

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

CHESTER BOWLES, Administrators of Office of Price Administration,	Flaintiff,	)	
		)	
vs		)	CIVIL NO. 1107
NICK MARINOFF, an individual, d/b/a Frisco Bar,	Defendant.	)	

PERMANENT INJUNCTION

ON THIS, the 17th day of Nov., 1943, this cause came on for trial and hearing on the application of the plaintiff for a permanent injunction, at which time the parties appeared by and through their respective attorneys of record, at which time a stipulation was presented and after statements made by both sides in open court, and the Court having fully considered the pleadings, the stipulation and the statement of counsel, the Court finds the issues for the plaintiff and further specifically finds defendant has violated Tulsa Order No. G-1 under General Order No. 50, of the Office of Price Administration.

The Court further finds that a permanent injunction should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees or any person acting in concert with him shall be and they are hereby enjoined from violating any of the provisions of Tulsa Order No. G-1 under General Order No. 50, as amended, of the Office of Price Administration, or from offering, attempting or agreeing to do anything in violation of such Regulations.

Defendant is further required to pay the costs of this action.

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

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

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

CHESTER BOWLES, Administrator Office of Price Administration,	Plaintiff,	)	
		)	
vs.		)	CIVIL NO. 1109
J. W. BAKER, an individual d/b/a J. W. Baker Repair Shop,	Defendant.	)	

PERMANENT INJUNCTION

ON THIS, the 17 day of Nov., 1943, this cause came on for trial and hearing on the application of the plaintiff for a permanent injunction at which time the parties appeared by and through their respective attorneys of record, at which time a stipulation was presented and after statements made by both sides in open court, and the Court having fully considered the pleadings, the stipulation and the statement of counsel, the Court finds the issues for the plaintiff and further specifically finds defendant has violated Maximum Price Regulation No. 372, as amended, of the Office of Price Administration



WHEREUPON, the Court proceeds to examine the service and the proof thereof, and therefrom finds that each and all the defendants have been duly and legally served with summons, either personally or by Publication Notice, which said process is by the Court examined and found good, valid and sufficient.

WHEREUPON, the Court proceeds to hear the testimony of witnesses sworn and examined in open court, and therefrom finds that Elizabeth Starr, during her lifetime, was full-blood Cherokee Indian, duly enrolled as such, opposite Cherokee Roll No. 2550; that she departed this life prior to the 30th day of April, 1928, unmarried, intestate, and without issue, and left surviving her no father, mother, husband, child or children, or the issue of any deceased child or children, either by birth or adoption, and left surviving her the following named, who inherited the whole of her estate in the proportion set opposite his or her name, to-wit:

Lucinda Kelly, formerly Starr,	sister,	1/4
Nellie Caudill, formerly Starr,	sister,	1/4
Anna May Cunningham, formerly Starr,	sister,	1/4
James Sherman Starr,	brother,	1/4

who inherited the whole of her estate exclusively. That said Elizabeth Starr, at the time of her death, was possessed of the title to the following described real estate, to-wit:

The Northwest Quarter of the Southeast Quarter of the northwest Quarter of Section 1, Township 23, North, Range 20 East, of the Indian Base and Meridian;

That all of the heirs of the said Elizabeth Starr, Cherokee Roll No. 2550, deceased, except James Sherman Starr, have heretofore conveyed their intent in, of, and to said property and premises by good and sufficient instruments of conveyance; that the interest of said James Sherman Starr was not divested under and by virtue of County Treasurer's Deed on record in the County Clerk's Office of Mayes County, Oklahoma, in Book 202, at Page 1, and insofar as it affects or clouds the title or interest of said James Sherman Starr, it is hereby cancelled, set aside, vacated, and held for naught, otherwise confirmed. That the title in, of, and to said property and premises is quieted and confirmed in the owners thereof as follows:

W. Eugene Kay, an undivided 3/4 interest,  
James Sherman Starr, an undivided 1/4 interest.

Thereupon, the plaintiff, in open court, moved to amend his Petition, instant, by interlineation, to authorize the court to order partition of said premises, which said Motion is by the Court sustained. Thereupon, the Court proceeds with the disposition of said cause, and being fully advised in the premises:

IT IS, THEREFORE, THE ORDER, JUDGMENT AND DECREE of the Court:

That Elizabeth Starr, Cherokee Roll No. 2550, deceased, while the owner, and in the open, notorious, peaceable, visible, adverse possession of the hereinabove described property and premises, departed this life, unmarried, intestate, and without issue, sometime prior to the 30th day of April, 1928; that she left surviving her no husband, father, mother, child, or children, or the issue of any deceased child or children, and left surviving her as her heirs at law, the following named persons, who inherited the whole of her estate exclusively, in the proportion set opposite his or her name, to-wit:

Lucinda Kelly, formerly Starr,	sister, undivided 1/4
Nellie Caudill, formerly Starr,	sister, undivided 1/4
Anna May Cunningham, formerly Starr,	sister, undivided 1/4
James Sherman Starr,	brother, undivided 1/4



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

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$11,682.29, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, On this 18th day of November, 1943, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (19 - FW-553)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 33, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TRACT NO. 2 (19 - FW-761)  
Flowage Easement

All that part of Lot 8, and all that part of the east 19.95 acres of Lot 9 in Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acres.

TRACT NO. 3 (19 - FW-764)  
Flowage Easement

All that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.5 acres.

TRACT NO. 4 (19 - FW-766)  
Flowage Easement

All that part of the west 20.0 acres of Lot 3 in Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.4 acres.

TRACT NO. 5 (19 - FW-768)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.6 acres.

TRACT NO. 6 (19 - FW-769)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TRACT NO. 7 (19 - FW-770)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.8 acres.

TRACT NO. 8 (19 - FW-771)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.9 acres.

TRACT NO. 9 (19 - FW-772)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 29, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$ , thence northerly along the west boundary of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$  to the NW corner of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$ ;

thence easterly along the north boundary of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$  to the NE corner thereof;

thence southerly along the east boundary of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$  248.2 feet;

thence N  $79^{\circ} 32' W$  354.9 feet; thence S  $21^{\circ} 27' E$  296.3 feet;

thence S  $26^{\circ} 04' W$  99.2 feet; thence S  $14^{\circ} 55' E$  113.9 feet to a point in the south boundary of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$  253.5 feet west of the SE corner thereof;

thence westerly along the south boundary of said  $SE\frac{1}{2} SE\frac{1}{2} SW\frac{1}{4}$  a distance of 406.2 feet to the point of beginning, lying below Elev. 757 Sea Level Datum, containing approximately 1.4 acres.

## TRACT NO. 10 (19 - FW-773)

## Flowage Easement

All that part of the  $W\frac{1}{2} SE\frac{1}{2}$  of Sec. 29, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.4 acres.

## TRACT NO. 11 (19 - FW-774)

## Flowage Easement

All that part of the  $SW\frac{1}{2} NE\frac{1}{4}$  of Sec. 29, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.1 acres.

## TRACT NO. 12 (19 - FW-775)

## Flowage Easement

All that part of the  $S\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$  and all that part of the  $SE\frac{1}{2} NW\frac{1}{4}$  of Sec. 29, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.5 acres.

## TRACT NO. 13 (19 - FW-776)

## Flowage Easement

All that part of the  $SE\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$  of Sec. 29, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.2 acres.

## TRACT NO. 14 (19 - FW-777)

## Flowage Easement

All that part of the  $S\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$ , of Sec. 30, and all that part of the  $W\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$  of Sec. 29, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.3 acres.

TRACT NO. 15 (19 - FW-790)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $N\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.1 acres.

TRACT NO. 16 (19 - FW-781)  
Flowage Easement

All that part of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.0 acres.

TRACT NO. 17 (19 - FW-782)  
Flowage Easement

All that part of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.9 acres.

TRACT NO. 18 (19 - FW-783)  
Flowage Easement

All that part of the  $SE\frac{1}{4}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.9 acres.

TRACT NO. 19 (19 - FW-784)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $E\frac{1}{2}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.5 acres.

TRACT NO. 20 (19 - FW-785)  
Flowage Easement

All that part of the  $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 31, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 10.7 acres.

TRACT NO. 21 (19 - FW-786)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 31, T 25 N, R 23

E of the Indian Base and Meridian in Delaware County, Oklahoma lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.0 acres.

TRACT NO. 22 (19 - FW-787)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 31, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.7 acres.

TRACT NO. 23 (19 - FW-788)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 31, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.4 acres.

TRACT NO. 24 (19 - FW-789)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 31, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.4 acres.

TRACT NO. 25 (19 - FW-861)  
Flowage Easement

All that part of the West 19.36 acres of Lot 1 in Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.7 acres.

TRACT NO. 26 (20 - FW-863)  
Flowage Easement

All that part of the SE 10.0 acres of Lot 4 in Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.6 acres.

TRACT NO. 27 (20 - FW-864)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority containing approximately 4.6 acres.

TRACT NO. 28 (20 - FW-866)  
Flowage Easement

All that part of the  $E\frac{1}{2}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 2.6 acres.

TRACT NO. 29 (20 - FW-867)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 18.4 acres.

TRACT NO. 30 (20 - FW-868)  
Flowage Easement

All that part of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.5 acres.

TRACT NO. 31 (20 - FW-869)  
Flowage Easement

All that part of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of Sec. 20, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 19.8 acres.

TRACT NO. 32 (20 - FW-870)  
Flowage Easement

All that part of the  $N\frac{1}{2}$   $SE\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.0 acre.

TRACT NO. 33 (20 - FW-871)  
Flowage Easement

All that part of the  $NW\frac{1}{4}$  of Sec. 20, T 25 N, R 23 E of the Indian Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 28.1 acres, subject to the rights of the K. O. & G. Railway Company, if any, in and to 3.5 acres K. O. & G. right-of-way.

TRACT NO. 34 (20 - FW - 872)  
Flowage Easement

All that part of the  $N\frac{1}{2}$   $SE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$   $NE\frac{1}{4}$  in Sec. 20, and all that part of the  $N\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  in Sec. 21, all in T 25 N,

R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 50.2 acres.

TRACT NO. 35 (20 - FW-874)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 21, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 18.4 acres.

TRACT NO. 36 (20 - FW-875)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 21, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.0 acres.

TRACT NO. 37 (20 - FW-876)  
Flowage Easement

All that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 16, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 17.9 acres.

TRACT NO. 38 (20 - FW-877)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 16, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.6 acres.

TRACT NO. 39 (20 - FW-878)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the east 38 rods of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 21, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.3 acres.

TRACT NO. 40 (20 - FW-881)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 16, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level

Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.9 acres.

TRACT NO. 41 (21 - FW-389 Rev)  
Flowage Easement

All that part of Lots 1 to 9 inclusive in Block K. and all that part of Lot 1 in Block H in the Townsite of Lakoma Park, Delaware County, Oklahoma, as shown on the plat and dedication filed on the 3rd day of December, 1941, in the office of the County Clerk of Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.7 acre, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 42 (21 - FW-390)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 27, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 18.5 acres.

TRACT NO. 43 (21 - FW-398)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 27, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TRACT NO. 44 (21-FW-399)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 27, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.7 acre.

TRACT NO. 45 (21 - FW-400)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 27, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

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



Parcels Nos. 10 and 10-A

Villard Martin, Rose Martin and the  
County Treasurer of Tulsa County, Okla. \$1600.00  
(Full award)

ROYCE H. SAVAGE  
JUDGE

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

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

Victory Investment Corporation, a Delaware corporation, et al,	Plaintiffs,	)	Civil Action No. 1091
		)	
vs.		)	
Ruby Gentry, W. J. Mahan; First Methodist Episcopal Church, et al.,	Defendants.	)	

ORDER EXTENDING ANSWER DATE

On this 19 day of November, 1943, there being presented and exhibited to the Court the stipulation and agreement of the attorney for plaintiffs herein and the attorney for the above named defendants, that the answer date in this cause be extended to December 20th, 1943.

It is ordered that the defendants, Ruby Gentry, W. J. Mahan and First Methodist Episcopal Church be, and hereby are, allowed until the 20th day of December, 1943, to answer herein.

ROYCE H. SAVAGE  
Judge of the United States District Court

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

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

Metropolitan Life Insurance Company, a corporation,	Plaintiff,	)	No. 1113 - Civil
v.		)	
Marie F. Beall and Eloise Featherston Dale,	Defendants.	)	

TEMPORARY RESTRAINING ORDER AND ORDER  
AUTHORIZING SERVICE OUTSIDE THE STATE  
OF OKLAHOMA

It appearing to the Court by the verified petition of plaintiff filed herein and by

the affidavit of attorney for plaintiff filed herein, that plaintiff has filed in this court a petition asking the Court to determine the rightful beneficiaries under certain insurance policies and certificate issued upon the life of Wm. O. Beall, and that said plaintiff has deposited herein the funds payable under the policies in controversy and that summons has been issued to and service of same accepted by Marie F. Beall, the defendant residing in this district;

And it further appearing that Eloise Featherston Dale, the other defendant, resides in or near Baltimore, Maryland, and that service should be and had upon her without this district and without the State of Oklahoma;

And it further appearing from the verified petition of plaintiff that an injunction should issue against the defendants and each of them, enjoining and restraining them from filing suits in any other court, state or federal, involving the disposition of said funds;

It is hereby ORDERED that the Clerk of this Court is authorized and directed to issue a summons directed to the marshal of the district in which Baltimore, Maryland, is located, commanding him to serve said summons upon the defendant, Eloise Featherston Dale, returnable within 15 days from date hereof, and that said summons direct said defendant to answer the same within 30 days from service thereof upon her; and that if, for any reason, said marshal fails to find said defendant within his district, that summons then be issued by the Clerk of this Court to the marshal of the proper district in the State of Pennsylvania for service upon said defendant, said summons to be returnable within 15 days from the date thereof and the said defendant to be required to answer within 30 days from the date of service thereof.

It is further hereby ordered that the defendants, Marie F. Beall and Eloise Featherston Dale be and each of them are hereby restrained from filing any suit of any character in any court by which it is attempted to construe the effect of the insurance policies involved herein and described in the petition herein, and from filing any suits or proceedings to collect the amounts due under said policies by reason of the death of the said Wm. O. Beall, and that said restraining order be and same is hereby made returnable 30 days from this date, upon which date said defendants must appear and show cause why a temporary injunction should not be issued.

It is further ordered that a copy of this order be mailed to the defendant, Marie F. Beall, and that a copy of same accompany the summons issued to the marshal in Maryland or Pennsylvania.

F. E. KENNAMER  
U. S. District Judge

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,	)
		)
vs.		)
		) No. 1114 Civil
One 1938 Chevrolet Sedan Automobile,		)
Motor No. 16-39232, and approximately		)
9 gallons of taxpaid whiskey seized therein;		)
G. B. James,	Claimants.	)

ORDER FOR MONITION

Now on this 19th day of November, 1943, it appearing to the Court that the above named automobile described herein as one 1938 Chevrolet sedan automobile, motor No. 16-39232, with approximately 9 gallons of taxpaid whiskey, containing more than four per centum (4%) of alcohol by volume, was seized at a point on United States Highway No. 60 about five (5) miles East of the Kay County Line, in Osage County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this Court, on September 3, 1943, by George Clower and Fred Whittaker, Deputies to the Sheriff of Osage County, Oklahoma, by virtue of the authority of their said office, while said automobile was being used by Wilbur Trimm for the purpose of importation of taxpaid whiskey into Oklahoma and transporting and introducing approximately nine (9) gallons of taxpaid whiskey into Indian Country, to-wit: Osage County, Oklahoma, from a point in or near Arkansas City in the State of Kansas, the exact point being to your informant unknown, to the aforesaid described point of seizure; it further appearing that thereupon said property was appraised at less than Five Hundred Dollars (\$500.00) whereupon libelant has instituted libel action herein upon transmittal of summary proceedings as provided by law, and requests issuance of monition notifying claimant G. B. James and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS THEREFORE ORDERED that monition issue as prayed for in said libel and that same be served upon G. B. James, unless notice thereof be waived, and any other person that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said court on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, U.S.C.A. and Sections 246 and 247, Title 25, U.S.C.A.

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

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Nov 19 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. 1115
		)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)
OKLAHOMA containing approximately 192.42		)
acres, more or less; and Vann S. Chandler,		)
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 19th day of November, 1943, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

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

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

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

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said land, in the amount of \$25,738.40, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 19th day of November, 1943, ORDERED, ADJUDGED AND DECREED by this Court that the lands, situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

## TRACT NO. 1 (6 - FW-189-A)

Fee Title

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

The east 60.0 feet of the south 278.6 feet of the said E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , containing 0.4 acre, more or less, and a tract of land commencing at a point in the south boundary of said Sec. 17, 2622 feet east of the SW corner thereof and 2640 feet west of the SE corner thereof;

thence N. 32° 03' W 328.7 feet to the point of beginning;  
thence N 33° 28' E 432 feet; thence easterly 390 feet  
thence S 33° 28' W 432 feet; thence westerly 390 feet to  
point of beginning, containing 3.2 acres, more or less; the  
total acreage to be acquired being 3.6 acres, more or less.

## TRACT NO. 2 (6 - FW-623)

Fee Title

All that part of the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 17, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the north boundary of said W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 431.9 feet west of the NE corner thereof,  
thence S 1° 43' W 89.0 feet; thence S 6° 47' W 340.3 feet;  
thence S 26° 52' W 211.5 feet; thence S 22° 38' W 220.4 feet  
to a point in the west boundary of said W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 506.7 feet  
north of the SW corner thereof;  
thence northerly along said west boundary a distance of 817.2  
feet to the NW corner of said W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
thence easterly along the north boundary of said W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$   
a distance of 225.7 feet to the point of beginning, containing  
approximately 2.9 acres.

## TRACT NO. 3 (6 - FW-635-A)

Fee Title

Lot 2 in Block 6 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lot.

## TRACT NO. 4 (6 - FW-654-A)

Fee Title

Lot 17 in Block 22 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lot.

## TRACT NO. 5 (6 - FW-668)

Fee Title

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 17, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said  $E\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$ , thence westerly along the south boundary of said  $E\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  a distance of 337.5 feet to a point 320.3 feet east of the SW corner thereof; thence N  $4^{\circ}$   $32'$  W 22.3 feet; thence N  $35^{\circ}$   $06'$  W 28.8 feet; thence N  $9^{\circ}$   $06'$  E 346.3 feet; thence N  $39^{\circ}$   $45'$  E 242.1 feet; thence N  $84^{\circ}$   $53'$  E 148.5 feet; thence N  $72^{\circ}$   $29'$  E 21.6 feet to a point on the east boundary of said  $E\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  and 716.3 feet south of the NE corner thereof; thence southerly along said east boundary a distance of 609.8 feet to the point of beginning, containing approximately 4.10 acres.

TRACT NO. 6 (6 - FW-670-A)  
Fee Title

All that part of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec 17, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said  $NE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$ , thence westerly along the north boundary of said  $NE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  a distance of 337.5 feet to a point 320.3 feet east of the NW corner thereof; thence S  $4^{\circ}$   $32'$  E 3.7 feet; thence S  $1^{\circ}$   $34'$  W 348.8 feet; thence S  $81^{\circ}$   $33'$  E 351.5 feet to a point in the east boundary of said  $NE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$ ; thence northerly along said east boundary a distance of 405.4 feet to the point of beginning, containing approximately 2.9 acres.

TRACT NO. 7 (10 - FW-713)  
Fee Title

All that part of the  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 11, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ ; thence northerly along the west boundary of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  a distance of 114.8 feet to a point 547.8 feet south of the NW corner thereof; thence N  $72^{\circ}$   $22'$  E 260.7 feet; thence N  $75^{\circ}$   $44'$  E 324.5 feet; thence N  $89^{\circ}$   $13'$  E 101.3 feet to a point on the east boundary of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ ; thence southerly along said east boundary a distance of 284.6 feet to the SE corner of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ ; thence westerly along the south boundary of said  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  to the point of beginning, containing approximately 3.3 acres.

TRACT NO. 8 (10 - FW-717 Rev)  
Fee Title

All that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 10, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ ; thence northerly along the east boundary of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  a distance of 244.1 feet to a point 417.8 feet south of the NE corner thereof; thence S  $69^{\circ}$   $41'$  W 400.1 feet; thence S  $71^{\circ}$   $46'$  W 310.6 feet to the SW corner of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ ; thence easterly along the south boundary of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  to the point of beginning, containing 1.8 acre, more or less.

## TRACT NO. 9 (11 - FW-797)

Fee Title

All that part of the SE 10.0 acres of Lot 1 in Sec. 3, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said SE 10.0 acres of Lot 1, thence easterly along the south boundary of said SE 10.0 acres of Lot 1 a distance of 84.6 feet;

thence N 31° 15' E 450.8 feet; thence N 13° 13' E 280.0 feet to a point in the north boundary of said SE 10.0 acres of Lot 1 292.8 feet west of the NE corner thereof;

thence westerly along said north boundary a distance of 372.6 feet to the NW corner of said SE 10.0 acres of Lot 1;

thence southerly along the west boundary of said SE 10.0 acres of Lot 1 to the point of beginning, containing 3.9 acres, more or less.

## TRACT NO. 10 (11 - FW-798)

Fee Title

All that part of Lot 3, and all that part of Lot 4 in Sec. 2, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said Lot 3, thence southerly along the east boundary of said Lot 3 a distance of 475.9 feet to a point 1051.9 feet north of the SE corner thereof;

thence N 66° 50' W 402.8 feet; thence N 54° 13' W 502.1 feet;

thence S 9° 14' W 643.0 feet; thence S 4° 38' W 250.0 feet;

thence S 88° 37' W 207.2 feet; thence N 34° 34' W 533.0 feet;

thence N 11° 07' W 509.0 feet; thence N 62° 59' W 2.9 feet to a point in the north boundary of said Lot 4, 1112.5 feet from the NW corner thereof;

thence easterly along the north boundary of said Lots 3 and 4 a distance of 1518.4 feet to the point of beginning, containing approximately 19.42 acres.

## TRACT NO. 11 (11 - FW-799)

Fee Title

All that part of Lot 2 in Sec. 2, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said Lot 2, thence easterly along the north boundary of said Lot 2 a distance of 316.1 feet;

thence S 63° 19' E 209.8 feet; thence S 6° 28' E 256.2 feet;

thence S 50° 01' W 250.2 feet; thence N 84° 23' W 334.0 feet;

thence N 66° 50' W 16.7 feet to a point in the west boundary of said Lot 2 and 1051.9 feet from the SW corner thereof;

thence northerly along said west boundary a distance of 475.9 feet to the point of beginning, containing approximately 5.44 acres.

## TRACT NO. 12 (17 - FW-354)

Fee Title

All that part of the NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NE $\frac{1}{4}$  of Sec. 18, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma,

particularly described as follows, to-wit:

Beginning at a point in the east boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 154.1 feet north of the SE corner thereof; thence N 49° 34' W 122.7 feet; thence S 85° 44' E 94.4 feet to a point in the east boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and 432.2 feet south of the NE corner thereof; thence southerly along said east boundary a distance of 72.5 feet to the point of beginning, containing approximately 0.1 acre.

TRACT NO. 13 (18 - FW-725)  
Fee Title

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 6, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

Beginning at a point on the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 7.8 feet east of the NW corner thereof; thence easterly along the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 837.1 feet to a point 478.4 feet west of the NE corner thereof; thence S 37° 48' W 148.3 feet; thence S 41° 42' W 275.4 feet; thence N 64° 07' W 464.5 feet; thence N 55° 09' W 189.3 feet; to the point of beginning, containing approximately 3.1 acres.

TRACT B:

Beginning at a point on the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  461.4 feet west of the NE corner thereof; thence easterly along the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 437.7 feet to a point 23.7 feet west of the NE corner thereof; thence S 57° 26' W 311.2 feet; thence N 47° 30' W 237.9 feet to the point of beginning, containing approximately 0.8 acre.

The two tracts containing in all approximately 3.9 acres.

TRACT NO. 14 (18 - FW-739)  
Fee Title

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 9, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the north boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 192.2 feet east of the NW corner thereof; thence S 57° 55' E 41.7 feet; thence N 74° 59' E 83.0 feet to a point on the north boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 22.1 feet west of the NE corner thereof; thence westerly along said north boundary a distance of 115.5 feet to the point of beginning, containing approximately 0.1 acre.

TRACT NO. 15 (19 - FW-765)  
Fee Title

All that part of the west 20.0 acres of Lot 9, in Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows:

Tract A

Beginning at the NE corner of said west 20.0 acres of Lot 9, thence Southerly along the east boundary of said west 20.0 acres of Lot 9 a distance of 36.9 feet;  
 thence S 50° 58' W 62.3 feet; thence N 89° 38' W 198.8 feet;  
 thence S 30° 13' E 220.6 feet; thence S 9° 19' W 106.2 feet;  
 thence S 55° 27' W 49.7 feet; thence S 86° 26' W 279.3 feet;  
 thence N 50° 53' W 240.3 feet to a point in the west boundary of said west 20.0 acres of Lot 9, 1052.6 feet from the SW corner thereof;  
 thence northerly along said west boundary a distance of 265.3 feet to the NW corner of said Lot 9; thence easterly along the north boundary of said west 20.0 acres of Lot 9 to the point of beginning, containing approximately 4.1 acres.

TRACT B

Beginning at a point in the west boundary of said west 20.0 acres of Lot 9, 399.9 feet south of the NW corner thereof;  
 thence S 25° 41' E 62.9 feet; thence S 13° 26' E 71.0 feet;  
 thence S 26° 19' W 100.1 feet to a point in the west boundary of said west 20.0 acres of Lot 9, 713.2 feet north of the SW corner thereof; thence northerly along said west boundary a distance of 214.8 feet to the point of beginning, containing approximately 0.1 acre.

Tract C

Beginning at a point in the west boundary of said west 20.0 acres of Lot 9, 906.4 feet south of the NW corner thereof;  
 thence S 70° 06' E 115.8 feet; thence S 23° 05' E 49.0 feet;  
 thence S 29° 15' W 217.0 feet; thence S 79° 05' W 22.0 feet to a point in the west boundary of said west 20.0 acres of Lot 9, 133.4 feet north of the SW corner thereof; thence northerly along said west boundary a distance of 273.1 feet to the point of beginning, containing approximately 0.6 acre.

The three tracts containing in all approximately 4.8 acres.

TRACT NO. 16 (19 - FW-767)  
Fee Title

All that part of the east 19.70 acres of Lot 3 in Sec. 32, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows:

Tract A

Beginning at a point on the north boundary of said east

19.70 acres of Lot 3, 230.0 feet west of the NE corner thereof;  
thence S 4° 34' W 192.5 feet; thence S 78° 49' W 99.4 feet;  
thence N 49° 32' W 218.9 feet; thence S 89° 11' W 150.3 feet  
to a point in the west boundary of said east 19.70 acres of Lot 3,  
1243.1 feet from the SW corner thereof;  
thence northerly along said west boundary a distance of 74.7  
feet to the NW corner of said east 19.70 acres of Lot 3;  
thence easterly along the north boundary of said east 19.70  
acres of Lot 3 a distance of 429.7 feet to the point of beginning,  
containing approximately 1.2 acres.

Tract B

Beginning at a point on the west boundary of said east 19.70  
acres of Lot 3, 116.8 feet south of the NW corner thereof;  
thence S 24° 19' E 252.0 feet; thence S 17° 57' W 148.6 feet;  
thence S 51° 01' W 74.0 feet to a point in the west boundary  
of said east 19.70 acres of Lot 3, 783.4 feet north of the SW corner  
thereof;  
thence northerly along the west boundary of said east 19.70  
acres of Lot 3 a distance of 417.6 feet to the point of beginning  
containing approximately 0.5 acre.

Tract C

Beginning at a point in the west boundary of said east 19.70  
acres of Lot 3, 800.1 feet south of the NW corner thereof,  
thence N 88° 46' E 171.0 feet; thence S 32° 54' E 99.4 feet;  
thence S 9° 24' W 222.2 feet; thence S 31° 54' W 245.4 feet;  
thence S 50° 58' W 16.6 feet to a point in the south boundary  
of said east 19.70 acres of Lot 3;  
thence westerly along said south boundary to the SW corner  
thereof a distance of 45.5 feet to the SW corner thereof;  
thence northerly along the west boundary of said east 19.70  
acres of Lot 3 a distance of 517.7 feet to the point of beginning,  
containing approximately 2.1 acres.

The three tracts containing in all approximately 3.8 acres.

TRACT NO. 17 (19 FW 773-A)

Fee Title

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 29, T 25 N, R 23  
E of the Indian Base and Meridian in Delaware County, Oklahoma,  
particularly described as follows, to-wit:

Beginning at a point in the east boundary of said  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  377.5 feet from the SE corner thereof;  
thence N 79° 32' W 301.5 feet; thence S 21° 27' E  
251.4 feet;  
thence S 26° 04' W 101.4 feet; thence S 14° 55' E  
110.3 feet to a point in the south boundary of said SE $\frac{1}{4}$   
SE $\frac{1}{4}$  SW $\frac{1}{4}$  219.4 feet from the SE corner thereof,  
thence westerly along the south boundary of said  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 34.1 feet;  
thence N 14° 55' W 113.9 feet; thence N 26° 04' E  
99.2 feet;

thence N 21° 27' W 296.3 feet; thence S 79° 32' E  
354.9 feet to a point on the east boundary of said  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 248.2 feet from the NE corner thereof;  
thence southerly along said east boundary a distance of  
33.5 feet to the point of beginning, containing approximately  
0.6 acre, same being  
"a strip of land 2 rods wide around the shoreline of  
the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ "

TRACT NO. 18 (19 - FW 778)  
Fee Title

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 30, T 25 N, R 23  
E, of the Indian Base and Meridian in Delaware County, Oklahoma,  
particularly described as follows, to-wit:

Beginning at the SW corner of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence  
northerly along the west boundary of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$   
a distance of 176.1 feet to a point 483.8 feet south  
of the NW corner thereof; thence S 87° 42' E 216.8 feet;  
thence S 66° 09' E 347.9 feet; thence N 58° 51' E 191.3  
feet; thence S 84° 11' E 603.0 feet; thence S 64° 44'  
E 23.1 feet to a point in the east boundary of said N $\frac{1}{2}$   
NE $\frac{1}{4}$  NE $\frac{1}{4}$  600.9 feet south of the NE corner thereof; thence  
southerly along said east boundary a distance of 59.0  
feet to the SE corner thereof of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence westerly  
along the south boundary of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  to the point  
of beginning, containing approximately 3.4 acres.

TRACT NO. 19 (19 FW 780-A)  
Fee Title

All that part of the N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 30, T 25 N,  
R 23 E of the Indian Base and Meridian in Delaware County,  
Oklahoma, particularly described as follows, to wit:

Beginning at a point on the north boundary of said  
N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  and 433.0 feet west of the NE corner  
thereof; thence S 61° 58' W 258.0 feet; thence S 71°  
46' W 416.1 feet; thence N 61° 45' W 300.4 feet to  
a point on the west boundary of said N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ;  
thence northerly along said west boundary a distance  
of 114.1 feet to the NW corner thereof; thence  
easterly along the north boundary of said N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$   
a distance of 887.1 feet to the point of beginning,  
containing approximately 3.1 acres.

TRACT NO. 20 (19 FW 862)  
Fee Title

All that part of the east 20.0 acres of Lot 1, Sec. 30,  
T 25 N, R 23 E of the Indian Base and Meridian in Delaware  
County, Oklahoma, particularly described as follows, to wit:

Beginning at the NW corner of said east 20.0  
acres of Lot 1,

thence easterly along the north boundary of said east 20.0 acres of Lot 1 a distance of 497.4 feet to a point 162.6 feet west of the NE corner thereof; thence S 6° 24' W 188.0 feet; thence S 19° 50' W 70.4 feet; thence S 41° 54' W 117.0 feet; thence S 80° 51' W 142.7 feet; thence N 70° 37' W 97.0 feet; thence S 63° 44' W 160.4 feet to a point in the west boundary of said east 20.0 acres of Lot 1 and 917.6 feet north of the SW corner thereof; thence northerly along said west boundary a distance of 402.1 feet to the point of beginning, containing approximately 3.84 acres.

TRACT NO. 21 (19 FW 865)  
Fee Title.

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to wit:

Beginning at the NE corner of said NE $\frac{1}{4}$  NW $\frac{1}{4}$ , thence southerly along the east boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 114.1 feet to a point 1205.6 feet north of the SE corner thereof; thence N 61° 45' W 61.4 feet; thence S 50° 14' W 189.8 feet; thence S 82° 38' W 382.0 feet; thence N 73° 57' W 164.2 feet; thence N 59° 41' W 425.7 feet to a point in the north boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 215.4 feet east of the NW corner thereof; thence easterly along said north boundary a distance of 1104.7 feet to the point of beginning, containing approximately 4.35 acres.

TRACT NO. 22 (20 FW 873)  
Fee Title

All the following described land situated in Delaware County, Oklahoma, to wit:

The SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, containing 10.0 acres, more or less; and that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 21, particularly described as follows, to wit:

Beginning at the NW corner of said W $\frac{1}{2}$  SW $\frac{1}{4}$ , thence easterly along the north boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  to the NE corner thereof; thence southerly along the east boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  A DISTANCE OF 466.2 feet;

thence S 40° 56' W 193.0 feet; thence S 9° 14' E  
581.0 feet;

thence S 8° 20' W 340.5 feet; thence S 30° 11' E  
167.7 feet to a point in the east boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$   
1667.3 feet south of the NE corner thereof;

thence southerly along said east boundary a distance  
of 862.1 feet; to a point 101.9 feet north of the SE  
corner thereof;

thence N 71° 39' W 245.8 feet; thence N 25° 23' W  
342.5 feet;

thence N 19° 43' W 262.1 feet; thence N 75° 55' W  
422.0 feet;

thence N 55° 19' W 73.8 feet; thence N 12° 46' W  
157.4 feet;

thence N 0° 16' W 94.0 feet; thence N 11° 14' E  
510.0 feet;

thence N 4° 34' W 541.0 feet; thence N 24° 46' W  
338.8 feet;

thence N 67° 20' W 280.0 feet to a point in the west  
boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  2573.6 feet north of the SW  
corner thereof; thence northerly along said west boundary  
a distance of 62.4 feet to the point of beginning containing  
44.3 acres, more or less, all in T 25 N, R 23 E of the  
Indian Base and Meridian.

The whole tract containing in all 54.3 acres, more or less.

TRACT NO. 23 (23 FW 548)

Fee Title

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 3, T 24 N, R 23  
E of the Indian Base and Meridian in Delaware County, Oklahoma,  
particularly described as follows, to wit:

Beginning at a point on the east boundary of said  
NW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and 154.2 feet south of the NE corner  
thereof; thence S 59° 31' W 55.6 feet; thence S 12°  
21' W 117.0 feet; thence S 17° 10' E 243.9 feet to a  
point in the east boundary of said NW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  130.6  
feet north of the SE corner thereof; thence northerly  
along said east boundary a distance of 375.4 feet to  
the point of beginning, containing approximately 0.48  
acre.

TRACT NO. 24 (23 FW 551)

Fee Title

All that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 5, T 24 N,  
R 23 E of the Indian Base and Meridian in Delaware County,  
Oklahoma, particularly described as follows, to wit:

Beginning at the NE corner of said W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ .  
thence westerly along the north boundary of said  
W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 66.9 feet to a point  
264.3 feet east of the NW corner thereof; thence  
S 19° 31' E 31.4 feet; thence S 25° 01' E 133.0 feet,  
to a point in the east boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
thence northerly along said east boundary a distance of  
149.6 feet to the point of beginning, containing approximately  
0.1 acre.

TRACT NO. 25 (23 FW 566-A)  
Fee Title

All that part of Lot 1, and all that part of Lot 2 in Sec. 1, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Tract A

Beginning at the NE corner of said Lot 1, thence southerly along the east boundary of said Lot 1 a distance of 235.8 feet to a point 1314.1 feet north of the SE corner thereof;

thence S 54° 37' W 24.2 feet; thence N. 42° 13' W 282.9 feet;

thence N 10° 22' E 31.7 feet to a point in the north boundary of said Lot 1;

thence easterly along said north boundary a distance of 206.3 feet to the point of beginning, containing approximately 0.5 acre.

Tract B

Beginning at a point in the north boundary of said Lot 1, 636.3 feet west of the NE corner thereof;

thence S 13° 05' E 30.8 feet; thence S 1° 07' W 522.8 feet;

thence S 62° 33' W 79.6 feet; thence N 65° 14' W 145.7 feet;

thence N 65° 59' W 202.3 feet; thence N 82° 28' W 220.8 feet;

thence N 81° 07' W 25.9 feet; thence N 45° 20' W 303.7 feet;

thence N 57° 36' W 308.3 feet; thence N 0° 56' E 31.1 feet to a point in the north boundary of said Lot 2;

thence easterly along the north boundaries of said Lot 2 and Lot 1 a distance of 1111.4 feet to the point of beginning, containing approximately 8.8 acres.

The two tracts containing in all approximately 9.3 acres.

TRACT NO. 26 (24 FW 571)  
Fee Title

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 36, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence northerly along east boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  to the NE corner thereof; thence westerly along the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  to the NW corner thereof; thence southerly along the west boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 622.0 feet to a point 39.8 feet north of the SW corner thereof; thence N 44° 12' E 192.4 feet; thence S 71° 25' E 554.7 feet to the point of beginning, containing approximately 8.5 acres.

## TRACT NO. 27 (24 FW 585)

## Fee Title

All that part of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of the  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 26, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to wit:

Beginning at the NE corner of said  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ , thence westerly along the north boundary of said  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  a distance of 631.9 feet to a point 22.1 feet east of the NW corner thereof; thence S  $28^{\circ} 55'$  E 162.4 feet; thence S  $26^{\circ} 47'$  E 224.8 feet; thence S  $66^{\circ} 44'$  W 226.4 feet to a point on the west boundary of said  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  432.2 feet south of the NW corner thereof; thence southerly along the west boundaries of said  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  and  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  a distance of 779.0 feet to a point in the west boundary of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  and 108.6 feet north of the SW corner thereof; thence S  $87^{\circ} 52'$  W 81.9 feet; thence N  $68^{\circ} 54'$  E 190.9 feet; thence N  $81^{\circ} 02'$  E 104.9 feet; thence S  $44^{\circ} 15'$  E 104.4 feet; thence S  $70^{\circ} 40'$  E 130.2 feet; thence N  $32^{\circ} 34'$  E 188.9 feet to a point in the east boundary of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  and 232.0 feet north of the SE corner thereof; thence northerly along the east boundary of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  and  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  a distance of 1087.8 feet to the point of beginning, containing approximately 16.4 acres.

## TRACT NO. 28. (24 FW 607)

## Fee Title

All that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 36, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to wit:

Beginning at the SW corner of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , thence easterly along the south boundary of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  a distance of 251.2 feet to a point 409.3 feet west of the SE corner thereof; thence N  $44^{\circ} 46'$  W 82.0 feet; thence N  $70^{\circ} 26'$  W 90.5 feet; thence N  $71^{\circ} 16'$  W 114.4 feet to a point on the west boundary of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ ; thence southerly along said west boundary a distance of 124.7 feet to the point of beginning, containing approximately 0.6 acre.

TRACT NO. 29 (24 FW 990)  
Fee Title

All that part of the  $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$  of Sec. 25, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said  $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$ ; thence southerly along the west boundary of said  $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$  a distance of 87.1 feet to a point 573.7 feet north of the SW corner thereof; thence N  $84^{\circ} 57' E$  12.1 feet; thence N  $59^{\circ} 58' E$  173.1 feet to a point on the north boundary of said  $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$ ; thence westerly along the north boundary of said  $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$  a distance of 162.0 feet to the point of beginning, containing approximately 0.2 acre.

TRACT NO. 30 (25 FW 597)  
Fee Title

All that part of the  $W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ , Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian Seneca Survey in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said  $W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ; thence northerly along the west boundary of said  $W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$  a distance of 1313.5 feet to a point 15.3 feet south of the NW corner thereof;

thence S  $35^{\circ} 41' E$  6.9 feet; thence S  $30^{\circ} 46' E$  55.3 feet;

thence S  $12^{\circ} 24' E$  135.0 feet; thence S  $1^{\circ} 55' W$  286.3 feet;

thence S  $1^{\circ} 45' W$  261.9 feet; thence S  $12^{\circ} 38' W$  223.9 feet;

thence S  $14^{\circ} 13' E$  174.7 feet; thence S  $3^{\circ} 52' E$  49.0 feet

thence S  $3^{\circ} 29' W$  62.0 feet; thence S  $22^{\circ} 19' W$  88.8 feet to a point in the south boundary of said  $W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ;

thence westerly along said south boundary a distance of 19.6 feet to the point of beginning, containing approximately 1.8 acres.

TRACT NO. 31 (25 FW 880)  
Fee Title

All that part of the  $S\frac{1}{2} SW\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Tract "A"

Beginning at the SW corner of said  $S\frac{1}{2}$   $SW\frac{1}{4}$ , thence easterly along the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  a distance of 372.2 feet;  
 thence N  $25^{\circ} 03'$  W 64.7 feet; thence N  $16^{\circ} 06'$  W 353.4 feet;  
 thence N  $9^{\circ} 07'$  E 115.6 feet; thence N  $50^{\circ} 35'$  E 137.5 feet;  
 thence N  $56^{\circ} 57'$  E 132.7 feet; thence N  $19^{\circ} 35'$  W 80.0 feet;  
 thence N  $54^{\circ} 58'$  W 253.8 feet; thence N  $71^{\circ} 47'$  W 261.8 feet to a point in the west boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  and 348.1 feet south of the NW corner thereof;  
 thence southerly along the west boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  a distance of 972.9 feet to the point of beginning and containing approximately 6.9 acres.

Tract "B"

Beginning at a point on the east boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  and 430.2 feet south of the NE corner thereof;  
 thence S  $14^{\circ} 01'$  W 72.6 feet; thence S  $43^{\circ} 26'$  W 426.9 feet;  
 thence S  $23^{\circ} 12'$  W 556.0 feet to a point in the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$ ;  
 thence easterly along said south boundary a distance of 302.1 feet;  
 thence N  $20^{\circ} 03'$  E 239.4 feet; thence N  $27^{\circ} 45'$  E 188.8 feet;  
 thence N  $17^{\circ} 40'$  E 191.3 feet to a point in the east boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  and 574.6 feet north of the SE corner thereof;  
 thence northerly along the east boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  a distance of 315.3 feet to the point of beginning and containing approximately 4.7 acres.

The two tracts containing in all approximately 11.6 acres.

TRACT NO. 32 (25 FW 882)  
Fee Title

All that part of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ ; thence southerly along the west boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  a distance of 1107.0 feet;  
 thence S  $35^{\circ} 24'$  E 53.7 feet; thence N  $51^{\circ} 16'$  E 143.5 feet;  
 thence N  $14^{\circ} 35'$  E 245.9 feet; thence N  $6^{\circ} 48'$  E 262.9 feet; thence N  $87^{\circ} 14'$  E 140.4 feet; thence N  $14^{\circ} 45'$  E 165.9 feet; thence N  $10^{\circ} 47'$  W 259.5 feet;  
 thence N  $6^{\circ} 20'$  E 86.6 feet to a point on the north boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ ;  
 thence westerly along said north boundary a distance of 353.7 feet to the point of beginning, containing approximately 6.6 acres.

## TRACT NO. 33 (25 FW 887)

## Fee Title

All that part of the  $SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said  $SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$ , thence easterly along the south boundary of said  $SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$  a distance of 61.4 feet to a point 597.5 feet west of the SE corner thereof; thence N  $20^{\circ} 00'$  W 163.2 feet; thence N  $7^{\circ} 19'$  W 67.0 feet to a point in the west boundary of said  $SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$ ; thence southerly along said west boundary a distance of 216.4 feet to the point of beginning, containing approximately 0.2 acre.

## TRACT NO. 34 (25 FW 989)

## Fee Title

All that part of the  $NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the north boundary of said  $NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$  442.1 feet east of the NW corner thereof; thence S  $4^{\circ} 45'$  E 22.9 feet; thence S  $24^{\circ} 39'$  W 275.9 feet; thence S  $50^{\circ} 55'$  E 231.8 feet; thence S  $5^{\circ} 10'$  E 240.8 feet to a point on the south boundary of said  $NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$ ; thence easterly along said south boundary a distance of 128.7 feet to the SE corner thereof; thence northerly along the east boundary of said  $NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$  a distance of 392.2 feet; thence N  $34^{\circ} 24'$  W 179.8 feet; thence N  $72^{\circ} 30'$  E 106.4 feet to a point on the east boundary of said  $NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$ ; thence northerly along said East boundary a distance of 87.2 feet to the NE corner thereof; thence westerly along the North boundary of said  $NW\frac{1}{4} NE\frac{1}{4} SE\frac{1}{4}$  a distance of 216.9 feet to the point of beginning, containing approximately 3.3 acres.

## TRACT NO. 35 (25 FW 901)

## Fee Title

All of Lot 12 in Block 4 in the Townsite of East Addition to Hickory Grove as shown by dedication and plat filed in the County Clerk's office April 3, 1941, including all right, title, and interest in and to the streets, avenues, and alleys adjacent to said Lot, situated in the  $SE\frac{1}{4} NW\frac{1}{4} NE\frac{1}{4}$  and the  $NE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma.

TRACT NO. 36. (25 FW 904)  
Fee Title

All that part of the  $N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$ , Sec. 14, T 25 N, R 23 E. of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to wit:

Beginning at a point in the north boundary of said  $N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$ , 336.2 feet west of the NE corner thereof; thence S  $2^{\circ} 53'$  W 44.1 feet; thence S  $47^{\circ} 53'$  W 292.2 feet; thence S  $82^{\circ} 01'$  W 78.9 feet; thence S  $88^{\circ} 34'$  W 201.0 feet; thence N  $74^{\circ} 19'$  W 162.6 feet; thence N  $38^{\circ} 05'$  W 195.8 feet; thence N  $47^{\circ} 33'$  W 120.4 feet to a point in the north boundary of said  $N\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$ ; thence easterly along said north boundary a distance of 863.8 feet to the point of beginning, containing approximately 3.7 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, 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 the entire fee simple title in and to the lands hereinabove described, subject only to the rights of the Grand River Dam Authority, a public corporation, for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America on or before the 19th day January, 1944, and that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

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

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Court adjourned to November 22, 1943.

On this 22nd day of November, 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

M. P. PERRY, Trustee,	Plaintiff,	)
		)
vs		) No. 285
		)
ASSOCIATED PETROLEUM PROPERTIES, a Trust Estate; PROVIDENT TRUST, a Trust Estate; E. R. PERRY and S. L. DEDMAN,	Defendants.	)

ORDER CLOSING RECEIVERSHIP AND DISCHARGING RECEIVER

This matter came on to be heard on this the 8th day of November, 1943.

Trustee appeared in person by his attorney, C. A. Coakley.

The court considered the claim filed herein by Haskins and Sella for Services to the receivership and the trust estate and allowed said claim in the sum of \$1000.00, disallowing the remainder of said claim.

It is hereby ordered that the Associated Petroleum Properties, Inc. pay that amount to said Haskins and Sells in full of all their services to date.

The receiver's account is approved and the receiver is hereby ordered to pay all funds in his hands to the Associated Petroleum Properties, Inc., and to make arrangements to take care of checks outstanding against the bank account and to close the receiver's bank account.

The Clerk of this Court is hereby ordered and directed to pay any deposits of costs on hand, after the receivership is closed, to the Associated Petroleum Properties, Inc.

It is further ordered that all papers and files belonging to the Seminole Provident Trust, which are now in the hands of the Clerk be delivered by the Clerk to the Associated Petroleum Properties, Inc.,

It is further ordered that all receivers and attorney's fees paid since the date of the last order herein be and the same are hereby approved.

It is further ordered that all checks outstanding against the account of the receiver which are not presented within six months from this date shall become void and the claim represented thereby shall be barred.

It is further ordered that the receiver, Joseph R. McGraw be and he is hereby

discharged as such receiver and his bond is hereby exonerated.

F. E. KENNAMER  
U. S. District Judge

ENDORSED: Filed Nov 22 1943  
H. P. Warfield, Clerk  
U. S. District Court AC

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1018
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 32.6		)	
acres, more or less, and Walker Fields, et al.,		)	
	Defendants.	)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 23rd day of November, 1943, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in said lands is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S. C. Title 16, Sec. 309); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, said estate in said lands.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other improvements, and to enter upon said lands from time to time, in the performance of said acts -- upon and over certain lands situate, lying and being in the County of Delaware, in the Northern District of the State of Oklahoma, within the jurisdiction of this Court, and more particularly described by courses and distances, as follows, to wit:

FOR Description of Land see Journal 6 - Page 377.

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

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

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that T. G. Grant, of Tulsa, County, Oklahoma, W. L. Mayes, of Mayes County, Oklahoma, and G. V. Hamilton of Ottawa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names of this Court, and are appointed as commissioners to inspect said tracts of land as hereinafter described and consider the injury and assess the damages each defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation by the petitioner, of a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other improvements, and to enter upon said lands from time to time in the performance of said acts.

BE IT FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the United States Post Office Building at Vinita, Oklahoma, on the 29th day of November, 1943, at the hour of 9:30 o'clock A.M., for the purpose of taking the oath of office, and the performance of their duties.

ROYCE H. SAVAGE  
JUDGE

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

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

United States of America,	Plaintiff,	)	
		)	
-vs-		)	No. 1046 - Civil
		)	Tract 15 (2-FW-59)
Certain Parcels of land in Mayes County,		)	
Oklahoma, Roy G. Uhl, et al.,	Defendants.	)	

ORDER OF DISBURSEMENT

Now this 22nd day of November, 1943, same being a judicial day of said court, this matter comes on for hearing on the application of Roy G. Uhl and his wife, Celia Uhl asking that certain funds and moneys now on deposit in the office of the Clerk of this Court, be ordered disbursed and paid to them. The applicants appear in person and by attorney, and there being no protest, objections or exceptions filed it was then shown to the court that notice of hearing on said application has been duly given for more than ten days next prior to this date, by mailing a copy of the notice of hearing to the Plaintiff, to wit, its Federal Works Agency, Legal Department, 4th floor Kennedy Building, P. O. Drawer #1619, Tulsa, Oklahoma, and by mailing a copy of said notice of hearing to the County Treasurer of Mayes County, Oklahoma at Pryor, Oklahoma. The court having examined the proofs of service of notice and having heard evidence thereon, finds that notice of hearing on said application for disbursement of funds has been given for the time and in the manner required by law, and doth approve the same and directed the hearing to proceed.



Charles Oakley;  
Sadie Robinson, nee Victor;  
Lillie L. Coddington;  
Leonore Adams;  
The Federal Land Bank of Wichita, a corporation;  
Land Bank Commissioner;  
Federal Farm Mortgage Corporation, a corporation;  
The Federal Land Bank of Wichita, a corporation, Agent and  
Attorney-in-Fact for Land Bank Commissioner and Federal  
Farm Mortgage Corporation, a corporation;  
The Deming Investment Company, a corporation;  
And the known and unknown heirs, executors, administrators,  
trustees, devisees, legatees, creditors and assigns, immediate  
and remote, and their spouses, if any, of John W. Oakley, deceased;  
of S. G. Victor, deceased, and of Octa Lucille Victor, deceased

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

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in the APTON AMERICAN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them of the institution of the condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, or before the 17th day of January, 1944, the petitioner, United States of America, will, on the 17th day of January, 1944, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court of the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present if they so desire.

ROYCE H. SAVAGE  
JUDGE

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

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

Victory Investment Corporation, a Delaware Corporation, et al.,	Plaintiffs,	)	
		)	
vs		)	No. 1090 Civil
		)	
Orie Johnson, et al.,	Defendants.	)	

ORDER EXTENDING TIME OF DEFENDANTS TO ANSWER

Now on this 22nd day of November, 1943, the above entitled and numbered cause comes on for consideration of a stipulation and agreement of plaintiffs and Ori Johnson and other defendants named in said stipulation for an extension of time in which to file answer herein to the complaint of the plaintiffs, and the court having considered said stipulation and being fully advised in the premises finds that said stipulation should be approved and that said defendants named therein should be granted until January 20th, 1944, in which to file answer to the complaint of the plaintiffs.

It is therefore considered, ordered and adjudged by the Court, that said stipulation should be approved and that said defendants named therein be, and they are hereby granted an extension of time in which to file answer to the complaint herein until and including January 20th, 1944.

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

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

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

Victory Investment Corporation, a Delaware Corporation, et al.,	Plaintiffs,	)	
		)	
vs		)	No. 1091 Civil
		)	
A. H. Friedman, et al,	Defendants.	)	

ORDER EXTENDING TIME OF DEFENDANTS TO ANSWER

Now on this 22nd day of November, 1943, the above entitled and numbered cause comes on for consideration of a stipulation and agreement of plaintiffs and A. H. Friedman and other defendants named in said stipulation for an extension of time in which to file answer herein to the complaint of the plaintiffs, and the court having considered said stipulation and being fully advised in the premises finds that said stipulation should be approved and that said defendants named therein should be granted until January 20th, 1944, in which to file answer to the complaint of the plaintiffs.

IT IS THEREFORE considered, ordered and adjudged by the Court, that said stipulation be, and the same is hereby approved, and said defendants named therein be, and they and each of them are hereby granted an extension of time in which to file answer to the complaint herein until

REGULAR JANUARY 1943 TERM

MONDAY, NOVEMBER 22, 1943

and including January 20th, 1944.

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

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

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Court adjourned to November 26, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, NOVEMBER 26, 1943

On this 26th day of November, 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

Pearl Sitterly, Plaintiff, )  
vs ) CIVIL NO. 701  
H. L. Cannady Company, et al., Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now, on this 20th day of October, 1943, this cause comes on to be heard before me for decision and final judgment, after having been regularly set, and all parties appearing in court; the plaintiff by her attorneys C. R. Thurlwell and J. M. Hill and the Eton Securities Company by its attorney Wilbur J. Holleman, both sides having made further argument, and it appearing to the court that the evidence was taken in said action on the 7th day of October, 1942 and that on said date said action was continued for further argument; it now appearing to the court that the contentions of the plaintiff should be sustained and the claims of the defendant be denied, and the court having considered the above facts and the law finds the issues in favor of the plaintiff and against the defendant.

The court further finds that this is an action to quiet title to certain property described in plaintiff's petition and to cancel and extinguish certain paving tax certificates owned by the defendant Eton Securities Company, described in and attached to the cross petition of the Eton Securities Company, and which are more definitely set out hereafter and which constitutes a lien and cloud on the title of the plaintiff and which said certificates and property on which they claim to be a lien are described as follows, to-wit:

Tax Bill No. 59739 covering Lot Five (5) block One (1)  
 Tax Bill No. 59740 covering Lot Six (6) block One (1)  
 Tax Bill No. 59741 covering Lot One (1) block Two (2)  
 Tax Bill No. 59742 covering Lot Two (2) block Two (2)  
 Tax Bill No. 59743 covering Lot Three (3) block Two (2)  
 Tax Bill No. 59744 covering Lot Four (4) block Two (2)  
 Tax Bill No. 59745 covering Lot Five (5) block Two (2)  
 Tax Bill No. 59746 covering Lot Six (6) block Two (2)  
 all in LORRAINE TERRACE ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA according to the recorded plat thereof,

and that same should be cancelled and removed as a cloud or lien on the above described property.

And it further appearing to the court that one W. B. Carter who was on the 18th day of September, 1941 duly served with summons in this action and who claims to own certain sewer warrants, has failed to answer, demur or otherwise plead in said action, is by the court adjudged in default, and that the said sanitary sewer warrants so owned and claimed to be owned by the said W. B. Carter on which property said warrants are a cloud are described as follows:

Sewer warrant No. 45890 covering Lot Five (5) block One (1)  
 Sewer warrant No. 45891 covering Lot Six (6) block One (1)  
 Sewer warrant No. 45892 covering Lot One (1) block Two (2)  
 Sewer warrant No. 45893 covering Lot Two (2) block Two (2)  
 Sewer warrant No. 45894 covering Lot Three (3) block Two (2)  
 Sewer warrant No. 45895 covering Lot Four (4) block Two (2)  
 Sewer warrant No. 45896 covering Lot Five (5) block Two (2)  
 Sewer warrant No. 45897 covering Lot Six (6) block two (2)  
 Sewer warrant No. 45898 covering Lot Seven (7) block Two (2)  
 Sewer warrant No. 45899 covering Lot Eight (8) block Two (2)  
 Sewer warrant No. 45900 covering Lot Nine (9) block Two (2)  
 Sewer Warrant No. 45901 covering Lot Ten (10) Block Two (2)  
 Sewer warrant No. 45902 covering Lot Eleven (11) Block Two (2)  
 Sewer Warrant No. 35903 covering Lot Twelve (12) block Two (2)

all in LORRAINE TERRACE ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, according to the recorded plat thereof, and that same should be cancelled and removed as a cloud or lien on all the above described property.

The court further finds that Lots Five (5) and Six (6) Block One (1) Lorraine Terrace Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, are now described as Lots Seven (7), Eight (8) and Nine (9) Block (1) of the Amended Plat of Lorraine Terrace Addition to the City of Tulsa, Tulsa County, State of Oklahoma, and that Lots (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10) Eleven (11), and Twelve (12) Block Two (2) Lorraine Terrace Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, are now described as Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), and Eighteen (18) Block Two (2) of the Amended plat of Lorraine Terrace Addition to the City of Tulsa, Tulsa County, State of Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the title and possession of the above described property is hereby forever quitted and vested all in the Plaintiff, Pearl Sitterly, her heirs and assigns, forever, and the defendant, Eton Securities Company has no right, title, interest, claim or lien thereon, and that the paving certificates numbers 59739, 59740, 59741, 59742, 59743, 59744, 59745 and 59746 above mentioned and described in defendant's answer as special tax bills, are hereby cancelled, removed and extinguished as a cloud or lien on the property of the plaintiff, and the Commissioner of Finance and Revenue of the City of Tulsa, Tulsa County, State of Oklahoma, is hereby directed to show such cancellation thereof on the records in his office; and

It is further ordered and adjudged that the Sanitary Sewer Warrants numbers 45890, 45891, 45892, 45893, 45894, 45895, 45896, 45897, 45898, 45900, 45901, 45902, and 45903 owned or claimed by W. B. Carter are hereby cancelled and removed as a cloud or lien on the above described property, and the County Treasurer of Tulsa County, State of Oklahoma, is hereby ordered to show cancellation thereof, on the records of his office.

It is further ordered, adjudged and decreed that the plaintiff herein recover her costs herein laid out and expended together with a reasonable attorney fee, for Attorney C. R. Thurlwell in the sum of \$100.00 to be also taxed as costs against the defendant, Eton Securities Company.

ROYCE E. SAVAGE  
Judge of the United States District Court

ENDORSED: Filed Nov 26 1943  
H. P. Warfield, Clerk  
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		) CIVIL NO. 1024
CERTAIN PARCELS OF LAND IN CRAIG COUNTY,		)
OKLAHOMA; and Gordon V. Gaddis, et al.,		)
	Defendants.	)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 5 (45 FW 102 (Rev.))

NOW, on this 26 day of November, 1943, there coming on for hearing the application of the defendant, Malcolm Cullen, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 5 (45 FW 102 (Rev.)), and the Court being fully advised in the premises, finds:

That the defendant, Malcolm Cullen, was the owner of the lands designated as Tract No. 5 (45 FW 102 (Rev.)) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$458.00 for the taking of a perpetual easement for flowage purpose upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual easement for flowage purposes, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Malcolm Cullen, agreed to grant and sell to the petitioner a perpetual right, privilege and authority to inundate, submerge and flow said lands for the sum of \$458.00, which was accepted by the petitioner.

The Court further finds that the sum of \$458.00 is just compensation for the injuries and damages sustained by said defendant, Malcolm Cullen.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Malcolm Cullen, was the owner of the land designated as Tract No. 5 (45 FW 102 (Rev.)), when this proceeding was commenced and that the sum of \$458.00 is just compensation for the damages sustained by the defendant, and that said defendant is the only person having any right, title or interest in and to said just compensation.

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

TO: Malcolm Cullen Tract No. 5 (45 FW 102 (Rev.))	Owner  \$458.00  ROYCE H. SAVAGE JUDGE
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ENDORSED: Filed Nov 26 1943  
H. P. Warfield, Clerk  
U. S. District Court

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

UNITED STATES OF AMERICA,  -vs-  CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA, containing 9.9 acres, more or less; and Carey Caldwell, et al.,	Petitioner,    Defendants.	) ) ) CIVIL NO. 1046 ) ) )
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ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 11 (2 FW 44)

NOW, on this 26 day of November, 1943, there coming on for hearing the application of the defendant, J. Hiram Tandy, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 11 (2 FW 44), and the Court being fully advised in the premises, finds:

That the defendant, J. Hiram Tandy, was the owner of the lands designated as Tract No. 11 (2 FW 44) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$609.00 for the taking of a perpetual easement for flowage purposes upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual easement for flowage purposes, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, J. Hiram Tandy, agreed to grant and set to the petitioner a perpetual right, privilege and authority to inundate, submerge and flow said lands for the sum of \$500.00, which was accepted by the petitioner.

The Court further finds that the sum of \$500.00 is just compensation for the injuries and damages sustained by said defendant, J. Hiram Tandy.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, J. Hiram Tandy, was the owner of the land designated as Tract No. 11 (2 FW 44), when this proceeding was commenced and that the sum of \$500.00 is just compensation for the damages sustained by the defendant, and that said defendant is the only person having any right, title or interest in and to said just compensation.

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

TO: J. Hiram Tandy	Owner
Tract No. 11 (2 FW 44)	\$500.00
Treasurer of the United States	
(Refund as to Tract No. 11	
(2 FW 44)	\$109.00
	ROYCE H. SAVAGE
	JUDGE

ENDORSED: Filed Nov 26 1943  
H. P. Warfield, Clerk  
U. S. District Court H

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

H. C. Hovendon, and the City of Sapulpa,	)	
Oklahoma, a municipal corporation, ex rel	)	
H. C. Hovendon,	Plaintiffs,	) No. 1051 Civil
	)	
vs	)	
	)	
Chas. E. Potter, et al.,	Defendants.	)

ORDER APPROVING COMPROMISE AND SETTLEMENT

Now on this 22nd day of November, 1943, this cause comes on to be heard upon the application of the plaintiffs for leave to compromise and settle plaintiffs' causes of action numbers 1 to 7, both inclusive, and it being proven that notice of the hearing of the application has been given, as required by the order entered herein on the 12th day of November, 1943, and the Court being advised in the premises and on consideration thereof finds:

That the owners of Lots One (1) and Seven (7), both inclusive, in Block Seven (7), Frank and Root Addition to the City of Sapulpa, Creek County, Oklahoma, same being the property described in plaintiffs' causes of action numbers 1 to 7, both inclusive, have offered to pay the sum of Five Hundred Dollars ( \$500.00), in cash, in full settlement, satisfaction and accord of the amounts claimed by plaintiffs as delinquent assessments against said lands, and that the plaintiff, H. C. Hovendon, has orally agreed to accept said sum subject to the approval of this Court.



The Court further finds that the sum of \$157.50 is a just compensation for the injuries and damages sustained by said defendant, L. M. Keller.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, L. M. Keller, was the owner of the land designated on Tract No. 18 (24 FW 583), when this proceeding was commenced, and that the sum of \$157.50 is just compensation for the damages sustained by the defendant, and that said defendant is the only person having any right, title or interest in and to said just compensation.

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

TO: L. M. Keller	Owner
Tract No. 18 (24 FW 583)	
	\$157.50
	ROYCE H. SAVAGE
	JUDGE

ENDORSED: Filed Nov 26 1943  
H. P. Warfield, Clerk  
U. S. District Court

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

INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, a corporation,	Complainant,	)
		)
-vs-		) No. 1082 Civil
		)
THE BURT CORPORATION, a corporation, and L. G. BURT,	Defendants.	)

D I S M I S S A L

Permission is hereby given to complainant to dismiss the above styled and numbered action with prejudice. Dated this 15th day of November, 1943.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Nov 26 1943  
H. P. Warfield, Clerk  
U. S. District Court

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

JAMES FIELDS,	Plaintiff,	)
		)
vs.		) No. 1086 - Civil
		)
COCA COLA BOTTLING COMPANY, OF TULSA,		)
OKLAHOMA, a corporation,	Defendant.	)

ORDER DISMISSING ACTION WITHOUT PREJUDICE

Now on this 26 day of November, 1943, this cause comes on to be heard on the motion of the plaintiff to dismiss this action. The plaintiff and defendant appeared by their attorneys and the Court being fully advised in the premises finds that the motion should be sustained.

IT IS, THEREFORE, ORDERED, that this action be, and the same is hereby dismissed without prejudice.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Nov 26 1943  
E. P. Warfield, Clerk  
U. S. District Court AC

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		) No. 1103 Civil
		)
8.5 acres of land, more or less, situate		)
in Tulsa County, State of Oklahoma, and O. L.		)
Avey, et al.,	Respondents.	)

ORDER ALLOWING PETITIONER TO AMEND PETITION BY MAKING AN  
ADDITIONAL PARTY RESPONDENT

Now on this 26 day of November, 1943 the above matter coming on for hearing on the application of the petitioner for permission of the Court to amend its Petition for Condemnation filed herein by adding the name of an additional party respondent, as follows, to-wit:

I. D. Rich

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

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

ROYCE H. SAVAGE  
JUDGE

endorsed; Filed Nov 26 1943  
E. P. Warfield, Clerk  
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
vs		) No. 1106 - Civil
		)
2.5 acres of land, more or less, situate		)
in Tulsa County, State of Oklahoma, and C. H.		)
McCormick, et al.,	Respondents.	)

ORDER APPOINTING COMMISSIONERS

Now on this 26 day of November, 1943, the above cause comes on for hearing upon the petition of the United States of America for an order appointing commissioners in said cause. And it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the lands hereinafter described, and that the acquisition of said lands is necessary to the United States of America for use in connection with the establishment of the Tulsa Aircraft Assembly Plant, Oklahoma, and for such other uses as may be authorized by Congress or by Executive Order, under and by reason of the Acts of Congress as set forth in the Petition for Condemnation and Declaration of Taking filed herein.

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

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

Said land is described as follows:

Tract No. 1

That certain tract or parcel of land being Lot Twenty-one (21), Aerial Heights, a Subdivision of Tulsa County, Oklahoma, except a strip of land 25 feet wide off the East end of said lot heretofore dedicated to the public for streets and parking purposes, containing 2.5 acres, more or less, according to the recorded Plat thereof.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that T. G. Grant of the City of Tulsa, County, Oklahoma; Kenneth Crouch of the City of Tulsa County, Oklahoma; and Morgan Jones of the City of Tulsa County, Oklahoma, disinterested freeholders of said district, and not interested in any like question, be, and they are hereby appointed as commissioners to forthwith inspect said real property hereinabove described, and consider the fair, cash, market value of said real estate, and estate therein taken, and award said fair, cash, market value to the respondents in this cause.

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

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Nov 26 1943  
H. P. Warfield, Clerk  
U. S. District Court E

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Court adjourned to November 29, 1943



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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		) CIVIL NO. 1002
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)
OKLAHOMA, containing approximately 39.3 acres,		)
more or less; and P. E. Hasting, et al.,		)
	Defendants.	)

ORDER APPOINTING COMMISSIONERS

NOW, on this 29th day of November, 1943, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in said lands is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, said estate in said lands.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other improvements, and to enter upon said lands from time to time, in the performance of said acts -- upon and over certain lands situate, lying and being in the County of Delaware, in the Northern District of the State of Oklahoma, within the jurisdiction of this Court, and more particularly described by courses and distances, as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE Journal 6, Page 319)

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

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

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that T. G. Grant of Tulsa County, Oklahoma, W. L. Mayes of Mayes County, Oklahoma, and C. V. Hamilton of Ottawa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names of this Court, and are appointed as commissioners to inspect said tracts of land as hereinabo



if living, or in existence, or if deceased, and not in existence, their known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any, of Lizzie Constitution, Cherokee Citizen, Roll No. 19467, deceased; Mary Creekilller, Cherokee Citizen, Roll No. 21461, deceased; Coon Aleck, deceased; Alice Aleck, deceased; Katie Buzzard, nee Aleck, deceased; George A. Ralph, deceased; Bony Raven, Cherokee Roll No. 19381, deceased, Victoria Guess, Cherokee Roll No. 30542, deceased; Mary J. Shoap, Cherokee Roll No. 23708, deceased; Daniel Butler, deceased; Rosie Butler, deceased; Franklin Chouteau, Cherokee Roll No. 11109, deceased; and S. E. Sandison, deceased;

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

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in THE GROVE SUN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks notifying said defendants, and each of them, of the institution of the condemnation proceeding, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before January 24, 1944, the petitioner, United States of America, will, on January 24, 1944, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court of the Northern District of Oklahoma, for an order appointing from the regular jury panel three disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present, if they so desire.

ROYCE H. SAVAGE  
J U D G E

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

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

UNITED STATES OF AMERICA,	Petitioner,	)
-vs-		)
9.50 acres of land, more or less,		)
situate in Tulsa County, Oklahoma,		)
and the City of Tulsa, a municipal		)
corporation, et al.,	Respondents.	)

No. 1953 - Civil

ORDER DISTRIBUTING FUNDS

Now on this 29 day of November, 1943, this cause came on to be heard and the Court, having been fully advised in the premises, finds that distribution should be made in the above styled condemnation case.

IT IS THEREFORE ORDERED that the Clerk of this Court issue checks payable as follows, to-wit:

<u>Tract No. 3</u>	
Water Improvement District No. 5 (Full award)	\$41.41
City of Tulsa (Distribution of deposit)	\$958.59

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)
-vs-		)
CERTAIN PARCELS OF LAND IN THE TOWNSITE		)
OF CLEORA, DELAWARE COUNTY, OKLAHOMA, and		)
CERTAIN PERSONAL PROPERTY LOCATED THEREON		)
AND USED IN CONNECTION THEREWITH; and R. F.		)
Olrich, et al,	Defendants.	)

CIVIL NO. 1955

JUDGMENT VESTING TITLE AND FIXING JUST COMPENSATION FOR  
PERSONAL PROPERTY Tract No. 9 (6 FW 637)

NOW, on this 29th day of November, 1943, there coming on for hearing the application of the petitioner for judgment on stipulation as to personal property located upon and used in connection with the lands described and designated as Tract No. 9 (6 FW 637), and for an order fixing and

determining the damages sustained, if any, to said personal property, occasioned by the temporary use of same from the 18th day of May, 1943, to the 22nd day of May, 1943, inclusive, by the United States of America, in connection with the Grand River Dam Project, and upon consideration thereof read the copy of said stipulation thereto attached, and of the condemnation petition and amendment thereto, and the statutes in such cases made and provided, and the Executive Order of the President of the United States No. 8544, dated November 19, 1941, made pursuant to authority contained in the Act of June 10, 1920, 41 Stat. 1063 (U. S. C. Title 16, Sec. 809), and the Second War Powers Act of March 27, 1942, (50 U.S.C. Sec. 171-A), and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to take and temporarily use said property for the purposes as set out and prayed in said petition as amended;

SECOND: That a petition in condemnation and amendment thereto, 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 to make temporary use of the personal property described in the amendment to said petition, and also under authority of the Attorney General of the United States;

THIRD: That said petition, and amendment thereto, state the authority under which and the public use for which said lands and personal property were taken; that the Administrator of the Federal Works Agency is the person duly authorized and empowered by law to acquire the estate in said lands and to make temporary use of the personal property located upon and used in connection with said lands as are described in the petition, and amendment thereto, for the safety and defense of the United States, for the prosecution of the war, and for the construction of public works; 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 personal property temporarily used sufficient for the identification thereof is set out in said petition for condemnation, as amended, and designated as personal property located upon and used in connection with the lands described as Tract No. 9 (6 FW 637);

FIFTH: That the powers, duties and functions of the Administrator of the Federal Works Agency in connection with the Grand River Dam Project in Oklahoma, were transferred to the Secretary of the Interior of the United States on September 1, 1943, and that the Secretary of the Interior, through his duly authorized representative has entered into an agreement and stipulation with the defendant, Paul Devin, the owner of all of the personal property described in Tract No. 9 (6 FW 637) in the amendment to the petition in condemnation, thereby fixing and determining the full and just compensation to be paid said defendant, in the sum of \$114.73.

SIXTH: That the Secretary of the Interior of the United States, through his duly authorized representative, is duly authorized and empowered to enter into agreements and stipulations such as the one referred to herein fixing and determining the full and just compensation to be paid for the taking of lands and the temporary use of personal property located upon and used in connection with said lands; and that the defendant, Paul Devin, was the owner of said personal property at all times when the same was temporarily used by the petitioner;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$114.73 is full and just compensation for the loss of and damage to all personal property located upon and used in connection with the lands described in and designated in these proceedings as Tract No. 9 (6 FW 637), sustained by the owners, or those having any right, title or interest in and to said personal property, inclusive of every interest therein as the result of the flooding of said lands in May, 1943, by the petitioner in connection with the Grand River Dam Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America deposit in the registry of this court the said sum of \$114.73 for the use and benefit of the



On this 1st day of December, 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 WITHIN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

The Board of County Commissioners of Delaware County, Oklahoma,	)	
	) Plaintiff,	
	)	
vs	)	Civil No. 1117
	)	
Ray and Edwards Construction Company, a partnership composed of James R. Ray and Allen N. Edwards,	)	
	) Defendant.	

O R D E R

Now, on this the 1st day of December, 1943, there comes on for hearing for the above and entitled cause, the application of the plaintiff, appearing in person by its attorney, Riley Q. Hunt, for an Order of this Court to extend the time in which to file an amended complaint granting the defendant time in which to file an answer in setting this case for trial, and the Court being fully advised in the premises, advises and adjudges:

1. That plaintiff should be and is allowed three (3) days from this date within which to file an amended complaint in this cause;
2. That upon the filing of such complaint, the defendant, by its consent and agreement, is allowed three (3) days thereafter within which to file an answer to such amended complaint;
3. That said cause be and the same is set and assigned for trial upon the merits on Monday, December 13, 1943, at 9:30 o'clock A.M. in the Court Room of this Court in the City of Tulsa, State of Oklahoma.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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Court adjourned to December 3, 1943

On this 3rd day of December, 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 F. Logan, United States Marshal

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

RISS & COMPANY, INC. A CORP.	Plaintiff,	) No. 525 - Civil
-vs-	)	
U. S. OF A. & Interstate Commerce Commission,	Defendants.	)

Now on this 3rd day of December, A. D. 1943, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled and numbered cause as follows, to-wit:

UNITED STATES OF AMERICA, vs:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you, in a cause between Riss & Company, Inc., Plaintiff, and The United States of America, and Interstate Commerce Commission, Defendants, No. 525 Civil, wherein the final decree of the said District Court, entered in said cause on the 23rd day of June, A. D. 1943, is in the following words, viz:

"This cause having come on for trial on the 23rd day of June, A. D. 1943, and having been submitted upon the pleadings, without the introduction of any evidence by either party, and argument of counsel for plaintiff and defendants having been heard, and the court being of opinion that the case is indistinguishable upon the law and the facts from the case of Gregg Cartage & Storage Co., v. United States, 316 U.S. 74, and under the authority thereof should be dismissed,

It is therefore ordered, adjudged and decreed that the complaint in the above styled case be and the same hereby is dismissed at the cost of the plaintiff."

as by the inspection of the transcript of the record, of the said District Court, which was brought into the SUPREME COURT OF THE UNITED STATES by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears.

AND WHEREAS, in the present term of October, in the year of our Lord one thousand nine hundred and forty-three, the said cause came on to be heard before the said SUPREME COURT, on the said transcript of record, and on motion to dismiss or affirm, which was duly submitted;

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the decree of the District Court in this cause be, and the same is hereby granted.

IT IS FURTHER ORDERED that the decree of the District Court in this cause be, and the same is hereby, affirmed.

October 25, 1943.

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

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

CHARLES ELMORE CROPLEY  
Clerk of the Supreme Court of the United States

ENDORSED: Filed Dec 3 1943  
H. P. Warfield, Clerk  
U. S. District Court ME

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

SOUTH PENN OIL COMPANY, et al., Plaintiffs, )  
vs ) No. 671 Civil  
Phillips Petroleum Company, et al., Defendants. )

D E C R E E

On this the 1st day of November, 1943, the above-entitled and numbered action coming on for trial, the parties thereto appearing and having announced ready for trial, it is ordered that the case be consolidated with No. 856, Kathleen C. Wilson, et al., Plaintiffs, vs. Sinclair Prairie Oil Company, et al., Defendants, and No. 857, Alfred J. Diescher, et al., Plaintiffs, vs. Sinclair Prairie Oil Company, et al., Defendants, for the purpose of this trial.

Thereupon plaintiffs proceeded with the introduction of their testimony from day to day.

And now on this 4th day of November, 1943, plaintiffs completed the introduction of their testimony in chief and thereupon rested.

Whereupon defendant, Phillips Petroleum Company, moved under Rule 41-B for dismissal of each count, paragraph and prayer, on the ground that upon the facts and law the plaintiffs have shown no right to relief, that each of plaintiffs have shown no right to relief.

Whereupon defendant, Sinclair Prairie Oil Company, submitted a motion under subdivision B of Rule 41, to dismiss this action and each and every count therein in so far as same seeks any relief against said defendant, Sinclair Prairie Oil Company, because the plaintiffs nor any of them have under the pleadings or under the facts and the law shown any right to relief as against said defendants.

Thereupon said motions were argued by counsel and the Court after hearing said arguments, and being well and fully advised in the premises, does sustain said motions of each defendants and each of them as to Counts VI, VII, VIII, IX, X, XI, XIV, XV, and XVII, and each of said counts are hereby dismissed. Said motions to dismiss are overruled as to Counts I, III and I.V, and the Court reserves ruling upon said motions as to Counts II, V, XII, XIII and XVI.





Civil, entitled as aforesaid, as an amendment of and substitute for defendant's Fifth Defense contained in its separate answer herein.

Defendant, Phillips Petroleum Company is granted leave to file amendment to its answer herein.

Thereupon plaintiff's proceeded with the introduction of their testimony from day to day.

And now on this 4th day of November, 1943, plaintiffs completed the introduction of their testimony in chief and thereupon rested.

Whereupon defendant, Phillips Petroleum Company, moved under Rule 41-B of dismissal of each count, paragraph and prayer; on the ground that upon the facts and law the plaintiffs have shown no right to relief, that each of plaintiffs have shown no right to relief.

Whereupon defendant, Sinclair Prairie Oil Company, submitted a motion under subdivision B of Rule 41, to dismiss this action and each and every count therein in so far as same seeks any relief against said defendant, Sinclair Prairie Oil Company because the plaintiffs nor any of them have under the pleadings or under the facts and the law shown any right to relief as against said defendant.

Thereupon said motions were argued by counsel and the court after hearing said arguments, and being well and fully advised in the premises, does sustain said motions of said defendants as to Counts VI, VII, VIII, IX, XIV, XV, and XVII, and each of said Counts are hereby dismissed. Said motions to dismiss are overruled as to Counts I, III and IV, and the Court reserves ruling on said motions to dismiss as to Counts II, V, XII, XIII and XVI.

Now on this 5th day of November 1943, said causes coming on for further hearing, came the plaintiffs and move the Court to set aside its ruling sustaining motions of defendants to dismiss Count IX, and said motion is sustained, and said order dismissing Count IX is hereby set aside, and the Court hereby reserves ruling upon said motions to dismiss said Count IX.

Thereupon defendants proceeded with the offer of their evidence from day to day and plaintiffs offered testimony in rebuttal and on this 10th day of November, 1943, the hearing of testimony having been concluded and both parties having rested, said defendants and each of them renew their motion to dismiss as heretofore made upon the grounds therein stated.

Thereupon the Court takes this case under advisement as to the Counts not heretofore dismissed, and plaintiffs are allowed 45 days from this date in which to prepare and file brief herein and defendants are allowed 45 days thereafter to file answer briefs, and plaintiffs are allowed 15 days thereafter to file reply brief.

Each of the parties hereto are directed to prepare and file their requests for findings of fact and conclusions of law, said requests to be filed at or about the time brief of the respective parties are filed in accordance with this order.

ROYCE H. SAVAGE  
Judge

ENDORSED: Filed Dec 3 1943  
H. P. Garfield, Clerk  
U. S. District Court ME

CONTINUED TO JOURNAL 7, Page 1.

(CONTINUED FROM JOURNAL 6 - Page 1000)

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

Joe Hollingsworth,	Plaintiff,	)
		)
vs		) No. 978
		)
St. Louis Smelting & Refining Company, a corporation,	Defendant.	)

O R D E R

Now, on this 3 day of December, 1943, the above entitled cause coming on for hearing upon the stipulation of the parties for dismissal with prejudice, and it appearing from said stipulation that said cause has been fully and finally settled between the parties out of court, and the court being otherwise fully advised in the premises, and pursuant to such stipulation.

IT IS ORDERED, ADJUDGED AND DECREED, that said cause be and the same is hereby dismissed with prejudice to a new action at the cost of the defendant without attorneys's fees to either side.

ROYCE H. SAVAGE  
Judge

ENDORSED: Filed in Open Court  
Dec 3 1943  
E. P. Warfield, Clerk  
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		) CIVIL NO. 983
		)
CERTAIN PARCELS OF LAND IN LAVES COUNTY, OKLAHOMA; and M. D. Stryker, et al.,	Defendants.	)

ORDER SUSTAINING MOTION TO STRIKE DEMAND FOR JURY TRIAL AS  
TO TRACT NO. 8 (2 FW 20)

NOW, on this 3rd day of December, 1943, there coming on for hearing the motion of the United States of America, petitioner herein, to strike the demand for jury trial filed herein on July 29, 1943, as to Tract No. 8 (2 FW 20), and it appearing to the Court that said demand for jury trial was not filed within the time prescribed by statute for the filing of a demand for jury trial in proceedings of this kind; and that the motion of the petitioner should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the motion of the petitioner be, and it is hereby sustained, and that the demand for jury trial filed herein on July 29, 1943, as to Tract No. 8 (2 FW 20) is hereby stricken; that the report of commissioners filed herein on



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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 983
		)	
CERTAIN PARCELS OF LAND IN MAYES COUNTY,		)	
OKLAHOMA; and M. D. Stryker, et al,	Defendants.	)	

JOURNAL ENTRY OF JUDGMENT AS TO TRACT NO. 4  
(2 FW 10)

NOW, on this the 3rd day of December, 1943, the defendant, J. E. Vermillion, appeared in person, and the petitioner, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Q. B. Boydston, Assistant Chief Counsel, Southwest Power Administration; and it appearing to the Court that the defendant, J. E. Vermillion, is the owner and holder of a lease upon the lands designated as Tract No. 4 (2 FW 10) in the above proceeding; that he was the owner and holder of said lease at the time the petitioner took in these proceedings a perpetual flowage easement upon said tract of land; that by virtue of said lease, said defendant made certain improvements upon said tract of land and under the terms of said lease, said improvements were personal property of said defendant; that the commissioners appointed by this Court to assess the damages which the owners and those having any right, title or interest in and to said tract of land, assess and fixed the damages in the sum of \$5.60; that the defendant, J. E. Vermillion, lessee of said tract, filed exceptions to said report; that this Court heard said exceptions and sustained the same as to said defendant, J. E. Vermillion, and ordered that a new assessment be made by said commissioners as to the damages sustained by said defendant; Both the defendant and petitioner in open Court waived the assessment of said damages by commissioners and agreed for the Court to fix and assess the damages, if any, sustained by the defendant, J. E. Vermillion.

The Court having examined the report of commissioners filed herein on August 28, 1943 and having heard the testimony of witnesses of petitioner and defendant, sworn and examined in open Court, find that said defendant, J. E. Vermillion, is the owner of certain buildings and improvements located on said Tract No. 4 (2 FW 10), which are affected by the taking of a perpetual flowage easement by the petitioner herein, and has sustained damages by reason of said taking. The Court further finds that the defendants, Katy Adams and Scott Adams, are the fee owners of said tract and that the defendant J. E. Vermillion, is the owner and holder of a lease thereon; that the report of commissioners assessing the damages to the fee owners of said tract in the sum of \$5.60 is final and that said sum is just compensation to the owners of the fee simple title to said tract; and that the sum of \$100.00 is just compensation for the damages sustained by J. E. Vermillion, lessee on said tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THIS COURT, that the just compensation for the damages sustained to said Tract No. 4 (2 FW 10) by the fee owners, Katy Adams and Scott Adams, is \$5.60; that the just compensation to the defendant, J. E. Vermillion, the lessee on said tract, is the sum of \$100.00; and that the report of commissioners filed herein on August 28, 1943, is confirmed as to the defendants, Katy Adams and Scott Adams, the fee owners of said tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, pay to the defendant, J. E. Vermillion, lessee of said tract, the sum of \$100.00 as full and just compensation for the injuries which he has sustained by reason of said taking.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken by these eminent domain proceedings was vested in the United States of America on April 29, 1943, upon the filing of a Declaration of Taking and the depositing of the estimated just compensation with the registry of this Court and the right to recover just compensation for the estate taken vested in the persons entitled thereto.



TRACT NO. 2 (2 FW 8)  
Flowage Easement

Iris M. Fox---fee owner --- \$110.00  
(Commissioners' award)

TRACT NO. 3 (2 FW 9)  
Flowage Easement

R. L. Oskison---fee owner--- 1.00  
(Commissioners' award)

TRACT NO. 4 (2 FW 10)  
Flowage Easement

(See separate judgment entered Dec. 3, 1943)

TRACT NO. 5 (2 FW 11)  
Flowage Easement

John C. Fessler and Dora Fessler--fee owners-- \$8.00  
(Commissioners' award)

TRACT NO. 6 (2 FW 18)  
Flowage Easement

(pending future hearing)

TRACT NO. 7 (2 FW 19)  
Flowage Easement

R. B. Vandegriff --- fee owner-- \$14.70  
(Commissioners' award)

TRACT NO. 8 (2 FW 20)  
Flowage Easement

Julia Whitehead---fee owner-- 15.00  
(Commissioners' award)

TRACT NO. 9 (2 FW 21)  
Flowage Easement

S. B. Iverson--fee owner-- 1.60  
(Commissioners' award)

TRACT NO. 10 (2 FW 22)  
Flowage Easement

H. W. Evans -- fee owner--  
Commissioners of the Land Office of the  
State of Oklahoma -- mortgagees 1.60  
(Commissioners' award)

TRACT NO. 11 (2 FW 23)  
Flowage Easement

Emma L. Randolph -- fee owner -- .80  
(Commissioners' award)

TRACT NO. 12 (2 FW 24)  
Flowage Easement

W. K. Holmes -- fee owner -- 1.00  
(Accepted offer of sale)

TRACT NO. 13 (2 FW 25)  
Flowage Easement

W. A. Berry -- fee owner -- 2.50  
(Commissioners' award)

TRACT NO. 14 (2 FW 26)  
Flowage Easement

G. C. Elliott -- fee owner -- 10.00  
(Commissioners' award)

TRACT NO. 15 (2 FW 27)  
Flowage Easement

Lewis E. Rader -- fee owner -- 10.00  
(Commissioners' award)

TRACT NO. 16 (2 FW 28)  
Flowage Easement

Mattie A. Forbis, now Garver, -- fee owner -- 3.20  
(Commissioners' award)

TRACT NO. 17 (2 FW 29)  
Flowage Easement

Ella R. Cohea -- fee owner of the No. 20 acres  
of Lot 3, Section 1, Township 23 North, Range  
21 East, and an undivided one-third (1/3)  
interest in the remainder of the tract

Harry A. Cohea,  
James R. Cohea,  
Kenneth C. Cohea,  
Mable V. Berry, nee Cohea -- fee owners of an  
undivided two-thirds (2/3) interest in said tract,  
except the said North 20 acres of Lot 3, --  
Distribution to be made as follows:

Ella R. Cohea	16.64
Harry A. Cohea	2.09
James R. Cohea	2.09
Kenneth C. Cohea	2.09
Mable V. Berry, nee Cohea	2.09
(Commissioners' award)	

TRACT NO. 18 (2 FW 30)  
Flowage Easement

James B. Gray -- fee owner -- 1.60  
(Accepted offer of sale)



H. F. West;  
 Harry Lee Taft, Trustee,  
 Luella Haff, one and the same person as Luella Nelson, one  
 and the same person as Ella Nelson,  
 A. J. Love,  
 W. D. Morrison,  
 J. A. Ehart,  
 Pat Byrne,  
 G. H. Burdick,  
 Betsy Ham,  
 Thomas Ham,  
 Robert C. Taylor, if living, or if deceased, their known and  
 unknown heirs, executors, administrators, devisees,  
 legatees, trustees, creditors, successors and assigns,  
 immediate and remote, and their spouses, if any; and  
 the known and unknown heirs, executors, administrators,  
 devisees, legatees, trustees, creditors and assigns,  
 immediate and remote, and their spouses, if any, of Mary  
 Jane Bowman, deceased; of Carrie McCoy, deceased; of  
 Willy Frye, deceased; of J. H. Ritchie, deceased;  
 of Allen Lynch, Cherokee Freedman, Roll No. 1741,  
 deceased; of J. W. G. Cohee, deceased;

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

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

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

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

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

Edgar N. Frye;  
 J. Elmer Frye;  
 Leander Frye;  
 Vance Vernon Frye;  
 Lucien Rogers;  
 M. L. Pierce;  
 G. W. Beck, Jr.  
 H. F. West,  
 Harry Lee Taft, Trustee,  
 Luella Haff, one and the same person as Luella Nelson, one  
 and the same person as Ella Nelson;  
 A. J. Love,  
 W. D. Morrison,  
 J. A. Ehart,  
 Pat Byrne,  
 G. H. Burdick,  
 Betsy Ham,  
 Thomas Ham,



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

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

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

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 25th day of August, 1943, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises, and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 28th day of August, 1943, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (2 FW 7)  
Perpetual Easement

All that part of Lots 3, 7, and 8 in Sec. 10, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, including the bed and banks of Grand River adjacent to said Lots 3, 7 and 8, except that portion on which the Grand River Dam Authority has the right of flowage.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 5.40

TRACT NO. 2 (2 FW 8)  
Perpetual Easement

All that part of the east 23.17 acres of Lot 2, in Sec. 10, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, including the bed and banks of Grand River adjacent to the east 23.15 acres of Lot 2,

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 110.00

TRACT NO. 5 (2 FW 11)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 8.00

TRACT NO. 7 (2 FW 19)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE (OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 14.70

TRACT NO. 8 (2 FW 20)  
Perpetual Easement

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

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

TRACT NO. 9 (2 FW 21)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 1.60

TRACT NO. 10 (2 FW 22)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY 1.60

TRACT NO. 11 (2 FW 23)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY .80

TRACT NO. 13 (2 FW 25)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 2.50

TRACT NO. 14 (2 FW 26)  
Perpetual Easement

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

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

TRACT NO. 15 (2 FW 27)  
Perpetual Easement

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

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

TRACT NO. 16 (2 FW 28)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 3.20

TRACT NO. 17 (2 FW 29)  
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY 28.00

TRACT NO. 20 (2 FW 32)  
Perpetual Easement

All that part of the E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  in Sec. 2, T 20 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY 2.40

TOTAL \$210.20

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and Order of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

(8) The Court finds that the petitioner and the donees entered into agreements and stipulations in the form of accepted offers of sale as to the just compensation to be paid for the estate taken in the lands in these proceedings, and more particularly designated and described as follows, to-wit:

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

All that part of Lot 3, Sec. 3, T 22 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 of an acre.

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1.00

TRACT NO. 12 (2 FW 24)  
Perpetual Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 2, T 25 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 1.00

TRACT NO. 18 (2 FW 30)  
Perpetual Easement

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

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 1.60

TRACT NO. 19 (2 FW 31)  
Perpetual Easement

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

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

"Beginning at SW corner NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence Easterly along the South boundary of NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 273.4 feet, thence North parallel to West boundary of NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 640.2 feet; thence S 29° 09' W 553.9 feet to a point in West boundary of NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  501.8 feet from NW corner, thence Southerly along West boundary of NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 157.02 feet to point of beginning, containing 2 $\frac{1}{2}$  acres" lying below Elevation 757 Sea Level Datum containing approximately 0.3 acres,

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

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 1.00

TOTAL 4.60

and that said stipulations, agreements and accepted offers of sale entered into between the petitioners and the owners are in all respects regular and should be confirmed and approved in every respect, and said sums as set out in the aforementioned accepted offers of sale are just compensation for the estate taken.

The court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners and by the accepted offers of sale hereinabove set forth, is final just compensation, in the total amount of \$214.80.

(9) That the United States of America did, on the 29th day of April, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (2 FW 7) 5.40  
TRACT NO. 2 (2 FW 8) 110.00

TRACT NO. 3 (2 FW 9)	1.30
TRACT NO. 5 (2 FW 11)	8.00
TRACT NO. 7 (2 FW 19)	14.70
TRACT NO. 8 (2 FW 20)	12.00
TRACT NO. 9 (2 FW 21)	1.60
TRACT NO. 10 (2 FW 22)	1.60
TRACT NO. 11 (2 FW 23)	.80
TRACT NO. 12 (2 FW 24)	23.00
TRACT NO. 13 (2 FW 25)	2.50
TRACT NO. 14 (2 FW 26)	10.00
TRACT NO 15 (2 FW 27)	10.00
TRACT NO.16 (2 FW 28)	3.20
TRACT NO. 17 (2 FW 29)	25.00
TRACT NO. 18 (2 FW 30)	1.60
TRACT NO. 19 (2 FW 31)	1.00
TRACT NO. 20 (2 FW 32)	2.40
TOTAL	\$234.10

(10) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 3944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows to wit:

TRACT NO. 1 (2 FW 7)	5.40
TRACT NO. 2 (2 FW 8)	110.00
TRACT NO. 5 (2 FW 11)	8.00
TRACT NO. 7 (2 FW 19)	14.70
TRACT NO. 8 (2 FW 20)	15.00
TRACT NO. 9 (2 FW 21)	1.60
TRACT NO. 10 (2 FW 22)	1.60
TRACT NO. 11 (2 FW 23)	.80
TRACT NO. 13 (2 FW 25)	2.50
TRACT NO. 14 (2 FW 26)	10.00
TRACT NO. 15 (2 FW 27)	10.00
TRACT NO. 16 (2 FW 28)	3.20
TRACT NO. 17 (2 FW 29)	25.00
TRACT NO. 20 (2 FW 32)	2.40
TOTAL	\$ 210.20

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the offers of sale made by the owner and accepted by the petitioner are hereby confirmed and approved in all respects, and the sum of money set forth therein to be paid is full and just compensation for the estate taken as to the tracts of land and the sums as set forth, as follows, to wit:

TRACT NO. 3 (2 FW 9)	1.00
TRACT NO. 12 (2 FW 24)	1.00
TRACT NO. 18 (2 FW 30)	1.60
TRACT NO. 19 (2 FW 31)	1.00
TOTAL	\$ 4.60



Assistant United States Attorney for the Northern District of Oklahoma, and attorney for the petitioner, that none of the defendants in this cause are in the military service of the United States, except that the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to wit:

Susie M. Morse;  
J. C. West,  
W. C. Ritchie,  
D. C. Cassel,  
Jack B. Barket,  
E. G. Johnson,  
J. E. Johnson,  
P. E. Heckman, if living or in existence, or if deceased and not in existence, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote and their spouses, if any, of Robert M. Haines, Cherokee Roll No. 1869, deceased; of Ealum Gregory, deceased; of Alice J. Lynch, deceased; of T. Turner, deceased; of Martha Turner, deceased; of Jeff D. Sexton, deceased; of Jennie Sexton, deceased; of Lewis Sexton, deceased; and of C. B. Morse, deceased;

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

Gordon W. Gaddis;  
James Ralph Matthews;  
Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;  
Claude A. Greiner;

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

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

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

Gordon W. Gaddis;  
James Ralph Matthews;  
Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;  
Claude A. Greiner;  
Susie M. Morse;  
J. C. West,  
W. C. Ritchie,  
D. C. Cassel,  
Jack B. Barker,  
E. G. Johnson,  
J. E. Johnson,  
P. E. Heckman, if living or in existence, or if deceased and not in existence, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and



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

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

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

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 15th day of September, 1943, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 18th day of September, 1943, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (45 FW 98)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  thence easterly along the south boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 648.2 feet to a point 11.1 feet west of the se corner thereof; thence N 41° 33' W 128.5 feet; thence N 43° 09' W 468.5 feet; thence S 89° 40' W 247.4 feet to a point on the west boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  thence southerly along said west boundary a distance of 450.8 feet to the point of beginning, containing approximately 4.6 acres, lying below Elev. 757 Sea Level Datum.

The area lying below Elev. 757 Sea Level Datum is approximately 0.6 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 6.00

TRACT NO. 2 (45 FW 99)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  thence easterly along the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  A DISTANCE OF 92.4 FEET to a point 566.5 feet west of the NE corner thereof; thence S 35° 50' E 269.6 feet; thence S 89° 40' W 247.4 feet to a point in the west boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence northerly along said west boundary a distance of 219.5 feet to the point of beginning, containing approximately 0.9 acre, lying below Elev. 757 Sea Level Datum.

The area lying below Elev. 857 Sea Level Datum is approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, 1.70

TRACT NO. 3 (45 FW 100)  
Flowage Easement

All that part of the  $E\frac{1}{2}$   $W\frac{1}{2}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.9 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$1850.00

TRACT NO. 5 (45 FW 102-Revised)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $W\frac{1}{2}$   $E\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 6.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$458.00

TRACT NO. 6 (45 FW 102-A)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$180.00

TRACT NO. 7 (45 FW 103)  
Flowage Easement

All that part of the  $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 6.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$550.00

TRACT NO. 8 (45 FW 104)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.00

TRACT NO. 9 (45 FW 105)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, except that portion owned by the Grand River Dam Authority, and except that tract of land described as follows, to-wit:

"Beginning 50 feet East of the Northwest corner of NE NE SE 35-24-21, thence North 89° 37' East 147.5 feet; thence South 40° 58' East 70.7 feet; thence South 19° 14' West 196 feet; thence South 36° 41' West 124 feet; thence South 30° 30' West 84 feet; thence North 1° 46' West 410.1 feet to the point of beginning" lying below Elev. 757 Sea Level Datum.

All in T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, containing approximately 8.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$600.00

TRACT NO. 10 (45 FW 106-Revised)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$185.00

TRACT NO. 11 (45 FW 107)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 4.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$200.00

TRACT NO. 13 (45 FW 109)  
Flowage Easement

All that part of the tract of land in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, described as follows, to wit:

"Beginning at a point in the West boundary of the E $\frac{1}{2}$  of said SE NE 82.5 feet from the Southwest corner thereof; thence Northerly along the said West boundary a distance of 82.5 feet; thence North 89° 48' East parallel to the South boundary of said SE NE a distance of 149.0 feet; thence South 1° 22' East 84 feet; thence South 89° 48' West parallel to the South boundary of said SE NE a distance of 151.0 feet to the point of beginning, containing 0.28 acres more or less"

lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

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

\$185.00

TRACT NO. 14 (45 FW 110)  
Flowage Easement

All that part of a tract of land in Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, described as follows, to wit:

"Beginning at a point in the West boundary of the E $\frac{1}{2}$  of said SE NE 165 feet from the Southwest corner thereof; thence Northerly along the West boundary of E $\frac{1}{2}$  SE NE a distance of 82.5 feet; thence North 89° 48' East parallel to the South boundary of said SE NE a distance of 147 feet; thence South 1° 22' East 84 feet; thence South 89° 48' West parallel to the South boundary of said SE NE a distance of 149 feet to the point of beginning, containing 0.28 acres, more or less."

lying below Elevation 757 Sea Level Datum, containing approximately 0.1 acre.

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

\$125.00

TRACT NO. 15 (45 FW 111)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and except a tract of land described as follows, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence northerly along the west boundary of SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 247.5 feet; thence N 89° 48' E parallel to

the south boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 147 feet; thence S 1° 22' E 192.4 feet; thence S 40° 57' E 76.7 feet to a point in the south boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 457.8 feet west of the SE corner thereof; thence westerly along said south boundary a distance of 199.9 feet to the point of beginning, containing approximately 6.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$315.00

TRACT NO. 16 (45 FW 112)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$9.40

TRACT NO. 17 (45 FW 113)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$11.80

TRACT NO. 18 (45 FW 114)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  and all that part of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum containing approximately 2.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$208.00

TRACT NO. 19 (45 FW 115)  
(45 FW 116)  
(45 FW 117)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  in Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$218.00

TRACT NO. 20 (45 FW 118)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.0 acres.

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

TRACT NO. 21 (45 FW 119)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, described as follows, to-wit:

Beginning at the SE corner of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence northerly along the east boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 401.8 feet to a point 257.9 feet south of the NE corner thereof; thence S 27° 45' W 162.6 feet; thence S 21° 58' W 279.0 feet to a point in the south boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 185.0 feet west of the SE corner thereof; thence easterly along said south boundary a distance of 185.0 feet to the point of beginning, lying below Elev. 757 Sea Level Datum, containing approximately 0.4 acre.

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

TRACT NO. 23 (45 FW 121)  
Flowage Easement

All that portion of the N $\frac{1}{2}$  S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$440.00

TRACT NO. 25 (45 FW 123)  
(45 FW 124)  
(45 FW 125)  
Flowage Easement

All that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  in Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$95.00

TRACT NO. 26 (45 FW 126)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  in Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$25.00

TRACT NO. 27 (45 FW 127)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$  in Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre,

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$8.10

TRACT NO. 28 (45 FW 128)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$10.80

TRACT NO. 29 (45 FW 129)  
Flowage Easement

All that part of Lot 9, Block 2 as shown on the Dedication Plat of Grand Lake View, Oklahoma, filed May 2, 1941, situated in the  $NW\frac{1}{4}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.50

TRACT NO. 30 (45 FW 129-A Revised)  
Flowage Easement

All that part of Lot 8, Block 2, as shown on the Dedication Plat of Grand Lake View, Oklahoma, filed May 2, 1941, situated in the  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , Sec. 36, T 24 N, R 21 E, of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre, and all that part of Greiner Avenue adjacent thereto lying below Elev. 757 Sea Level Datum.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.00

TRACT NO. 31 (45 FW 129-B Revised)  
Flowage Easement

All that part of Lot 7, Block 2, as shown on the Dedication Plat of Grand Lake View, Oklahoma, filed May 2, 1941, situated in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre, and all that part of Greiner Avenue adjacent thereto lying below Elev. 757 Sea Level Datum.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$6.00

TRACT NO. 32 (45 FW 129-C-Revised)  
Flowage Easement

All that part of Lot 6, Block 2, as shown on the Dedication Plat of Grand Lake View, Oklahoma, filed May 2, 1941, situate in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre, and all that part of Greiner Avenue and Morgan Street adjacent thereto, lying below Elev. 757 Sea Level Datum.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.00

TRACT NO. 33 (45 FW 131)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 36, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.0 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.00

TRACT NO. 34 (5X FW 614)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 24, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below elevation 757 Sea Level Datum, containing approximately 1.0 acre.

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

TOTAL \$5851.30

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

(8) The Court finds that the petitioner and the owners entered into agreements and stipulations in the form of accepted offers of sale as to the just compensation to be paid for the estate taken in the lands in these proceedings, and more particularly designated and described as follows, to-wit:

TRACT NO. 4 (45 FW 101)  
Flowage Easement

All that part of the  $E\frac{1}{2}$   $E\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  and all that part of the  $W\frac{1}{2}$   $W\frac{1}{2}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.6 acres.

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

\$2025.20

TRACT NO. 12 (45 FW 108)  
Flowage Easement

All that part of a tract of land in the  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 35, described as follows, to-wit:

"Beginning at the Southwest corner of said SE SE NE; thence northerly along the West boundary of said SE SE NE a distance of 82.5 feet; thence North  $89^{\circ} 48'$  East 149.7 feet; thence South  $1^{\circ} 22'$  East 24.4 feet; thence South  $40^{\circ} 57'$  East 76.7 feet to a point in the South boundary of said SE SE NE and 457.8 feet west of the SE corner thereof; thence Westerly along said South boundary a distance of 199.9 feet to the point of beginning, containing 0.3 acres more or less" lying below Elev. 757 Sea Level Datum, containing approximately 0.04 acre.

And all that part of a tract of land described as follows, to-wit:

"Beginning 50 feet East of the Northwest corner of NE NE SE 35-24-21, thence North  $89^{\circ} 37'$  East 147.5 feet; thence South  $40^{\circ} 58'$  East 70.7 feet; thence South  $19^{\circ} 14'$  West 196 feet; thence South  $36^{\circ} 41'$  West 124 feet; thence South  $30^{\circ} 30'$  West 84 feet; thence North  $1^{\circ} 46'$  West 410.1 feet to the point of beginning" lying below Elev. 757 Sea Level Datum, containing approximately 0.66 acre.

All in T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, both tracts containing a total of approximately 0.7 acres.

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1120.60

TRACT NO. 22 (45 FW 120) Flowage Easement

All that part of the N 1/2 SE 1/4 NE 1/4 SE 1/4 of Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.20

TRACT NO. 24 (45 FW 122) Flowage Easement

All that part of the S 1/2 S 1/2 SE 1/4 NE 1/4 SE 1/4, Sec. 35, T 24 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

STIPULATED TOTAL FAIR CASH MARKET VALUE OF ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$151.65

TOTAL \$3300.65

and that said stipulations, agreements and accepted offers of sale entered into between the petitioner and the owners are in all respects regular and should be confirmed and approved in every respect, and said sums as set out in the aforementioned accepted offers of sale are just compensation for the estate taken.

The Court further finds that the just compensation for the estate taken herein for tracts herein designated, as fixed by the report of commissioners and by the accepted offers of sale hereinbefore set forth, is final just compensation, in the total amount of \$9151.95.

(9) That the United States of America did, on the 26th day of June, 1943, file its Declaration of Taking herein, and amendment thereto was filed on the 27th day of August, 1943, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto the following sums, to wit:

TRACT NO. 1 (45 FW 98)	6.00
TRACT NO. 2 (45 FW 99)	1.70
TRACT NO. 3 (45 FW 100)	2,018.50
TRACT NO. 4 (45 FW 101)	2,025.20
TRACT NO. 5 (45 FW 102 Revised)	458.00
TRACT NO. 6 (45 FW 102-A)	90.00
TRACT NO. 7 (45 FW 103)	560.00
TRACT NO. 8 (45 FW 104)	3.00
TRACT NO. 9 (45 FW 105)	525.00
TRACT NO. 10 (45 FW 106-Revised)	135.00
TRACT NO. 11 (45 FW 107)	147.00
TRACT NO. 12 (45 FW 108)	1120.60
TRACT NO. 13 (45 FW 109)	105.00
TRACT NO. 14 (45 FW 110)	55.00

TRACT NO. 15 (45 FW 111)	196.00
TRACT NO. 16 (45 FW 112)	9.40
TRACT NO. 17 (45 FW 113)	11.80
TRACT NO. 18 (45 FW 114)	208.00
TRACT NO. 19 (FW 115)	
(45 FW 116)	
(45 FW 117)	218.00
TRACT NO. 20 (45 FW 118)	8.00
TRACT NO. 21 (45 FW 119)	3.20
TRACT NO. 22 (45 FW 120)	3.20
TRACT NO. 23 (45 FW 121)	440.00
TRACT NO. 24 (45 FW 122)	151.65
TRACT NO. 25 (45 FW 123)	
(45 FW 124)	
(45 FW 125)	42.00
TRACT NO. 26 (45 FW 126)	4.50
TRACT NO. 27 (45 FW 127)	8.10
TRACT NO. 28 (45 FW 128)	10.80
TRACT NO. 29 (45 FW 129)	.50
TRACT NO. 30 (45 FW 129-A Revised)	1.70
TRACT NO. 31 (45 FW 129-B Revised)	1.70
TRACT NO. 32 (45 FW 129-C Revised)	1.70
TRACT NO. 33 (45 FW 131)	6.00
TRACT NO. 34 (5X FW 614)	20.00
<b>TOTAL</b>	<b>\$8586.25</b>

(10) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to wit:

TRACT NO. 1 (45 FW 98)	6.00
TRACT NO. 2 (45 FW 99)	1.70
TRACT NO. 3 (45 FW 100)	1850.00
TRACT NO. 5 (45 FW 102- Revised)	458.00
TRACT NO. 6 (45 FW 102-A)	180.00
TRACT NO. 7 (45 FW 103)	550.00
TRACT NO. 8 (45 FW 104)	3.00
TRACT NO. 9 (45 FW 105)	600.00
TRACT NO. 10 (45 FW 106-Revised)	185.00
TRACT NO. 11 (45 FW 107)	200.00
TRACT NO. 13 (45 FW 109)	185.00
TRACT NO. 14 (45 FW 110)	125.00
TRACT NO. 15 (45 FW 111)	315.00
TRACT NO. 16 (45 FW 112)	9.40
TRACT NO. 17 (45 FW 113)	11.80

TRACT NO. 18 (45 FW 114)	208.00
TRACT NO. 19 (45 FW 115)	
(45 FW 116)	
(45 FW 117)	218.00
TRACT NO. 20 (45 FW 118)	50.00
TRACT NO. 21 (45 FW 119)	40.00
TRACT NO. 23 (45 FW 121)	440.00
TRACT NO. 25 (45 FW 123)	
(45 FW 124)	
(45 FW 125)	95.00
TRACT NO. 26 (45 FW 126)	25.00
TRACT NO. 27 (45 FW 127)	8.10
TRACT NO. 28 (45 FW 128)	10.80
TRACT NO. 29 (45 FW 129)	2.50
TRACT NO. 30 (45 FW 129-A Revised)	6.00
TRACT NO. 31 (45 FW 129-B Revised)	6.00
TRACT NO. 32 (45 FW 129-C Revised)	6.00
TRACT NO. 33 (45 FW 131)	6.00
TRACT NO. 34 (5X FW 614)	50.00
<b>TOTAL</b>	<b>\$ 5851.20</b>

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the offers of sale made by and accepted by the petitioner are hereby confirmed and approved in all respects, and the sum of set forth therein to be paid is full and just compensation for the estate taken as to the tracts and the sums as set forth, as follows, to wit:

TRACT NO. 4 (45 FW 101)	2025.20
TRACT NO. 12 (45 FW 108)	1120.60
TRACT NO. 22 (45 FW 120)	3.20
TRACT NO. 24 (45 FW 122)	151.65
<b>TOTAL</b>	<b>\$ 3300.65</b>

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetuity upon and over said lands to inundate, submerge and flow; to cut and clear all timber thereon to remove or require the removal therefrom of all obstructions, natural or artificial structures, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above described and described real estate, and the interest therein taken by these eminent domain proceedings except as to Tract No. 34 (5X FW 614), was vested in the United States of America on the 26th day of June, 1943, upon the filing of a Declaration of Taking and depositing the sum of \$8566.25 with the registry of this Court, and title to Tract No. 34 (5X FW 614), was vested in the United States of America on the 27th day of August, 1943, upon the filing of amendment No. 1 to said Declaration of Taking, and the depositing of the sum of \$20.00 with the Registry of this Court, for the estate in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein, in the total sum of \$9151.95, for the taking of said estate in said tracts of land is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America pay into the registry of this Court, the sum of \$565.70, said amount being

## TRACT NO. 1 (45 FW 98)

## Flowage Easement

Gordon W. Gaddis -- fee owner -- \$6.00  
(Commissioners' award)

## TRACT NO. 2 (45 FW 99)

## Flowage Easement

James B. Cody, -- fee owner -- 1.70  
(Commissioners' award)

## TRACT NO. 3 (45 FW 100)

## Flowage Easement

G. G. Giles--fee owner -- 1850.00  
(Accepted Offer of Sale)

## TRACT NO. 4 (45 FW 101)

## Flowage Easement

Mamie C. Harris--fee owner-- 2025.20  
(Accepted offer of sale)

## TRACT NO. 5 (45 FW 102-Rev.)

## Flowage Easement

Malcolm Cullen--fee owner  
(Distribution made by Order dated November 26, 1943)

## TRACT NO. 6 (45 FW 102-A)

## Flowage Easement

Ida A. Campbell--fee owner-- 180.00  
(Commissioners' award)

## TRACT NO. 7 (45 FW 103)

## Flowage Easement

State of Oklahoma (Commissioners of the Land  
Office)--fee owner, J. C. Coates --  
Holder of Certificate of Purchase, 550.00  
(commissioners' award)

## TRACT NO. 8 (45 FW 104)

## Flowage Easement

William E. Suttle--fee owner -- 3.00  
(Commissioners' award)

## TRACT NO. 9 (45 FW 105)

## Flowage Easement

Flora Fay Gregory, now Matthews --  
fee owner 600.00  
(Commissioners' award)



TRACT NO. 10 (45 FW 106-Rev.)  
Flowage Easement

Ruth Turner, now Graham,  
J. E. Turner; Bess Turner, now Douglas,  
Dr. F. A. Turner; Etta Turner, now  
Henderson -- fee owners -- 185.00  
(Commissioners' award)

TRACT NO. 11 (45 FW 107)  
Flowage Easement

Luther N. Gregory--fee owner-- 200.00  
(Commissioners' award)

TRACT NO. 12 (45 FW 108)  
Flowage Easement

Gay Worsham Finley--fee owner-- 1120.60  
(Accepted offer of sale)

TRACT NO. 13 (45 FW 109)  
Flowage Easement

J. E. Ketchum --fee owner-- 185.00  
(Commissioners' award)

TRACT NO. 14 (45 FW 110)  
Flowage Easement

E. J. Skidmore,--fee owner-- 125.00  
(Commissioners' award)

TRACT NO. 15 (45 FW 111)  
Flowage Easement

William A. Gregory-fee owner-- 315.00  
(Commissioners' award)

TRACT NO. 16 (45 FW 112)  
Flowage Easement

John Heltzel--fee owner --  
(Distribution made by order dated August 24, 1943)

TRACT NO. 17 (45 FW 113)  
Flowage Easement

John Heltzel--fee owner --  
(Distribution made by order dated August 24, 1943)

TRACT NO. 18 (45 FW 114)  
Flowage Easement

Maggie M. Sweet - fee owner-- 208.00  
(Commissioners' award)

TRACT NO. 19 (45 FW 115)  
(45 FW 116)  
(45 FW 117)

Flowage Easement

(Pending further hearing for fixing title)

TRACT NO. 20 (45 FW 118)  
Flowage Easement

Frankie R. Peters -fee owner 50.00  
(Commissioners' award)

TRACT NO. 21 (45 FW 119)  
Flowage Easement

(Pending further hearing for fixing title)

TRACT NO. 22 (45 FW 120)  
Flowage Easement

Harold L. Crisman--fee owner-- 3.20  
(Accepted Offer of Sale)

TRACT NO. 23 (45 FW 121)  
Flowage Easement

Natalie D. Wilson -- fee owner--  
(Distribution made by Order dated August 26, 1943)

TRACT NO. 24 (45 FW 122)  
Flowage Easement

C. B. McElroy--fee owner-- 151.65  
(Accepted Offer of Sale)

TRACT NO. 25 (45 FW 123)  
(45 FW 124)  
(45 FW 125)

Flowage Easement

J. R. Abbott--fee owner of a Part,  
U. E. Stanley-- fee owner of a part,  
I. G. Wilkerson and  
D. P. McClain--fee owners of a part of  
said tract 95.00  
(Commissioners' award)

TRACT NO. 26 (45 FW 126)  
Flowage Easement

James Wiley McMichael and  
Jewel R. McMichael -- fee owners -- 25.00  
(Commissioners' award)



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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		) CIVIL NO. 1077
CERTAIN PARCELS OF LAND IN DELAWARE		)
COUNTY, OKLAHOMA, containing approximately		)
200.00 acres, more or less; and Lucy T.		)
Willock, et al.,	Defendants,	)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 5  
(27 FW 443)

Now, on this 3 day of December, 1943, there coming on for hearing the applica-  
tion of the defendant, T. J. Caudill, for an order fixing title, decreeing just compensation and  
making distribution as to Tract No. 5 (27 FW 443), and the Court being fully advised in the pre-  
mises, finds:

That the defendant, T. J. Caudill, was the owner of the lands designated as Tract  
No. 5 (27 FW 443) when this proceeding was commenced; that the petitioner filed a Declaration of  
Taking and deposited in the registry of this Court the estimated just compensation in the sum of  
\$58.00 for the taking of a perpetual easement for flowage purposes, upon and over said tract of  
land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner  
thereby vesting in the petitioner, United States of America, a perpetual easement for flowage  
purposes, and decreed that the owners and those having any right, title or interest in and to  
said tract of land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, T. J. Caudill, agreed to grant and  
sell to the petitioner a perpetual right, privilege and authority to inundate, submerge and flow  
said lands for the sum of \$58.00, which was accepted by the petitioner.

The Court further finds that the sum of \$58.00 is just compensation for the injur-  
ies and damages sustained by said defendant, T. J. Caudill.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant,  
T. J. Caudill, was the owner of the lands designated as Tract No. 5 (27 FW 443), when this proceeding  
was commenced, and that the sum of \$58.00 is just compensation for the damages sustained by the  
defendant, and that said defendant is the only person having any right, title or interest in and to  
said just compensation.

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

TO:	T. J. CAUDILL	
	— Owner—	
	Tract No. 5 (27 FW 443)	\$58.00

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Dec 3 1943  
H. P. Warfield, Clerk  
U. S. District Court H

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

HELMERICH & PAYNE, INC., a Delaware Corporation,	Plaintiff,	)	
		)	
vs.		)	No. 1096 Civil
		)	
ASSOCIATED INDEMNITY CORPORATION, a California Insurance Corporation,	Defendant.	)	
		)	

ORDER OVERRULING DEFENDANT'S MOTION TO STRIKE

NOW On this the 3rd day of December, A. D. 1943, the same being a regular judicial day of the January Term of the above indicated Court, the motion of the defendant in the above entitled cause to strike coming on regularly for hearing and both parties to this action being present by their attorneys, the Court having heard the argument of counsel, being fully advised in the premises and finding that said motion should be overruled; NOW, THEREFORE,

IT IS HEREBY ORDERED that said motion of the defendant to strike be and is hereby overruled and defendant is given twenty (20) days from this date in which to plead further to plaintiff's petition in said cause.

Dated, December 3, 1943.

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 1115
		)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 192.43 acres, more or less; and Vann S. Chandler, et al.,	Defendants.	)	
		)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 11 (11 FW 799)

NOW, on this 3 day of December, 1943, there coming on for hearing the application of the defendants, Chester J. Ross and Opal A. Ross, for an order fixing title, decreasing just compensation and making distribution as to Tract No. 11 (11 FW 799) and the Court being fully advised in the premises, finds:

That the defendants, Chester J. Ross and Opal Ross, were the owners of the lands designated as Tract No. 11 (11 FW 799) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this court the sum of \$1500.00 for the taking of the fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendants, Chester J. Ross and Opal A. Ross, agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$1500.00, which was accepted by the petitioner.

The Court further finds that the sum of \$1500.00 is just compensation for the injuries and damages sustained by said defendants, Chester J. Ross and Opal A. Ross.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Chester J. Ross and Opal A. Ross, were the owners of the lands designated as Tract No. 11 (11 FW 799), when this proceeding was commenced, and that the sum of \$1500.00 is just compensation for the taking of the fee simple title in and to said tract of land, and that this said defendants are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited, as follows, to wit:

TO: CHESTER J. ROSS AND OPAL A ROSS  
-----Owners  
Tract No. 11 (11 FW 799)           \$1500.00.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Dec 3 1943  
H. P. Warfield, Clerk  
U. S. District Court E

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Court adjourned to December 6, 1943

On this 6th day of December, 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

M. E. GILLIOZ, INC., and JOHN B. STURGES, as Trustee for M. E. GILLIOZ, INC.,	)	
	)	
	)	Plaintiffs,
	)	
	)	NO. 560 CIVIL
-vs-	)	
	)	
GRAND RIVER DAM AUTHORITY, a corporation,	)	
	)	Defendant.

ORDER DISMISSING CAUSE WITH PREJUDICE AND UPON MERITS.

On this 6 day of December, 1943, it appearing that the plaintiffs have herein filed their dismissal with prejudice,

IT IS HEREBY ORDERED that the plaintiffs' cause be, and the same is hereby dismissed with prejudice and upon the merits at plaintiffs' cost.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed Dec 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

WALCO ENGINEERING AND CONSTRUCTION CO., A Corporation,	)	
	)	Plaintiff,
	)	
-vs-	)	
	)	
KAMO ELECTRIC COOPERATIVE, INC., a Corporation,	)	No. 1038 Civil
	)	
AND	)	
	)	
RECONSTRUCTION FINANCE CORPORATION, a Corporation,	)	
	)	Defendants.

ORDER OF DISMISSAL

On this 6 day of December, 1943 there is presented to the undersigned, Judge of said



The Court further finds that the sum of \$2135.50 is just compensation for the injuries and damages sustained by said defendant.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, with the exception of The State Life Insurance Company, a corporation, holder of a mortgage upon said premises, have any right, title or interest in and to said just compensation; that there is due on said mortgage the sum of \$1282.33, which sum is to be paid said mortgagee from the funds on deposit in the registry of this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Everett C. Clanton and Ruby C. Clanton, were the owners of the lands designated as Tract No. 11(24 FW 575), when this proceeding was commenced, and that the sum of \$2135.50 is just compensation for the damages sustained by the defendant, and that said defendants are the only persons having any right, title or interest in and to said just compensation, with the exception of the mortgagee, The State Life Insurance Company, a corporation, which mortgagee is to be paid the sum of \$1282.33 out of the just compensation on deposit in satisfaction of its mortgage lien.

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

TO: Everett C. Clanton and Ruby C. Clanton, Owners - Tract No. 11 (24 FW 575)	\$853.17
The State Life Insurance Company, Mortgagee - Tract No. 11 (24 FW 575)	\$1282.33

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
vs.		)
		)
8.5 acres of land, more or less, situate in Tulsa County, State of Oklahoma, and O. L. Avey, et al.,		)
	Respondents.	)

No. 1103 - Civil

PUBLICATION ORDER

Now on this 6 day of December, 1943, it appearing from the affidavit of Curtis P. Harris, Special Attorney for the Department of Justice, and attorney for the petitioner herein, and the application of the United States of America, that the following named respondents, to-wit:

J. W. Bottoroff,



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

HELMERICH & PAYNE, INC., a Delaware Corporation,	Plaintiff,	)	
		)	
vs.		)	No. 1096 Civil
		)	
ASSOCIATED INDEMNITY CORPORATION, a California Insurance Corporation,	Defendant.	)	
		)	

ORDER OVERRULING DEFENDANT'S MOTION TO STRIKE

NOW On this the 3rd day of December, A. D. 1943, the same being a regular judicial day of the January Term of the above indicated Court, the motion of the defendant in the above entitled cause to strike coming on regularly for hearing and both parties to this action being present by their attorneys, the Court having heard the argument of counsel, being fully advised in the premises and finding that said motion should be overruled; NOW, THEREFORE,

IT IS HEREBY ORDERED that said motion of the defendant to strike be and is hereby overruled and defendant is given twenty (20) days from this date in which to plead further to plaintiff's petition in said cause.

Dated, December 3, 1943.

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 1115
		)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 192.43 acres, more or less; and Vann S. Chandler, et al.,	Defendants.	)	
		)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 11 (11 FW 799)

NOW, on this 3 day of December, 1943, there coming on for hearing the application of the defendants, Chester J. Ross and Opal A. Ross, for an order fixing title, decreasing just compensation and making distribution as to Tract No. 11 (11 FW 799) and the Court being fully advised in the premises, finds:

That the defendants, Chester J. Ross and Opal Ross, were the owners of the lands designated as Tract No. 11 (11 FW 799) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this court the sum of \$1500.00 for the taking of the fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendants, Chester J. Ross and Opal A. Ross, agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$1500.00, which was accepted by the petitioner.

The Court further finds that the sum of \$1500.00 is just compensation for the injuries and damages sustained by said defendants, Chester J. Ross and Opal A. Ross.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Chester J. Ross and Opal A. Ross, were the owners of the lands designated as Tract No. 11 (11 FW 799), when this proceeding was commenced, and that the sum of \$1500.00 is just compensation for the taking of the fee simple title in and to said tract of land, and that this said defendants are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited, as follows, to wit:

TO: CHESTER J. ROSS AND OPAL A ROSS

-----Owners

Tract No. 11 (11 FW 799)

\$1500.00.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Dec 3 1943  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
Court adjourned to December 6, 1943

On this 6th day of December, 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

M. E. GILLIOZ, INC., and JOHN B. STURGES, as Trustee for M. E. GILLIOZ, INC.,	)	
	)	
	)	Plaintiffs,
	)	
-vs-	)	NO. 560 CIVIL
	)	
GRAND RIVER DAM AUTHORITY, a corporation,	)	
	)	
	)	Defendant.

ORDER DISMISSING CAUSE WITH PREJUDICE AND UPON MERITS

On this 6 day of December, 1943, it appearing that the plaintiffs have herein filed their dismissal with prejudice,

IT IS HEREBY ORDERED that the plaintiffs' cause be, and the same is hereby dismissed with prejudice and upon the merits at plaintiffs' cost.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed Dec 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

WALCO ENGINEERING AND CONSTRUCTION CO., A Corporation,	)	
	)	Plaintiff,
	)	
-vs-	)	
	)	
KAMO ELECTRIC COOPERATIVE, INC., a Corporation,	)	No. 1038 Civil
	)	
AND	)	
	)	
RECONSTRUCTION FINANCE CORPORATION, a Corporation,	)	
	)	Defendants.

ORDER OF DISMISSAL

On this 6 day of December, 1943 there is presented to the undersigned, Judge of said



The Court further finds that the sum of \$2135.50 is just compensation for the injuries and damages sustained by said defendant.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, with the exception of The State Life Insurance Company, a corporation, holder of a mortgage upon said premises, have any right, title or interest in and to said just compensation; that there is due on said mortgage the sum of \$1282.33, which sum is to be paid said mortgagee from the funds on deposit in the registry of this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Everett C. Clanton and Ruby C. Clanton, were the owners of the lands designated as Tract No. 11(24 FW 575), when this proceeding was commenced, and that the sum of \$2135.50 is just compensation for the damages sustained by the defendant, and that said defendants are the only persons having any right, title or interest in and to said just compensation, with the exception of the mortgagee, The State Life Insurance Company, a corporation, which mortgagee is to be paid the sum of \$1282.33 out of the just compensation on deposit in satisfaction of its mortgage lien.

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

TO: Everett C. Clanton and Ruby C. Clanton, Owners - Tract No. 11 (24 FW 575)	\$853.17
The State Life Insurance Company, Mortgagee - Tract No. 11 (24 FW 575)	\$1282.33

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
vs.		)	No. 1103 - Civil
8.5 acres of land, more or less,		)	
situate in Tulsa County, State of		)	
Oklahoma, and O. L. Avey, et al.,		)	
	Respondents.	)	

PUBLICATION ORDER

Now on this 6 day of December, 1943, it appearing from the affidavit of Curtis P. Harris, Special Attorney for the Department of Justice, and attorney for the petitioner herein, and the application of the United States of America, that the following named respondents, to-wit:

J. W. Bottonoff,





and making distribution as to Tract No. 26 (24 FW 571), and the Court being fully advised in the premises, finds:

That the defendants, W. E. Perry and Goldie Perry, were the owners of the lands designated as Tract No. 26 (24 FW 571) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$1530.00 for the taking of the fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendants, W. E. Perry and Goldie Perry, agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$1530.00, which was accepted by the petitioner.

The Court further finds that the sum of \$1530.00 is just compensation for the injuries and damages sustained by said defendants, W. E. Perry and Goldie Perry.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, W. E. Perry and Goldie Perry, were the owners of the lands designated as Tract No. 26 (24 FW 571), when this proceeding was commenced; and that the sum of \$1530.00 is just compensation for the taking of the fee simple title in and to said tract of land, and that said defendants are the only persons having any right, title or interest in and to said just compensation.

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

TO: W. E. Perry and Goldie Perry  
Owners - Tract No. 26 (24 FW 571)

\$1530.00.

ROYCE H. SAVAGE  
J U D G E

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

-----  
Court adjourned to December 8, 1943

On this 8th day of December, 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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 970
CERTAIN PARCELS OF LAND IN MAYES COUNTY,		)	
OKLAHOMA, and Eldee McCracken, now Arter-		)	
bury, et al.,	Defendants.	)	

ORDER FIXING ATTORNEY FEE

NOW, on this 8th day of December, 1943, it appearing to the Court that the petitioner, United States of America, filed its affidavit as to the military service of the defendants herein in compliance with Section 200 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and it appearing from said affidavit that the petitioner was unable to determine if all of said defendants were not in the military service of the United States, and that it was necessary that the Court appoint an attorney as provided in said Act, and the court did appoint R. P. Colley, a regular practicing attorney of Tulsa, Oklahoma, to represent said defendants, and it further appearing that the said R. P. Colley did appear and plead for certain defendants on October 4, 1943, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

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

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

ROYCE H. SAVAGE  
J U D G E

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1002
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY		)	
OKLAHOMA containing approximately 39.3 acres,		)	
more or less; and P. E. Hastings, et al.,		)	
	Defendants.	)	

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 8th day of December, 1943, it appearing to this Court that on November 29, 1943, upon application of the petitioner, United States of America, W. L. Mayes, C. V. Hamilton and T. G. Grant, were selected and appointed as commissioners to inspect the real property involved in this action, and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein, and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

W. L. Mayes, commissioner's fee, December 1, 1943, 1 day at \$26.00 per day	\$26.00
C. V. HAMILTON, commissioner's fee, December 1, 1943, 1 day at \$26.00 per day	\$26.00
T. G. GRANT, commissioner's fee, December 1, 1943, 1 day at \$26.00 per day	\$26.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 1018
		)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 33.6 acres,		)	
more or less; and Walker Fields, et al.,		)	
	Defendants.	)	

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 8th day of December, 1943, it appearing to this Court that on November 22, 1943, upon application of the petitioner, United States of America, W. L. Mayes, C. V. Hamilton and T. G. Grant were selected and appointed as commissioners to inspect the real property involved in this action, and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners were entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

W. L. Mayes, commissioner's fees - November 29, 1943, Noon, to November 30, 1943, inclusive - 1½ days at \$26.00 per day	\$39.00
C. V. Hamilton, commissioner's fees - November 29, 1943, Noon, to November 30, 1943, inclusive - 1½ days at \$26.00 per day	\$39.00
T. G. Grant, commissioner's fees - November 29, 1943, Noon, to November 30, 1943, inclusive - 1½ days at \$26.00 per day	\$39.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as heretofore allowed to said Commissioners.

ROYCE H. SAVAGE  
J U D G E

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1054
A CERTAIN PARCEL OF LAND IN MAYES COUNTY, OKLAHOMA,		)	
containing approximately 1.6 acres, more or less; and		)	
J. F. Harris, et al,	Defendants.	)	

ORDER ALLOWING COMMISSIONERS' fees

NOW, on this 8th day of December, 1943, it appearing to this Court that on November 8, 1943, upon application of the petitioner, United States of America, W. L. Mayes, C. V. Hamilton and T. G. Grant were selected and appointed as commissioners to inspect the real property involved in this cause and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said commissioners be and they are hereby allowed the following fees, to-wit:

W. L. Mayes, Commissioner's fees, November 29, 1943, to 12:00 o'clock Noon - 1/2 day at \$26.00 per day	\$13.00
C. V. Hamilton, commissioner's fees, November 29, 1943, to 12:00 o'clock Noon - 1/2 day at \$26.00 per day	\$13.00
T. G. Grant, commissioner's fees, November 29, 1943, to 12:00 O'clock Noon - 1/2 day at \$26.00 per day	\$13.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE  
J U D G E

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

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UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAUD FIELDS,	Plaintiff,	)	
		)	
v.		)	
		)	
SQUIRREL FIELDS; CHARLEY FIELDS, Jr.;		)	
BILLY JOE FIELDS; M. B. BAIRD;		)	
EWING HALSELL; and the HEIRS,		)	No. 1094 Civil
EXECUTORS, ADMINISTRATORS, DEVISEES,		)	
TRUSTEES and ASSIGNS, immediate and		)	
remote, of CHARLEY FIELDS, Deceased	Defendants.	)	
		)	
UNITED STATES OF AMERICA,	Intervener.	)	

ORDER APPROVING COMMISSIONERS REPORT AND FIXING THE TIME WITHIN WHICH INTERESTED PARTIES MAY ELECT

This cause comes on to be heard on this the 8 day of December, 1943, upon the motion of the plaintiff to approve the report of the commissioners, and to fix the time within which interested parties may elect to take the property at its appraised value. The court examines the report of the commissioners and finds that the same should be approved by the court, and that the time within which interested parties may elect to take the property at its appraised value be fixed by the court.

It is therefore ordered and adjudged that the report of the commissioners heretofore appointed by the court be and the same is hereby approved and confirmed by the court. It is further ordered and adjudged that parties having an interest in the real property as determined by the court are given 20 days from the date hereof within which to elect to take the property at its appraised value.

It is further ordered, adjudged, and decreed that if none of the parties interested in the real property elect to take the same at its appraised value within 20 days from the date hereof, and file such written election in this court within the 20 days, or if two or more of such interested parties file a written election in this court, within 20 days from the date hereof, to take said property at its appraised value, said property is ordered sold by the United States Marshall for the Northern District of Oklahoma, at public auction, for cash, to the highest and best bidder, after having given 30 days notice by publication in a newspaper published in the County of Nowata, State of Oklahoma, and that said sale shall be made at the front door of the Court House of the County of Nowata, in the City of Nowata, Oklahoma, and after making said sale said United States Marshall make his return to this court for approval. That if no election is filed within the 10 days, or if two or more interested parties elect to take the property within the 10 days, the Clerk of this court shall furnish a certified or attested copy of this order to the said United States Marshall, which shall be authority to the said United States Marshall to make said sale.

Done in open court this the 8 day of December, 1943.

ROYCE H. SAVAGE  
JUDGE

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

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

NEW YORK LIFE INSURANCE COMPANY, a corporation,	Plaintiff,	)	No. 1095 - CIVIL
vs	)		
GEORGE M. GLASS and ADDIE GLASS,	Defendants.	)	

ORDER OF DISMISSAL

NOW on this 8 day of December, 1943, there comes on for hearing the motion of the plaintiff for an order dismissing this action without prejudice at the costs of the plaintiff; plaintiff appearing by its attorneys, Tucker & Martin, and the defendants appearing by their attorney, Henry L. First; and the Court being advised in the premises and for good cause shown finds that this action should be dismissed without prejudice at the costs of the plaintiff, and that the sum of Nine Hundred Ninety-two and 72/100 Dollars (992.72) heretofore paid by the plaintiff into the Registry of the court at the time of filing its complaint herein should be paid by the Clerk of this court to the plaintiff forthwith.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that this cause be and the same is hereby dismissed without prejudice and that the costs are assessed against the plaintiff.

IT IS FURTHER ORDERED that the sum of Nine Hundred Ninety-two and 72/100 (992.72) Dollars heretofore paid by the plaintiff into the Registry of the court be paid by the Clerk to the plaintiff, New York Life Insurance Company, forthwith.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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

METROPOLITAN LIFE INSURANCE COMPANY, a corporation,	Plaintiff,	)	No. 1113 - Civil
vs	)		
MARIE F. BEALL and ELOISE F. DALE,	Defendants.	)	

ORDER EXTENDING TIME TO ANSWER

On Motion of the Defendant, Marie F. Beall, and for good cause shown, the said defendant is hereby given and granted an extension of time, to-wit: to and including, December 23rd, 1943, in which to file her Answer to the Petition of Plaintiff.

Witness my hand this 7th day of December, 1943.

ROYCE H. SAVAGE  
Judge

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

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Court adjourned to December 10, 1943

On this 10th day of December, 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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
vs		) CIVIL NO. 983
		)
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA; and M. D. Stryker, et al,	Defendants.	)

JUDGMENT AS TO TRACT NO. 6 (2 FW 18)

Now, on this 10th day of December, 1943, comes the petitioner herein, United State of America, and presents to this Court a stipulation (accepted Offer of Sale) entered into by and between the United States of Aamerica and the defendants, Carl Franklin Skinner and Margarita Elizabeth Skinner, which said stipulation provides that the said Carl Franklin Skinner and Margarita Elizabeth Skinner agreed to grant, sell and convey to the United States of America a perpetual easement to submerge, inundate and flow the lands hereinafter described, for and upon the consideration of \$250.00 to be paid to them by the petitioner, United States of America; and it appearing to the Court that th Commissioners appointed to assess and fix the damages sustained by reason of the taking of a perpetual easement upon and over said lands hereinafter described, awarded damages in the sum of \$300.00;

And it further appearing that the defendants, Carl Franklin Skinner and Margarite Elizabeth Skinner, are the owners of the entire fee simple title in and to said tract of land, and that no other person, firm or corporation has any right, title or interest therein; that the just compensation for the taking of said easement is fixed and determined in the sum of \$250.00 as stipulated in said stipulation (accepted offer of sale), and

It further appearing to the satisfaction of the Court, and the Court finds:

(1) That the Court has jurisdiction of the subject matter of this action and each and all of the parties hereto;

(2) That heretofore, on the 29th day of April, 1943, a judgment on the Declaration of Taking was duly made and entered in this Court in favor of the United States of America, vesting in the United States of America a perpetual flowage easement upon and over the following described real estate, to-wit:

TRACT NO. 6 (2 FW 18)

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

and the right to just compensation for the same is likewise vested in the persons entitled thereto; and the sum of \$300.00 was deposited in the registry of this court for the use of the persons entitled thereto at the time of the filing of said Declaration of Taking;

(3) That the sum of \$250.00, without interest, is just compensation for the taking of said estate in said land by the petitioner.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court, as follows:

(1) That said stipulation (accepted offer of sale) heretofore mentioned and made a part of this decree, be, and the same is hereby approved by the Court in all things;

(2) That the sum of \$250.00, without interest, is just compensation for the taking of said estate in said land by the petitioner.

(3) That Carl Franklin Skinner and Margarite Elizabeth Skinner, are the owners of the entire fee simple title in and to said tract of land, and are the only persons entitled to receive said just compensation as herein fixed and determined;

(4) That the Clerk of this Court disburse the sum of \$300.00 heretofore deposited in the registry of this Court, as follows:

To: Carl Franklin Skinner and Margarite Elizabeth Skinner	\$250.00
Treasurer of the United States	\$ 50.00

ROYCE H. SAVAGE  
JUDGE

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

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Court adjourned to December 13, 1943.

On this 13th day of December, 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:





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

Victory Investment Corporation, a Delaware corporation, et al.,	Plaintiffs,	)	
		)	
-vs-		)	Civil Action No. 1090
		)	
W. G. Streetman, County Treasurer of Osage County, Oklahoma, et al.,	Defendants.	)	

ORDER EXTENDING ANSWER DATE OF W. G. STREETMAN, COUNTY  
TREASURER OF OSAGE COUNTY, OKLAHOMA.

It appearing to the Court that Arnold T. Fleig, attorney for the plaintiffs herein and R. E. Havens, Assistant County Attorney of Osage County, Oklahoma, for and on behalf of the defendant, W. G. Streetman, County Treasurer of Osage County, Oklahoma, have filed herein their stipulation and agreement extending the answer date of said defendant to January 20, 1944, for the reason that the time within which he is now required to answer does not give sufficient time to properly prepare an answer, and for the reason that numerous other defendants herein have secured an order of this court to extend their answer date to January 20, 1944, and this extension will not in any way delay the joining of issues herein.

IT IS THEREFORE ORDERED THIS COURT, that the defendant, W. G. Streetman, County Treasurer of Osage County, Oklahoma, is granted until January 20, 1944, in which to file his answer herein.

Dated this 13 day of December, 1943.

ROYCE H. SAVAGE  
JUDGE

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

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

Victory Investment Corporation, a Delaware corporation, et al.,	Plaintiffs,	)	
		)	
-vs-		)	Civil Action No. 1091
		)	
W. G. Streetman, County Treasurer of Osage County, Oklahoma, et al.,	Defendants.	)	

ORDER EXTENDING ANSWER DATE OF W. G. STREETMAN, COUNTY  
TREASURER OF OSAGE COUNTY, OKLAHOMA

It appearing to the Court that Arnold T. Fleig, attorney for the plaintiffs herein and R. E. Havens, Assistant County Attorney of Osage County, Oklahoma, for and on behalf of the defendant, W. G. Streetman, County Treasurer of Osage County, Oklahoma, have filed herein their stipulation and agreement extending the answer date of said defendant to January 20, 1944, for the reason that the time within which he is now required to answer does not give sufficient time to properly prepare an answer and for the reason that numerous other defendants herein have secured an order of this court to extend their answer date to January 20, 1944, and this extension will not in any way delay the joining of issues herein.

IT IS THEREFORE ORDERED BY THIS COURT, that the defendant, W. G. Streetman, County Treasurer of Osage County, Oklahoma is granted until January 20, 1944, in which to file his answer herein.

Dated this 13 day of December, 1943.

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1124
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 55.89		)	
acres, more or less; and Zelda Gray, 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 13th day of December, 1943, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of

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 lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said land, in the amount of

\$6,628.95 and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, On this 13th day of December, 1943, ORDERED, ADJUDGED AND DECREED by this Court that the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (27 - FW-453 A)  
Fee Title

All that part of the  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$  of Sec. 20, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$ , thence westerly along the south boundary of said  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$  277.3 feet to a point 52.5 feet east of the SW corner thereof; thence N 6° 10' W 163.1 feet; thence N 40° 26' E 368.3 feet; thence N 23° 06' E 135.7 feet to a point in the east boundary of said  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$ ; thence southerly along said east boundary a distance of 566.0 feet to the point of beginning containing approximately 2.1 acres.

TRACT NO. 2 (27 - FW-455 A)  
Fee Title

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$  of Sec. 20, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said SW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$ , thence westerly along the south boundary of said SW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$  533.6 feet; thence N 10° 41' E 11.9 feet; thence S 88° 59' E 188.9 feet; thence N 34° 01' E 330.0 feet; thence N 60° 52' W 99.4 feet; thence N 6° 10' W 333.1 feet to a point in the north boundary of said SW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$  382.3 feet east of the NW corner thereof; thence easterly along said north boundary a distance of 277.3 feet to the NE corner of said SW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$ ; thence southerly along the east boundary of said SW $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{2}$  to the point of beginning, containing approximately 3.9 acres.

TRACT NO. 3 (27 - FW-467)  
Fee Title

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 21, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the north boundary of said N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{2}$  NE $\frac{1}{4}$  and 457.8 feet east of the NW corner thereof;

thence S 38° 08' E 119.8 feet; thence S 44° 16' E 183.8 feet to a point on the east boundary of said N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 102.6 feet north of the SE corner thereof;

thence northerly along said east boundary a distance of 229.6 feet to the NE corner of said N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ;

thence westerly along the north boundary of said N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 200.0 feet to the point of beginning, containing approximately 0.4 acre.

TRACT NO. 4 (28-FW-568-A)  
Fee Title

All that part of Lot 4 in Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said Lot 4, thence southerly along the east boundary of said Lot 4 a distance of 48.4 feet; thence S 80° 51' W 20.8 feet; thence S 55° 42' W 318.6 feet; thence S 73° 32' W 301.2 feet; thence S 76° 29' W 264.2 feet; thence N 72° 34' W 379.5 feet; thence N 4° 54' W 44.7 feet; thence S 54° 37' W 12.5 feet to a point in the west boundary of said Lot 4;

thence northerly along said west boundary a distance of 225.8 feet to the NW corner of said Lot 4;

thence easterly along the north boundary of said Lot 4 to the point of beginning, containing approximately 7.2 acres.

TRACT NO. 5 (28 - FW-569)  
Fee Title

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

"The west 22.43 acres of Lot 2 in Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian."

TRACT NO. 6 (28 - FW-570)  
Fee Title

All that part of the NE 12.57 acres of Lot 3, Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said NE 12.57 acres of Lot 3, thence southerly along the east boundary of said NE 12.57 acres of Lot 3 a distance of 547.4 feet to a point 289.4 feet north of the SE corner thereof;

thence N. 19° 38' W 137.5 feet; thence N 6° 43' W 213.8 feet;

thence N 28° 42' W 199.8 feet; thence N 72° 23' W 99.0 feet; to a point in the north boundary of said NE 12.57 acres of Lot 3 398.6 feet east of the NW corner thereof;

thence easterly along said north boundary a distance of 261.4 feet to the point of beginning, containing approximately 1.04 acres.

## TRACT NO. 7 (28 - FW-573)

Fee Title

All that part of the NW 12.70 acres of Lot 3, Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said NW 12.70 acres of Lot 3, thence southerly along the west boundary of said NW 12.70 acres of Lot 3 a distance of 48.4 feet;

thence N 80° 51' E 305.7 feet to a point in the north boundary of said NW 12.70 acres of Lot 3, 358.3 feet west of the NE corner thereof;

thence westerly along said north boundary a distance of 301.7 feet to the point of beginning, containing approximately 0.1 acre.

## TRACT NO. 8 (28 - FW-943-A)

Fee Title

"All that part of 2 acres lying squarely in the SW corner of the SE 10 acres of Lot 2 that lies SW of the highway, Sec. 6, T 24 N, - R 24 E" of the Indian Base and Meridian, in Delaware County, Oklahoma, containing approximately 1.6 acres.

## TRACT NO. 9 (28 - FW-944)

Fee Title

The S $\frac{1}{2}$  of Lots 5 to 8 inclusive in Block 7 of the original Townsite of Grove, Delaware County, State of Oklahoma, including all right, title and interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lots.

## TRACT NO. 10 (28 - FW-951)

Fee Title

All that part of Lot 7 in Block 8 in the original Townsite of Grove, Delaware County, Oklahoma, including all right, title and interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lot.

## TRACT NO. 11 (28 - FW-953)

Fee Title

Lots 1 to 3 inclusive in Block 8 in the original Townsite of Grove, Delaware County, Oklahoma, including all right, title and interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said Lots.

## TRACT NO. 12 (28 - FW-965-A)

Fee Title

All of Block 66 in the original Townsite of Grove, Delaware County, State of Oklahoma, including all right, title and interest in and to any land adjacent thereto, incident to the ownership of said Block.

## TRACT NO. 13 (28 - FW-967)

## Fee Title

All that part of Lot 4 in Sec. 5, T 24 N, R 24 E of the Indian Base and Meridian, Delaware County, Oklahoma, particularly described as follows, to-wit:

Commencing at the NW corner of sec. 5, thence south 96 feet and 4 inches;  
 thence S 15° 03' E 725.0 feet; thence N 89° 56' E 210.6 feet to the point of beginning;  
 thence N 89° 56' E 439.3 feet; thence N 15° 03' W 68.7 feet;  
 thence N 38° 29' W 211.0 feet; thence S 84° 52' W 322.7 feet;  
 thence S 13° 34' E 166.0 feet; thence S 21° 17' W 42.3 feet to the point of beginning, containing approximately 1.99 acres.

## TRACT NO. 14 (29 - FW-613)

## Fee Title

All that part of the S $\frac{1}{2}$  of Lot 6, Sec. 31, T 25 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said S $\frac{1}{2}$  of Lot 4, thence northerly along the west boundary of said S $\frac{1}{2}$  of Lot 4 to the NW corner thereof;  
 thence easterly along the north boundary of said S $\frac{1}{2}$  of Lot 4 a distance of 924.3 feet to a point 392.4 feet west of the NE corner thereof;  
 thence S 10° 50' E 26.3 feet; thence S 12° 05' W 332.5 feet;  
 thence S 10° 03' E 312.7 feet to a point in the south boundary of said S $\frac{1}{2}$  of Lot 4 and 405.8 feet west of the SE corner thereof;  
 thence westerly along said south boundary a distance of 913.8 feet to the point of beginning, containing approximately 13.37 acres.

## TRACT NO. 15 (31 - FW-1024)

## Fee Title

All that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

Beginning at a point in the south boundary of the north 744 feet of said W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 313.8 feet west of the SE corner thereof,

thence N 46° 33' W 32.2 feet; thence N 54° 41' E 135.9 feet;  
 thence N 26° 44' E 118.5 feet; thence N 40° 50' W 130.5 feet;  
 thence N 65° 32' W 162.5 feet; thence S 19° 30' W 66.8 feet;  
 thence west 36.5 feet; thence S 10° 24' E 277.2 feet;  
 thence S 16° 34' W 38.2 feet to a point in the south boundary of said north 744 feet of said W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 thence easterly along said boundary a distance of 112.3 feet to the point of beginning, containing approximately 1.66 acres.

TRACT B:

Beginning at the SE corner of the north 744 feet of said  $W\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence westerly along the south boundary of said north 744 feet of said  $W\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 60.9 feet;  
 thence N 5° 50' W 54.6 feet; thence S 81° 13' E 67.1 feet to a point in the east boundary of said  $W\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 thence southerly along said east boundary a distance of 44.6 feet to the point of beginning, containing approximately 0.1 acre,

The two tracts containing in all 1.76 acres, more or less.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, 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 the entire fee simple title in and to the lands hereinabove described, subject only to the rights, if any, of the Grand River Dam Authority, a public corporation, for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America on or before the 20th day of December, 1943, and that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

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

-----  
 Court adjourned to December 15, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

WEDNESDAY, DECEMBER 15, 1943

On this 15th day of December, 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

CULL SWIMMER,	Plaintiff,	)
		)
vs.		) No. 994 Civil
		)
WATT HOGSHOOTER, ET AL.,	Defendants.	)
		)
THE UNITED STATES OF AMERICA,	Intervener.	)

ORDER CONFIRMING COMMISSIONER'S REPORT AND DIRECTING THE  
SALE OF REAL ESTATE

THIS case coming on to be heard in its regular order, this the 15 day of Dec., 1943, upon the return and report of the Commissioners heretofore appointed by this court, and upon plaintiff's motion to confirm the same as filed, and it being shown to the court that said report is in all things made as directed by the order of the court made in this cause, and duly filed, and that there are no objections or exceptions filed to the same, and that none of the interested parties have elected to take the lands involved at the appraised price, the plaintiff appearing by his attorney, Ernest R. Brown, and the United States of America appearing by Whit Y. Mauzy, in his official capacity as United States District Attorney, as well for the Government as the full blood Indians, parties to said action, and the Court having heard said motion and the pleadings filed in said case and the argument of counsel, and being fully advised in the premises finds:

That said Commissioners' report discloses that the lands involved cannot be partitioned in kind between the plaintiff and the defendants, the owners thereof, without manifest injury, and that the valuation of placed thereon by the Commissioners to-wit: The sum of \$2400.00 is fair and said report should be in all things approved and confirmed and made firm and effectual forever, and that said lands should be sold by the United States Marshal for the Northern District of Oklahoma, subject to an existing oil and gas lease in favor of the Western American Oil Company, an Oklahoma Corporation, and the proceeds thereof to be divided among the parties in this action as more fully set out in the decree of partition entered herein on November 12, 1943, after a reasonable time is given the United States to exercise its preferential right to take said lands at the appraised price.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that said Commissioners' report be, and the same is in all things approved and confirmed, and made firm and effectual forever, and inasmuch as neither of the parties in this action has elected to take the same at the appraised price, that a sale of the premises involved should be had unless the United States of America should elect to take the same at the appraised price within ten days after the date of this decree.

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

The South Half of the Southwest Quarter of Section Thirteen  
(13), Township Twenty-six (26) North, Range Thirteen (13)  
East of the Indian Base and Meridian,

if no election to take said premises at the appraised price is made within ten days from the date hereof; the said land to be sold for cash, in the same manner as in the case of real estate under execution under the laws of the State of Oklahoma, and to be made for not less than two-thirds of the appraised price fixed by the Commissioners, which was \$2400.00, and that said United States Marshal make due return of his proceedings hereunder to this court for confirmation and further orders





On this 17th day of December, 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 IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

IN THE MATTER OF THE APPOINTMENT )  
of Probation Stenographer )

O R D E R

I, Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma, do hereby appoint Maybelle Pendleton of Tulsa, Oklahoma, Stenographer-Clerk in the Probation Office for the Northern District of Oklahoma, to serve until further order of Court, beginning December 17th, 1943.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

MISCELLANEOUS - OATH OF MAYBELLE PENDLETON.

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

MAYBELLE PENDEETON

Subscribed and sworn to before me this 17 day of December, A. D. 1943.

EDNA CLAIRE KING  
Notary Public

(SEAL)  
My COMMISSION EXPIRES: Aug. 1, 1944

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

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

Annie Watashe, nee Jack, Sam Jack, Wiley Jack, and Dillie Jack, nee Tah- kaney,	Plaintiffs,	)
		)
vs		)
		)
Theodore Crosby, Fannie Crosby, nee Jack, Daniel Lee Vaden, a minor, Birtrum Vaden, guardian, and H. E. Rorschack,	Defendants.	)
		)
United States of America,	Intervenor.	)

NO. 617 - Civil

ORDER APPOINTING BOARD OF APPRAISERS. (COMMISSIONERS)

Now on this 17 day of December, 1943, upon motion of the plaintiffs herein, and for good cause shown, the court hereby appoints J. F. Pickens, C. C. Weber and Elmer Vick, to view and appraise the following lands located in Creek County, State of Oklahoma, to wit:

The West Half of the Northwest Quarter of Section  
17, Township 18 North, Range 11 East, and containing  
80 acres, more or less,

and that they make return to this court in writing of their valuation including the land, the improve-  
ments and the mineral rights thereon.

ROYCE H. SAVAGE  
Judge

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

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 240.20 acres, more or less; and Lula B. Huggins, et al.,	Defendants.	)

CIVIL NO. 1126

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, enter a judgment on the Declaration of Taking filed in the above entitled cause on the 17th day of December, 1943, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof,

and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

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

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$12,181.40, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 17th day of December, 1943, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (25 - FW-588)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , less a tract of land described as follows, to-wit:

"Beginning 37.1 feet East of the Northwest corner of NW NW SE: thence West 136.1 feet to the East right-of-way line of U. S. Highway #59; thence South 208 feet along said right-of-way line; thence East 325 feet; thence North 195 feet to the Grand River Dam property line; thence Westerly 175 feet more or less and Northerly 110 feet more or less along Grand River Dam property line to point of beginning, containing 1 acre more or less."

And all that part of Lot 3, and all that part of Lot 4, and all that part of Lot 5, all in Sec. 22, T 25 N, R 25 E of the Indian

Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 19.2 acres.

TRACT NO. 2 (25 - FW-589)  
Flowage Easement

All that part of Block G, all that part of Block H, all that part of Block I, all that part of Block J, all that part of Block K, all that part of Block L, all that part of Block M, all that part of Block N, including the streets and alleys adjacent thereto; as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum; and all that portion of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, adjacent to said Blocks G, H, I, J and K, lying below Elev. 757 Sea Level Datum, not owned by the Grand River Dam Authority, all located in Delaware County, Oklahoma.

TRACT NO. 3 (25 - FW-590)  
Flowage Easement

All that part of Block 1, all that part of Block 2, all that part of Block 8, all that part of Block 9, all that part of Block 11, all that part of Block 12, all that part of Block 15, all that part of Block 17, all that part of Block 18, all that part of Block 20, all that part of Block A, all that part of Block B, all that part of Block d, all that part of Block E, all that part of Block F, including the streets and alleys adjacent thereto, as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum; and all that portion of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that portion of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of Lot 2 in Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, adjacent to said Blocks 1, 9, 11, 15, 20, B, E, and F, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, not owned by the Grand River Dam Authority.

TRACT NO. 4 (25 - FW-591)  
Flowage Easement

All that part of Block 3, all that part of Block 7, all that part of Block 10, all that part of Block 13, all that part of Block 16, all that part of Block 19, all that part of Block 22, and all that part of Block C including the streets and alleys adjacent thereto as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum; and all that portion of Lot 2, and all that portion of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  in Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, adjacent to said Blocks 13, 16, 19, and C, lying below Elev. 757 Sea Level Datum, not owned by the Grand River Dam Authority, all located in Delaware County, Oklahoma.

TRACT NO. 5 (25 - FW-592)  
Flowage Easement

All that part of the following described tract of land, to-wit:

"Beginning 37.1 feet East of the Northwest corner of NW NW SE, thence West 136.1 feet to the East right-of-way line of U. S. Highway #69; thence South 208 feet along said right-of-way line; thence East 325 feet; thence North 195 feet to the Grand River Dam Property line; thence Westerly 175 feet more or less and Northerly 110 feet more or less along Grand River Dam property line to point of beginning, containing 1 acre more or less."

in Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.6 acre.

TRACT NO. 6 (25 - FW-593)  
Flowage Easement

All that part of the south 5 feet of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the south 5 feet of the east 199 feet of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

TRACT NO. 7 (25 - FW-594)  
Flowage Easement

All those parts of Lots 12 to 16 inclusive in Block 14, including the streets and alleys adjacent thereto, as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record, in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum, in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma.

TRACT NO. 8 (25 - FW-595)  
Flowage Easement

All that part of Lot 10, and all that part of Lot 11 in Block 14, as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum, situated in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma.

TRACT NO. 9 (25 - FW-596)  
Flowage Easement

All that part of the Lot 8, and all that part of Lot 9 in Block 14 as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum, situate in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma.

TRACT NO. 10 (25 - FW-596 A)  
Flowage Easement

All that part of Lot 6, and all that part of Lot 7 in Block 14 as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum, situate in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma.

TRACT NO. 11 (25 - FW-596 B)  
Flowage Easement

All that part of Lot 5 in Block 14 as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, lying below Elev. 757 Sea Level Datum, situated in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma.

TRACT NO. 12 (25 - FW-596 C)  
Flowage Easement

All those parts of Lots 1 to 4 inclusive, and all that part of Lot 17 in Block 14, as shown on the dedication plat of the Townsite of Groveport, Oklahoma, filed of record in the County Clerk's office in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, situated in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma.

TRACT NO. 13 (25 - FW-598)  
Flowage Easement

All that part of the west 139.7 feet of Lot 6 in Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, in Seneca Survey, in Delaware County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TRACT NO. 14 (25 - FW-883)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 20.1 acre.

## TRACT NO. 15 (25 - FW-884)

## Flowage Easement

All that part of the NE $\frac{1}{2}$  SW $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  less the E 310.8 feet of the S 602.0 feet thereof; and all that part of the SE $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  less the W 75.2 feet of the S 602.0 feet thereof; in Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 24.9 acres.

## TRACT NO. 16 (25 - FW-885)

## Flowage Easement

All that part of the NW 10.0 acres of Lot 4, and all that part of the east 310.8 feet of the south 602.0 feet of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the west 75.2 feet of the south 602.0 feet of the SE $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.3 acres.

## TRACT NO. 17 (25 - FW-886)

## Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

## TRACT NO. 18 (25 - FW-888)

## Flowage Easement

All that part of the SE $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the NE $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 16.5 acres.

## TRACT NO. 19 (25 - FW-890)

## Flowage Easement

All that part of the S $\frac{1}{2}$  N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; and all that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , of Sec. 15, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows:

Beginning at the SW corner of said S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence westerly along the north boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 128.7 feet;

thence S 5° 10' E 57.0 feet; thence N 61° 48' E 116.9 feet;  
thence N 35° 45' E 180.4 feet; thence N 14° 41' W 221.3 feet;  
thence N 34° 24' W 29.1 feet to a point in the west boundary  
of said S $\frac{1}{2}$  N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  92.6 feet south of the NW corner  
thereof;

thence southerly along the west boundary of said S $\frac{1}{2}$  N $\frac{1}{2}$  NE $\frac{1}{4}$   
NE $\frac{1}{4}$  SE $\frac{1}{4}$  and said S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 392.2 feet to  
the point of beginning, containing approximately 0.7 acre.

TRACT NO. 20 (25 - FW-891)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
and all that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 14; and all that part  
of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 15, all in T 25 N, R 23 E of the Indian  
Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma,  
lying below Elev. 757 Sea Level Datum, except that portion owned  
by the Grand River Dam Authority, containing approximately 17.1  
acres.

TRACT NO. 21 (25 - FW-892)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the  
S $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and  
Meridian, Cherokee Survey, in Delaware County, Oklahoma,  
lying below Elev. 757 Sea Level Datum, except that portion  
owned by the Grand River Dam Authority, containing approximately  
10.3 acres.

TRACT NO. 22 (25 - FW-893)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the  
NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and  
Meridian, Cherokee Survey, in Delaware County, Oklahoma, parti-  
cularly described as follows, to-wit:

Tract "A"

Beginning at the NE corner of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence southerly  
along the east boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 37.2 feet;  
thence S 81° 04' W 16.9 feet; thence S 77° 53' W 147.6 feet;  
thence N 60° 33' W 160.7 feet; to a point on the north boundary  
of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 371.4 feet east of the NW corner thereof;  
thence easterly along the north boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  a  
distance of 301.9 feet to the point of beginning, and containing  
approximately 0.3 acre.

Tract "B"

Beginning at a point 676.7 feet south and 263.7 feet east of  
the NW corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
thence N 71° 51' E 138.6 feet; thence N 50° 18' E 107.0 feet;  
thence N 37° 49' W 124.6 feet; thence N 63° 07' W 164.5 feet;  
thence S 8° 52' W 150.0 feet; thence S 13° 15' E 139.8 feet  
to the point of beginning, containing approximately 1.1 acres.

The two tracts containing in all approximately 1.4 acres.

TRACT NO. 23 (25 - FW-894, 895, 896,  
897, 898, 899)

Flowage Easement

All that part of the  $SE\frac{1}{4}$   $NE\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, (which includes all the lots and streets designated as Hickory Grove Camp as shown by dedication and plat filed in the County Clerk's office of Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum) except that portion owned by the Grand River Dam Authority.

TRACT NO. 24 (25 - FW-900)  
25-FW-902)

Flowage Easement

All that part of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  and all that part of the  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the west 58.4 feet of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, (which includes all that part of the lots, streets, alleys, and driveways designated as East Side Addition to Hickory Grove Camp as shown by dedication and plat made by Luther Detherage and Ome Detherage and filed in the County Clerk's office in Delaware County, Oklahoma, on the 8th day of April, 1941) lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 25 (25 - FW-903 Rev)

Flowage Easement

All that part of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, and that portion which is platted as the Townsite of Lake View Cabin Sites, containing 3.9 acres, more or less.

TRACT NO. 26 (25 - FW-905)

Flowage Easement

All of Lot 1 in Block 1 as shown on the dedication plat of the original Townsite of Lake View Cabin Sites filed in the County Clerk's office of Delaware County, Oklahoma, on the 26th day of August, 1941, situated in the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said lot.

TRACT NO. 27 (25 - FW-906)

Flowage Easement

All of Lot 2 in Block 1 as shown on the dedication plat of the original Townsite of Lake View Cabin Sites filed in the County Clerk's office of Delaware County, Oklahoma, on the 26th day of August, 1941, situated in the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E, of the Indian Base and Meridian, Cherokee Survey, in Delaware

County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said Lot.

TRACT NO. 28 ( 25 - FW-906 A)  
Flowage Easement

All of Lot 3 in Block 1 as shown on the dedication plat of the original Townsite of Lake View Cabin Sites filed in the County Clerk's office of Delaware County, Oklahoma, on the 26th day of August, 1941, situated in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian Cherokee Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said lot.

TRACT NO. 29 (25 - FW-907 Rev)  
Flowage Easement

All of Lot 4 in Block 1, and all that part of Lots 5 to 14 inclusive in Block 1, and all that part of Lots 1 to 4 inclusive in Block 2 as shown on the dedication plat of the original Townsite of Lake View Cabin Sites filed in the County Clerk's office of Delaware County, Oklahoma, on the 26th day of August, 1941, lying below Elev. 757 Sea Level Datum, situated in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 14, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, together with that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 30 (25 - FW-918)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.6 acres.

TRACT NO. 31 (25 - FW-919)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.6 acres.

TRACT NO. 32 (25 - FW-920)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 17.8 acres.

## TRACT NO. 33 (25 - FW-921)

## Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 17.3 acres.

## TRACT NO. 34 (25 - FW-923)

## Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and all that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 24.7 acres.

## TRACT NO. 35 (25 - FW-924)

## Flowage Easement

All that part of the E $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.8 acres.

## TRACT NO. 36 (25 - FW-992)

## Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of Lot 6 in Sec. 23, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.1 acres.

## TRACT NO. 37 (25 - FW-993)

## Flowage Easement

All that part of Lot 7 in Sec. 23, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 2.0 acres.

## TRACT NO. 38 (25 - FW-994)

## Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 23, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.9 acres.

## TRACT NO. 39 (25 - FW-995)

## Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , less the south 1 rod thereof, in Sec. 23, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

## TRACT NO. 40 (25 - FW-996)

## Flowage Easement

All that part of Lot 1, and all that part of Lot 2, in Sec. 23, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.9 acres.

## TRACT NO. 41 (26 - FW-908)

## Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.5 acres.

## TRACT NO. 42 (26 - FW-909)

## Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.4 acres.

## TRACT NO. 43 (26 - FW-910)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.8 acres.

## TRACT NO. 44 (26 - FW-911)

## Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.3 acres.

## TRACT NO. 45 (26 - FW-912)

## Flowage Easement

All that part of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.0 acres.

## TRACT NO. 46 (26 - FW-913)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 2.4 acres.

## TRACT NO. 47 (26 - FW-914)

## Flowage Easement

All that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 11, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.4 acre.

## TRACT NO. 48 (26 - FW-915)

## Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.6 acres.

## TRACT NO. 49 (26 - FW-916)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.6 acres.

## TRACT NO. 50 (26 - FW-917)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.9 acre.

## TRACT NO. 51 (26 - FW-922)

## Flowage Easement

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.0 acres.

TRACT NO. 52 (26 - FW-928)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence easterly along the south boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 382.4 feet to a point 276.4 feet west of the SE corner thereof;  
thence N 46° 21' E 35.1 feet; thence N 62° 37' E 126.3 feet;  
thence N 37° 40' E 98.5 feet; thence N 38° 26' W 162.9 feet;  
thence N 0° 42' E 185.4 feet; thence N 30° 40' W 70.0 feet;  
thence meandering northwesterly with the branch to a point in the north boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  330 feet west of the NE corner thereof;

thence westerly along said north boundary to the NW corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ;

thence southerly along the west boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  to the point of beginning, lying below Elev. 758 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 53 (26 - FW-929)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

"Beginning at the Northeast corner of the SE SE NE 12-25-23; thence west 330 feet to the branch; thence meandering north and south with the said branch to the lake; thence meandering with the lake line to a point 280 feet south of the Northeast corner of said land; thence N 280 feet to the point of beginning, containing about 1 acre, more or less."

lying below Elev. 758 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 54 (26-FW-936)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and se in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose exercising all of the rights and privileges herein acquired on or before the 24th day of December, 1943, and this cause is held open for such other and further orders, judgments and decrees as may necessary in the premises.

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

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

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Court adjourned to December 20, 1943.

On this 20th day of December, 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 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 entered, to-wit:

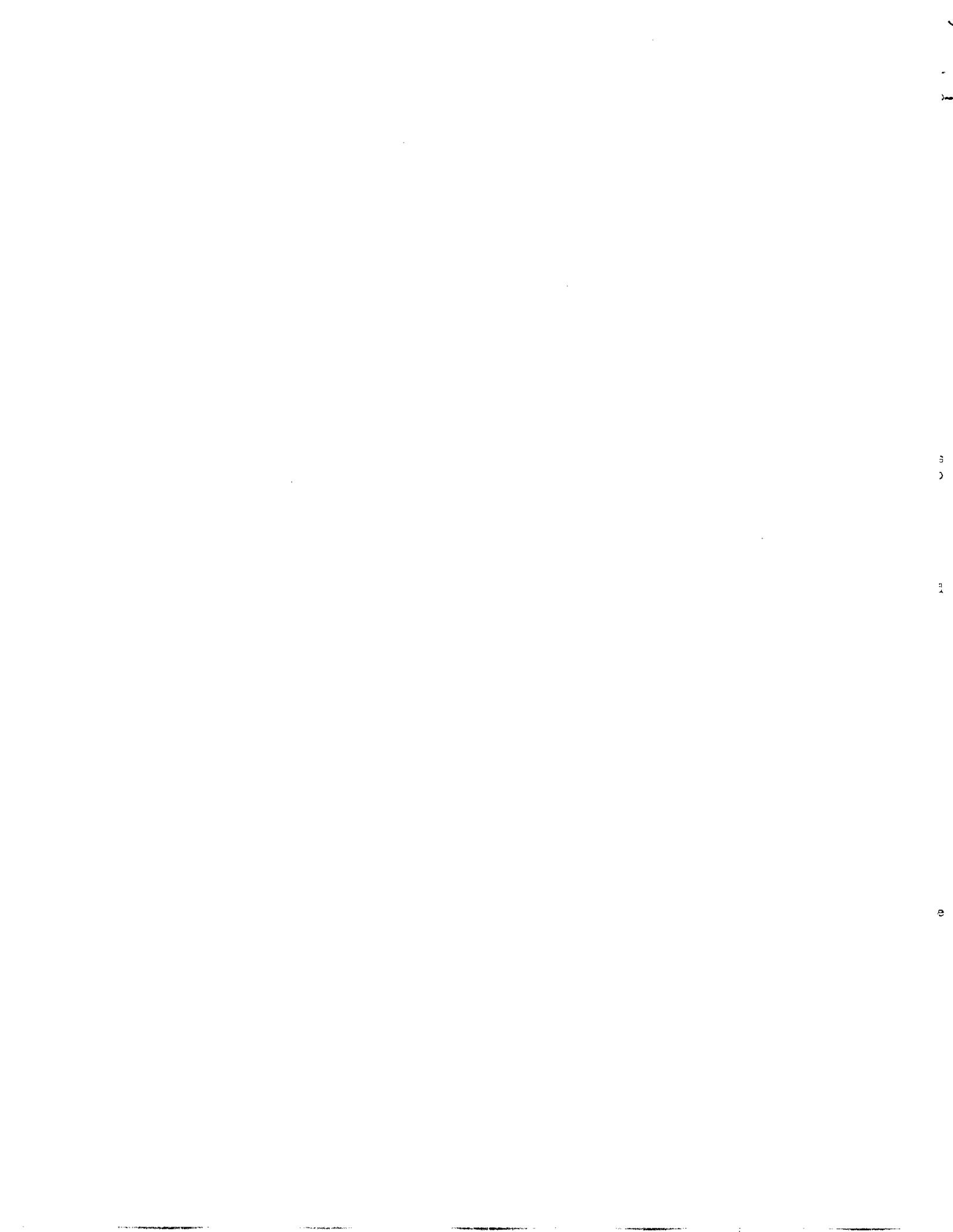
IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

Jacob Arneecheer,	Plaintiff,	)	
		)	
vs		)	
		)	No. 1078 Civil
Ned Arneecheer, et al.,	Defendant,	)	
		)	
United States of America,	Intervener.	)	

ORDER APPROVING COMMISSIONERS REPORT AND FIXING THE  
TIME WITHIN WHICH INTERESTED PARTIES MAY ELECT

This cause comes on to be heard on this the 20th day of December, 1943, upon the motion of the plaintiff to approve the report of the commissioners, and to fix the time within which interested parties may elect to take the property at its appraised value. The court examines the report of the commissioners and finds that the same should be approved by the court, and that the time within which interested parties may elect to take the property at its appraised value be fixed by the court.

IT IS THEREFORE ORDERED AND ADJUDGED that the report of the commissioners heretofore appointed by the court be and the same is hereby approved and confirmed by the court. It is



further ordered and adjudged that parties having an interest in the real property as determined by the court are given 10 days from the date hereof within which to elect to take the property at its appraised value.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if none of the parties interested in the real property elect to take the same at its appraised value within 10 days from the date hereof and file such written election in this court within 10 days from the date hereof, to take said property at its appraised value, or if two or more of such interested parties file a written election in this court within 10 days from the date hereof, to take said property at its appraised value, said property is ordered sold by the United States Marshal for the Northern District of Oklahoma, at public auction, for cash, to the highest and best bidder, after having given 30 days notice by publication in a newspaper published in the County of Mayes, State of Oklahoma, and that said sale shall be made at the west front door of the Court House of the County of Mayes, in the City of Pryor, Oklahoma, and after making said sale said United States Marshal make his return to this court for approval. That if no election is filed within the 10 days, or if two or more interested parties elect to take the property within the 10 days, the Clerk of this Court shall furnish a certified or attested copy of this order to the said United States Marshal, which shall be authority of the said United States Marshal to make said sale.

Done in open court this the 20th day of December, 1943.

ROYCE H. SAVAGE

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

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

Helmerich & Payne, Inc., a )  
Delaware Corporation, ) Plaintiff, )  
 )  
vs. ) No. 1096 Civil )  
 )  
Associated Indemnity Corporation, a )  
California Insurance Corporation, ) Defendant. )

ORDER FOR TAKING DEPOSITION

On this 20 day of December, 1943, upon the verified application of the defendant and for good cause shown, it is ordered that said defendant be allowed to take the deposition of William Broadhurst, as a witness for said defendant, to be used upon the trial of this cause, and that said deposition may be taken before C. J. Harry at the County Court Room, at the County Court House of Tulsa County, at Tulsa, Oklahoma, upon 2 days notice in writing, the said deposition to be filed with the clerk of this Court not less than 2 days prior to the trial of said cause.

ROYCE H. SAVAGE  
United States District Judge

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

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

NOAH SEWELL,	Plaintiff,	)
		)
vs		) No. 1099 Civil
		)
H. L. PAYNE, County Treasurer of Creek County, et al,	Defendants.	)

O R D E R

NOW, on this 18th day of December, 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 for good cause shown,

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 December 18, 1943 in which to file its complaint in intervention in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
vs		) No. 1106 - Civil
		)
2.5 acres of land, more or less, situate in Tulsa County, State of Oklahoma, and		)
C. H. McCormick, et al.,	Respondents.	)

ORDER FOR PAYMENT TO COMMISSIONERS

Now on this 17th day of December, 1943, it appearing to the Court that on the 26th day of November, 1943, T. G. Grant, Kenneth Crouch and Morgan Jones were appointed by the Court as appraisers in the above entitled and numbered cause, and pursuant to said appointment did serve as appraisers and fix the value of the real estate being taken by eminent domain and filed their report herein on the 17th day of December, 1943.

It further appears to this Court that the above named are entitled to compensation for such services rendered, in the following amounts set opposite each of their names, respectively:

T. G. Grant	\$ 57.57
Kenneth Crouch	\$ 50.00
Morgan Jones	\$50.00

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said T. G. Grant, Kenneth Crouch and Morgan Jones receive for their services rendered in the above entitled and numbered cause, as appraisers, the sums and amounts set opposite each of their names hereinabove.

ROYCE H. SAVAGE  
JUDGE

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

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Court adjourned to December 24, 1943

REGULAR NOVEMBER 1943 TERM

MIAMI, OKLAHOMA

WEDNESDAY, DECEMBER 22, 1943

On this 22nd day of December, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular November 1943 Term at Miami, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - REPORT OF REGISTRY FUND.

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

To the Honorable the Judges of the United  
States District Court for the Northern District  
of Oklahoma.

Sir:

As provided in Section 798, E. S. U. S., I respectfully report the condition of the Registry Fund of the United States District Court for the Northern District of Oklahoma at the close of business December 18, 1943;

Balance in the First National Bank and Trust Company  
of Tulsa, Oklahoma, at the close of business November 19, 1943 \$ 50,589.88

Received since November 19, 1943:

Nov. 24, 1942	Treasurer of United States	1,815.00
Dec. 2, 1942	Federal Works Agency,	63.00
Dec. 30, 1942	Treasurer of United States	3,400.00
Jan. 8, 1943	Federal Works Agency,	3.40
Jan. 15, 1943	Midland Valley Railroad Co.,	4,797.13
Jan. 19, 1943	City of Vinita,	1,200.00
Feb. 2, 1943	Federal Works Agency	86.20
Feb. 3, 1943	Treasurer of United States,	6,520.65
Feb. 16, 1943	Federal Works Agency	668.00
Mar. 19, 1943	Virtil Martin Beaubien,	400.00
Mar. 19, 1943	Fred Bruce Carrico	500.00
Mar. 23, 1943	Treasurer of United States,	650.00
Mar. 23, 1943	Treasurer of United States,	3,136.43
Mar. 27, 1943	Treasurer of United States,	200.00
Apr. 1, 1943	Federal Works Agency	2,945.00

Apr. 6, 1943	M. F. Ellison, Referee	5.00
Apr. 6, 1943	United States of America,	150.00
Apr. 6, 1943	United States of America,	22.50
Apr. 6, 1943	United States of America,	25.50
Apr. 6, 1943	United States of America,	16.50
Apr. 6, 1943	United States of America,	164.65
Apr. 6, 1943	United States of America,	52.60
Apr. 6, 1943	United States of America,	149.75
Apr. 12, 1943	United States of America,	101.00
Apr. 14, 1943	United States of America,	3,500.00
Apr. 29, 1943	United States of America,	539.70
May 5, 1943	Mrs. J. G. Owens,	2,500.00
May 14, 1943	United States of America,	75,500.00
May 20, 1943	First National Bank & Trust Co.	1.27
May 21, 1943	United States of America	96.95
May 22, 1943	National Bank of Tulsa,	5.25
May 29, 1943	United States of America	142.00
May 31, 1943	United States of America	241.54
Jun 1, 1943	United States of America	17,950.00
Jun 1, 1943	United States of America	654.65
Jun 8 1943	Embry, Johnson, Crowe & Tolbert	720.00
Jun 12, 1943	Ben Harp	250.00
Jun 15, 1943	United States of America,	492.20
Jun 15 1943	United States of America	2116.44
Jun 19 1943	United States of America	1,287.00
Jun 22 1943	United States of America	1,800.00
Jun 26, 1943	United States of America	8,566.25
Jul 2, 1943	United States of America	655.60
Jul 6, 1943	United States of America,	1.00
Jul 7, 1943	United States of America,	240.21
Jul 12, 1943	United States of America,	1,061.76
Jul 15, 1943	United States of America,	1,398.14
Jul 16, 1943	United States of America,	3,223.75
Jul 21, 1943	Louise M. Newton,	2,500.00
Jul 30, 1943	United States of America	1,000.00
Jul 31, 1943	Jno. P. Logan, U. S. Marshal,	1,600.00
Jul 31, 1943	United States of America,	60.00
Jul 31, 1943	United States of America,	17,482.50
Aug 4, 1943	Mid-Continent Petroleum Corp.,	4.69
Aug. 5, 1943	United States of America,	1,209.88
Aug. 17, 1943	Paul M. Cameron, Special Master,	16.90
Aug. 17, 1943	Paul M. Cameron, Special Master	51.79
Aug 17, 1943	Paul M. Cameron, Special Master	20.31
Aug. 27, 1943	United States of America,	32.15
Aug 27 1943	United States of America,	20.00
Aug 27, 1943	United States of America	5,915.87
Aug. 27, 1943	United States of America,	2,000.00
Aug. 30, 1943	United States of America	7,655.57
Aug. 31, 1943	United States of America	3,938.95
Aug. 31, 1943	United States of America,	1,163.70
Sep. 1, 1943	United States of America,	2,860.40
Sep. 1, 1943	United States of America,	186,735.00
Sep. 2, 1943	United States of America,	8,641.75
Sep. 3, 1943	United States of America,	8,072.00
Sep. 7, 1943	United States of America,	5,123.90
Sep. 22, 1943	United States of America,	11.25
Sep. 22, 1943	United States of America,	63.25

Sep 22 1943	United States of America,	50.00
Sep. 22, 1943	United States of America,	243.50
Sep. 22, 1943	United States of America,	64.00
Sep. 27, 1943	United States of America,	9,710.82
Oct. 4, 1943	United States of America,	125.00
Oct. 4, 1943	United States of America,	113.00
Oct. 7, 1943	Mid- Continent Petroleum Corp.,	15.66
Oct. 12, 1943	H. P. Warfield, Clerk	5.00
Oct. 21, 1943	Tucker and Martin,	992.72
Oct. 30, 1943	Milan Grayson,	250.00
Nov 2, 1943	First National Bank & Trust Co.	51.41
Nov 9, 1943	Treasurer of United States	1,200.00
Nov 12, 1943	United States of America,	289.44
Nov. 13, 1943	United States of America,	5,000.00
Nov. 16, 1943	United States of America,	11,723.70
Nov. 18, 1943	United States of America,	11,682.29
Nov. 19, 1943	United States of America,	958.00
Nov. 19, 1943	Coakley, McDermott & Gable	10,113.00
Nov. 19, 1943	United States of America,	25,738.40
Nov. 22, 1943	Charles E. Potter,	500.00
Nov. 29, 1943	J. W. Cranor,	800.00
Dec. 13, 1943	United States of America,	114.73
Dec. 13, 1943	United States of America,	6,528.95
Dec 13, 1943	Harry Kingrey,	500.00
Dec 13, 1943	Harry Kingrey,	500.00
Dec. 17, 1943	United States of America,	12,181.40

\$556,337.58

DISBURSED Since November 19, 1942:

Nov. 27, 1942	State Life Insurance Company,	\$ 73.00
	Jesse L. Mayes,	1,815.00
Dec. 2, 1942	Geo C. Flemming	114.00
	Lottie E. Dunlap	9.50
	Chas. Flemming,	9.50
	Harry Flemming,	9.50
	Louanna Brown,	9.50
	Murray Flemming,	9.50
	Viola Flemming,	9.50
	Belle McLaughlin,	9.50
	Oroville Flemming,	3.17
	Ethel Flemming,	3.17
	Roxie McFarland,	3.16
Dec. 4, 1942	T. H. Haugh, Ancillary Administrator	4,713.00
	T. H. Haugh, Ancillary Administrator	1,630.50
	T. H. Haugh, Ancillary Guardian, etc.	721.98
Dec 8, 1942	F. M. Stoops, et al,	38.00
	C. B. Clouse,	12.00
Dec. 10 1942	Mary May Rogers, now Hopkins,	50.00
Dec. 11, 1942	Essie M. Avery,	3,832.42
	Harold Rollans	300.00
Dec. 14, 1942	Mabel Morgan,	250.00
Jan 11 1943	Eben L. Taylor,	

	St. Louis - San Francisco Railway Co.	10.00
Jan. 13, 1943	Town of Dawson, Oklahoma	1.00
Jan 14 1943	Mary Fast	127.72
Jan. 15, 1943	Lottie Owens	60.00
	Edgar Prine	3.00
Jan. 16, 1943	R. D. Hudson	30.00
	School District No. 13, Mayes County	5.80
	D. C. Dodd	93.00
	Superintendent Five Civilized Tribes	62.25
	Joseph S. Bauman, Attorney-in-fact,	198.40
	Tom Carroll	5.00
	Willie B. Sparks	10.00
	Jas. S. Wilson	30.00
	Page Crahan	52.50
	Emory Martin	170.00
	Emory Martin	155.00
	Federal Land Bank of Wichita,	67.00
	R. D. Hudson	40.00
	Florence Venters, Administratrix	55.00
	G. R. Bracken	5.00
	Florence Venters, Administratrix	52.50
	G. R. Bracken	10.00
	State of Oklahoma, et al.,	30.00
	S. B. Simmons	10.00
	John Kraft, et al.	25.00
	Clyde A. Turner	5.00
	Feriby L. Moore,	10.00
	A. R. Dye, et al	15.00
Jan. 19, 1943	A. M. Landman, Superintendent, etc.,	65.00
	A. M. Landman, Superintendent etc.	100.00
Jan 21 1943	Treasurer of the United States	4,775.13
	H. P. Warfield, Clerk	22.00
	Treasurer of the United States,	106.10
Jan 25, 1943	County Treasurer, Mayes County	17.19
	Kansas City Life Insurance Co.	614.67
	J. V. Garrett, et al.,	2,718.14
	G. H. Rainwater,	225.00
	W. M. Melugin	25.00
	O. D. Mayor, et al.,	2,300.00
	W. A. Graham, et al.,	12,260.00
Feb 3 1943	Miriam Cole Morton, et al.,	83.00
	C. E. Broyles,	1.00
	A. M. Landman, Superintendent etc	5.00
	T. M. Troyer	1.00
	Bertha E. Wrigley Rochefort,	163.00
	H. M. Haynes	15.00
	George Tucker,	35.00
	G. C. Steddum,	5.00
	Federal Farm Mortgage Corporation,	121.00
	Bertha Hostettler,	224.00
	William Chupp	20.00
	Moses N. Mast	10.00
	Henry Troyer,	3.00
	Eli D. Miller,	45.75
	Henry Troyer	1.00
	Otto Rist, et al.,	18.00
	Henry Troyer,	1.00
	J. C. Wilkerson, et al,	6,520.65

Feb. 5, 1943	Doris K. Moore, Guardian,	25.00
	B. E. Bell,	5.00
	G. P. Allen, et al.,	40.00
	Lucile Halsell,	30.00
	O. A. Pool,	5.00
	Ewing Halsell,	70.00
	O. A. Pool,	10.00
	Homer J. Green	12.00
	Stephen Kozel,	24.50
	Ben Killion,	5.00
	Homer J. Green,	50.00
	B. F. Bowers, Executor etc.	75.00
	G. B. Markel,	25.00
	Jackson R. Deitrich,	25.00
	A. H. Deitrich	7.14
	Beulah E. Allen, nee Deitrich	7.14
	Evelyn Deitrich,	7.14
	Lucille Harmon, nee Deitrich,	7.14
	Loyal Deitrich,	7.14
	Juanita Deitrich,	7.15
	Jack Walton Deitrich,	7.15
	The Central Life Insurance Co. et al.,	50.00
	A. R. Christian,	5.00
	Treasurer of the United States,	5.00
	Artie Fox, now Propes,	24.00
	T. L. Snodgrass,	81.70
	Chas. Burgess,	8.00
	Allie N. Crossland,	62.25
	Anna A. Harris,	20.00
	H. A. Ford,	4.00
	A. M. Landman, Superintendent	122.00
	Ernest Haynes	20.00
Feb. 16, 1943	Valena V. Trout, now Dayer	30.00
	Leonard Simmons,	4.00
	Mrs. Rose A. Byers,	5.00
	Valena V. Trout, now Dayer,	56.00
	Leonard Simmons,	2.00
	Clara J. McGovern,	35.00
	F. W. Steffens	1.00
	Washington National Life Insurance Co.	943.00
	Leslie L. Forgrave, et al (et al)	105.00
	Claude L. Richardson,	40.00
	C. A. Braukman,	219.00
Feb. 19, 1943	Check No. 1714 Cancelled	25.00
	Check No. 1717 Cancelled	15.00
	J. W. Urban,	50.00
	Water Improve District No. 5, Tulsa County	50.98
	Treasurer of United States,	6,399.02
	Federal Farm Mortgage Co.	25.00
	A. R. Dye	15.00
Mar 6 1943	Mrs. Odie Long,	1,500.00
Mar 20 1943	Virgil Martin Beaubain	400.00
Mar 26 1943	Essie M. Avery	1,569.20
	Harold E. Coby,	11.50
	Harold E. Coby	42.84
	R. F. Layman	47.03
	Otto F. Bryan, et al	357.68
	Elbert L. Morgan	718.64

Mar 26, 1943	Oras A. Shaw, et al.,	389.54
Mar 30 1943	O. D. Mayor	200.00
	Treasurer of the United States	650.00
Apr 7 1943	Ethel Reed, et al	2,150.00
Apr 8, 1943	Vesta A. Haddock,	25.00
	Ethel Perryman	2.08
	Jess Haddock	2.08
	Alice Wells	2.08
	Mary Jackson,	2.08
	Idabel Stoops	2.08
	James L. Haddock	2.08
	Vesta Andrews	2.08
	Orville Haddock	2.08
	Eula Flock	2.08
	George Haddock	2.08
	Idabel Haddock	1.05
	Ruth Haddock, now Lytle	1.05
	Henry Francis Haddock	1.05
	Andre Haddock, now Johnston	1.05
	Federal Land Bank of Wichita, etc.,	98.00
	W. O. Tyler	5.00
	O. G. Lightner, et al.,	47.50
	G. R. Bracken	10.00
	J. M. Hardesty	6.50
	C. F. Stryker,	63.00
	W. T. Helton	10.00
	Federal Farm Mortgage Corp.	95.00
	E. J. Knight,	25.00
	D. D. Miller	70.00
	John Helmeuth,	27.00
	Harry Davis	5.00
	Federal Farm Bank of Whicita	170.00
	Minnie Shutt, et al.,	75.00
	Leon Littlefield	10.00
	Minnie Shutt	75.00
	Leon Littlefield	10.00
	Minnie Shutt, et al.,	75.00
	Frank Ifgram	10.00
	Minnie Shutt, et al.,	40.00
	Kelly Martin	5.00
	J. A. Courtwright	22.00
	E. V. Knight	5.00
	Earl Ward, Guardian etc.	50.00
	Mable Littledave, now Ingle	25.00
	D. C. Tryer	10.00
	A. C. Neal, et al.,	47.00
	Oscar Goodin	8.00
	Columbian National Life Ins. Co.	45.60
	Orin Callison	5.00
	Emily P. Colvin	147.60
	George S. Smor	25.00
	Kate Poffenbach	120.00
	Ural B. Rainwater	15.00
	Etta Graham	548.80
	Treasurer of the United States,	51.20
	W. T. Muldrow, et al.,	130.00

April 9, 1943	Superintendent Five Civilized Tribes	1,200.00
Apr 14, 1943	Ronald R. Madole	27.75
	A. E. Madole	122.00
	S. D. Hunt	239.00
	Rose Giles, et al.,	1,173.00
	Treasurer of the United States	77.00
Apr 28 1943	P. L. Ball	3,500.00
May 14 1943	Bruce Fred Carrico	500.00
May 21, 1943	County Treasurer of Mayes County,	35.91
	Ida Brewington	166.02
	Edna Shipley	166.02
	John O. Allen	166.02
	Roy Tharp,	18.44
	Earl Tharp	18.44
	Betty Tharp,	18.44
	Elsie Dunlap	18.44
May 21, 1943	Pearl Ward	18.44
	Emily Perry	18.44
	Galdie Clemmons	18.44
	Bobby May Cooper	18.44
	Treasurer of the United States,	155.00
May 24, 1943	H. P. Warfield, Clerk	100.00
	William Gerald Moore,	2,400.00
Jun 21, 1943	Treasurer of the United States,	1,260.00
	H. P. Warfield, Clerk,	27.00
Jul 16, 1943	Oliver S. Taylor, et al.	1,800.00
Jul 26, 1943	Ben Harp	250.00
	Board of Education of City of Pryor,	1.00
Jul 28, 1943	John S. Lewis, et al.,	100.00
Aug 5, 1943	H. P. Warfield, Clerk	68.61
	Court Clerk, Mayes County	48.10
	J. S. Severson,	75.00
	A. Lee Battenfield,	75.00
	Scott Smith,	211.60
	Treasurer of the United States,	1,121.49
	First National Bank & Trust Company	
	Oklahoma City, Oklahoma,	772.50
Aug 11 1943	Check No. 79 cancelled	1,800.00
	Board of Trustees of Dawson, Okla.	1.00
	Oliver S. Taylor	1,800.00
Aug 12, 1943	Maud Langenkamp, et al.,	6,500.00
Aug 16, 1943	Occidental Life Insurance Co.	720.80
Aug 20, 1943	Payment stopped on check No. 607	53.03
	Payment stopped on check No. 622	50.00
	Payment stopped on check No. 1106	45.00
	Payment stopped on check No. 1084	228.47
	Payment stopped on check No. 1155	1.00
	Payment stopped on check No. 1235	4.00
Aug 24 1943	John Hertzal,	9.40
	John Hertzal,	11.80
Aug 26, 1943	Natalie D. Wilson,	440.00
Sep 1 1943	J. E. Morgan	467.13
	A. L. Farmer, et al.,	10,982.87
Sep 10 1943	Kansas, Oklahoma & Gulf Railway Co.	186,735.00
Sep 20 1943	H. P. Warfield	32.15
Sep 24, 1943	R. E. Reed,	11.25
	Alzena Barnett	63.25
	Everett Adcock	50.00
	W. C. Thompson	307.60

Sep 27 1943	Myrtle G. Witt, et al.,	248.00
Oct 5 1943	Charles F. Winters,	85,210.82
Oct 6, 1943	Eldee McCracken, et al.,	75.00
	J. A. Beckman	125.00
	Geo. E. Warren, et al.,	200.00
	J. A. Beckham	20.00
	Will A. Crockett, et al.	185.00
	The Federal Land Bank of Wichita	40.00
	R. P. Wilcox,	8.00
	Riley L. Hendrickson, et al.,	50.00
	A. C. Crouch	10.00
	Riley L. Hendrickson, et al.,	50.00
	Alfred C. Crouch, et al.,	149.00
	R. W. Hildreth,	174.00
	O. M. Van Arsdale	12.50
	Will A. Crockett,	30.00
	J. H. McElroy, et al.,	40.00
	J. M. Gilbert	21.00
	J. M. Gilbert	82.00
	C. C. Bledsoe, et al.,	125.00
	W. A. Bearden, et al.,	15.00
	I. P. Perkins	2.50
	W. K. Tipton	90.00
	Lilly E. House,	25.00
	Allen W. Arnold, et al.,	90.00
	W. R. Cross	60.00
	Walter A. Cavalier	90.00
Oct 6 1943	Eliza Cavalier	10.00
	James S. Cavalier	3.34
	John Cavalier	3.34
	T. P. Cavalier	3.33
	Walter A. Cavalier,	3.33
	Cicero Cavalier,	3.33
	Charles E. Cavalier	3.33
	Norman W. Paine, et al.,	53.00
	Everett C. House,	22.00
	George L. Mason	5.00
	Laura Thomson Magnuson	59.00
	Ed N. Mullett	10.00
	Benj. Troyer,	125.00
	Crist M. Miller	30.00
	Alvin D. Miller, et al.,	118.00
	R. B. Delweiler	160.00
	A. M. Landman, Superintendent, etc.	24.00
	R. H. Manlove,	150.00
	A. M. Landman, Superintendent, etc.	48.00
	First National Bank & Trust Co.,	
	Muskogee, Oklahoma, etc.	35.00
	G. B. Regier,	35.00
	Peter M. Schroeder,	5.00
	Albert R. Penner, et al.,	120.00
	Charley Nelson	15.00
Oct 8 1943	Malcolm Cullen	125.00
	R. B. Devine	113.00
Oct. 11, 1943	H. P. Warfield, Clerk	500.00
	Louise M. Newton,	2,000.00
Oct 19, 1943	C. M. Copeland,	572.40
Oct. 27, 1943	The Federal Land Bank of Wichita,	137.40

Nov. 2, 1943	Check No. 129 cancelled	90.00
	Allen W. Arnold, et al	90.00
Nov 8, 1943	Water Improve District No. 5,	13.91
	Marie Sanders,	1,986.09
Nov 10 1943	O. G. Lightner, et al.,	58.50
	Mable L. Brown, nee Gunter,	675.00
Nov. 12, 1943	Ethel Reed, et al.,	289.44
Nov 19 1943	Pauline D. Wallace, et al.,	50.00
	Villard Martin, et al.,	1,600.00
Nov 22 1943	Roy G. Uhl, et al.	2,048.00
Nov 29 1943	Malcolm Cullen,	458.00
	J. Hiram Tandy,	500.00
	Treasurer of the United States,	109.00
	L. M. Keller	157.50
	Water Improvement District No. 5,	41.41
	City of Tulsa	958.59
Dec 3 1943	T. J. Caudill,	58.00
	Chester J. Ross, et al.,	1,500.00
Dec 6 1943	Everett C. Clanton, et al.,	853.17
	The State Life Insurance Co.	1,282.33
	W. E. Perry, et al.,	1,530.00
Dec 8 1943	Wesley M. Smith, Administrator etc	45.00
	New York Life Insurance Co.	992.72
Dec 13 1943	Paul Devin	114.73
	Carl Franklin Skinner, et al.,	250.00
	Treawurer of the United States	50.00
Dec 15 1943	M. D. Stryker	5.40
	Iris M. Fox	110.00
	R. L. Oskison,	1.00
	John C. Fessler, et al.,	8.00
	R. B. Vandergriff	14.70
	Julia Whitehead	15.00
	S. B. Iverson	1.60
	H. W. Evans, et al.,	1.60
	Emma L. Randolph	.80
	W. K. Holmes	1.00
	W. A. Berry,	2.50
	O. C. Elliott	10.00
	Lewis R. Rader	10.00
	Mattie A. Forbes, now Carver,	3.20
	Ella R. Cohea	16.64
	Harry A. Cohea	2.09
	James R. Cohea	2.09
	Kennect C. Cohea	2.09
	Mable V. Berry, nee Cohea	2.09
	James B. Gray	1.60
	S. D. Hunt	1.00
	James B. Gray,	2.40
	United States Treasurer	19.40
	Gordon W. Gaddis	6.00
	James B. Cody	1.70
	G. G. Giles	1,850.00
	Mamie C. Harris,	2,025.20
	J. C. Coats, et al.,	550.00
	William E. Suttle	3.00
	Gay Worsham Finley	1,120.60
	Maggie M. Sweet,	208.00
	Harold L. Grisman	3.20

C. B. McElroy	151.65
W. C. Morris,	8.10
Page Crahan	10.80
Joe Madison, Jr., et al.,	6.00
Thomas Messimore	506.00

Balance on deposit in the First  
National Bank & Trust Company,  
Tulsa, Oklahoma, at close of business  
December 18, 1943 155,550.40

Cash on hand None

\$556,337.68

Respectfully submitted,

H. P. WARFIELD  
Clerk

APPROVED: December 22, 1943  
at Miami, Oklahoma.

ROYCE H. SAVAGE  
United States District Judge.

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Court adjourned subject to call.  
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On this 24th day of December, 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:

L. METCALFE WALLING, ADMR.,	Plaintiff, )	
	)	
-vs-	) No. 568 - Civil	
	)	
HELMERICH & PAYNE, INC.,	Defendant. )	

Now on this 24th day of December, A. D. 1943, it is ordered by the Court that the Mandate in the above styled and numbered cause be filed and spread of record are as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma before you, or some of you in a cause between L. Metcalfe Walling, Administrator of the Wage and Hour Division of the United States Department of Labor, plaintiff, and Helmerich & Payne, Inc., defendant, No. 568, Civil, the judgment of the said district court in the said cause entered on December 4, 1942, was in the following words, viz.:

\* \* \* \* \* "It is therefore

"Ordered, adjudged, and decreed by the court that the injunction sought by the plaintiff in this cause be, and the same is hereby in all things denied except as hereinafter specified; it is

## II.

"Ordered, adjudged and decreed that the defendants, its officers, agents, servants, employees, attorneys, and all persons acting or claiming to act in its behalf or interest, be, and they are hereby, permanently enjoined and restrained from violating the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, in the following manner:

"The defendant shall not, contrary to Section 7 of the Act, employ any of its employees engaged in commerce or in the production of goods for commerce, as defined by the Act, for a workweek longer than 40 hours, unless the employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one half times the regular rate at which he is employed; provided, however, that this injunction and restraint shall not be deemed to prohibit the employment and compensation of employees by the defendant pursuant to contracts in the forms set forth in paragraphs V, VI, IX, X, and XI of the Findings of Fact herein.

## III.

"The defendant shall not, contrary to Section 15 (a) (1) of the Act, ship, deliver, transport, offer for transportation or sell in interstate commerce, as defined by the Act, or ship, deliver, or sell with knowledge that shipment, delivery, or sale thereof in interstate commerce is intended, any goods in the production of which any employee of the defendant has been employed at rates of pay less than those specified in Paragraph II of this judgment:

"The defendant shall not fail to make, keep, and preserve records of its employees and of the wages, hours, and other conditions and practices of employment maintained by it, as prescribed by the regulations of the Administrator issued, and from time to time amended, pursuant to Section 11 (c) of the Act, and found in Title 29, Chapter V, Code of :



advised in the premises, finds:

That the said R. E. Reed, Oliver D. Reed and Lillian Reed were the owners of the lands designated as Tract No. 7 (6 FW 635) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$1955.00 for the taking of the fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said land.

The Court further finds that the said R. E. Reed, Oliver D. Reed and Lillian Reed agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$2,000.00, which was accepted by the petitioner.

The Court further finds that the sum of \$2,000.00 is just compensation for the injuries and damages sustained by the said R. E. Reed, Oliver D. Reed and Lillian Reed.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the said R. E. Reed, Oliver D. Reed and Lillian Reed, were the owners of the lands designated as Tract No. 7 (6 FW 635) when this proceeding was commenced, and that the sum of \$2,000.00 is just compensation for the taking of the fee simple title in and to said tract of land, and that said defendants are the only persons having any right, title or interest in and to said just compensation.

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

TO: R. E. REED	\$1405.00
(Owner of a part of Tract No. 7 (6 FW 635))	
Oliver D. Reed and Lillian Reed	550.00
(Owners of a part of Tract No. 7 (6 FW 635))	

and that when the additional sum of \$45.00 is deposited in the registry of the Court, same being the difference between the estimated just compensation on deposit in this court, and the just compensation as fixed by said accepted Offer of Sale, said amount be disbursed to R. E. Reed.

ROYCE H. SAVAGE  
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,	)
		)
vs		) CIVIL NO. 1055
		)
CERTAIN PARCELS OF LAND IN THE TOWNSITE		)
OF CLEORA, OKLAHOMA; and R. F. Clrich, et al.,		)
	Defendants.	)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND  
MAKING DISTRIBUTION AS TO TRACT NO. 8  
(6 FW 636)

Now, on this 24th day of December, 1943, there coming on for hearing the application of the defendant, Julia E. Lee, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 8 (6 FW 636), and the Court being fully advised in the premises, finds:

That the said Julia E. Lee was the owner of the land designated as Tract No. 8 (6 FW 636) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this court the sum of \$275.00 for the taking of the fee simple title in and to said premises; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said tract of land, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of the fee simple title thereto.

The Court further finds that the said Julia E. Lee agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$400.00, which was accepted by the petitioner.

The Court further finds that the sum of \$400.00 is just compensation for the injuries and damages sustained by the said Julia E. Lee.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the said Julia E. Lee was the owner of the lands designated as Tract No. 8 (6 FW 636) when this proceeding was commenced, and that the sum of \$400.00 is just compensation for the taking of the fee simple title in and to said tract of land, and that said defendant is the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED THAT the Clerk of this Court be and he is hereby authorized and directed to make distribution of the funds herein deposited as follows, to-wit:

TO:	Julia E. Lee	\$275.00
	Owner of Tract No. 8 (6 FW 636)	

and that when the additional sum of \$125.00 is deposited in the registry of the Court, same being the difference between the estimated just compensation on deposit in this court, and the said just compensation as fixed by said accepted Offer of Sale, said amount be disbursed to the said Julia E. Lee.

ROYCE H. SAVAGE  
JUDGE

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

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

Joe Mouse,	Plaintiff,	)	
vs		)	
John R. Mouse, et al.,	Defendants.	)	No. 1093 Civil
THE UNITED STATES OF AMERICA,	Intervener.	)	

ORDER CONFIRMING COMMISSIONERS' REPORT AND DIRECTING THE  
SALE OF REAL ESTATE

This case coming on to be heard in its regular order, this the 24th day of December, 1943, upon the return and report of the Commissioners heretofore appointed by this court, and upon plaintiff's motion to confirm the same as filed, and it being shown to the court that said report is in all things made as directed by the order of the court made in this cause, and duly filed and that there are no objections or exceptions filed to the same, and that none of the interested parties have elected to take the lands involved at the appraised price, the plaintiff appearing by his attorney, Ernest R. Brown, and the United States of America, appearing by Whit Y. Mauzy, in his official capacity as United States District Attorney, as well for the Government as the full blood Indians, parties to said action, and the Court having heard said motion and the pleadings filed in said case and the argument of counsel, and being fully advised in the premises finds:

That said Commissioners' report discloses that the lands involved can not be partitioned in kind between the plaintiff and the defendants, the owners thereof, without manifest injury, and that the valuation placed thereon by the Commissioners, to-wit: the sum of \$1600.00 is fair and said report should be in all things approved and confirmed and made firm and effectual forever, and that said lands should be sold by the United States Marshal for the Northern District of Oklahoma, and the proceeds thereof to be divided among the parties to this action as more fully set out in the decree of partition entered herein on November 12, 1943, after a reasonable time is given the United States to exercise its preferential right to take said lands at the appraised price.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that said commissioners report be, and the same is in all things approved and confirmed, and made firm and effectual forever, and inasmuch as neither of the parties to this action has elected to take the same at the appraised price, that a sale of the premises involved herein should be had unless the United States of America should elect to take the same at the appraised price within ten days prior after the date of this decree.

THEREFORE, IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Honorable John P. Logan, United States Marshal, for the Northern District of Oklahoma, proceed to advertise and sell the said real estate involved herein, described as follows, to-wit:

The West Half of the Southwest Quarter of Section Twenty-two (22), Township Twenty-one (21) North Range Seventeen (17) East of the Indian Base and Meridian, Rogers County, Oklahoma;

if no election to take said premises at the appraised price is made within ten days from the date hereof; the said land to be sold for cash, in the same manner as in the case of sales of real estate under execution under the laws of the State of Oklahoma, and to be made for not less than two-thirds of the appraised price fixed by the Commissioners, which was \$1600.00, and that said United States Marshal make due return of his proceedings hereunder to this court for confirmation and further orders of the court, and that this order is made pursuant to the jurisdiction conferred on this court by the Acts of Congress and in accordance with the procedural provisions of the Statutes of the State of

Oklahoma, in like case made and provided.

ROYCE H. SAVAGE  
U. S. District Judge

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

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

HELMERICH & PAYNE, INC., a Delaware Corporation,	Plaintiff,	)
		)
vs.		)
		)
ASSOCIATED INDEMNITY CORPORATION, a California Insurance Corporation,	Defendant.	)

No. 1096 Civil

O R D E R

Now on this 24 day of December, 1943, on application of the defendant and for good cause shown, it is hereby ordered by the Court that the defendant have and it is hereby granted an extension of time of twenty days from December 23, 1943, or until January 12, 1944, in which to file answer to plaintiff's petition.

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

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

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

METROPOLITAN LIFE INSURANCE COMPANY, a corporation,	Plaintiff,	)
		)
vs.		)
		)
MARIE F. BEALL and ELOISE FEATHERSTON DALE,	Defendants.	)

No. 1113 - CIVIL

ORDER EXTENDING TIME FOR FILING ANSWER

NOW on this 24 day of December, 1943, on application of the defendant, Eloise Featherston Dale, for an extension of time within which to file her answer herein, and for good cause shown,

IT IS ORDERED that the defendant, Eloise Featherston Dale, be granted an extension of and to and including the 8th day of January, 1944, within which to file her answer herein.

IT IS FURTHER ORDERED that the temporary restraining order heretofore entered here-  
in on the 19th day of November, 1943, shall continue in full force and effect as to the defendant,  
Eloise Featherston Dale, until otherwise ordered by this Court.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

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

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

METROPOLITAN LIFE INSURANCE COMPANY, )  
a corporation, ) Plaintiff, )  
 ) No. 1113 - Civil  
vs )  
 )  
MARIE F. BEALL and ELOISE F. DALE, )  
 ) Defendants. )

O R D E R

For good cause shown, IT IS ORDERED that the defendant Marie F. Beall be and she is  
hereby granted an extension of twenty (20) days within which to answer the petition of interpleader  
of the plaintiff, being to and including the 12th day of January, 1944.

ROYCE H. SAVAGE  
DISTRICT JUDGE

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

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Court adjourned to December 27, 1943

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On this 27th day of December, 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,	)
		)
vs		)
		) No. 670 Civil
Fred G. Drummond, A. W. Lohman,		)
Allbright Title & Trust Company,		)
Henry T. Snyder, Joseph A. Miller, Roman		)
Logan, Mary Logan, S. H. Robinson and		)
C. E. Walker,	Defendants.	)

O R D E R

Now on this 27 day of December, 1943, this matter coming on before the court upon application of plaintiff to amend its complaint filed herein on September 19, 1941, and it appearing to the court that certain parties should be made defendants in this action to finally dispose of said proceeding, and it appearing that none of said defendants have heretofore answered or filed any proceedings in response to plaintiff's complaint herein,

IT IS THEREFORE, THE ORDER OF THE COURT that said complaint be amended as to include the additional parties as set out in plaintiff's application herein.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Dec 27 1943  
H. P. Warfield, Clerk  
U. S. District Court LN

FANNIE E. WILLIAMS,	Plaintiff,	)
		)
-vs-		) No. 761 - Civil
		)
CALLIE BUSHYHEAD, ET AL,	Defendants.	)

Now on this 27th day of December, A. D. 1943, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled and numbered cause as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Fannie E. Williams, Plaintiff and Callie Bushyhead et al., Defendants, No. 761, Civil, the judgment of the said district court in the said cause entered on December 4, 1942, was in the following words, viz:

\* \* \* \* \*

"It is considered, ordered, adjudged and decreed by the court

that the title in and to the lands involved herein, described as follows:

"The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of Section Sixteen (16), Township Twenty-four (24) North, Range Twenty-four (24) East, situate in Delaware County, State of Oklahoma,

be, and the same hereby is declared to be, held and owned in fee simple by the plaintiff, Fannie E. Williams.

"It is further ordered, adjudged and decreed that the intervener, the United States of America, and the defendants herein and each of them have no right, title or interest in or estate in or to said above described lands,

"It is further ordered, adjudged and decreed that the title in fee simple in and to the above described lands in quieted in the said plaintiff and that the intervener and the said defendants, and each of them, and all persons claiming by, through or under them, and each of them, are forever enjoined and restrained from asserting any right, title or interest there

as by the inspection of the transcript of the record of the said district court, which was by the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by United States of America, agreeably to the Act of Congress, in such case made and provided, fully and at large

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed; that the said cause be and the same is hereby remanded to the said district court for further proceedings in accordance with the views expressed in the opinion of the court; and that United States of America, appellant, have and recover of and from Fannie E. Williams, its costs herein and have execution therefor.

-- November 3, 1943.

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

WITNESS, the Honorable Harlan F. Stone, Chief Justice of the United States, this 24th day of December, in the year of our Lord one thousand nine hundred and forty-three.

COSTS OF	APPELLANT:
Clerk	\$31.65
Printing Record	\$47.20
Attorney	\$20.00
	<u>\$98.85</u>

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

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

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

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1128
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 22.85		)	
acres, more or less; and Ruth Morrison,		)	
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 cause on the 27th day of December, 1943, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking and the Statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of the 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 \$ 1846.90, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 27th day of December, 1943, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement for road purposes, subject to any existing rights held by the public, the State of Oklahoma, or any subdivisions thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority, a public corporation, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, in, upon and over the lands, situate, lying and being in the County of

Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (6 - FW-CR-621)  
Perpetual Easement for Road Purposes

All that part of the  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 17, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Tract A

A strip of land 80 feet in width in the center line of which is described as follows:

Beginning at a point in the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  480.9 feet east of the southeast corner thereof; thence N.  $16^{\circ} 33'$  W 74.8 feet; thence to the left on a curve of radius 383.1 feet a distance of 308.5 feet; thence N.  $62^{\circ} 50'$  W. 239.6 feet; thence on a curve to the right of radius 100.0 feet a distance of 110.0 feet to a point in the west line of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  505.6 feet north of the southwest corner thereof, containing 1.2 acres, more or less.

TRACT B

Beginning at a point in the North boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  16.5 feet east of the Northwest corner thereof; thence east 23.5 feet; thence south 155.2 feet to a point in the north boundary of Tract A; thence west with said boundary 25.5 feet; thence north 155.3 feet to the point of beginning, containing 0.1 acre, more or less.

TRACT NO. 2 (6 - FW-CR-627)  
Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  less the west 20 feet thereof, in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  92.2 feet west of the SE corner thereof, thence north 120.0 feet; thence west 170.0 feet; thence south 120.0 feet; thence east 170.0 feet to the point of beginning, containing 0.5 acres, more or less.

TRACT NO. 3 (6 FW-CR-656)  
Perpetual Easement for Road Purposes

All that part of Lots 1 to 5 inclusive, in Block 23 in the original Townsite of Decra, County of Delaware, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots, more particularly described as follows, to-wit:

A strip of land 80 feet in width lying north of and immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. Track.

TRACT NO. 4 (6 FW-CR-659)  
Perpetual Easement for Road Purposes

all that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , less a tract of land described as follows:

"Beginning at a point 192.0 feet north of the SE corner of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence west 80 feet; thence north 273.0 feet; thence east 80 feet; thence south 273.0 feet to the point of beginning, containing 1/2 acres, more or less."

situated in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 80 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. R. R. track, containing 0.4 acre, more or less,

TRACT NO. 5 (6 FW-CR-659-A)  
Perpetual easement for road purposes

All that part of the SE $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

"Beginning at a point 192 feet north of the SE corner of SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence west 80 feet; thence north 273 feet; thence east 80 feet; thence south 273 feet to the point of beginning, containing one-half acre, more or less," particularly described as follows, to-wit:

A strip of land 80 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. Railroad track, containing less than 0.1 acre.

TRACT NO. 6 (6 FW-CR-661)  
Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  lying north of the K. O. & G. Railroad in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 80 feet in width lying north of and immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. Railroad track, containing 1.7 acres, more or less.

TRACT NO. 7 (6 FW-CR-663)  
Perpetual Easement for Road Purposes

All that part of "two (2) acres in the SE corner NE $\frac{1}{4}$  SE $\frac{1}{4}$ , being 2 acres north and south by one acre east and west" situated in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, more particularly described as follows, to-wit:



A strip of land 80 feet in width lying north of, immediately adjacent and parallel to a line 80 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. track, containing 0.5 acre, more or less.

TRACT NO. 8 (6 FW-CR-663 A)  
Perpetual Easement for Road Purposes

All that part of "NE $\frac{1}{4}$  SE $\frac{1}{4}$ , less 2 acres in the SE corner thereof being 2 acres north and south by one acre east and west" in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 80 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. Railroad track, containing less than 0.1 acre.

TRACT NO. 9 (10 FW-CR-681)  
Perpetual Easement for Road Purposes

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 15, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point 1473.1 feet west and 426.2 feet north of the SE corner of said Sec. 15, thence N. 80° 11' W 21.0 feet; thence to the left on a curve of radius 163.7 feet a distance of 152.9 feet; thence S 46° 49' W 468.1 feet to a point on the existing road, containing 1.2 acres, more or less.

TRACT NO. 10 (13 - FW-CR-829)  
Perpetual Easement for Road Purposes

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , less the east 1089 feet of the north 800 feet thereof, in Sec. 14, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point 1178.3 feet north and 1242.8 feet west of the Southeast corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence S 8° 10' E 629.2 feet; thence on a curve to the right of radius 75.4 feet a distance of 106.9 feet to a point 472.6 feet north and 1206.1 feet west of said SE corner, containing 1.4 acres, more or less.

TRACT NO. 11 (17 - FW-CR-746 Rev)  
Perpetual Easement for Road Purposes

All that part of the W $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 16, T 24 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A

A strip of land 70 feet in width, being 30 feet measured at right angles to the right of, and 40 feet measured at right angle to the left of, the following described line, to-wit: Beginning at a point 134.0 feet south and 24.9 feet east of the northwest corner of said  $W\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence N 32° 03' E 100.0 feet; thence N 67° 24' E 100.0 feet to a point in said  $W\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  10.9 feet south and 107.3 feet east of the NW corner thereof, containing 0.3 acre, more or less.

TRACT B

The North 40.0 feet east of the east 490.3 feet of said  $W\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , containing 0.45 acre, more or less.

The two tracts containing 0.75 acre, more or less.

## TRACT NO. 12 (18 FW-CR-745)

## Perpetual Easement for Road Purposes

All that part of the  $S\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 9, T 24 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said  $S\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  458.0 feet west of the southeast corner thereof; thence N. 80° 50' E along the line of the Grand River Dam Authority property 45.6 feet; thence N 73° 58' E 107.0 feet; thence N. 27° 33' E 1.2 feet; thence S 89° 48' E parallel to the south boundary of said  $S\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 67.1 feet; thence S 0° 12' W 40.0 feet to a point in the south boundary of said  $S\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence westerly along said south boundary a distance of 215.3 feet to the point of beginning, containing 0.1 acre, more or less.

## TRACT NO. 13 (19 FW-CR 777)

## Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 29, and all that part of the  $S\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said  $W\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 29, 1021.9 feet south of the northwest corner thereof, thence N. 0° 15' E. 0.00 feet; thence to the left on a curve of radius 204.6 feet a distance of 189.9 feet; thence N. 52° 50' W 12.6 feet; thence to the left on a curve of radius 286.5 feet a distance of 225.0 feet; thence S. 82° 10' W 693.4 feet; thence to the right on a curve of radius 382.0 feet a distance of 357.3 feet to a point in the west boundary of said  $S\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  118.9 feet south of the northwest corner thereof, containing 2.8 acres, more or less.

TRACT NO. 14 (19 FW-CR-780)  
Perpetual Easement for Road Purposes

All that part of the  $S\frac{1}{2} N\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the East boundary of said  $S\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$ , 118.9 feet south of the NE corner thereof; thence N.  $44^{\circ} 14'$  W 0.0 feet; thence to the right on a curve of radius 382.0 feet a distance of 69.4 feet; thence N.  $33^{\circ} 50'$  W. 287.8 feet to a point in the property line of the Grand River Dam Authority, containing 0.6 acre, more or less.

TRACT NO. 15 (20 FW-CR-867)  
Perpetual Easement for Road Purposes

All that part of the  $SW\frac{1}{4} SE\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the south boundary of said  $SW\frac{1}{4} SE\frac{1}{4}$  483.7 feet west of the SE corner thereof; thence N  $2^{\circ} 39'$  W. 0.0 feet; thence to the right on a curve of radius 286.5 feet a distance of 294.1 feet; thence N.  $56^{\circ} 10'$  E. 432.2 feet to a point in the east boundary of said  $SW\frac{1}{4} SE\frac{1}{4}$  495.4 feet north of the SE corner thereof, containing 1.3 acres, more or less.

TRACT NO. 16 (20 FW-CR-868)  
Perpetual Easement for Road Purposes

All that part of the  $SE\frac{1}{4} SE\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said  $SE\frac{1}{4} SE\frac{1}{4}$  495.4 feet north of the SW corner thereof; thence N  $56^{\circ} 10'$  E 1476.2 feet to a point in the North boundary of said  $SE\frac{1}{4} SE\frac{1}{4}$  95.9 feet west of the NE corner thereof, containing 2.7 acres, more or less.

TRACT NO. 17 (20 - FW-CR-869)  
Perpetual Easement for Road Purposes

All that part of the  $NW\frac{1}{4} SE\frac{1}{4}$  of Sec. 20, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

The West 40.0 feet of the south 574.7 feet of said NW $\frac{1}{2}$  SE $\frac{1}{4}$  containing 0.5 acre, more or less.

TRACT NO. 18 (20 FW-CR-870)  
Perpetual Easement for Road Purposes

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said N $\frac{1}{2}$  SE $\frac{1}{4}$ , 167.5 feet west of the southeast corner thereof; thence N. 34° 00' E 227.4 feet; thence N. 0° 13' E 387.0 feet; thence S 89° 52' E 40.0 feet to a point in the east boundary of said N $\frac{1}{2}$  SE $\frac{1}{4}$ , thence southerly along said east boundary a distance of 574.7 feet to the SE corner of said N $\frac{1}{2}$  SE $\frac{1}{4}$ ; thence westerly along said south boundary 167.5 feet to the point of beginning, containing 0.8 acre, more or less.

TRACT NO. 19 (20 - FW-CR-921)  
Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{2}$  NE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A

Beginning at a point in the north boundary of said NW $\frac{1}{2}$  NE $\frac{1}{4}$  82.0 feet from the NW corner thereof; thence easterly along the north boundary of said NW $\frac{1}{2}$  NE $\frac{1}{4}$  a distance of 650.0 feet; thence south 60.0 feet; thence westerly parallel to the north boundary of said NW $\frac{1}{2}$  NE $\frac{1}{4}$  650.0 feet; thence north 60.0 feet to the point of beginning, containing 0.9 acre, more or less.

TRACT B

Beginning at a point in the north boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  672.0 feet from the NE corner thereof of said Sec. 13; thence westerly along the north boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , a distance of 540.0 feet; thence south 60.0 feet; thence easterly parallel to the north boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 540.0 feet; thence north 60.0 feet to the point of beginning, containing 0.7 acre, more or less.

The total acreage being 1.6 acres, more or less.

TRACT NO. 20 (29 FW-CR-983)  
Perpetual Easement for Road Purposes

All that part of Lot 3 in Sec. 30, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the North boundary of Lot 3, 1343.0 feet east of the northwest corner of said Sec. 30, T 25 N, R 24 E; thence South 50.0 feet; thence easterly and parallel to said north boundary a distance of 600.0 feet; thence North 50.0 feet to a point in said north boundary; thence westerly along said north boundary 600.0 feet to the point of beginning, containing 0.7 acre, more or less.

TRACT NO. 21 (31 FW-CR-1154)  
Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$   $NW\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A

Beginning at a point in the west boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$  915.6 feet north of the SW corner thereof; thence East 100.0 feet; thence south 450.0 feet; thence west 100.0 feet to a point in said west boundary; thence northerly along said west boundary to the point of beginning, containing 1.0 acre, more or less.

TRACT B

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$  said point being the SW corner of Tract A; thence south along said west boundary a distance of 25.8 feet; thence on a curve to the left of radius 287.9 feet a distance of 241.6 feet; thence S 48° 00' E. 250.0 feet to a point on the existing road 274.0 feet east and 68.0 feet north of the SW corner of said  $W\frac{1}{2}$   $NW\frac{1}{4}$ , containing 1.0 acre, more or less.

The two tracts containing in all 2.0 acres, more or less.

TRACT NO. 22 (31 FW-CR-1156)  
Perpetual Easement for Road Purposes

All that part of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the  $NE\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the north boundary of said  $NE\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  10.8 feet west of the northeast corner thereof; thence S. 55° 21' E 127.9 feet; thence S. 61° 21' E. 278.0 feet to a point 206.0 feet south and 338.0 feet east of said northeast corner, except that portion owned by the Grand River Dam Authority, containing 0.8 acres, more or less.

TRACT NO. 23 (33 FW-CR-1042)  
Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$   $W\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

All that part of the north 330.0 feet of said  $W\frac{1}{2}$   $W\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , except that portion owned by the Grand River Dam Authority, containing 1.0 acres, more or less.





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

It having been made to appear to me by the Clerk that there are now on deposit in the Registry of the Court certain undistributed balances which have remained on deposit for more than five years, IT IS ORDERED that said balances as shown by itemized list attached hereto, amount in the aggregate to Thirty One and 11/100 (\$31.11) Dollars, be and the same is hereby transferred to the credit of the Treasurer of the United States, Miscellaneous Receipts Account No. 3940.

Dated this 29 day of December, A. D. 1943.

ROYCE H. SAVAGE  
United States District Judge

<u>Date of Deposit</u>	<u>From Whom</u>	<u>Amount</u>
7-15-38	Unclaimed balance in Equity Case No. 1014, Singer Steel & Metal Corp., et al., vs. Tulsa Steel Corporation \$	3.00
9-26-36	Undistributed balance in Equity case No. 708, Collis P. Chandler, Trustee, et al., vs The Knight Realty Co., a corp., et al., - deposited by Travis I. Milsten, Special, Master,	12.09
11-10-38	Unclaimed balances in closed bankruptcy proceedings:	
11-10-38	No. 1965-B - Operators Royalty & Producing Co., Bkpt.	7.93
4-17-36	No. 2314 B.- Bergs' Womens Wear Inc., Bkt.	1.30
6-11-36	No. 2575-B - Earl Mildrew Bragdon, Bkt.	.85
4-17-36	No. 2623-B.- Floyd & Hazel Parten, Bkt.	.55
4-7-38	No. 2705-B.- Howard Frye, Bkt.	3.00
4-7-38	No. 3259-B.- William Ashton Benton, bkt.	.46
11-10-38	No. 3450-B.- John Lewis Kernaghan, Bkt.	1.60
11-10-38	No. 3543-B.- Peter Burton Johnson, Bkt.	.33
	Total	<u>\$31.11</u>

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

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Court adjourned to December 31, 1943

On this 31st day of December, 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

Aurilla Corbray Williams, B	Plaintiff,	)	
		)	
vs.		)	No. 180 Civil
		)	
Sinclair Priaire Oil Company,		)	
Gulf Oil Corporation, et al.,	Defendants.	)	

O R D E R

Now on this 30th day of September, 1940, the motion of the defendants Sinclair Priaire Oil Company and Gulf Oil Corporation to dismiss this action for want of prosecution and failure of the plaintiff to comply with order of court coming on to be heard, the defendant Sinclair Priaire Oil Company appearing by its attorney, Paul B. Mason, and the defendant Gulf Oil Corporation appearing by its attorney, James B. Diggs, Jr., and the plaintiff appearing not, either in person or by counsel;

And the Court having heard the argument of counsel, appoints Honorable John M. Goldsberry, a member of the Bar, as a referee to investigate and report to this Court his findings as to the merits of said motion; and pending the filing of such report takes said motion under advisement.

And now on this 7th day of October, 1940, the Honorable John M. Goldsberry having orally report to this Court, and the Court being fully advised in the premises finds that the motion of the defendants to dismiss should be sustained.

IT IS, THEREFORE, ORDERED that said motion to dismiss be sustained on the grounds of the failure of plaintiff to prosecute and to comply with order of this court.

F. E. KENWAMER  
JUDGE

ENDORSED: Filed Dec 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

Ga-Lo-La-Di Chicken,	Plaintiff,	)	
		)	
vs.		)	
		)	No. 655 CIVIL
Jennie Chicken, et al.,	Defendants.	)	
		)	
United States of America,	Intervener.	)	

ORDER NUNC PRO TUNC

The above case coming on for hearing this 31st day of December, 1943, upon the motion of the plaintiff for an Order Nunc Pro Tunc correcting an error made in the Decree of this Court entered November 12, 1943, wherein the name of one of the purchasers at the Marshal's sale was designated as Laura S. Fox, when in truth and fact it should have been Lora S. Fox, and the Court having heard said motion and being fully advised, finds that the third paragraph of said Order of November 12, 1943, should be amended so as to read as follows:

"IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal's sale of the lands described and involved in this action, as follows, to wit:

The W $\frac{1}{2}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, Township 22 North, Range 23 East, Delaware County, Oklahoma, be, and the same is in all things approved and confirmed and made firm and effectual forever, and that the purchasers at said sale; namely, G. E. Fox and Lora S. Fox, are hereby subrogated to the rights of all parties to said action for the protection of their title. "

IT IS FURTHER ORDERED that this Order be effective as of the date of said original Order.

ROYCE H. SAVAGE  
United States Judge

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

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Court adjourned to January 3, 1944