsel, and being duly advised in the premises, finds:

I.

That the Board of County Commissioners of Creek County, Oklahoma, has without consent or authorization, taken possession of a portion of the hereinafter described real estate and has constructed a roadway across each of said tracts of land; that no easement for said roadway was executed in the manner provided by law, to-wit: 25 Code of Federal Regulations, Section 256.54, and neither the Secretary of the Interior nor anyone authorized to accept payment has been paid for the use of any of said tracts of land.

II.

That Wattie Brown, full-blood Creek Indian, appearing opposite Roll No. 6486, enrolled as Wattie, was allotted by reason of her blood and enrollment, the following described land as her homestead allotment;

Northeast Quarter of Northeast Quarter of Section Thirty-one (31),
Township Fifteen (15) North, Range Eight (8) East, Creek County, Oklahoma,

which land was restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the above-described action of the Board of County Commissioners of Creek County, Oklahoma, in the sum of Twenty-five (\$25.00) Dollars.

III.

That Enos B. F. Perryman, 3/4 blood Creek Indian, appearing opposite Roll No. 1484, was allotted by reason of his blood and enrollment, the following described land as his homestead allotment;

Southeast Quarter of Southwest Quarter of Section Nine (9), Township
Seventeen (17) North, Range Nine (9) East, Creek County, Oklahoma,

and the following described land as his surplus allotment;

West Half of Southwest Quarter and Northeast Quarter
of Southwest Quarter of Section Nine (9), Township
Seventeen (17) North, Range Nine (9) East, Creek
County, Oklahoma,

which land was restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the above-described action of the Board of County Commissioners of Creek County, Oklahoma in the sum of Seventy-five (75.00) Dollars.

IV.

That James Starr, deceased full-blood Creek Indian appearing opposite Roll No. 7936, was allotted by reason of said blood and enrollment the following described land as his homestead allotment;

Southeast Quarter of Northwest Quarter of Section
Seven (7), Township Fifteen (15) North, Range
Eight (8) East, Creek County, Oklahoma,

and the following described land as his surplus allotment:

Southwest Quarter of Northwest Quarter of Section
Seven (7), Township Fifteen (15) North, Range Eight
(8) East, Creek County, Oklahoma,

which land is restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the above-described action of the Board of County Commissioners of Creek County, Oklahoma, in the sum of One Hundred (\$100.00) Dollars.

V.

The court finds that on the 30th day of June, 1922, the Secretary of the Interior of the United States removed the restrictions from 1.82 acres of land described in the plaintiff's fourth cause of action herein. That thereafter on the 29th day of July, 1922, Ada Pickett, now Jack, and her husband, Lolly Jack, executed and delivered to the said Board of County Commissioners of Creek County, Oklahoma, their warranty deed duly approved, conveying said 1.82 acres of the surface right in said lands. The court further finds that defendants, Board of County Commissioners of Creek County, Oklahoma, have not used or damaged any portion of said lands not conveyed to said defendant as above stated, and that the fourth cause of action set out in the complaint of the plaintiff, should be dismissed without prejudice.

VI.

The court further finds that on the 30th day of October, 1923, the Secretary of the Interior of the United States removed the restrictions from 2.26 acres of the land described in the plaintiff's fifth cause of action. That thereafter on the 20th day of November, 1923, Susanna Bigpond executed and delivered to the said Board of County Commissioners of Creek County, Oklahoma, her warranty deed, duly approved, conveying said 2.26 acres of the surface right in said lands to the said Board of County Commissioners of Creek County. The court further finds that the defendant Board of County Commissioners of Creek County, Oklahoma, has not used or damaged any portion of said lands not conveyed to said defendant as above stated and that the fifth cause of action herein should be dismissed without prejudice.

VII.

The court finds that on the 10th day of July, 1922, the Secretary of the Interior of the United States removed the restrictions from 1.82 acres of the land described in the plaintiff's sixth cause of action. That thereafter on the 13th day of November, 1922, Jeanetta Pickett, full-blood Creek, Roll No. 1802, executed and delivered to the said Board of County Commissioners of Creek County, Oklahoma, her warranty deed duly approved, conveying said 1.82 acres of the surface right in said lands to the said Board of County Commissioners of Creek County, Oklahoma. The court further finds that the

defendant Board of County Commissioners of Creek County, Oklahoma, has not used or damaged any portion of said lands not conveyed to said defendant as above stated and that the sixth cause of action herein should be dismissed, without prejudice.

VIII

That Lucy Pickett, deceased, full-blood Creek Indian appearing opposite Roll No. 1805, was allotted by reason of her blood and enrollment, the following described land as her homestead allotment;

Southwest Quarter of Northwest Quarter of Section
Four (4), Township Sixteen (16) North, Range
Eleven (11) East, Creek County, Oklahoma,

and the following described land as her surplus allotment;

North Half of Northwest Quarter and Southeast
Quarter of Northwest Quarter of Section Four (4)
Township Sixteen (16) North, Range Eleven (11)
East, Creek County, Oklahoma,

which land was restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the above described action of the Board of County Commissioners of Creek County, Oklahoma, in the sum of One Hundred (\$100.00) Dollars.

IX.

That Luly Lewis, now Morrison, full-blood Creek Indian appearing opposite Roll No. NB-726, was allotted by reason of her blood and enrollment, the following described land as her surplus allotment;

Northwest Quarter of the Northwest Quarter of Section 6,
Township 14 North, Range 10 East, Creek County, Oklahoma,

which land was restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the above-described action of the Board of County Commissioners of Creek County, Oklahoma, in the sum of Thirteen & 62/100 (\$13.62) dollars.

X.

That Marsie Tah-ka-ney, full-blood Creek Indian, appearing opposite Roll No. 7851, was allotted by reason of her blood and enrollment, the following described land as her homestead allotment;

Southeast Quarter of Section Seven (7), Township Nineteen (19)
North, Range Nine (9) East, Creek County, Oklahoma,

which land was restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the above-described action of the Board of County Commissioners of Creek County, Oklahoma, in the sum of Thirty-three & No/100 (\$33.00) Dollars.

XI.

The Court further finds that on the 27th day of May, 1922, the Secretary of the Interior of the United States removed restrictions from 1.82 acres of the land described in the plaintiff's tenth cause of action. That thereafter on the 27th day of June, 1922, Louisa Pickett, then Pacey,

full-blood Creek Roll No. 1803, and her husband, Horace Posey, executed and delivered to the said Board of County Commissioners of Creek County, Oklahoma, their warranty deed, duly approved, conveying said 1.82 acres of the surface right in said lands to said Board of County Commissioners of Creek County. The court further finds that the defendant, Board of County Commissioners of Creek County, has not used or damaged any portion of said lands not conveyed to said defendant as above stated and that the tenth cause of action herein should be dismissed without prejudice.

XII.

That Miley, deceased, full-blood Creek Indian appearing opposite Roll No. 93884, was allotted by reason of his blood and enrollment the following described land as his homestead allotment:

Southwest Quarter of Northeast Quarter of Section 23,
Township 14 North, Range 10 East, Creek County, Oklahoma,

which land was restricted and not subject to alienation without the consent and approval of the Secretary of the Interior of the United States and that said real estate has been damaged by the action of the Board of County Commissioners of Creek County, Oklahoma, in quarrying rock from said land as set out and described in the amended complaint filed herein, and that said land has been damaged by said action in the sum of Fifty (\$50.00) Dollars.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that Wattie Brown is the owner of all the right, title and interest in and to all the real estate described in the first cause of action; that Enos B. F. Perryman is the owner of all the right, title and interest in and to all the real estate described in the second cause of action; that James Starr, deceased, is the owner of all the right, title and interest in and to all the real estate described in the third cause of action; that Lucy Pickens is the owner of all the right, title and interest in and to all the real estate described in the seventh cause of action; that Lulu Lewis, now Harrison is the owner of all the right, title and interest in and to all the real estate described in the eighth cause of action; that Marsie Tah-ka-ney, now Sewell is the owner of all the right, title and interest in and to all the real estate described in the ninth cause of action; that Miley is the owner of all the right, title, and interest in and to all the real estate described in the eleventh cause of action, all as set out in the petition of the plaintiff and in the findings of the court above.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that that portion of the lands described in causes of action Nos. 4, 5, 6, and 10, which were used by the Board of County Commissioners of Creek County for the purpose of building a roadway thereon, is the property of said Board of County Commissioners of Creek County, State of Oklahoma, through lawful conveyance from the rightful owners thereof as set out in the above findings of the court; that no damage resulted to any of the property owned by the restricted Indians named in each cause of action, and that said causes of action Nos. 4, 5, 6, and 10, should be and the same are hereby dismissed, without prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Creek County, Oklahoma, has no right, title or interest whatsoever in or to any of the tracts of land involved in causes of action Nos. 1, 2, 3, 7, 8, 9, and 11, and that said real estate described in said causes of action has been damaged to the extent and in the amount set out in the findings of the court above.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, have and recover judgment against the Board of County Commissioners of Creek County, Oklahoma on cause of action No. 1 in the sum of \$25.00; in cause of action No. 2 in the sum of \$75.00; cause of action No. 3 in the sum of \$100.00; cause of action No. 7, in the sum of \$100.00; cause of action No. 8, in the sum of \$13.62; cause of action No. 9, in the sum of \$33.00; cause of action No. 11, in the sum of \$50.00; or in the total sum of \$396.62; with interest at the rate of 6% per annum, until paid, together with the costs of action, for all of which let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 8 1943

H. P. T. Smith, Clerk, U. S. District Court D.C.