

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

REGULAR JANUARY 1943 TERM

MONDAY, SEPTEMBER 13, 1943

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in The Pryor Jeffersonian, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of 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, on or before the 8th day of November, 1943, the petitioner, United States of America, will, on the 8th day of November, 1943, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court for the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real estate, 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 the fee simple title in and to the lands involved herein, and that said defendants, and each of them, may be present, if they so desire.

F. E. KENNAMER
J U D G E

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

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

ILLINOIS REFINING COMPANY, Plaintiff,)
vs) No. 1058 Civil
R. A. Krumme and Ernest Shamblin,)
Defendants.)

O R D E R

Now on this 13th day of September, 1943, the stipulation of the parties hereto for an extension of time to plead or answer having been presented to the Court, and the Court being fully advised in the premises,

IT IS ORDERED that said stipulation be approved and that the time within which the defendants may plead or answer to the Amended Complaint herein be extended until December 1, 1943.

BOWER BROADBENT
District Judge

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

Court adjourned to September 14, 1943

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

TUESDAY, SEPTEMBER 14, 1943

On this 14th day of September, 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. Bower Broadus, 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 OKLA.

ORDER FOR PETIT JURY

On this 14th day of September, A. D. 1943, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Sixty (60) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1943 Term of this Court, to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on MONDAY, the 4th day of October, A. D. 1943, at 9:00 o'clock A.M. (WAR TIME) then and there to serve as Petit Jurors of the United States in and for said district at the Regular January 1943 Term of said Court.

BOWER BROADUS
UNITED STATES DISTRICT JUDGE

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

Court adjourned to September 15, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

WEDNESDAY, SEPTEMBER 15, 1943

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

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

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

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

J. W. CRANOR, Plaintiff,)
v.) NO. 923 Civil
JAMES BRYANT McCARTLIN, et al., Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 1st day of June, 1943, this matter coming on before the Court pursuant to regular assignment, the plaintiff appearing in person by his attorney, Chas. W. Pennel, and the defendants, Albert McCartlin, William McCartlin, Nona Johnson, Sadie Benbo Edwards, James Bryant McCartlin, John George McCartlin, and Glen Roy McCartlin, and the intervener, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Kenneth G. Hughes, Assistant United States Attorney for said District, and the defendants James Bryant McCartlin, John George McCartlin, and Glen Roy McCartlin, appearing by their guardian ad litem, M. S. Robertson, United States Probate Attorney, and the Court, after introduction of evidence and hearing the testimony of the witnesses taken in open court, and after argument of counsel, took this case under advisement and all the attorneys for the above-named parties hereto, submitted briefs. Thereafter on the 14th day of July, 1943, the court determined the issues herein. Pursuant thereto, the court finds:

That Amanda Bixler, full-blood Delaware-Cherokee Indian, Cherokee Roll No. 95, died intestate on March 8, 1934, a resident of Seage County, Oklahoma.

That at the time of her death Amanda Bixler owned the following described real estate situated in Washington County, Oklahoma, to-wit:

The East Half of the West Half of the Southeast Quarter (E/2 W/2 SE.4) and the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 11, Township 25 North, Range 13 East,

and that said land had been certified as tax exempt under the provisions of the Act of Congress of May 10, 1928 (45 Stat. 495).

That Amanda Bixler left as her sole and only heirs the following persons, to-wit:

Sadie Benbo, now Edwards, 1/2 blood Cherokee Indian
Cherokee Roll No. 31243, granddaughter;

William McCartlin, full-blood Cherokee Indian,
Roll No. 31238, son;

Albert McCartlin, full-blood Cherokee Indian,
Cherokee Roll No. 31239; son

Nona Johnson, full-blood Cherokee, Roll No. 31241,
daughter;

James Bryant McCartlin, unenrolled full-blood
Cherokee Indian, grandson;

John George McCartlin, unenrolled full-blood
Cherokee Indian, grandson;

Glen Roy McCartlin, unenrolled full-blood Cherokee
Indian, grandson.

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

THURSDAY, SEPTEMBER 15, 1943

The court further finds that the deed executed by Sadie Benbo Edwards and her husband, dated July 28, 1938, attempting to convey the interest of said Sadie Benbo Edwards in and to the above described real estate is void and of no force and effect, and that said deed was not approved by the Secretary of the Interior of the United States of America.

The court further finds that the deed dated January 10, 1941, from William McCartlin and his wife, and Nona Johnson, now Henry, and her husband, conveying their two-fifths interest in and to the above described land to A. J. Powell, was properly approved by the County Court of Osage County, Oklahoma, and conveyed to said A. J. Powell the therein described two-fifths interest in and to such land, and that J. W. Cranor, the plaintiff herein is now the owner of said two-fifths interest in and to said land by virtue of a warranty deed executed the 9th day of May, 1941 by A. J. Powell and his wife to said J. W. Cranor.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Sadie Benbo, now Edwards, is the owner of an undivided one-fifth interest in and to the above described land, and that the said J. W. Cranor is the owner of an undivided two-fifths interest in and to the above described land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the attempted conveyance by Sadie Benbo Edwards and her husband, dated the 28th day of July, 1938, attempting to convey her interest in the above described land to J. W. Cranor, is invalid, void and of no effect and insufficient to convey the interest of the grantor in and to the said land for the reason that such conveyance was not submitted to nor approved by the Secretary of the Interior of the United States and that such deed is hereby declared void, cancelled and held for naught.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the lands involved herein should be and the same is hereby forever quieted in the following named persons as to such interest as is after each name set out:

- | | |
|------------------------|-------------------------|
| J. W. Cranor | Undivided 2/5 interest |
| Sadie Benbo Edwards | undivided 1/5 interest |
| Albert McCartlin | undivided 1/5 interest |
| Glen Roy McCartlin | undivided 1/15 interest |
| James Bryant McCartlin | undivided 1/15 interest |
| John George McCartlin | undivided 1/15 interest |

and that all other persons be and the same are hereby forever barred from claiming or asserting any right, title, or interest in or to the above described lands.

F. E. KENNAMER

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

Court adjourned to September 17, 1943

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

745

REGULAR JANUARY 1943 TERM

FRIDAY, SEPTEMBER 17, 1943

On this 17th day of September, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

Steve Downing,	Plaintiff,)	
)	
vs.		)	No. 782 Civil
Maggie Joyce, nee Downing, et al.,	Defendants.)	
United States of America,	Intervener.)	

ORDER APPROVING COMMISSIONERS' REPORT

Now, on this the 17th day of September, 1943, there coming on for hearing in the above case the motion of the plaintiff, Steve Downing, for an order confirming the commissioners' report filed herein, on the 26th day of July, 1943, and for an order directing the sale of the premises by the United States Marshal;

And the Court having examined said report and motion filed herein, finds that the same was in all things made pursuant to the decree of this court, entered on the 14th day of June, 1943, and the writ of partition issued pursuant thereto, and that none of the parties to said action have elected to take the same at the appraised price, and that it is therefore necessary that an order be made approving the said report, making the same firm and effectual forever, and that the Hon. Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be directed to advertise and sell the said land pursuant to the statutes, state and federal, in like cases made and provided; and that the claim of said commissioners is reasonable and should be allowed.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED by the Court that said commissioners' report be and the same is in all things approved and made firm and effectual forever, and that the commissioners Elmer Vick and C. C. Weber each be allowed the sum of \$20.00 as their reasonable fee, together with the further sum of \$8.70, their reasonable expenses incurred in making the said appraisal, the commissioner, J. F. Pickens, being a Federal Officer, makes no charge.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Honorable Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be and he is hereby ordered and directed to sell the land involved herein, to-wit:

The East Half of the Southwest Quarter of Section 23, Township 19
North, Range 19 East, Mayes County, Oklahoma, containing 80 acres,
more or less,

for cash, after advertising the same in the manner as required by the laws of the State of Oklahoma and the United States of America in like cases made and provided, and that he file a report of his proceedings forthwith.

F. E. KENNAMER
United States District Judge

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

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, SEPTEMBER 17, 1943

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

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

ORDER APPROVING COMMISSIONERS' REPORT

Now on this the 17th day of September, 1943, the above case coming on for hearing upon the motion of the plaintiff, Mollie Baldrige, nee Deerinwater, for an order confirming the Commissioners' Report filed herein on June 19, 1943, and for an Order directing the sale of the premises by the United States Marshal

And the Court having examined said report and motion filed herein, finds that the same was in all things made pursuant to decree of this Court entered on June 2, 1943, and the writ of partition issued pursuant thereto, and that neither of the parties to said action have elected to take the same at the appraised price, and that it is therefore necessary that an order be made approving the report, making the same firm and effectual forever, and that the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, be directed to advertise and sell the said land pursuant to the statutes, state and federal, in like cases made and provided; and that the claim of said commissioners is reasonable and should be allowed.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that said Commissioners' report be and the same is in all things approved and made firm and effectual forever, and that the said commissioners, Thos. J. Harrison and Ben Murdock, be each allowed the sum of \$7.50 as their reasonable fee, together with the further sum of \$3.25 reasonable expenses incurred in making said appraisal.

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, be and he is hereby ordered and directed to sell the land involved herein, to wit:

The West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$)
of Section 12, Township 22 North, Range 20 East,
in Mayes County, State of Oklahoma,

for cash, after advertising the same in the manner as required by the laws of the State of Oklahoma and the United States of America in like cases made and provided, and that he file a report of his proceedings forthwith.

F. E. KENNAMER
United States District Judge

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

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

MARIA FEELING,	Plaintiff,)
)
vs		) No. 998 Civil
)
Walter Hart, et al,	Defendants.)
)
United States of America,	Intervener.)

ORDER APPROVING COMMISSIONERS' REPORT

Now on this the 17th day of September, 1943, the above case coming on for hearing upon the motion of the plaintiff, Maria Feeling, for an order confirming the Commissioners' Report filed herein on June 16, 1943, and for an order directing the sale of the premises by the United States Marshall;

And the Court having examined said report and motion filed herein, finds that the same was in all things made pursuant to decree of this Court entered on June 14, 1943, and the writ of partition issued pursuant thereto, and that neither of the parties to said action have elected to take the same at the appraised price, and that it is therefore necessary that an order be made approving the said report, making the same firm and effectual forever, and that the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, be directed to advertise and sell the said land pursuant to the statutes, state and federal, in like cases made and provided; and that the claim of said commissioners is reasonable and should be allowed.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that said Commissioners' report be and the same is in all things approved and made firm and effectual forever, and that the said commissioners, Elmer Vick and C. C. Weber, be each allowed the sum of Ten Dollars as their reasonable fee, together with the further sum of Five Dollars reasonable expenses incurred in making said appraisement.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the Honorable John P. Logan, United States Marshall for the Northern District of Oklahoma, be and he is hereby ordered and directed to sell the land involved herein, to-wit:

The W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 23 North, Range 14 East, Rogers County, Oklahoma,

for cash, after advertising the same in the manner as required by the laws of the State of Oklahoma and the United States of America in like cases made and provided, and that he file a report of his proceedings forthwith.

F. BL KENNAMER
United States District Judge

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

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

REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA FRIDAY, SEPTEMBER 17, 1943

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

UNITED STATES OF AMERICA, Petitioner,)
vs.) No. 1067 - Civil
2.5 acres of land, more or less, situate in)
Tulsa County, Oklahoma, and the Heirs of)
Eunice Bennett, deceased, et al, Respondents.)

ORDER ALLOWING PETITIONER TO AMEND PETITION BY MAKING ADDITIONAL PARTY RESPONDENT

Now on this 17th day of September, 1943, the above matter comes on for hearing on the application of the Petitioner for permission of the Court to amend its Petition for Condemnation filed herein, by adding Water District No. 5, City of Tulsa, Oklahoma, as an additional party respondent, which 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 it appears to the Court that it is proper that said District should be made a party respondent in this cause;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petition for Condemnation filed herein is hereby amended to the extent that Water District No. 5, City of Tulsa, Oklahoma, is hereby made a party respondent to this proceeding and that said respondent shall be treated in all pleadings, orders, judgments and other documents filed herein, as a proper party respondent in this proceeding.

F. E. KENNAMER
JUDGE

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

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

UNITED STATES OF AMERICA, Petitioner,)
vs.) No. 1067 - Civil
2.5 acres of land, more or less, situate in)
Tulsa County, Oklahoma, and the Heirs of Eunice)
Bennett, deceased, et al., Respondents.)

PUBLICATION ORDER

Now on this 17th day of September, 1943, it appearing from the affidavit of C. Harold Thweatt, Special Attorney for the Department of Justice, attorney for the petitioner herein, and the application of the United States of America, that the following named respondent, to-wit:

Charles Sanders,

if living, or if deceased, his unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, or their successors in interest, whose names, ages and addresses are unknown;

And the following firms, corporations or legal entities, if existing, or if defunct, their unknown creditors, successors and assigns, if any, all of whose names, legal status and addresses are unknown and cannot be ascertained by reasonable diligence and search, to-wit:

The Marnet Mining Company,
Water District No. 5, City of Tulsa,

And the unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, of the following named deceased person, to-wit:

Eunice Bennett,

are either 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 necessary that they be served by publication.

IT IS, THEREFORE, ORDERED AND DECREED that the petitioner's application for an order appointing commissioners to appraise the lands sought to be condemned, and petitioner's application for an order fixing title and determining the rightful claimants to the funds to be deposited in court as just compensation for the real estate and estates therein involved in this proceeding, be heard by this Court on the 4th day of November, 1943, at 9:30 o'clock A.M., in the Federal Court Room in the Federal Building, in Tulsa, Oklahoma, and that there shall be published in the Tulsa Daily Legal News, a daily newspaper of general circulation in Tulsa County, Oklahoma, on Thursday, September 23, 1943, on Thursday, September 30, 1943, on Thursday October 7, 1943, and on Thursday October 14, 1943, notice directing the aforesaid non-resident respondents to appear before this Court at the time and places aforesaid, and that the notification of said non-resident respondent's shall be complete upon the filing of an affidavit by the publisher, managing officer or printer or said newspaper that the notice referred to above has been printed and published in said newspaper as hereby directed.

F. E. KENNAMER
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.)
)
2.5 acres of land, more or less, situate in Tulsa County, Oklahoma, and the Heirs of Eunice Bennett, de- ceased, et al.,	Respondents.)

No. 1067 Civil

O R D E R

Now on this 17th day of September, 1943, it being made to appear to the Court that the petitioner has filed its Petition for Condemnation in the above styled matter, and that it is necessary that notice be served on Water District No. 5, City of Tulsa, Oklahoma, which may claim some interest in and to said land;

NOW, THEREFORE, IT IS HEREBY ORDERED AND DIRECTED that notice, as attached hereto, be served upon Water District No. 5, City of Tulsa, Oklahoma, named as a respondent herein by the

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 20, 1943

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

J. M. KURN, ET AL.,

Complainants,)

-vs-

) No. 1003 C

ALLIED STEEL PRODUCTS CORPORATION,

Defendant.)

O R D E R

Now on this 20th day of September, 1943, pursuant to the stipulation of the parties filed herein, it is, by the court, ordered and decreed that Frank A. Thompson, Trustee, may be, and he is hereby substituted in the above entitled cause as a party complainant in lieu of, and in the stead of John G. Lonsdale, deceased; and that all further proceedings herein be in the name of J. M. Kurn and Frank A. Thompson, Trustees, St. Louis-San Francisco Railway Company, Debtor, as complainants.

F. E. KENNAMER
United States District Judge

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

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

J. M. KURN, et al,

Complainants)

-vs-

) No. 1004 C

Braden Steel Corporation ,

Defendants.)

O R D E R

Now on this 20th day of September, 1943, pursuant to the stipulation of the parties filed herein, it is, by the court, ordered and decreed that Frank A. Thompson, Trustee, may be, and he is hereby substituted in the above entitled cause as a party complainant in lieu of, and in the stead of John G. Lonsdale, deceased; and that all further proceedings herein be in the name of J. M. Kurn and Frank A. Thompson, Trustees, St. Louis-San Francisco Railway Company, Debtor, as complainants.

F. E. KENNAMER
United States District Judge

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

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

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REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 20, 1943

School Books 1
Electric Fan 2
Suit Cases
Moving
Labor House Cleaning
Clothes Cleaned & Pressed

PERSONAL PROPERTY LOCATED ON AND USED IN CONNECTION WITH THE
LANDS DESCRIBED AND DESIGNATED AS:

TRACT NO. 15 (6 EW 643)
Temporary Use -- May 18th to 22nd, 1943

DESCRIPTION	QUANTITY
Bundles Bale Ties	
7½ - 15½	30
Pounds Nails	1000 Lbs.
Axes	12
Pounds Clevises	250
Lot Wrenches	1
Lot Shoe Soles	1
Lot Plow Shares	
mold boards	1
Rolling Coulters	5
Steel Skillets	12
Lot Bolts	1
Lanterns	24
Jt. 6/7 Stove pipe	25
Jt. 6/7 Stove pipe	25
Axe Handles	18
Roll 28" Black Screen	½
Lot mowing machine repairs	1
Dozen stove boards	1
2-wood scythes	3
Bed Springs	1
4-Adj. 6" Elbow	4
5 Wood heaters	5
22 Rifles	2
Sacks B. I. Coal	5
5 Cold Pack canners	5
Rolls roofing	9
Gross Mason Lids	2
Pocket knives	12
Picket knives	13
Sets knives and forks	6
Package Razor blades	30
Pounds Horse Shoes	400
Lunch kits	2
Coil 9/16" Sisal rope	1
Pair trace chains	4
Gallon Harness oil	3
Package Phonograph needles	8
Complete Delco system	1
Studio Couch	1
Arm Chair	1
Kitchen Cabinet	1
D. R. Table	1
Dresser	1

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 20, 1943

Ice Box	1
Air Compressor	1
Damage to Buick Pick-Up	1
Labor moving Mdse & H. H. Goods	
Elextrolux	1
Pounds Rice	50
Pounds Beans	150
Dozen P & G Soap	2
Dozen Oxydol	2
" "	2
Case Coclade	1
" P. B. Beaches	1
Lot Tobacco	1
Pounds Sugar	20
Blks. Salt	6
Pounds " Ice Cream	300
Sacks " Table 25#	5
Case " Table	2
Lot Paper Sacks	1
Gallon Vinegar	50
Packages Cream Wheat	8
Pounds Hominy Grits	10
Case Matches	2
Gallons Kerosene	540
Case Toilet Paper	1
Gross Paper Trays #2	1
Dozen socks	3
" handkerchiefs	2
" gloves	3
" " leather	1/2
" tablets	1
Ea. shaving brush	4
Gross Kleenex	1/2
Case Wine of Cardui	1
Pounds Epsom salts	10
" Sulphur	6
Carton Aspirin	1
Dozen Hess Stock Food	2
Packages Hess Hog Tonic	8

It further appears that all of those persons claiming any interest in and to said personal property, 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, or have entered their appearance herein.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Elmer Vick, of Tulsa County, Oklahoma, W. L. Mayes of Mayes County, Oklahoma, and C. C. Weber, of Tulsa County, Oklahoma, each a disinterested freeholder in the Northern District of the State of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular list of names of this Court, and are appointed as commissioners to inspect said personal property as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein have sustained by reason of the temporary appropriation and use of said personal property by the petitioner, for use in connection with the Grand River Dam Project.

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

REGULAR JANUARY 1943 TERM

FRIDAY, SEPTEMBER 24, 1943

The Heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote, of
Annie Crittenden, nee Youngbird, Cherokee Roll No.
28,646, deceased;

The Unknown heirs, executors, administrators, devisees,
trustees, and assigns, immediate and remote of
Annie Crittenden, nee Youngbird, Cherokee Roll No.
28,646, deceased;

The Heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote of
Annie Snail, Cherokee Roll No. 20,696, deceased;

The Unknown heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote of Annie
Snail, Cherokee Roll No. 20,696, deceased;

The Heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote of
John Snail, Cherokee Roll No. 20,695, deceased;

The Unknown heirs, executors, administrators,
devisees, trustees and assigns, immediate and
remote of John Snail, Cherokee Roll No. 20,695,
deceased;

The Heirs, executors, administrators, devisees, trustees
and assigns, immediate and remote of Walker Snail,
Cherokee Roll No. 30,629, deceased;

The Unknown heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote of
Walker Snail, Cherokee Roll No. 30,629,
deceased;

The Heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote of
Arlie Jackson, Cherokee Roll No. 32,334, deceased;

The Unknown heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote of Arlie Jack-
son, Cherokee Roll No. 32,334, deceased;

Looney Snail, Cherokee Roll No. 20,697;

J. M. Ellis and Mary Ellis, his wife, whose first
true name is unknown, if living, and the Unknown
heirs, executors, administrators, devisees, trustees,
creditors and assigns, immediate and remote of
J. M. Ellis and Mary Ellis, his wife, whose first
true name is unknown, if deceased, and

Cosette Gottry, a widow, Amy Cosette Nelson,
nee Gottry, and Dr. Frank J. Nelson, her husband, and the

Unknown Heirs, executors, administrators, devisees, trustees

and assigns, immediate and remote of Ed)
C. Gottry, deceased, also known as Ed Gottry and Ed)
C. Gottrey,)
DEFENDANTS,)
UNited STATES OF AMERICA,)
INTERVENER.)

JUDGMENT AND DECREE

THEREFORE, upon the foregoing facts as found by the Court, and the conclusions of law reached by the Court, it is by the Court

CONSIDERED, ORDERED, ADJUDGED AND DECREED:

That Isaac Youngbird, Cherokee Roll No. 18,462, deceased, on his death, which occurred in Delaware County, Oklahoma, on or about the 7th day of November, 1907, intestate, left surviving as his sole and only heirs at law the following described persons, to-wit:

- White Youngbird, Full-blood Cherokee, Roll No. 28462, a son;
- William Youngbird, Full-blood Cherokee, Roll No. 19750, a son;
- Lizzie Crittenden, now Davis, Full-blood Cherokee, Roll No. 20303, a daughter;
- Nancy Wofford, Full-blood Cherokee, Roll No. 20304, a daughter;
- Nellie Davis, Full-blood Cherokee Roll No. 20380, a daughter;
- Lucy Glass, nee Youngbird, Full-blood Cherokee, Roll No. 18464, a daughter;
- Linnie Wofford, Full-blood Cherokee, Roll No. 32048, a daughter
- Diana Davis, Full-blood Cherokee, Roll No. 32637, a daughter
- Samuel Bird, Full-blood Cherokee, Roll No. 20306, a son
- James Bird, Full Blood Cherokee, Roll No. 20307, a son and also,
- Henry Crittenden, Full-blood Cherokee, Roll No. 20300
- Watt Crittenden, Full-blood Cherokee, Roll No. 20301, and
- Coo-tah-ye Crittenden, Full-blood Cherokee, Roll No. 30597

grandchildren of the said Isaac Youngbird, all of whom were the children and lawful issues of Annie Youngbird, Full-blood Cherokee, Roll No. 28646, deceased, who was the daughter of the said Isaac Youngbird, above-named.

The above-named Linnie Wofford Departed this life intestate on the 17th day of September, 1921, leaving as her sole and only heirs at law the following persons:

- | | |
|---------------------------|-------------------------|
| Ned Wofford, husband | Chuyuga Wofford (Smith) |
| Mose Wofford, a son | a daughter, |
| Thompson Wofford, a son | Dewey Wofford, a son |
| Betsy Wofford, a daughter | Loyd Wofford, a son |

That thereafter in the year 1929, Chuyuga Wofford Smith departed tis life intestate, leaving as her sole and only heirs, her husband, Dave Smith, and her father, Ned Wofford, each of whom inherited the interest of said Chuyuga Wofford Smith, in and to the lands above described. That the said Dave Smith died in 1931, leaving as his sole and only heir, his brother, Sam Smith.

That during the month of February, 1942, the above named Thompson Wofford departed this life intestate, leaving as his sole and only heirs the following persons:

Inola Wofford, wife
Sarah Jane Wofford, daughter

Eugene Wofford, a son

That any and all claims of any and all heirs of Isaac Youngbird, deceased, are barred by the Statute of Limitations insofar as said claims effect the real estate involved in this action.

That Annie Snail, Full Blood Cherokee, Roll No. 20,696 died intestate on or about the 3d day of April, 1903, and left surviving as her sole and only heir at law, her husband, John S. Snail, Cherokee Citizen of the Full-blood, Roll No. 20695, and their two children Looney Snail, Cherokee Roll No. 20,697, and Walker Snail, Cherokee Roll No. 30629; that said John Snail died on or about the 29th day of September, 1912, intestate and left surviving as his sole and only heirs at law the said Looney Snail and the said Walker Snail; that the said Walker Snail died intestate on or about the 3d day of August, 1916, being about fifteen (15) years of age, and left as his sole and only heir at law his brother, Looney Snail.

That the said Looney Snail was the heir to all of the real estate constituting a part of the allotment of Annie Snail, involved in this action; that any claims of Looney Snail or Albert J. Bert and wife, Lora Berg, are barred by the Statutes of Limitations.

That any claims of the said J. M. Ellis, and his wife, Mary Ellis, whose first name is unknown, are barred by the Statutes of Limitations.

That Arlie Jackson, Cherokee Citizens of the Half blood, Roll No. 32,334, died on the 21st day of April, 1918, and left surviving as his sole and only heirs at law his mother, Sarah Jackson, Full-blood Citizen of the Cherokee Nation, Roll No. 32,067, and his father, William Jackson, the husband of Sarah Jackson, and a white man not of Indian Blood.

That Ed C. Gottry died intestate in Tulsa County, Oklahoma, on the 15th day of July, 1921, and left surviving as his sole and only heirs at law his wife, Cosetta Gottry, Amy Cosette Nelson, nee Gottry, a daughter and now the wife of Dr. Frank J. Nelson; that Ed. C. Gottry never had any interest as an individual in any real estate involved in this action, but took and conveyed title as Trustee for the sole use and benefit of Chas. Page.

That the title of the plaintiff, Sand Springs Home, a corporation, in and to the lands involved in this action, situate in Delaware County, State of Oklahoma, described as follows, to-wit:

Northwest Quarter of Southeast Quarter and Northwest Quarter of Northeast Quarter of Southeast Quarter and Southeast Quarter of Northeast Quarter of Southeast Quarter of Section Nineteen (19), Township Twenty (20) North, Range Twenty-four (24) East; and

Southwest Quarter of Southeast Quarter of Section Nineteen (19); Township Twenty (20) North, Range Twenty-four (24) East; and

Southeast Quarter of Northeast Quarter of Northeast Quarter and Southwest Quarter of Northeast Quarter and West Half of Southeast Quarter of Northeast Quarter and Southeast Quarter of Southeast Quarter of Northeast Quarter and Northeast Quarter of Northwest Quarter of Southeast Quarter and North Half of Northeast Quarter of Southeast Quarter and Northwest Quarter of Northeast Quarter and West Half of Northeast Quarter of Northeast Quarter of Section 30, all in Township 20 North, Range 24 East, containing 290 acres, more or less, and

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All of Section Thirty-three (33), and

All of Section Thirty-two (32), and

South Half of Southwest Quarter and Southeast Quarter
of Northwest Quarter of Southwest Quarter and South
Half of Northeast Quarter of Southwest Quarter of Sec-
tion 28, and

South Half and East Half of Northwest Quarter and
Northeast Quarter of Section 29; ALL in Township Twenty
(20) North, Range Twenty-four (24), East,

be and the same is hereby forever settled and quieted, and adjudged valid and perfect as against any and all claims and demands of said defendants herein, each and all of them, those claiming or to claim by, through or under them or any of them, including the Intervener herein, United States of America, and that the defendants herein, each and all of them and the Intervener herein be, and they are hereby barred and enjoined from setting up or claiming any right, title or interest or estate in and to said real estate and premises, adverse to the title of plaintiff, Sand Springs Home, thereto.

That plaintiff having filed a Non-Military Affidavit, and the Court having appointed Russell R. Linker to represent all of the defendants who may be in the military service of the United States, this judgment and decree is also effective and binding upon all persons defendants herein, or persons interest in this action who are in the Military Services of the United States as defined by the Soldiers and Sailors Civil Relief Act of 1940, as amended, or who are serving with the forces of any Nation allied with the United States in the present war or who have been ordered to report for Military Service or for induction into the Military Services of the United States.

BOWER BRADDUS
DISTRICT JUDGE

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

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

ELIZABETH WILLIAMS, Plaintiff,)

vs)

MRS. RUTH WALKER, the heirs, executors, administrators,
devisees, trustees, creditors, successors and assigns,
immediate and remote, known and unknown of Zeke
Knightkiller, full blood Cherokee Roll No. 17903, de-
ceased, Defendants)

No. 982 Civil

UNITED STATES OF AMERICA, Intervener.)

ORDER APPOINTING ATTORNEY

AND NOW on this 24th day of September, 1943, there comes on for hearing the applica-
tion of the plaintiff herein for the appointment of an attorney to represent the interests of these

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

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SIXTH: That the Administrator of the Federal Works Agency, through his duly authorized representative, is duly authorized and empowered to enter into agreements and stipulations such as are referred to herein, fixing and determining the full 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; that the defendant, Malcolm Cullen 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 \$125.00 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. 5 (45 FW 102-Rev.), 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 \$125.00 for the use and benefit of the owners and those having any right, title or interest in and to the personal property described under Tract No. 5 (45 FW 102-Rev.) in the amended petition filed herein on the 27th day of August, 1943.

IT IS FURTHER ORDERED that upon petitioner praying into the registry of this Court the said sum of \$125.00 the same shall be in full settlement of all damages or claims for damages, again the United States of America, occasioned by the temporary use of said personal property from the 18th day of May, 1943, until the 22nd day of May, 1943, inclusive, by the petitioner in connection with the Grand River Dam Project, and this judgment shall be fully satisfied.

BOWER BRADDOUS
JUDGE OF THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Sep 24 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 TOWNSHIP 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. 1055

JUDGMENT VESTING TITLE AND FIXING JUST COMPENSATION FOR PERSONAL PROPERTY Tract No. 12 (6 FW 640)

NOW on this 24th day of September, 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. 12 (6 FW 640), 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 there

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
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of and 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. 8944, 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 the 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. 12 (6 FW-640)?

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, R. L. Devin, the owner of all of the personal property described in Tract No. 12 (6 FW 640) 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 \$113.00.

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; that the defendant, R. L. 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 \$113.00 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. 12 (6 FW 640), 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 \$113.00 for the use and benefit of the owners and those having any right title or interest in and to the personal property described under Tract No. 12 (6 FW 640), in the amended petition filed herein on the 13th day of August, 1943.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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IT IS FURTHER ORDERED, that the Clerk of this Court make distribution of said just compensation now on deposit in his office, to EVERETT ADCOX, for the sum of \$50.00, and show said judgment fully satisfied upon the records of this Court.

BOWER BROADDUS
JUDGE

ENDORSED: Filed Sep 24 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. 1055
CERTAIN PARCELS OF LAND IN THE TOWNSITE)	
OF CLEORA, DELAWARE COUNTY, OKLAHOMA, and)	
CERTAIN PERSONAL PROPERTY LOCATED THEREON AND)	
USED THEREWITH, and R. F. Clrich, et al.,)	
	Defendants.)	

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING
JUDGMENT AS TO PERSONAL PROPERTY
Tract No. 8 (6 FW 636)

NOW, on this the 24th day of September, 1943, appearing to this Court, that:

A judgment was entered in this cause on the 10th day of September, 1943, against the petitioner, United States of America, for the sum of \$63.25, as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 8 (6 FW 636), due to the flooding of said property during the May, 1943, flood, by the United States in connection with its operation of the Grand River Dam Project.

The United States has caused to be deposited in the registry of this Court the sum of \$63.25 in full satisfaction of said judgment.

The title to said personal property was vested in ALZENA BARNETT, at the time the same was injured and damaged, and he is the only person having any right, title or interest in and to said just compensation.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 10th day of September, 1943, for the sum of \$63.25 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 8 (6 FW 636), be and is hereby fully satisfied.

IT IS FURTHER DECREED, that ALZENA BARNETT was the owner of said personal property at the time the injury occurred and the damages were sustained, and he is the only person having any right, title or interest in and to said just compensation.

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

REGULAR JANUARY 1943 TERM

FRIDAY, SEPTEMBER 24, 1943

IT IS FURTHER ORDERED that the Clerk of this Court make distribution of said just compensation now on deposit in his office, to ALZENA BENNETT, for and in the sum of \$63.25, and show said judgment fully satisfied upon his records of this Court.

BOWER BROADDUS
J U D G E

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

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

MILTON ROE SABIN AND BERTHA
FLORENCE SABIN,

Plaintiffs,)

vs.)

No. 1079 Civil)

HOME OWNERS' LOAN CORPORATION,
a corporation, et al.,

Defendants.)

O R D E R

Now on this 24th day of September, 1943, the above styled and numbered cause come on for consideration upon plaintiffs Application for time to file Motion to Remand, and the Court being fully advised in the premises, and for good cause shown,

IT IS ORDERED, DECREED AND ADJUDGED that plaintiffs have and they are hereby give time until the 20th day of October, 1943, to file Motion to Remand herein.

BOWER BROADDUS
JUDGE
UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

ENDORSED: Filed Sep 24 1943
H. P. Warfield, Clerk
U. S. Distfict Court H

Court adjourned to September 27, 1943

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

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MONDAY, SEPTEMBER 27, 1943

On this 27th day of September, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

IN THE 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 33.6 acres,
more or less, and Walker Fields, et al.,

Defendants.)

CIVIL NO. 1018

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 27th day of September, 1943, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following named defendants, to-wit:

Walker Fields;
Annie Fields;
Ethel J. Bourdon;
Annie Abel;
Jeff Fluke;
Kenneth Fluke;
Fred W. Fluke;
Marie Michau Smith;
Louis Hax Smith;
Perry V. Berry;
Lillian Berry;
Mattie J. Goodwin;
Federal Farm Mortgage Corporation, a corporation;
Land Bank Commissioner;
The Federal Land Bank of Wichita, a corporation, agent and
attorney-in-fact for said Federal Farm Mortgage Corporation;
a corporation, and Land Bank Commissioner;
George Fluke and Henry Fluke, if living, or if deceased, their known and
unknown heirs, administrators, executors, devisees, legatees, trustees,
creditors or assigns, immediate and remote, and their spouses, if any;
and the known and unknown heirs, administrators, executors, devisees,
legatees, trustees, creditors or assigns, immediate and remote, and their
spouses, if any, of Ollie Fields, Cherokee Citizen, Roll No. M-3543,
deceased; Andrew Fluke, Cherokee Citizen, Roll No. 3200, deceased;

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

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Fred Fluke, deceased; Erwit Cecil Brown, Cherokee Citizen Roll No. 28745, deceased; Hugh E. Smith, deceased; Aggie Scuggins, Cherokee Roll No. 25827, deceased; L. C. Goodwin, deceased; and Henry Singleton, 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 them 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, on or before the 22nd day of November, 1943, the petitioner, United States of America, will, on the 22nd day of November, 1943, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court 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.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Sep 27 1943
H. P. Farfield, 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. 1032
CERTAIN PARCELS OF LAND IN WAYES COUNTY, OKLAHOMA; and Willis Thompson, et al.,	Defendants.)

ORDER APPOINTING COMMISSIONERS

NOW, on this 27th day of September, 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

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

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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, 1923, 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 Mayes, 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 432.

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.

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 was filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes of Mayes County, Oklahoma, T. G. Grant, of Tulsa County, Oklahoma, and C. V. Hamilton of Ottawa County, Oklahoma, each an disintersted 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 hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation 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.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the Post Office Building, in the City of Cinita, Oklahoma on the 30th day of September, 1943, at the hour of 9 A.M., for the purpose of taking the oath of office, and the performance of their duties.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 27 1943
H. P. Warfield, Clerk
U. S. District Court LN

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 27, 1943

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 1046
)	
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)	
OKLAHOMA, containing approximately 919)	
acres, more or less; and Carey Caldwell,)	
et al.,	Defendants.)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 27th day of September, 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 (2)); Title II of the Act of June 16, 1933, 48 Stat. 2003-2003 (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, fence and other improvements, and to enter upon said lands from time to time in the performance of said act upon and over certain lands situate, lying and being in the County of Mayes, in the Northern District the State of Oklahoma, within the jurisdiction of this Court, and more particularly described by court and distances, as follows, to-wit:

(For Description of Land see J6 - Page 499.

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.

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 W. L. Mayes of Mayes County, Oklahoma, T. G. Grant, of Tulsa County, Oklahoma, and J. V. Hamilton of Ottawa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, SEPTEMBER 27, 1943

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 hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation 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.

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

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 27 1943
H. P. Warfield, Clerk
U. S. District Court IN

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

UNITED STATES OF AMERICA, Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN HAYES COUNTY, OKLAHOMA,
containing approximately 9.9 acres, more or less;
and Carey Caldwell, et al., Defendants.

CIVIL NO. 1046

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 8

(2 FW 36 (Rev.))

NOW, on this 27th day of September, 1943, there coming on for hearing the application of the defendants, Myrtle G. Witt; Hugh F. Witt, Maude Marie McKay, Pauline Sippy and Eugene T. Witt, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 8 (2 FW 36 (Rev.)), and the Court being fully advised in the premises, finds:

That the defendants, Myrtle G. Witt, Hugh F. Witt, Maude Marie McKay, Pauline Sippy and Eugene T. Witt, were the owners of the lands designated as Tract No. 8 (2 FW 36 (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 \$248.00 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.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
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The Court further finds that the defendants, Myrtle G. Witt, Hugh F. Witt, Maude Marie McKay, Pauline Sippy and Eugene T. Witt, in writing, 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 \$248.00, which was accepted by the petitioner.

The Court further finds that the sum of \$248.00 is just compensation for the injuries and damages sustained by said defendants.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, Myrtle G. Witt, Hugh F. Witt, Maude Marie McKay, Pauline Sippy and Eugene T. Witt, 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, Myrtle G. Witt, Hugh F. Witt, Maude Marie McKay, Pauline Sippy and Eugene T. Witt, were the owners of the lands designated as Tract No. 8 (2 FW 36 (Rev.)), when this proceeding was commenced, and that the sum of \$248.00 is just compensation for the damages sustained by the said defendants, 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 deposited herein, as follows, to-wit:

TO: Myrtle G. Witt, Hugh F. Witt, Maude Marie McKay,
Pauline Sippy and Eugene T. Witt

Owners
Tract No. 8 (2 FW 36 (Rev.)) \$248.00

F. E. KENNAMER
JUDGE

ENDORSED: Filed Sep 27 1943
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to September 28, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

TUESDAY, SEPTEMBER 28, 1943

On this 28th day of September, 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
Walt Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

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

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

REGULAR JANUARY 1943 TERM

TUESDAY, SEPTEMBER 28, 1943

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

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

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

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

vs.

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

In Equity No. 1195

DECREE ORDERING SALE OF PROPERTY

NOW on this 28 day of September, 1943, comes the complainant and presents its application for a decree of this Court ordering the sale of the property described in the judgment and decree of foreclosure and sale rendered herein on September 17, 1937; and it appearing to the Court that neither the complainant nor the cross-petitioners for whose judgment was rendered in said decree have been paid the amount or amounts of the indebtedness due them from the defendants, Oklahoma Hospital, a corporation, Oklahoma Hospital Corporation, a corporation, Oklahoma Hospital, Inc., a corporation, Fred S. Clinton and Jane H. Clinton, his wife, nor any part thereof, as decreed by this Court on said date of September 17, 1937, and that no attempt has been made by said defendants, nor any of them, nor by any person in their behalf or acting for or under them to pay said indebtedness since the rendition of said decree;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that George Lessley, Special Master, as appointed and designated in said order and decree of September 17, 1937, be, and he hereby is, directed to forthwith proceed with the holding of a foreclosure sale of the property set forth in said decree, which sale shall be conducted in the manner and in accordance with the directions set forth in said decree for foreclosure and sale; It is ORDERED, however, that the \$8,000.00 required by said

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

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REGULAR JANUARY 1943 TERM

TUESDAY, SEPTEMBER 28, 1943

decree to be deposited by all bidders precedent to their bid may be deposited either with said Special Master or with Lon R. Stansbery, Receiver herein, for the benefit of the Special Master, and further that the complainant and/or cross-petitioners, who are judgment creditors under the terms of said decree, may bid in said property at said sale, and, in such case, no advance deposit shall be required to accompany the bid of it or them.

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

ROYCE H. SAVAGE
District Judge

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

Court adjourned to September 29, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

WEDNESDAY, SEPTEMBER 29, 1943

On this 29th day of September, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

ORDER FOR ADDITIONAL JURORS

On this 29th day of September, A. D. 1943, it is ORDERED by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma; or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Fifteen (15) additional persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1943 Term of this Court to be held at Tulsa, Oklahoma.

It is further ordered by the Court that a writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon by Registered Mail said Petit Jurors, drawn, as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, the 4th day of October, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for said District at the Regular January 1943 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

Court adjourned to September 30, 1943

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

REGULAR JANUARY 1943 TERM

THURSDAY, SEPTEMBER 30, 1943

On this 30th day of September, 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

Wannita Thomas, Plaintiff,)
vs) No. 1061 Civil
Rosemary Nebel, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now, on this 30th day of August, 1943, the above entitled action comes on regularly for trial, plaintiff being present in person and by her attorney of record, and the defendant being present by her attorney of record.

Thereupon, both parties announce ready for trial, the right to a trial by a jury is waived in open court and it is agreed that said cause be submitted to the court for decision and judgment without the intervention of a jury.

Thereupon, both parties having introduced their evidence and rested and after argument of counsel and the court being duly advised in the premises finds that defendant was guilty of negligence as alleged in plaintiff's petition; that plaintiff, as a proximate result thereof, suffered compensable injury in the sum of \$2,200.00.

It is, therefore, ORDERED, ADJUDGED and DECREED that plaintiff have and recover from the defendant judgment in the sum of \$2,200.00 together with the costs of this action.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to October 2, 1943

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

SATURDAY, OCTOBER 2, 1943

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

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

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

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.		)	NO. 976 - Civil
)	
Certain Lands in Hopping Heights, McNulty Addition to the City of Tulsa, Tulsa County, Oklahoma, and First National Bank of St. Louis, et al.,	Respondents.)	

ORDER REGARDING AD VALOREM TAXES

Now on this 2nd day of Oct., 1943, this cause came on to be heard, the respondent Charles F. Winters appearing by his attorney, Robert J. Stanton, and the respondents, Board of County Commissioners of Tulsa County, Oklahoma, County Treasurer of Tulsa County, Oklahoma, and Tulsa County, Oklahoma, appearing by and through William M. Taylor, Assistant County Attorney. The Court having heard the evidence, and being advised in the premises, finds that the property involved herein was taken by the petitioner by a Declaration of Taking, which was filed in this cause on May 15, 1943; that ad valorem taxes upon said property for 1942 and prior years have been paid; that at the time of filing said Declaration of Taking the 1943 ad valorem taxes did not constitute a lien on such property and do not now constitute a lien thereon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the ad valorem taxes upon said property for 1942 and prior years have been paid and that the 1943 ad valorem taxes did not constitute a lien upon said property at the time of taking and do not now constitute a lien thereon.

ROYCE H. SAVAGE
DISTRICT JUDGE

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

Court adjourned to October 4, 1943

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA MONDAY, OCTOBER 4, 1943

On this 4th day of October, 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 E. Savage and Bower Broadbuss, Judges, present and presiding.

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

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

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 4th day of October, A. D. 1943, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular January 1943 Term of Court at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned as follows:

Ben O. Kirkpatrick
T. B. Bateman
Columbus Jackson Frank
Lionel E. Oliver
Claud Chamber
Juel A. Imbeau
Earl E. Daft
Thos. C. Argue, Jr.
Russell D. Paulger
Jack Painter
Garland B. Hale
Clarence Chew
Jeff M. Caruthers
W. L. McCoy
Howard Vance Moose
Herbert P. Johnson
Chas. H. James
Floyd K. King
Jessie J. Canek
B. F. Kinien
Paul Hoover
H. G. Matherly
Wiley Krewitz
John Haskell Dunkin
B. A. Gibbs
J. L. Saker
Charles G. Strickler
Walter C. Martin
Theodore Burton Hauey
W. L. Dumas

J. E. Roll
George Roark
John Muller Kene
R. F. Henshaw
Lloyd L. Broadbuss
Clinton McGill
Clarence Clinton
T. Stearnes Cox
Zekeria Taylor Fowler
Lambert T. Botts
Jesse Franklin Propst
John Hix
J. M. Crownover
Clarence C. Higginbotham
Clarence L. Trammel
Earl Inabrit
Frank L. Bohan
William T. Williams
G. A. Perrine
John Lawrence Rutherford
Arthur John Root, Jr.
Elmer Isern
Cleo L. Britton
Merle Berry Coonfield
Paul Holmes
Marvin A. Baker
J. M. Cumbey
Grant Brown
A. V. Wisdom
Fred Daniel Brady

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

Ben O. Kirkpatrick
T. B. Bateman
Columbus Jackson Frank
Lionel E. Oliver
Claud Chamber
Earl E. Daft

Thos. C. Argue Jr.
Russell D. Paulger
Jack Painter
Garland B. Hale
Clarence Chew
Howard Vance Moose

Chas. H. James
Wiley Krewitz
John Haskell Dunkin
J. L. Saker
Walter C. Martin
W. L. Dumas

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

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George Roark	J. M. Crownover	Arthur John Root, Jr.
T. Stearnes Cox	Clarence C. Higginbotham	Elmer Isern
Zekeris Taylor Fowler	Clarence L. Trammel	Merle Berry Coonfield
Lambert T. Botts	G. A. Ferrine	Paul Holmes
J. M. Cumbey	Grant Brown	A. V. Wisdom

are excused from service as Jurors for the Term.

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

B. A. Gibbs	Jessie J. Canek	Lloyd L. Broadus
	Marvin A. Baker	

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

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

ENDORSED: Filed In Open Court
Oct 4 1943
H. P. Warfield, Clerk
U. S. District Court

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

ORDER FOR ADDITIONAL PETIT JURORS

On this 4th day of October, A. D. 1943, it appearing to the Court that there are not sufficient jurors in the panel, it is ORDERED by the Court that the Marshal of said District summon from the bystanders Fifteen (15) good and lawful men, duly qualified, to serve as Petit Jurors for this Regular January 1943 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

MISCELLANEOUS - ORDER EMPANELING ADDITIONAL PETIT JURORS.

On this 4th day of October, A. D. 1943, comes the Marshal and makes return on the Venire heretofore issued out of this Court for Petit Jurors for this Regular January 1943 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned as follows:

Earl Fling	Roman A. Alby	G. M. Mellin
E. V. Ferrant	Arthur Nowlin	Erie L. Bottom
Astor D. Payne	Walter L. Farrish	Myron A. Lutz
Clarence B. Blakey	Ray Bowersock	Fred Steiger
H. W. Weber	Paul Hanson	E. W. Jones

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

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

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

NOW, on this 4th day of October, 1943, it appearing to the Court that the petitioner, United States of America, in the above styled cause has filed the affidavit of R. L. Davidson, Special 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:

- T. P. Cavalier;
- Charles C. Cavalier;
- R.W. Black,
- Ayres K. Ross,
- W. R. Layne
- H. G. Farnsworth,
- Walter Miller
- J. C. Bledsoe
- J. N. Haverfield
- M. M. Holmes,
- J. K. Adair,
- J. C. Harper,
- T. E. Smiley,
- R. E. Lynch,
- Mrs. J. P. Shelbun,
- Mollie Cole,
- Betsie Rider, also known as Betsie Stevens, also known as Bettie Stephens,
- Rosa Martin, Cherokee Roll No. 11164,
- Addie A. Harris,
- Smith W. Harris,
- D. C. Nevin,
- Lorenze Jaquemin,
- R. L. Cochran,
- Nettie Hornbuckle, Cherokee Roll No. 11996, if living or in existence, or if deceased, or not in existence, their known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors, and assigns, immediate and remote, and their spouses; if any, of Annie E. Smith, Cherokee Roll No. 19537, deceased; of J. T. Cavalier, deceased; of John H. Cold, deceased; of Nancy Dunning, Cherokee N.B. 4190, deceased; of W. H. Harless, also known as W. H. Harless, deceased;

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 4, 1943

and that the following defendant is in the military service of the United States, to wit:

Russell Cobb,

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

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

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

- Russell Cobb;
- T. P. Cavalier;
- Charles C. Cavalier;
- R. W. Black,
- Ayres K. Ross,
- W. R. Layne,
- H. G. Farnsworth,
- Walter Miller;
- J. C. Bledsoe;
- J. M. Haverfield;
- M. M. Holmes;
- J. K. Adair;
- J. C. Harper;
- T. E. Smiley;
- R. E. Lynch;
- Mrs. J. P. Shelburn,
- Mollie Cole,
- Betsie Rider, also known as Betsie Stevens, also known as Bettie Stephens,
- Rosa Martin, Cherokee Roll No. 11164,
- Addie A. Harris,
- Smith W. Harris,
- D. C. Nevin,
- Lorenze Jacquemin,
- R. L. Cochran,
- Nettie Hornbuckle, Cherokee Roll No. 11996, if living, or in existence, or if deceased, or not in existence, their known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors, and assigns, immediate and remote, and their spouses, if any, of Annie S. Smith, Cherokee Roll No. 18587, deceased; of J. T. Cavalier, deceased; of John H. Cole, deceased; of Nancy Downing, Cherokee N. B. 4180, deceased; of W. Harless, also known as W. H. Harless, deceased;

and it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this case, confirming the report of commissioners.

ROYCE W. SAVAGE
J U D G E

ENTERED: Filed Oct 4 1943
R. P. Colley, Clerk
U. S. District Court IN

involved in this proceeding, as more particularly designated and described as follows, to-wit:

TRACT NO. 1 (308 - 1.1)
Perpetual Easement

A strip of land 100 feet in width in the North 20.0 acres of Lot 1, Sec. 33, T 20 North, Range 19 East of the Indian Base and Meridian, in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said Lot 1, 664.7 feet from the NW corner thereof, thence Southwesterly to a point in said North 20.0 acres of Lot 1, 50.0 feet North and 125.0 feet East of the SW corner thereof; thence West to a point in the West boundary of said North 20.0 acres of Lot 1, 50.0 feet from the SW corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER,
IF ANY \$75.00

TRACT NO. 2 (308 - 1.2)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT), AND ALL DAMAGES TO THE REMAINDER,
IF ANY, \$125.00

TRACT NO. 3 (308-1.3)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER,
IF ANY, \$130.00

TRACT NO. 4 (308 - 1.4)
Perpetual Easement

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

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

TRACT NO. 5 (308 - 2.1)
Perpetual Easement

A strip of land 100 feet in width in the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32,

T 20 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, the center line of which is described as follows, to-wit:

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

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

TRACT NO. 6 (308 - 2.2)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER,
IF ANY, \$ 48.00

TRACT NO. 7 (308 - 2.3)
Perpetual Easement

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

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

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

TRACT NO. 8 (308 - 2.4)
Perpetual Easement

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

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

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Southwesterly to a point in the West boundary of said $S\frac{1}{2}$
 $NW\frac{1}{4}$, 133.9 feet from the NW corner thereof.

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

\$ 50.00

TRACT NO. 9 (308 - 3.1)
Perpetual Easement

All that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$, Sec. 31, T 20 N, R 19 E
of the Indian Base and Meridian in Mayes County, Oklahoma,
particularly described as follows, to-wit:

TRACT A:

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

Beginning at a point in the East boundary of said
 $N\frac{1}{2}$ $NE\frac{1}{4}$, 793.9 feet from the NE corner thereof; thence S.
87° 49' W a distance of 381.5 feet to a point in said $N\frac{1}{2}$
 $NE\frac{1}{4}$ which point is in the East right-of-way line of the
existing Grand River Dam Project 100-foot easement strip,
808.4 feet South and 381.3 feet West of the NE corner of
said $N\frac{1}{2}$ $NE\frac{1}{4}$.

TRACT B:

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

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

TRACT C:

Beginning at a point in said $N\frac{1}{2}$ $NE\frac{1}{4}$, 858.4 feet
South and 323.7 feet West of the NE corner thereof; said
point being further described as being in the East bound-
ary line of the existing Grand River Dam Project 100-foot
easement strip and in the South boundary line of Tract
"A" described above; thence N. 87° 49' East along the South
boundary line of Tract "A" described above, a distance of
50 feet; thence Southwesterly to a point in the East
boundary line of said existing Grand River Dam Project,
100-foot easement strip; thence Northeasterly along the
East boundary line of said existing Grand River Dam Project
100-foot easement strip, a distance of 600 feet to the point of
beginning.

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

\$149.00

TRACT NO. 10 (308-3.2)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER,
IF ANY, \$174.00

TRACT NO. 11 (308 - 4.1)
Perpetual Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 20 N, R 19 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

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

Beginning at a point in said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 179.8 feet North and 333.8 feet East of the SW corner thereof, said point being in the West right-of-way line of the existing Grand River Dam Project 100-foot easement; thence Southwesterly to a point in the West boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 125.0 feet from the SW corner thereof.

TRACT B:

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER,
IF ANY, \$12.50

TRACT NO. 12 (308 - 5.1)
perpetual easement

A strip of land 100 feet in width in the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$,

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Sec. 30, T 20 N, R 19 E. of the Indian Base and Meridian,
in Mayes County, Oklahoma, the center line of which is
described as follows, to-wit:

Beginning at a point in the East boundary of said S $\frac{1}{2}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$, 125.0 feet from the SE corner thereof; thence
Southwesterly to a point in the South boundary of said
S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 774.8 feet from the SE corner thereof.

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

TRACT NO. 13 (308 - 6.1)
Perpetual Easement

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

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

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

TRACT NO. 14 (308 - 6.2)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$21.00

TRACT NO. 15 (308 - 6.3)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER,
IF ANY, \$82.00

TRACT NO. 16 (308 - 6.4)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$125.00

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

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$17.50

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

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$90.00

TRACT NO. 19 (308 - 5.5-Rev.)
Perpetual Easement

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

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

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

TRACT NO. 20 (308 - 7.1)
Perpetual Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T 20 N, R 18 E of the Indian Base and Meridian, in Mayes County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

A strip of land 100 feet in width in said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 245 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 449.3 feet from the NW corner thereof, and

TRACT B:

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$90.00

TRACT NO. 21 (308 - 7.2)
Perpetual Easement

A strip of land 100 feet in width in the $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$,
Sec. 35, T 20 N, R 18 E, of the Indian Base and Meridian
in Mayes County, Oklahoma, the center line of which is
described as follows, to-wit:

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

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

TRACT NO. 22 (308 - 7.3)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY
\$90.00

TRACT NO. 23 (308 - 7.4)
Perpetual Easement

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

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

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

TRACT NO. 24 (308 - 8/1)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$53.00

TRACT NO. 25 (308 - 8.2)
Perpetual Easement

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

Beginning at a point in the East boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, 55.5 feet from the SE corner thereof; thence Southwesterly to a point in the South boundary of said $S\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, 361.8 feet from the SE corner thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$27.00

TRACT NO. 26 (308 - 8.3)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,
\$69.00

TRACT NO. 27 (308 - 8.4)
Perpetual Easement

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

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

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

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TRACT NO. 28 (308 - 9.1)
Perpetual Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE
REMAINDER, IF ANY, \$118.00

TRACT NO. 29 (308 - 9.2)
Perpetual Easement

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

Beginning at a point in the East boundary of said $S\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, 298.5 feet from the NE corner thereof; thence Southwesterly to a point in the West boundary of said $N\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, 50 feet from the NW corner thereof.

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

TRACT NO. 30 (308 - 10.1)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE
REMAINDER, IF ANY, \$24.00

TRACT NO. 31 (308 - 10.2)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE
REMAINDER, IF ANY, \$150.00

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TRACT NO. 32 (308 - 10.3)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE
REMAINDER, IF ANY \$48.00

TRACT NO. 33 (308 - 11.1)
Perpetual Easement

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

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

TRACT NO. 34 (308 - 11.2)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE
REMAINDER, IF ANY, \$135.00

TRACT NO. 35 (308 - 11.3)
Perpetual Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN
(PERPETUAL EASEMENT) AND ALL DAMAGES TO THE
REMAINDER, IF ANY, \$37.00

TOTAL \$2925.00

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

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein and no written exceptions nor demands for jury trial have been filed by the petitioner or the defendants herein as to the tracts of land designated and described herein, and that said report of commissioners filed herein should be confirmed and approved in every respect, except as to Tract No. 4 (308 - 1.4). Said report of commissioners fixes the just compensation for and in the sum of \$200.00. The Petitioner, prior to the assessment by said Commissioners had stipulated with the owners and claimants of said Tract No. 4 (308 - 1.4), that the just compensation for

the taking of said estate in said tract was the sum of \$200.00; that said just compensation for the taking of said tract, No. 4 (308 -1.4) should be confirmed and approved for and in the sum of \$220.00.

(8) The United States of America did, on April 1, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1	(308 1.1)	\$75.00
TRACT NO. 2	(308 1.2)	.125.00
TRACT NO. 3	(308 1.3)	.130.00
TRACT NO. 4	(308 1.4)	.220.00
TRACT NO. 5	308 2.1)	.185.00
TRACT NO. 6	(308 2.2)	.48.00
TRACT NO. 7	(308 2.3)	.60.00
TRACT NO. 8	(308 2.4)	.50.00
TRACT NO. 9	(308 3.1)	.149.00
TRACT NO. 10	(308 3.2)	.174.00
TRACT NO. 11	(308 4.1)	.12.50
TRACT NO. 12	308 5.1)	.30.00
TRACT NO. 13	(308 6.1)	.40.00
TRACT NO. 14	(308 6.2)	.21.00
TRACT NO. 15	(308 6.3)	.82.00
TRACT NO. 16	(308 6.4)	.125.00
TRACT NO. 17	(308 6.4-A)	.17.50
TRACT NO. 18	(308 6.5-Rev.)	.90.00
TRACT NO. 19	(308 6.6-Rev.)	.25.00
TRACT NO. 20	(308 7.1)	.90.00
TRACT NO. 21	(308 7.2)	.60.00
TRACT NO. 22	(308 7.3)	.90.00
TRACT NO. 23	(308 7.4)	.30.00
TRACT NO. 24	(308 8.1)	.53.00
TRACT NO. 25	(308 8.2)	.27.00
TRACT NO. 26	(308 8.3)	.69.00
TRACT NO. 27	(308 8.4)	.155.00
TRACT NO. 28	(308 9.1)	.118.00
TRACT NO. 29	(308 9.2)	.160.00
TRACT NO. 30	(308 10.1)	.24.00
TRACT NO. 31	(308 10.2)	.150.00
TRACT NO. 32	(308 10.3)	.48.00
TRACT NO. 33	(308 11.1)	.40.00
TRACT NO. 34	(308 11.2)	.135.00
TRACT NO. 35	(308 11.3)	.37.00

\$2945.00

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 195, 200 (U.S.C. Title 40, Secs. 401-407, 409, 411, 413 and 414) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein as to said lands particularly designated and described therein, is final, and the fair,

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

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cash, market value of the estate taken and the damages sustained as set out and fixed in said report of commissioners and by stipulation as to Tract No. 4 (308.1.4), is final, and is just compensation as to said lands, values, and estates therein taken, all as follows, to-wit:

TRACT NO. 1	(308 1.1)	\$75.00
TRACT NO. 2	(308 1.2)	125.00
TRACT NO. 3	(308 1.3)	130.00
TRACT NO. 4	(308 1.4)	220.00
TRACT NO. 5	(308 2.1)	185.00
TRACT NO. 6	(308 2.2)	48.00
TRACT NO. 7	(308 2.3)	60.00
TRACT NO. 8	(308 2.4)	50.00
TRACT NO. 9	(308 3.1)	149.00
TRACT NO. 10	(308 3.2)	175.00
TRACT NO. 11	(308 4.1)	12.50
TRACT NO. 12	(308 5.1)	30.00
TRACT NO. 13	(308 6.1)	40.00
TRACT NO. 14	(308 6.2)	21.00
TRACT NO. 15	(308 6.3)	82.00
TRACT NO. 16	(308 6.4)	125.00
TRACT NO. 17	(308 6.4-A)	17.50
TRACT NO. 18	(308 6.5-Rev.)	90.00
TRACT NO. 19	(308 6.6-Rev.)	25.00
TRACT NO. 20	(308 7.1)	90.00
TRACT NO. 21	(308 7.2)	60.00
TRACT NO. 22	(308 7.3)	90.00
TRACT NO. 23	(308 7.4)	30.00
TRACT NO. 24	(308 8.1)	63.00
TRACT NO. 25	(308 8.2)	27.00
TRACT NO. 26	(308 8.3)	69.00
TRACT NO. 27	(308 8.4)	155.00
TRACT NO. 28	(308 9.1)	118.00
TRACT NO. 29	(308 9.2)	160.00
TRACT NO. 30	(308 10.1)	24.00
TRACT NO. 31	(308 10.2)	150.00
TRACT NO. 32	(308 10.3)	48.00
TRACT NO. 33	(308 11.1)	40.00
TRACT NO. 34	(308 11.2)	135.00
TRACT NO. 35	(308 11.3)	37.00
TOTAL		\$ 2945.00

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on April 1st, 1943, upon the filing of the Declaration of Taking, and the depositing of the sum of Twenty-nine Hundred Forty-five and no/100 Dollars (\$2945.00) with the registry of this Court, for the estate taken in the above described tracts of land and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

TRACT NO. 2 (308 - 1.2)

J. A. Beckham, fee owner \$125.00

TRACT NO. 3 (308 - 1.3)

W. T. Muldrew and Gertrude Muldrew, few owners--
 have been paid the sum of \$130.00 as per
 order of this Court of April 8, 1943.

TRACT NO. 4 (308 - 1.4)

Geo. E. Warren, Margaret V. Warren, fee owners, \$200.00

J. A. Beckham, tenant, 20.00

TRACT NO. 5 (308 - 2.1)

Will A. Crockett, fee owner,
 The Travelers Insurance Company, a
 Corporation, ---holder of mortgage,
 Check to be made jointly to both parties,
 \$185.00

TRACT NO. 6 (308 - 2.2)

Al Vandergrift, one and the same person as
 Al Vandegrift -----fee owner-----and
 Land Bank Commissioner, ---mortgagee,---
 As per Answer compensation is to be paid to
 The Federal Land Bank of Wichita, for the
 Land Bank Commissioner and the Federal Farm
 Mortgage Corporation, a corporation,
 Mortgagee, \$40.00

R. P. Wilcox, tenant 8.00

TRACT NO. 7 (308 - 2.3)

Riley L. Hendrickson, Mary E. Hendrickson, fee owners \$50.00
 A. C. Couch, tenant 10.00

TRACT NO. 8 (308 - 2.4)

Riley L. Hendrickson, Mary E. Hendrickson, fee owners, \$50.00

TRACT NO. 9 (308 - 3.1)

Alfred C. Couch, Laura C. Couch, fee owners \$149.00

TRACT NO. 10 (308 - 3.2)

R. W. Hildreth, fee owner \$174.00

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TRACT NO. 11 (308- 4.1)

O. M. Van Arsdale fee owner \$12.50

TRACT NO. 12 (308 - 5.1)

Will A. Crockett, fee owner \$30.00

TRACT NO. 13 (308 - 6.1)

J. H. McElroy, fee owner,
Dugan Smith, holders of contract
Mrs. Dugan Smith, Check to be made
of purchase, \$40.00
jointly to all parties,

TRACT NO. 14 (308 - 6.2)

J. M. Gilbert fee owner \$21.00

TRACT NO. 15 (308 - 6.3)

J. M. Gilbert, fee owner \$82.00

TRACT NO. 16 (308 - 6.4)

C. C. Bledsoe,
J. C. VAN HOOSE, fee owners \$125.00

TRACT NO. 17 (308 - 6.4-A)

W. A. Bearden, fee owner
Emma Shoemaker, holder of mortgage,
Check to be made jointly, \$15.00
I. P. Perkins, tenant 2.50

TRACT NO. 18 (308 - 6.5)

W. K. Tipton fee owner \$90.00

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

Lilly E. House, fee owner, \$25.00

TRACT NO. 20 (308 - 7.1)

Allen W. Arnold, fee owner
A. Chester Arnold fee owner,
Federal Life Insurance Company,
a Corporation---holder of mortgage,
C. G. Bathe, holder of contract of sale,
Check to be made jointly to all parties
\$90.00

TRACT NO. 21 (308 - 7.2)

W. R. Cross, fee owner \$60.00

TRACT NO. 22 (308 - 7.3)

Walter A. Cavalier, fee owner \$90.00

TRACT NO. 23 (308 - 7.4)

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 C. Cavalier,	3.33	
Fee owners		\$30.00

TRACT NO. 24 (308 - 8.1)

Norman W. Paine,
 Lily J. Paine, fee owners,
 Commissioners of the Land Office of the
 State of Oklahoma,--holder of mortgage,
 --Check to be made jointly,-- \$53.00

TRACT NO. 25 (308 - 8.2)

Everett C. House,	fee owner	\$22.00
George L. Mason,	tenant	5.00

TRACT NO. 26 (308 - 8.3)

Laura Thompson Magauson	fee owner	\$59.00
E. N. Mullett,	tenant	10.00

TRACT NO. 27 (308 - 8.4)

Benj. Troyer,	fee owner	\$125.00
Crist M. Miller	tenant	30.00

TRACT NO. 28 (308 - 9.1)

Alvin D. Miller fee owner,
 The Federal Land Bank of Wichita, a
 Corporation--holder of mortgage,
 -- Check to be made jointly-- \$118.00

TRACT NO. 29 (308 - 9.2)

R. B. Detweiler, fee owner \$160.00

TRACT NO. 30 (308 - 10.1)

Gladys Sullateskee, a minor, (restricted)
 -- fee owner --
 Make Check to A. M. Landman, Superintendent
 of Five Civilized Tribes, for Gladys
 Sullateskee, a minor, \$24.00

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TRACT NO. 31 (308 - 10.2)

R. H. Manlove, fee owner \$150.00

TRACT NO. 32 (308 - 10.3)

Gladys Sullateskee, a minor (restricted)--
fee owner--

Make Check to A. M. Landman, Superintendent of
Five Civilized Tribes, for Gladys Sullateskee,
a minor, \$ 48.00

TRACT NO. 33 (308 - 11.1)

The First National Bank and Trust Company of
Muskogee, Trustee for the Lucinda Pitman Trust,
successor to The First National Bank of Muskogee,
Trustee for Lucinda Pitman,

fee owner \$ 35.00

G. B. Regier, tenant 5.00

TRACT NO. 34 (308 011.2)

Peter M. Schroeder, fee owner \$120.00

Albert R. Pennar,
G. B. Regier, tenants, 15.00

TRACT NO. 35 (308 - 11.3)

Charley Nelson, fee owner \$ 37.00

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

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Oct 4 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. 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 AUTHORIZING PUBLICATION OF NOTICE

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

- Zona Amadon;
- Charles Amadon, a minor;
- Rhea Fouts;
- Raymond Amadon;
- Mary Brown;
- Jennie L. Wright;
- Ralph Emerson Duncan;
- William Ward Allen;
- Wilmer A. Leatherman;
- Blanche King, nee Leatherman;
- J. J. Nichols;
- E. S. Nichols;
- Donald Lee Nichols;
- Emma H. Nichols;
- Maybelle Nichols;
- Doris Nichols;
- Lanpher Motor Car Company, also known as Lanpher Security Finance Company;
- Marie H. Davenport, Jimmie Walker, Lafe Rhodes, Myrtle Bush, J. W. Monroe, Arizona Creek, Cherokee Citizen Roll No. 3099; J. E. Johnson, E. G. Johnson, George H. Matthews; Carl V. Vaughn, W. F. Courtad, Joe Martin, Katie Vann, Cherokee Freedman, Roll No. 2010, The Ralph Development Company, if living, or in existence, of 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 Charles Rhodes, deceased; of Charles Amadon, deceased; of Charles E. Barnes, deceased; of David Chandler, deceased; of Annie E. Chandler, deceased; of B. G. Chandler, deceased; of Marie L. Chandler, deceased; of Samuel O'Fields, Cherokee Roll No. 27563, deceased; of Peter O'Fields, deceased; of Ella O'Fields, deceased; of Austin O'Fields, deceased; of Lulu Leatherman, deceased; of Rosie Ashcraft, deceased; of Lizzie Walker, 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 proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before the 29th day of November, 1943, the petitioner, United States of America, will, on the 22nd day of November, 1943, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court 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
 J U D G E

ENDORSED: Filed Oct 4 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. 1010
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA, containing approximately 46.2)	
acres, more or less; and Lewis Foster, et al.,)	
	Defendants.)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 4th day of October, 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. 809);

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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:

See Journal 6 - Page 341 for description of Tracts

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 show 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 W. L. Mayes, of Mayes County, Oklahoma, T. G. Grant, of Tulsa 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 herein-after described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation 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 land 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 U. S. Postoffice at Vinita, Oklahoma on the 5th day of October, 1943, at the hour of 9 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 Oct 4 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. 1055
)
 CERTAIN PARCELS OF LAND IN THE TOWNSITE OF)
 CLEORA, DELAWARE COUNTY, OKLAHOMA, AND)
 CERTAIN PERSONAL PROPERTY LOCATED THEREON)
 AND USED THEREWITH, and R. F. Olrich, et al.,)
 Defendants.)

ORDER FIXING AND ALLOWING COMMISSIONERS'
 FEES AND EXPENSES
 Personal Property

NOW, on this the 29th day of September, 1943, it appearing that upon the application of the petitioner, W. L. Mayes, Elmer Vick and C. C. Weber were appointed Commissioners to fix, determine and assess the damages which the owners and those having any right, title or interest have sustained in and to certain personal property involved in this proceeding; that said commissioners have made and filed their report and it further appearing that said commissioners have not been paid for their services and expenses in connection with the performance of their duties as such commissioners.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the fees and expenses of said commissioners are hereby fixed and allowed as follows, to-wit:

W. L. Mayes - two (2) days at \$15.00 per day - fees	\$30.00
- miscellaneous expenses	4.23
TOTAL	<u>\$34.23</u>
Elmer Vick - two (2) days at \$15.00 per day - fees	30.00
- miscellaneous expenses	3.80
TOTAL	<u>\$33.80</u>
C. C. Weber - two (2) days at \$15.00 per day - fees	30.00
- miscellaneous expenses	3.55
TOTAL	<u>\$ 33.55</u>

IT IS FURTHER ORDERED that the Petitioner, United States of America, cause said fees and expenses to be paid to said commissioners.

ROYCE H. SAVAGE
 J U D G E

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA MONDAY, OCTOBER 4, 1943

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

MARY ALICE VICKERS, Plaintiff,)
vs.) No. 1057 - Civil
SPARTAN AIRCRAFT COMPANY, INC.,)
a corporation, Defendant.)

O R D E R

Now on this 4th day of October, 1943, this matter coming on to be heard upon the motion of the plaintiff to dismiss the above cause without prejudice, and the court being advised in the premises, finds that the said motion should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED that the above styled cause be, and the same is hereby, dismissed without prejudice.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to October 5, 1943.

REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA TUESDAY, OCTOBER 5, 1943

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

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

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

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-)
Certain Lands in Hoppong Heights,) No. 976 - Civil
McNulty Addition to the City of)
Tulsa, Tulsa County, Oklahoma, and First)
National Bank of St. Louis, et al, Respondents.)

ORDER DISTRIBUTING FUNDS

Now, on this 5th day of October, 1943, this cause came on to be heard, and the

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
 NORTHERN DISTRICT OF OKLAHOMA
 REGULAR MARCH 1943 TERM VINITA, OKLAHOMA WEDNESDAY, OCTOBER 6, 1943

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

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

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

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

Stella White, et al.,	Plaintiffs,)	
)	
v.)	
Agnes Quapaw Hoffman, et al.,	Defendants.	)	Civil No. 861
and)	
Martha Ann Matilda Woodside, et al.,	Interveners.)	

ORDER DISMISSING INTERVENERS' COMPLAINT ON MOTION OF
 INTERVENERS.

This cause came on to be heard on interveners' motion for a voluntary dismissal of their complaint herein filed without prejudice; and it appearing to the court that either the plaintiffs or the defendants or both will be prejudiced by such dismissal without prejudice, and that the complaint of said interveners should be dismissed with prejudice.

IT IS ORDERED by the court that the complaint of the interveners herein filed be, and the same is hereby dismissed with prejudice.

Done in open court this 6th day of October, 1943.

F. E. KENNAMER
 JUDGE

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

 Court adjourned to October 7, 1943

On this 7th day of October, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Bower Broadbus, Judges, present and presiding.

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

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

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

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

JUDGMENT CONFIRMING AGREED VALUES AS TO PARCEL NO. 9 and PARCELS NOS. 10 & 10-A

Now on this 4th day of October, 1943, this cause came on to be heard as to Parcel No. 9 and Parcels Nos. 10 & 10-A, the petitioner appearing by and through Curtis P. Harris, Special Attorney for the Department of Justice, and the respondents appearing in person or by counsel.

It was agreed in open Court by and between the petitioner and the respondents, Pauline D. Wallace and G. O. Wallace, that the value of Parcel No. 9 and the damage suffered by virtue of the taking thereof, is in the sum of \$200.00; and the Court finds that said agreed value should be confirmed.

It was agreed in open court by and between the petitioner and the respondent, Villard Martin, that the value of parcels Nos. 10 and 10-A and the damage suffered by virtue of the taking thereof, is in the sum of \$1600.00, and the Court finds that said agreed value should be confirmed;

The Court further finds that there has been heretofore deposited as to Parcel No. 9 the sum of \$150.00, making a deficiency of \$50.00 as to said tract. The Court further finds that there has been heretofore deposited as to Parcels Nos. 10 & 10-A the sum of \$692.00, leaving a deficiency of \$908.00 as to said tract.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the agreed value of Parcel No. 9 in the sum of \$200.00 and the agreed value of Parcels Nos. 10 & 10-A in the sum of \$1600.00 be, and the same are hereby adopted and confirmed by the Court and the values of said tracts and the damage suffered by virtue of the taking thereof, are fixed at the agreed amounts.

IT IS FURTHER ORDERED AND DIRECTED that the petitioner deposit the additional sum of \$958.00 to make up the deficiencies as to Parcel No. 9 and Parcels Nos. 10 & 10-A.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 7 1943
H. P. Warfield, Clerk
U. S. District Court AC

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

THURSDAY, OCTOBER 7, 1943

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
		) No. 900 Civil
77.15 acres of land, more or less, situate)
in Mayes County, Oklahoma, and the Known)
and Unknown heirs, executors, administra-)
tors, devisees, legatees, trustees and)
assigns, immediate and remote, of Will)
Giles, deceased, et al.,	Respondents.)

JUDGMENT ON THE VERDICT AS TO TRACT NO. F-201

Now on this 4th day of October, 1943, this cause came on for hearing pursuant to regular assignment at Tulsa, Oklahoma, the petitioner appearing by and through Curtis P. Harris, Special Attorney for the Department of Justice, and the respondents, appearing by and through their attorneys, R. A. Wilkerson and Ben L. Murdock.

A jury having been duly empaneled and sworn, the respondents introduced their evidence and rested, the petitioner introduced its evidence and rested, and arguments of counsel were made and the Court instructed the Jury as to the law in the case; whereupon, the jury in charge of a sworn Deputy United States Marshal retired to deliberate on their verdict, and returned the following verdict, to-wit:

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
Tract F-201, Ethel Reed, Edna Smith,		) Case No. 900 - Civil
Oscar Reed, Walter Reed and Irene)
Bewley,	Defendants.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, find that the fair market value of Tract F-201, was on December 20, 1942, \$2425.00 (Twenty Four Hundred Twenty Five Dollars)

Fred Steiger
Foreman"

The Court further finds that there has heretofore been deposited as to Tract No. F-201, the sum of \$2150.00 and that there is a deficiency of \$275.00 as to said tract.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment be, and the same is hereby rendered on the verdict of the jury as to Tract No. F-201 and the fair, cash, market value of said tract is hereby fixed at the sum of \$2425.00.

IT IS FURTHER ORDERED AND DIRECTED that the petitioner deposit the additional sum of \$275.00 to make up the deficiency as to said Tract No. F-201, said amount to draw interest at the rate of six per cent (6%) per annum from December 30, 1942, until paid.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 7 1943
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to October 8, 1943

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, OCTOBER 8, 1943

On this 8th day of October, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Bower Broaddus, Judges, present and presiding.

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

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

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

Bruce James Wiley, Plaintiff,)
vs.) No. 911 -
Evans-Wallower Zinc, Inc.,)
a corporation, Defendant.)

O R D E R

Now, on this 8th day of October, 1943, the above entitled cause coming on for hearing upon the stipulation of the parties for dismissal without prejudice, and it appearing from said stipulation that the plaintiff desires to dismiss said cause without prejudice, and that the defendant has no objection to such dismissal without prejudice and consents thereto, 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 without prejudice to the filing of a new action, at the cost of the plaintiff without attorneys' fees to either side.

ROYCE H. SAVAGE
JUDGE

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

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

THE WHITNEY CHAIN & MANUFACTURING COMPANY, a corporation, Plaintiff,)
-vs-) No. Civil 935
FRANZ H. WEISS, A Sole Trader, doing business under the name of WEISS CHAIN & TRANSMISSION COMPANY, Defendant.)

O R D E R

Now on this 8th day of October, 1943, there having been presented to the undersigned Judge of the United States District Court for the Northern District of Oklahoma, a motion filed herein by the plaintiff, seeking permission to dismiss his cause of action herein without prejudice,

INTERROGATORY NO. 3

Do you find that the defendant was negligent in having the truck equipped with a drag link improperly connected or assembled.

Answer yes or no. Yes

INTERROGATORY NO. 4

If you answered the foregoing question in the affirmative, was such negligence the proximate cause of the accident.

Answer yes or no. Yes

INTERROGATORY NO. 5

Do you find that the deceased was guilty of any negligence which helped bring about the accident?

Answer yes or no. No.

INTERROGATORY NO. 6

If you have answered questions 1 and 2 in the affirmative, do you find that the deceased knew or in the exercise of reasonable care should have known of the defective condition of the tire and the danger incident thereto.

Answer yes or no. No.

INTERROGATORY NO. 7

If you have answered questions 3 and 4 in the affirmative, do you find that the deceased knew or in the exercise of reasonable care should have known of the defective condition of the drag link and the danger incident thereto?

Answer yes or no. No.

CLINTON MCGILL
Foreman.

FILED In Open Court
Oct 8 1943
H. P. Warfield, Clerk
U. S. District Court

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

Susanna Biggs Sapulpa, et al, Plaintiffs,)
vs.) No. 1008 Civil
William G. Bruner, et al., Defendants.)
United States of America, Intervener.)

ORDER DIRECTING THAT ADDITIONAL PARTIES BE MADE DEFENDANTS

Now on this the 7th day of October, 1943, the plaintiffs having filed their motion asking that additional parties be made defendants in the above case. and the court having examined the same finds that said motion should be allowed.

It is therefore ordered by the court that said motion be allowed and that the following persons be made parties defendants in this action, to-wit:

Isreal Tecumseh, Mabel Bruner Tecumseh and Ida Frank Tecumseh, and that plaintiffs be allowed to file herein their amended and supplemental Complaint herein.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Oct 8 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-)
CERTAIN PARCELS OF LAND IN CRAIG COUNTY,) CIVIL NO. 1024
OKLAHOMA, containing approximately 55.7)
acres, more or less; and CERTAIN PERSONAL)
PROPERTY LOCATED THEREON AND USED IN)
CONNECTION THEREWITH, and Gordon W. Gaddis,)
et al., Defendants.)

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING
JUDGMENT AS TO PERSONAL PROPERTY
Tract No. 5 (45 FW 102-Rev.)

NOW, on this the 8th day of October, 1943, it appearing to the Court, that:

A judgment was entered in this cause on the 24th day of September, 1943, against the petitioner, United States of America, for the sum of \$125.00 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 5 (45 FW 102-Rev.) due to the flooding of said property during the May, 1943, flood, by the United States in connection with the operation of the Grand River Dam Project.

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

817

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, OCTOBER 8, 1943

The United States has caused to be deposited in the registry of this Court the sum of \$125.00 in full satisfaction of said judgment.

The title to said personal property was vested in MALCOLM CULLEN, at the time the same was injured and damaged, and he is the only person having any right, title or interest in and to said just compensation.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 24th day of September, 1943, for the sum of \$225.00 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 5 (45 FW 102-Rev.), be and is hereby fully satisfied.

IT IS FURTHER DECREED that MALCOLM CULLEN was the owner of said personal property at the time the injury occurred and the damages were sustained, and he 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 make distribution of said just compensation now on deposit in his office, to MALCOLM CULLEN, for and in the sum of \$125.00, and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J U D G E

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

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, DELAWARE COUNTY, OKLAHOMA, and)
CERTAIN PERSONAL PROPERTY LOCATED THEREON)
AND USED THEREWITH, and R. F. Olrich, et al.,)
Defendants.)

ORDER FIXING TITLE, MAKING DISTRIBUTION AND
SATISFYING JUDGMENT AS TO PERSONAL PROPERTY
(Tract No. 12 (6 FW 640))

NOW, on this the 8th day of October, 1943, it appearing to the Court, that:

A judgment was entered in this cause on the 24th day of September, 1943, against the petitioner, United States of America, for the sum of \$113.00 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 12 (6 FW 640), due to the flooding of said property during the May, 1943, flood, by the United States in connection with its operation of the Grand River Dam Project.

The United States has caused to be deposited in the registry of this Court the sum of \$113.00 in full satisfaction of said judgment.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA FRIDAY, OCTOBER 8, 1943

The title to said personal property was vested in R. L. DEVIN, at the time the same was injured and damages, and he is the only person having any right, title or interest in and to said just compensation.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 24th day of September, 1943, for the sum of \$113.00 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 12 (6 FW 640), be and is hereby fully satisfied.

IT IS FURTHER ORDERED, that R. L. Devin was the owner of said personal property at the time the injury occurred and the damages were sustained, and he 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 make distribution of said just compensation now on deposit in his office, to R. L. Devin, for and in the sum of \$113.00, and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J U D G E

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

Court adjourned to October 9, 1943

REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA SATURDAY, OCTOBER 9, 1943

On this 9th day of October, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Bower Broadus, Judges, present and presiding.

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

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

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

LILLIAN PINKSTON, Plaintiff,)
)
-vs-) No. 992 Civil
)
WAREHOUSE MARKET, INC., Defendant.)
an Oklahoma corporation,)

JOURNAL ENTRY OF JUDGMENT

Now on this the 9th day of October, 1943, this matter comes on for trial. Plaintiff appeared in person and by her counsel, Eugene O. Monnet, and B. A. Hamilton, and the defendant appeared by its counsel, R. D. Hudson. And both sides having waived a jury and announced ready for trial, the court proceeded to a trial of said cause.

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

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

FRIDAY, OCTOBER 9, 1943

on July 27, 1943, by John E. Reid, Investigator, Alcohol Tax Unit, by virtue of authority of his said office, and in accordance with the provisions of law in such case made and provided, while said automobile was being used by Robert Roy Whitney for transportation, concealment, possession, conveyance and otherwise distributing various quantities of the aforesaid described untaxpaid and taxpaid intoxicating liquors, to-wit: whiskey, containing more than four per centum (4%) of alcohol by volume, all of which intoxicating liquors had been theretofore transported, conveyed and imported via common carrier from the City of New York to said City of Tulsa, at the direction of, and on behalf of the claimant, Robert Roy Whitney, and as associate, in violation of Section 223, Title 27, U.S. C.A. and Section 3450 Revised Statutes of the United States (26 U.S.C.A. 3321), and it further appearing that thereupon said property was appraised at more than Five hundred dollars (\$500.00) whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimant Robert Roy Whitney, 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 Robert Roy Whitney, 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 and provisions of Section 224, Title 27, U.S.C.A. and Section 3450 Revised Statutes of the United States (26 U.S.C.A. 3321), and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Oct 9 1943
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to November 11, 1943

REGULAR JANUARY 1943 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 11, 1943

On this 11th day of October, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Bower Broadus, Judges, present and presiding.

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

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

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	NO. 999 - CIVIL
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 18 acres, more or less; and Board of County Commissioners of Delaware County, Oklahoma, et al.,)	
	Defendants.)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 11th day of October, 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. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized and acquired 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 290)

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.

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

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

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

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

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

W. E. GRISSO and MAGGIE GRISSO,	Plaintiffs,)	
)	
vs.		)	No. 955 Civil
)	
THE CARTER OIL COMPANY, a corporation,)	
	Defendant.)	

ORDER OF DISMISSAL

Now on this 9th day of October, 1943, the above matter came on for hearing in regular order. Plaintiffs appeared not, either in person or by counsel; the defendant appeared by and through Forrest M. Darrough, its attorney of record.

The Court finds that this case was originally set for Pre-Trial Conference at Tulsa, Oklahoma on September 13, 1943, at 1:30 o'clock P.M. At that time counsel for plaintiffs and counsel for defendant appeared. At the conclusion of said Pre-trial conference the Court required defendant to prepare and furnish to counsel for plaintiffs certain information taken from its records and set the matter for further Pre-Trial Conference on September 24, 1943, at 1:30 o'clock P.M. at Tulsa, Oklahoma. Prior to the date set for the further Pre-Trial Conference, the same was passed by order of the Court to October 4, at 1:30 o'clock P.M. at Tulsa, and attorneys both for plaintiffs and defendant were duly advised of the resetting. The Court further finds that on October 4 the case was duly called pursuant to the former setting for Pre-Trial Conference; that plaintiffs appeared not, either in person or by counsel, while defendant appeared by and through its attorney of record. The Court then reset the case for further Pre-Trial Conference for October 6 at 1:30 o'clock P.M. at Tulsa, Oklahoma, at which time plaintiffs again failed to appear in person or by counsel, and defendant appeared by its attorney of record. The Court thereupon adjudged plaintiffs in default but through the Court Clerk advised their attorneys that if they would appear in court at Tulsa, Oklahoma, on October 9, 1943, at 9:30 o'clock A.M. ready for trial, the default would be set aside and the case would be heard and disposed of on its merits at that time. The Court further finds that the case was duly called on this date, pursuant to the Order so entered, and that plaintiffs again failed to appear, either in person or by counsel.

The Court further finds that within the time allowed by the Court the defendant prepared and furnished to counsel for plaintiffs the information taken from its records, as required by the Court following the Pre-Trial conference on September 13, 1943.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the above entitled case be and the same is hereby finally dismissed for failure of plaintiffs to prosecute and at plaintiff's costs.

BOWER BROADDUS
District Judge

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

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

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

ORDER APPOINTING SPECIAL OFFICER FOR SERVICE

Now on this 12 day of Oct., 1943, upon motion of the plaintiff, it is by the Court ordered that Harry B. Crew be, and he is hereby appointed to make service of all subpoenas or other process which may be issued in the above styled and numbered cause. It is by the Court ordered that service of such process made by him shall have the same force and effect as though made by the Marshall of this Court, or of any other court, and that the returns of service shall be verified by affidavit.

ROYCE H. SAVAGE
United States District Judge

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

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

UNITED STATES OF AMERICA,	Petitioner,)	No. 1092 - CIVIL
-vs-)	
1,435.0748 acres of land, more or less, situate in Mayes County, Oklahoma; and Porter W. Arterberry, et al.,	Respondents.)	
)	

ORDER GRANTING POSSESSION

Now on this 12th day of October, 1943, the United States of America, by Curtis P. Harris, Special Attorney for the Department of Justice, appeared before this Court and presented the verified Petition for Condemnation in the above entitled proceeding, in which it is prayed that this Court enter an order granting to the United States of America immediate possession of the lands described in the petition.

And the Court having considered the matter, and having examined all papers and documents filed herein, finds that said Petition for Condemnation has been fully filed in this proceeding at the request and under the authority of the Secretary of the War and the Attorney General of the United States of America; that it is necessary that the United States of America take immediate possession of such portions of the lands hereinafter described as will enable the deposit of effluent by the Oklahoma Ordnance Works, to be made without damage to the livestock of property of the land owners, but which will permit the land owners to remain on their lands and occupy them until such time as title may pass to the United States of America; that funds have been appropriated and made available for the payment of just compensation for the lands to the persons entitled thereto; and that pursuant to the provisions of Section 5 of the River and Harbor Act of July 18, 1918 (40 Stat. 911), and Section 6

of the Flood Control Act of August 18, 1941, the United State of America is entitled to the immediate possession of the lands described in said Petition.

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

Tract No. 1697

East 20 acres and Southwest 11.21 acres of Lot Three (3); and Southwest 10 acres of Lot Two (2), and West Half of the Southwest Quarter of the Northeast Quarter ($W\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$) of Section Five (5), Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 61.21 acres, more or less.

Tract No. 1698

Northwest 10.76 acres of Lot Two (2), Section Five (5), Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 10.76 acres, more or less.

Tract No. 1701

The North 9.8 acres of the East 19.60 acres of Lot Four (4) and East 4.9 acres of the South 9.8 acres of the West 19.60 acres of Lot Four (4); and all of Lot Two (2), Section Eight (8); and the East 9.90 acres of Lot Eight (8); and all of Lot Seven (7); and the West Half of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter ($W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$), Section Five (5), all in Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 65.15 acres, more or less.

Tract No. 1768

The South 4.04 acres of Lot Three (3), Section Four (4), Township Nineteen (19) North, Range Nineteen (19) East of the I.M., including all accretions thereto, situate in Mayes County, Oklahoma, containing 8.9 acres, more or less.

Tract No. 1769

Lot Five (5), and Lot Four (4), less one acre in the Northeast corner thereof, Section Four (4), Township Nineteen (19) North, Range Nineteen (19) East of the I.M.; and all that part of the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) lying west of Choteau Creek in Section Thirty-three (33); and the South Half of the Southeast Quarter of the Southeast Quarter ($S\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$); and the East Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter ($E\frac{1}{2} SW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$); and a strip of land eighteen feet wide off the North and East sides of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter ($NE\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$), Section Thirty two (32), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 105.54 acres, more or less.

Tract No. 1770

The East 20.92 acres of Lot One (1) and the Southwest 10 acres of Lot One (1); and the East 20.76 acres of Lot Two (2); and the East Half of the Southwest Quarter of the Northeast Quarter ($E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$); and Lot Five (5), Section Five (5), Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 103.38 acres, more or less.

Tract No. 1771

The Northwest 10.46 acres of Lot One (1), Section Five (5), Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 10.46 acres, more or less.

Tract No. 1773

All that part of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$) lying South of Choteau Creek; and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$) and the West Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter ($W\frac{1}{2} SW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$); and the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SE\frac{1}{4}$), less a tract of land 18 feet square in the Northeast corner of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$) (and less a tract of land 18 feet square in the Northeast corner of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter ($SE\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$), and less a roadway 18 feet wide on the North and East sides of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter ($NE\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$) and Southeast Quarter of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SE\frac{1}{4} SW\frac{1}{4}$), Section Thirty-two (32), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 72.33 acres, more or less.

Tract No. 1773-A

A parcel of land 18 feet square in the Northeast corner of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$) of Section Thirty-two (32), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing .0074 acre, more or less.

Tract No. 1773-B

A parcel of land 18 feet square in the Northeast corner of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter ($SE\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$), Section Thirty-two (32), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing .0074 acre, more or less.

Tract No. 1774

The North Half of the Northeast Quarter ($N\frac{1}{2} NE\frac{1}{4}$); and the North Half of the Southwest Quarter of the Northeast Quarter ($N\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$); and that part of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$) lying North of Choteau Creek; and the Northeast Quarter of the Southwest Quarter of the Northwest Quarter ($NE\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$); and the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$), except that part lying North of Choteau Creek, Section Thirty-two (32), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 127 acres, more or less.

Tract No. 1775

The East Half of the Northwest Quarter of the Northwest Quarter ($E\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$); and the West Half of the Northeast Quarter of the Northwest Quarter ($W\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$); and that part North of the North bank of Choteau Creek of the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$) Section Thirty-two (32), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 45 acres, more or less.

Tract No. 1776

The Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} SW\frac{1}{4}$) and the Southwest Quarter of the Northeast Quarter of the Southwest Quarter ($SW\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$); and the Northwest Quarter of the Southwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$); and the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter ($SE\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4} SW\frac{1}{4}$), Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 62.5 acres, more or less.

Tract No. 1777

The Southeast Quarter of the Northeast Quarter of the Southwest Quarter ($SE\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$); and all that part of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$), and East Half the Northwest Quarter of the Northeast Quarter of the Southwest Quarter ($E\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$) lying South of the center line of Highway #33, Section Twenty-nine (29), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 17.5 acres, more or less.

Tract No. 1778

All that part of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$) lying South of the center line of Highway #33, Section *Twenty-nine* ~~Thirty-three (33)~~, Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 17.5 acres, more or less.

Tract No. 1780

The East Half of the Northeast Quarter of the Northwest Quarter ($E\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$) of Section Thirty-two (32); and Southwest Quarter of the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} SE\frac{1}{4}$); and East Half of the Southwest Quarter of the Southeast Quarter ($E\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$), and South Half of the South Half of the Southeast Quarter of the Southeast Quarter ($S\frac{1}{2} S\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$). Section Twenty-nine (29), all in Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 60 acres, more or less.

Tract No. 1781

The Northwest 1 acre of the Northwest quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 1 acre, more or less.

Tract No. 1782

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4} NW\frac{1}{4}$), less 1 acre in the Northwest corner thereof for school; and the East Half of the Southwest Quarter of the Northwest Quarter ($E\frac{1}{2} SW\frac{1}{4} NW\frac{1}{4}$), and Northwest Quarter of the Southwest Quarter of the Northwest Quarter ($NW\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 69 acres, more or less.

Tract No. 1783

The Southeast Quarter of the Southwest Quarter of the Northeast Quarter ($SE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$); and Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4} NE\frac{1}{4}$); and East Half of the Northwest Quarter of the Southeast Quarter ($E\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$); and Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$) and North Half of the Southeast Quarter of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$), all in Section Thirty-two (32), and the Southwest Quarter of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$), and all that part of the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) lying West of Choteau Creek in Section Thirty-three (33), all in Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 172.2 acres, more or less.

Tract No. 1784

The South Half of the Southwest Quarter of the Northeast Quarter ($S\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$); and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$); and South Half of the Northwest Quarter of the Southeast Quarter ($S\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$) and South 7.61 acres of Lot Three (3); and Lot Five (5); and East Half of the Southwest Quarter ($E\frac{1}{2} SW\frac{1}{4}$); and all that part of the East Half of the West Half of the Southwest Quarter ($E\frac{1}{2} W\frac{1}{2} SW\frac{1}{4}$) lying East of Choteau Creek, Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M.; and all of Lot Two (2) West of Grand River; and the North

20.8 acres of Lot Three (3); and 7/8th acre in the Northeast corner of Lot Four (4), Section Four (4), all in Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 214.81 acres, more or less.

Tract No. 1786

North 11.79 acres of Lot Three (3); and Southwest 10 acres of Lot Two (2); and Northeast Quarter of the Northwest Quarter of the Southeast Quarter ($NE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 31.79 acres, more or less.

Tract No. 1787

The South Half of the Southeast Quarter of the Northwest Quarter ($S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 20 Acres, more or less.

Tract No. 1788

The North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 20 acres, more or less.

Tract No. 1789

The Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 40 acres, more or less.

Tract No. 1790

The West Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$); and the Southeast Quarter of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter ($SE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 7.5 acres, more or less.

Tract No. 1791

The South Half of the Northwest Quarter of the Northeast Quarter ($S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter of the Northeast Quarter ($NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$) Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 30 acres, more or less.

Tract No. 1792

The Northeast Quarter of the Southwest Quarter of the North-east Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) and Northwest 10 acres of Lot Two (2), Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 20 acres, more or less.

Tract No. 1793

The East Half of the East Half (E $\frac{1}{2}$ E $\frac{1}{2}$) of the North 20 acres of Lot One (1), Section Thirty-three (33), and the North 6.05 acres of Lot Two (2), Section Thirty-four (34), all in Town-ship Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 12.8 acres more or less.

Tract No. 1794

The Southeast 2.5 acres of Lot One (1); and East 13.45 acres of Lot Two (2), Section Thirty-three (33); and South 1.30 acres of Lot Two (2), Section Thirty-four (34), all in Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 28.73 acres, more or less.

and all and singular the rights, privileges and appurtenances thereunto belonging, are hereby ordered and directed to deliver up and surrender full and complete possession of such portions of the lands hereinabove described as will enable the deposit of effluent by the Oklahoma Ordnance Works to be made without damage to the livestock or property of the landowners, to the United States of America, on or before the 14th day of October, 1943, and the United States of America is hereby granted leave to take possession of such portions of said lands on or before said date; and the land owners are permitted to remain on their lands and occupy them until such time as title may pass to the United States of America.

BOWER BROADDUS
JUDGE

ENDORSED: Filed 4:25 P.M.
H. P. Warfield, Clerk
U. S. District Court
Oct. 12, 1943

E

Correction made per order filed 1-11-44

Court adjourned to October 13, 1943

On this 13th day of October, A. D. 1943, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1943 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. Bower Broaddus, Judges, present and presiding.

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

United States of America,	Plaintiff,)
)
v.		) No. 1036 Civil
)
S. J. Norris, Lillie Norris,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of October, 1943, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judge presiding, plaintiff appearing by Whit Y. Mauzy, United States Attorney and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and it being shown to the Court that the above named defendants and each of them have been regularly served with summons and a copy of the Complaint in this cause more than twenty (20) days prior to this date, and it appearing that they have failed to answer or otherwise plead herein, and it further appearing that said defendants are not now in the military services of the United States and that they are, therefore, by the Court declared to be in default and the Court finds plaintiff entitled to judgment as demanded in its Complaint in this action.

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff have and recover judgment against the defendants, S. J. Norris and Lillie Norris, for the sum of One Hundred Twenty-seven Dollars and Forty-six Cents (\$127.46), with interest thereon at the rate of Six Per Cent (6%) per annum from November 21, 1939, until paid, and for the costs of this action.

Let execution issue.

ROYCE H. SAVAGE
Judge

ENDORSED: Filed In Open Court
Oct 13 1943
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
v.		) No. 1048 CIVIL
)
Izora Haynes Roberts,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of October, 1943, this cause came on to be heard in open Court before the Honorable Royce H. Savage, Judge presiding, plaintiff appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and it being shown to the Court that the above named defendant has been regularly served with summons and a copy of the complaint in this cause more than twenty (20) days prior to this date, and that after due notice to the defendants, upon a hearing on August 5, 1943, a temporary injunction was issued upon her default at such hearing, and it appearing that she has failed to answer or otherwise plead herein, and it further appearing that said defendant is not now in the military

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff have and recover judgment against the defendant, Oliver J. Bennett, for the sum of Three Hundred Two Dollars and Fifty Cents (\$302.50) with interest thereon at the rate of Six Per Cent (6%) per annum until paid, and for the costs of this action.

Let execution issue.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Oct 13 1943
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 14, 1943

On this 14th day of October, 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

Creek Nation of Indians, by Alex Noon, Principal Chief,	Flaintiff,)
)
vs.		) No. 367 - Civil
)
Nancy Barnett, nee Grayson, Sinclair Prairie Oil Company, a corporation, et al.,	Defendants.)
)
Jim Payne Woods,	Cross-Claimant.)

O R D E R

This cause came on for hearing on this the 14th day of October, A. D. 1943, pursuant to notice, for pre-trial conference on cross-claim of Jim Payne Woods. The cross-claimant, Jim Payne Woods, appeared by his attorney, Hugh Webster, the defendant Sinclair Prairie Oil Company appeared by its attorneys, Ralph W. Garrett, Robert L. Imler, and John H. Miley; the defendants V. V. Harris and H. G. Barnard appeared by their attorney, John Rogers; it appearing that

IT IS BY THE COURT ORDERED that plaintiff be allowed to file instanter his amended petition herein; and

IT IS BY THE COURT FURTHER ORDERED on application of plaintiff that plaintiff be allowed to file on this date his answers to the interrogatories heretofore submitted and served on plaintiff by defendants.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to October 15, 1943

On this 15th day of October, 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. 1007
)
CERTAIN PARCELS OF LAND IN DELAWARE)
COUNTY, OKLAHOMA, containing approximately)
64.4 acres, more or less; and Geo. Hogan, Jr.,)
et al.,	Defendants.)

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION
FOR CONDEMNATION

NOW, on this 15th day of October, 1943, there coming on for hearing the application of the petitioner, United States of America, for leave to file an amendment to its petition herein, and the court being fully advised in the premises, finds that said application should be granted, and the petitioner granted leave to file an amendment to its petition herein, making additional parties defendants.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, be, and it is hereby granted leave and permission of this Court to file an amendment to its petition herein, making additional parties defendant.

ENDORSED: Filed Oct 15 1943
H. P. Warfield, Clerk
Northern District of Oklahoma ME

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

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) No. 1009 - Civil
)
94.35 acres of land, more or less,)
situate in Tulsa County, Oklahoma, and)
A. E. Duran, et al.,	Respondents.)

JUDGMENT ON THE VERDICT AS TO TRACT NO. 2

Now on this 8th day of October, 1943, this cause came on for trial, pursuant to regular assignment, at Tulsa, Oklahoma, the petitioner appearing by Curtis P. Harris, Special Attorney for the Department of Justice, and the respondent A. L. Farmer appearing in person and by his attorney, Frank Settle.

A jury having been duly empaneled and sworn, the respondents introduced their evidence and rested, and the petitioner introduced its evidence and rested; whereupon the jury was ordered in charge of a sworn deputy United States Marshal in order that they might view the lands involved in this case designated as Tract No. 2, and after viewing said lands to return them into open Court.

And now on this 9th day of October, 1943, this case came on for further hearing. The respondents introduced additional evidence and rested and the petitioner introduced its evidence and rested; and the Court instructed the jury as to the law in the case, whereupon, the jury in charge of a sworn Deputy United States Marshal, retired to deliberate upon their verdict, and in open court returned the following verdict, to-wit:

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

UNITED STATES OF AMERICA,	Petitioner,)
vs.)
94.35 acres of land in Tulsa		) No. 1009 Civil
County, Oklahoma, et al.)
Tract No. 2	Respondents.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find that the fair market value of Tract No. 2 on June 1, 1943 and the damage to that portion of the land of Farmer and Duran not condemned, was \$11,321.25 (Eleven Thousand Three Hundred Twenty-One and 25/100 Dollars).

Herbert P. Johnson
Foreman."

The Court finds that there has been heretofore deposited with the Clerk of this Court, as the estimated compensation for said Tract No. 2, the sum of Eleven Thousand Four Hundred Fifty and no/100 Dollars (\$11,450.00), and that all of said money has heretofore been distributed to the owners and respondents.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that judgment be, and the same is hereby, rendered upon the verdict of the jury, and the fair, cash, market value of said Tract No. 2 including all damages to said tract of every kind and character, is hereby fixed at the sum of Eleven Thousand Three Hundred Twenty-One and 25/100 Dollars (\$11,321.25).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, the United States of America, have and recover judgment in the sum of One Hundred Twenty-Eight and 75/100 Dollars (\$128.75) as against A. L. Farmer and A. E. Duran, and said A. L. Farmer and A. E. Duran are hereby ordered and directed to refund forthwith to the Clerk of this Court, as the registry of the Court, the said sum of One Hundred Twenty-eight and twenty-eight and 75/100 Dollars (\$128.75), being the exact amount which the said A. L. Farmer and A.E. Duran have been over paid for said Tract No. 2.

BOWER BROADDUS,
JUDGE

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

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

PRENTISS M. BROWN, Administrator)
Office of Price Administration,) Plaintiff,)
) CIVIL NO. 1029
-vs-)
)
HURCLE STONE, an individual, d/b/a)
Stone-Millikin Packing Company,) Defendant.)

J U D G M E N T

NOW, on this 20th day of July, 1943, this cause came on for trial at which time the same was regularly set for trial upon the application of the plaintiff for permanent injunction against the defendant herein, at which time plaintiff appeared by and through his attorneys, Joe N. Shidler, and A. M. Covington, and defendant appeared in person, at which time defendant in open court admitted the allegations of plaintiff's complaint filed herein; and the Court having heard the statements of counsel and being fully advised of the premises, finds that said permanent injunction should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees, and all persons in active concert or participation with defendant, be and they are hereby permanently enjoined from directly or indirectly, delivering, transferring or offering for sale any controlled meats for prices in excess of the schedule of prices established by Maximum Price Regulation No. 169 as amended, and Ration Order No. 16, as amended, of the Office of Price Administration, or from offering or attempting to do the same.

IT IS FURTHER ORDERED that defendant be required to pay the cost of this cause.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to October 16, 1943

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

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

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

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

UNITED STATES OF AMERICA,	Plaintiff,)
)
vs.)
)
33 Cases, each containing 12 bottles		) No. 1013 - CIVIL
of an article labeled in part, 1 Lb.)
Net Wt. SPARK O'LIFE NEW PROCESS,)
SUGAR COATED TREATED TO PRESERVE THE)
RICH QUALITIES OF WHEAT GERM, Manufactured)
by the Kansas Milling Co., Wichita, Kansas,)
	Defendant.)

O R D E R

On oral application of defendant, IT IS HEREBY ORDERED that said defendant be permitted to take one jar or receptacle of Spark O'Life from each of the thirty-three cases of such product heretofore seized; and the marshal of this District and Joe Hodges, or his agents, are hereby directed and ordered to allow such samples to be taken by said defendant.

DATED this 16th day of October, 1943.

ROYCE H. SAVAGE
DISTRICT JUDGE

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

Court adjourned to October 18, 1943

REGULAR JANUARY 1943 TERM TULSA, OKLAHOMA MONDAY, OCTOBER 18, 1943

On this 18th day of October, 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

Susanna Biggs Sapulpa, S. W. Brown, Amos Tiger and Sarah Call, Plaintiffs,

vs.

William G. Bruner, and the Unknown Heirs of the following deceased persons, to-wit: Nancy Tecumseh, Lewis Bruner, Creek Indian, Roll No. 5816, Bettie Vore, Pompey Biggs, Yarna Biggs, Sallie Tiger, Sampson Tiger, Albard Tiger, Susan Kelly, Marshall Kelly, Suma, and Annie Larney or Squire; and Edward Tecumseh, Effie Tecumseh, Isreal Tecumseh, Mabel Bruner Tecumseh and Ida Frank Tecumseh, the known heirs of Nancy Tecumseh, deceased; Dicey Tiger, nee Carruth, now Stake, Roll No. 1249, Pearl B. Jackson, J. W. Fiery, H. H. Fiery, and Creek County, Oklahoma, Defendants.

No. 1008 Civil.

United States of America Intervener.

DECREE DETERMINING HEIRSHIP, QUIETING TITLE AND AWARDDING PARTITION

The above case coming on for hearing in its regular order, on the 18th day of October, 1943, the plaintiffs, Susanna Biggs Sapulpa, S. W. Brown, Amos Tiger and Sarah Call, appearing by their attorney, J. S. Severson, and by the plaintiff, S. W. Brown; the intervenor, the United States of America, appearing by the Honorable Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Kenneth G. Hughes, Assistant United States Attorney for said district, who likewise appear for the full blood Indians, parties to said action, and especially, William G. Bruner, and Dicey Tiger, nee Carruth, now Stake, Roll No. 1249, defendants herein; the defendants J. W. Fiery and H. H. Fiery, having been lawfully served with summons more than thirty days prior to this date, appearing not and no one appearing for them are adjudged in default; the defendant Pearl B. Jackson having filed her disclaimer, disclaiming all interest to the lands involved; the defendant Creek County, Oklahoma, appearing by George B. Coryell, County attorney of Creek County, Oklahoma; the defendant Marshall Kelly having filed herein his disclaimer, disclaiming all interest in and to the subject matter of this action; the defendants, Edward Tecumseh, Effie Tecumseh, Isreal Tecumseh, Mabel Bruner Tecumseh and Ida Frank Tecumseh, having intervened in said action, appearing by the Honorable M. S. Robertson, U. S. Probate Attorney; and the unknown heirs of the following deceased persons, to-wit: Nancy Tecumseh, Lewis Bruner, Bettie Vore, Pompey Biggs, Yarna Biggs, Sallie Tiger, Sampson Tiger, Albard Tiger, Susan Kelly, Suma, and Annie Larney or Squire, appearing not and no one appearing for them, they and each of them are herefore adjudged in default, and the allegations of the petition are taken as true as to them.

And it being further shown to the Court that all of said unknown defendants were properly served with service by publication, said publication being made in the Sapulpa Legal News, a newspaper of general circulation, published in Creek County, Oklahoma, in the issues of April 1, 8, 15 and 22, 1943, and that the answer date as fixed therein, to-wit; the 12th day of May, 1943, was more than 41 days after the said first publication, proof of said publication having been filed is by the Court examined and approved, proper affidavit for said proof having been filed and made a part of the petition herein; and it being further shown that proper notice was served on the Superintendent of the Five Civilized Tribes, personally, by the United States Marshal for the Eastern District of Oklahoma, as contemplated by the Act of Congress of April 12, 1926, proof of said service being examined by the Court is by the Court approved; and the Court having examined the pleadings and

being fully advised in the premises, finds that this action was properly filed in the District Court of Creek County, Oklahoma, under No. 25037, on the 31st day of March, 1942, and that said Court had jurisdiction of the same; that upon petition of the United States of America, under the pertinent Acts of Congress in like cases made and provided, said action was, by said District Court of Creek County, Oklahoma, under proper order, removed to this Court, and said action was thereupon properly filed here and that this Court has jurisdiction of said case as well as of the persons and of the subject matter thereof.

The Court further finds that the allegations of said petition as to the material averments thereof are true, and that the lands therein described were allotted to Lewis Bruner, a full blood Creek Indian, Roll No. 5816, and that he died, intestate and without issue, prior to the time when said lands were allotted to him, to-wit; on or about the 25th day of May, 1899, being about three years of age at the time of his death; that selection of said land was duly filed with the Commission of the Five Civilized Tribes, October 17, 1901, but actual selection of the same was not made until October 7, 1903, and therefore the laws of descent and distribution of the State of Arkansas, then in force in the Indian Territory, govern the devolution of said estate, and that under the said statute of devolution, one-half of said estate passed to William G. Bruner, the defendant herein, the father of said deceased Lewis Bruner, and the other one-half would have passed to the mother of said deceased Lewis Bruner, namely, Bettie Vore, had she been living at that time; otherwise said estate passed to her next of kin and persons entitled to inherit.

The Court further finds that Bettie Vore died prior to 1899; that she was never enrolled but was a full blood Creek Indian; that the parents of said Bettie Vore were Sen-co-wasso, her father, and Narciey, her mother; that the said parents of Bettie Vore died many years ago and prior to the allotting of lands in the Creek Nation; that said Sen-co-wasso, the father of said Bettie Vore, had one other child, a daughter named Suma, and that said Suma died many years ago and prior to 1899, and was allotted no lands in the Creek Nation; that she in turn left surviving her as her sole heir an only child, one Annie Larney or Squire, who was also known as Annie Buck, and was duly enrolled opposite Creek Indian Roll No. 1915, and departed this life intestate, on or about the month of September, 1911, and left as her sole and only heir her daughter, the plaintiff herein, Sarah Squire or Call, who was duly enrolled opposite New Born Creek Indian Roll No. 288.

The Court further finds that Narciey, the mother of said Bettie Vore, died many years ago and prior to 1899, and was allotted no lands in the Creek Nation; that her only child was Bettie Vore, the mother of the decedent, Lewis Bruner; that said Narciey had two sisters and one brother, their parents being Pompey Biggs and Yarna Biggs, both of whom died many years ago and prior to the year 1899.

The Court further finds that the plaintiff herein, Susanna Biggs Sapulpa, is a full blood Creek Indian, duly enrolled opposite Roll No. 2457; that her full sister Sallie Tiger is long since deceased and died prior to the allotting of lands in the Creek Nation, and that she left one daughter, to-wit: Susan Kelly, duly enrolled Creek Indian, whose name appears opposite Roll No. 3108, and that she died August 27, 1905, and was the wife of one Newman Kelly, who was duly enrolled opposite Roll No. 2150; that to said marriage was born one Marshall Kelly, a duly enrolled Creek Indian, Roll No. 1120, who, through inheritance, took that portion of said land which passed to and was inherited by Sallie Tiger, who was then living at the date of the death of the decedent, Lewis Bruner.

The Court further finds that the said Marshall Kelly, by a proper conveyance duly approved by the County Court of Creek County, Oklahoma, sold and conveyed all his right, title and interest in said land to E. M. Monsell, by a quit claim deed, dated August 28, 1925, and recorded in Book 314, page 347, of the records of the County Clerk of Creek County, Oklahoma; that said E. M. Monsell, by a quit claim deed, dated September 21, 1925, conveyed all his interest acquired therein to the plaintiff, S. W. Brown, Jr., the same person as S. W. Brown, plaintiff herein, which said deed is recorded in Book 314, page 350 of the records of Creek County, Oklahoma, to which public record reference is hereby made, and by virtue of said line of inheritance and transfers the said plaintiff is now the owner of such undivided interest in the lands herein described.

The Court further finds that Sampson Tiger, the son of said Pompey Biggs and Yarna Biggs, long since deceased, left as his sole and only heir one Albard Tiger, a full blood Creek Indian, duly enrolled opposite No. 5587; that he died intestate and left as his sole and only heirs, his sons, Amos Tiger and George Tiger; said George Tiger died January 12, 1918, while a minor intestate, leaving as his sole heir his paternal brother, Amos Tiger, to whom said inheritance passed, full blood Creek Indians who were not enrolled, and his widow, Dicey Tiger, nee Carruth, now Stake, Roll No. 1249.

The Court further finds by virtue of the chain of title heretofore delineated plaintiffs and defendants are tenants in common and joint owners of and in the possession of the following land in Creek County, Oklahoma, to-wit:

The South 20 acres of Lot 4, and the North 10.56 acres of Lot 3, of Section 2, and the East 10.22 acres of Lot 1, of Section 3, all in Township 18 North, Range 10 East;

and that they are entitled to partition of the same in kind, if the same can be done without manifest injury to said estate. The specific undivided interests are as follows, to-wit:

To the plaintiffs, Susanna Biggs Sapulpa,	1/8
Amos, Tiger,	1/12
Sarah Call,	1/8
and to S. W. Brown,	
grantee of Marshall Kelly,	1/8
to the defendant, William G. Bruner,	1/2
and to the defendant,	
and intervener, Dicey Tiger, now Stake,	1/24

and that commissioners should be appointed to partition the same.

The Court further finds that the persons, plaintiffs and defendants, as set out in the preceding paragraph are the owners of the land hereinbefore described, allotted to said Lewis Bruner, and that their title thereto is valid and perfect and should be quieted in them against all adverse claims of the unknown defendants as named in the caption hereof, as well as the defendants, Edward Tecumseh, Effie Tecumseh, Isreal Tecumseh, Mabel Bruner Tecumseh and Ida Frank Tecumseh.

The Court further finds that the claims of the unknown heirs of the following deceased persons, to-wit: Nancy Tecumseh, Lewis Bruner, Bettie Vore, Pompey Biggs, Yarna Biggs, Sallie Tiger, Sampson, Tiger, Albard Tiger, Susan Kelly, Suma, and Annie Larney or Squire, and each of them should be canceled, set aside and held for naught; and that the adverse claims of Marshall Kelly, Edward Tecumseh, Isreal Tecumseh, Mabel Bruner Tecumseh and Ida Frank Tecumseh, Pearl B. Jackson, J. W. Fiery, H. H. Fiery and Creek County, State of Oklahoma, should be canceled, set aside and held for naught, and that said defendants and each of them should be forever barred and enjoined from claiming or asserting any interest in and to said lands adverse to the plaintiffs and to the defendants William G. Bruner and Dicey Stake.

IT IS THEREFORE ordered, adjudged and decreed by the Court that the findings heretofore made be and the same are made the judgment of this Court and that the title of the plaintiffs, Susanna Biggs Sapulpa, S. W. Brown, Amos Tiger and Sarah Call, and the defendants, William G. Bruner and Dicey Stake, is declared valid and perfect, and quieted in them, and that the remaining defendants, named and un-named, and each of them, are forever barred and enjoined from claiming or asserting any adverse interest in said land.

IT IS FURTHER ORDERED that plaintiffs are excused from filing an affidavit showing the mailing of publication notices and petitions to the unknown defendants, if having been show

that they have been unable to ascertain the names of said un-known defendants since the filing of this action.

IT IS FURTHER ORDERED, adjudged and decreed by the Court that J. F. Pickens, C. C. Weber & Elmer Vick are hereby appointed commissioners to partition said land in kind among the true owners, as follows:

Susanna Biggs Sapulpa,	1/8 interest
Amos Tiger,	1/12 "
Dacey Tiger, now Stake,	1/24 "
Sarah Call,	1/8 "
S.W. Brown,	1/8 "
William G. Bruner,	1/2 "

if the same can be done without manifest injury to said estate, otherwise said commissioners shall make an appraisal and valuation of the same, and make a report to the Clerk of this Court without unnecessary delay. The Clerk of this Court shall issue a writ of partition to the commissioners in accordance with this decree.

ROYCE H. SAVAGE
U. S. District Judge.

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

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

L. C. RHODES,	Plaintiff,)
vs.		) No. 1022 - Civil
CITIES SERVICE OIL COMPANY, a corporation,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

This cause came on for trial before the court and a jury on the 11th day of October, 1943, both parties appearing by counsel, and the court having directed the jury to find a special verdict and the jury having found such a verdict, and the court having directed judgment for t plaintiff on such verdict;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiff take nothing; that the action be, and it is hereby, dismissed on the merits; that defendant have and recover from plain-tiff its costs in the action, and that defendant have execution therefor.

ROYCE H. SAVAGE
District Judge

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