

(Continued from Journal 7, Page 1000)

TRACT NO. 15 (58 - FW-1881)
(58 - FW-1884)

Flowage Easement

All of Lot 2 in Sec. 26, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing 39.00 acres, more or less, including the bed and banks of Neosho River adjacent and incident to the ownership of said Lot 2 and any and all accretions thereto.

TRACT NO. 16 (58 - FW-1882)

Flowage Easement

All of Lot 1 in Sec. 26, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 11.50 acres, and all accretions to said Lot 1, including the bed and banks of the Neosho River adjacent to said Lot 1 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 17 (58X-FW-1877)

Easement for Intermittent
Flowage During Flood Periods

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 14, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.5 acres.

TRACT NO. 18 (58X - FW-1878)

Easement for Intermittent
Flowage During Flood Periods

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 14, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 4.3 acres.

TRACT NO. 19 (60 - FW-1887)

Flowage Easement

All of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 38.8 acres.

TRACT NO. 20 (60 - FW-1888)

Flowage Easement

All of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, containing approximately 40.0 acres.

TRACT NO. 21 (60 - FW-1890)

Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 49.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All of said N $\frac{1}{2}$ NE $\frac{1}{4}$ lying above Elev. 756.1 Sea Level Datum, containing approximately 9.4 acres.

TRACT NO. 22 (60 - FW-1896)

Flowage Easement

All that part of Lot 2 and accretion thereto in Sec. 21, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including the bed and banks of Neosho River adjacent to said Lot 2 lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.1 acre, including the bed and banks of Neosho River adjacent to said Lot 2 and any and all accretion thereto, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 23 (60 - FW-1897)

Flowage Easement

All that part of Lot 1 in Sec. 20, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.1 acre, including the bed and banks of Neosho River adjacent to and incident to the ownership of said Lot 1, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.2 acre, including the bed and banks of Neosho River adjacent to and incident to the ownership of said Lot 1, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purposes of exercising all of the rights and privileges herein acquired on or before the 21st day of June, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Jun 14 1944
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to June 15, 1944

On this 15th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular June 1944 term at Bartlesville, Oklahoma, met pursuant to adjournment, Hon. Bower Broadus, Judge, present and presiding.

B. H. Hamilton, Deputy Clerk, U. S. District Court
U. S. Leaky, Deputy United States Marshal.

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

MISCELLANEOUS.

Now on this 15th day of June, A. D. 1944, it is ordered by the Court that Court be adjourned subject to call.

On this 15th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Special June 1944 Term at Tulsa, Oklahoma, 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:

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

United States of America, Plaintiff,)
vs) No. 756 Civil
Unknown heirs of Benjamin Cheater, et al.,)
Defendants.)

ORDER APPOINTING ATTORNEY AD LITEM

Now on this 15th day of June, 1944, upon motion of the United States of America, plaintiff herein, for an order of appointment of attorney ad litem to represent said parties defendant herein, who are or may be in the naval or military service of the United States of America.

IT IS ORDERED that W. E. Foltz attorney at law, admitted to practice in the State of Oklahoma, is appointed attorney ad litem to represent all of said defendants in said proceeding, and to represent and defend their interest in said litigation in compliance with the terms of the Soldiers and Sailors Relief Act of 1940.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Jan 15 1944
H. P. Warfield, Clerk
U. S. District Court E

VERDICT

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

United States of America, Plaintiff,)
vs.) Case No. 1056 Civil
) Tract No. 53.
) J. W. Hutchins and Cora A. Hutchins, fee
Certain Parcels of Land in Delaware County,)
Oklahoma, and J. W. Hutchins, et al.,) owners.
Defendant.)

We, the jury in the above entitled case, duly impaneled and sworn, upon our oath find the damage to Tract No. 53 was \$1375.00 Dollars.

ENDORSED: Filed In Open Court
Jun 15 1944
H. P. Warfield, Clerk, U. S. District Court

KEITH J. GUENTHER
Foreman

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

United States of America,	Plaintiff,)
)
vs		) No. 1100 Civil
A. A. Thompson, Selma J. Reynolds, and)
H. P. Reynolds,	Defendants.)

JOURNAL ENTRY OF JUDGEMENT

Now on this 15 day of June, 1944, this matter coming in for hearing upon motion of the United States of America, plaintiff herein, for judgment in compliance and in accordance with Rule 12 of the Federal Rules of Civil Procedure, and the Court finding the facts to be as alleged in plaintiff's complaint, and after having heard sworn testimony and being fully advised in the premises, finds in favor of the plaintiff and against the defendants.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Esther Owens, now Cochran, a full-blood Cherokee Indian, enrolled opposite Roll No. 30564 is the owner of the following-described real estate, to-wit:

East Half of the East Half of the Northwest quarter and the Southwest quarter of the Southeast quarter of the Northwest Quarter of Sectio 9, Township 22 North, Range 23 East, situated in Delaware County, State of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the purported conveyance executed by the said Esther Owens, now Cochran, to one T. G. Lackey, dated January 19, 1932 conveying the foregoing real estate, is cancelled and held for naught.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said defendants A. A. Thompson, Selma J. Reynolds and H. P. Reynolds have no right, title or interest in and to said real estate and they are enjoined and restrained, and anyone claiming by or through them is restrained and enjoined, from asserting any right, title or interest in and to the above-described real estate, and title to the same is quieted and affirmed in Esther Owens, now Cochran.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff herein have the costs expended.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Jun-15 1944
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
vs.) No. 1118 Civil
Jim Silcox, Virgie Silcox, Sarah Ford, Clemmer Ford, Ray Morrison and Bessie Morrison, Defendants.

JOURNAL ENTRY OF JUDGMENT

Now on this 15 day of June, 1944, this matter coming on for hearing upon motion of the United States of America, plaintiff herein, for a judgment in compliance and accordance with Rule 12 of the Federal Rules of Civil Procedure, and the court finding the facts to be as alleged in said plaintiff's complaint, after having heard sworn testimony and being fully advised in the premises, finds generally in favor of the plaintiff and against the defendants.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Tom Cornshucker, a three-quarters blood Cherokee Indian Allottee, is the owner in fee simple, of the legal and equitable title in and to the following described real estate, to-wit:

Northeast Quarter of Southwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Northwest Quarter of Southeast Quarter, and the West Half of the Southwest Quarter of Southeast Quarter of Section 23, Township 21 North, Range 24 East, situated in Delaware County, State of Oklahoma,

and that the purported conveyance executed by Tom Cornshucker to Jim Silcox and Virgie Silcox, dated March 8, 1939, purporting to convey the following described property, to-wit:

The Northeast Quarter of Southwest Quarter of Southeast Quarter of Section 23, Township 21 North, Range 25 East, containing ten (10) acres more or less, situated in Delaware County, State of Oklahoma,

is cancelled and held for naught;

That the purported conveyance executed by Tom Cornshucker to Sarah Ford and Clemmer Ford, dated March 8, 1939, purporting to convey the following described property, to-wit:

The Southeast Quarter of Northwest Quarter of Southeast Quarter of Section 23, Township 21 North, Range 24 East, situated in Delaware County, State of Oklahoma,

is cancelled and held for naught;

That the purported conveyance executed by Tom Cornshucker to Ray Morrison and Bessie Morrison, dated April 23, 1939, purporting to convey the following described property, to-wit:

The West Half of the Southwest Quarter of the Southeast Quarter of Section 23, Township 21 North, Range 24 East, containing twenty (20) acres more or less, situated in Delaware County, State of Oklahoma,

is cancelled and held for naught.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Jim Silcox, Virgie Silcox, Sarah Ford, Cleamer Ford, Ray Morrison and Bessie Morrison have no right, title or interest in and to any of the above described real estate, and they are further enjoined, and anyone claiming by or through them are hereby restrained and enjoined from asserting any right, title or interest in and to the above-described real estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendants pay all costs accrued herein.

F. E. KENNAMER
JUDGE

ENDORSED: Filed In Open Court
Jun 15 1944
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to June 17, 1944

On this 17th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Special June 1944 Term at Vinita, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

VERDICT

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

United States of America,	Plaintiff,)	
		)	Case No. 1066 Civil Tract No. 4.
vs		)	Case No. 1115 Civil Tract No. 1
		)	Van S. Chandler, fee owner
Certain Parcels of Land in Delaware County, Oklahoma; and Van S. Chandler, et al.,	Defendants.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oath, find the damage to Tract No. 4 was One Thousand Sixty Five and no/100 Dollars (\$1065.00) and further find that the fair market value of Tract No. 1 on Nov. 19 1943 was Eight Thousand and no/100 Dollars (\$8000.00) and further find that the flood damage of May, 1943 was one thousand twenty five dollars (\$1025.00).

PAGE 5. PAGES
Foreman

ENDORSED: Filed In Open Court
Jun 17 1944
H. P. Warfield, Clerk
U. S. District Court

VERDICT

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

United States of America,	Plaintiff,)	
)	
vs.		)	Case No. 1073 Civil Tract No. 1
		)	C. J. Nicholson, fee owner
Certain Parcels of Land in Ottawa County,)	
Oklahoma; and C. J. Nicholson, et al.,)	
	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 1 was Twenty two Hundred and fifty and no/1000. (\$2350.00) and further find that the flood damage of May, 1943 was crop damage Six Hundred and forty five dollars (\$645.00)

PAGE S. BATES
Foreman.

FILED Jun 17 1944
In Open Court
H. P. Warfield, Clerk
U. S. District Court

VERDICT

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

United States of America,	Plaintiff,)	
)	
vs.		)	Case No. 1075 Civil Tract No. 28 Tract No. 31
		)	Case No. 1110 Civil Tract No. 35,
		)	S. C. Jackson, fee owner
Certain Parcels of Land in Ottawa and)	
Delaware Counties; and S. C. Jackson, et al.,)	
	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, find the damage to Tracts 28, 31 and 35 was Two Thousand and no/100 Dollars (\$2000.00) and further find that the flood damage of May, 1943 was crop damage Two Hundred and no dollars (\$200.00).

PAGE S. BATES
Foreman

ENDORSED: Filed In Open Court
Jun 17 1944
H. P. Warfield, Clerk
U. S. District Court

Now on this 17th day of June, A. D. 1944, it is ordered by the Court that court be adjourned subject to call.

On this 17th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. F. 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:

D. B. HELLARD,	Plaintiff,)	
)	
.vs.		)	No. 664 - Civil
)	
ETHLEENE FULSON, ET AL.,	Defendants.)	

Now on this 17th day of June, A. D. 1944, it is ordered by the Court that the Clerk file and spread of record Mandate in the above cause, to-wit:

UNITED STATES OF AMERICA, SS:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

(SEAL)

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

GREETING:

WHEREAS, lately in the United States Circuit Court of Appeals for the Tenth Circuit, in a cause between The United States of America, Appellant, and D. B. Hellard, Appellee, where the judgment of the said Circuit Court of Appeals, entered in said cause on the 29th day of October, 1943, is in the following words, viz:

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed." as by the inspection of the transcript of the record of the said United States Circuit Court of Appeals which was brought into the SUPREME COURT OF THE UNITED STATES by virtue of a writ of certiorari, agreeably to the act of Congress, in such case made and provided, fully and at large appears.

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

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby reversed.

AND IT IS FURTHER ORDERED, that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Oklahoma for further proceedings in conformity with the opinion of this court.

May 15, 1944.

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

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States the fourteenth day of June, in the year of our lord one thousand nine hundred and forty-four.

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

ENDORSED: Filed Jun 17 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to June 19, 1944

On this 19th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ASSIGNMENT OF JUDGES.

DESIGNATION OF DISTRICT JUDGE IN SERVICE IN ANOTHER CIRCUIT

The Chief Justice of the United States Court of Appeals for the District of Columbia, having certified that by reason of the accumulation and urgency of business in the District Court for the District of Columbia, the district judges of said district are unable to perform speedily the work of their district; and the Senior Circuit Judge of the Tenth Circuit having consented to the designation and assignment of the Hon. Royce H. Savage, United States District Judge for the Northern District of Oklahoma, in the Tenth Circuit, for judicial service in the District Court of the District of Columbia, during the period beginning September 18, 1944, and ending September 30, 1944, now, therefore, pursuant to the authority vested in me by Title 28, Section 17, of the Code of Laws of the United States of America, I do hereby designate and assign the said Royce H. Savage to perform the duties of district judge and hold a district court in the District of Columbia, during the period aforesaid, and for such further time as may be required to complete unfinished business.

Dated Washington, D. C. June 15, 1944.

HARLAN F. STONE
Chief Justice of the United States

ENDORSED: Filed Jun 19 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

Frankie Longbone, Cherokee NB 926; Gertrude
Longbone, now Creed, Cherokee NE; and
Silas Leonard Longbone, Cherokee NE, Plaintiffs,

vs

The Oklahoma Tax Commission; Jesse Longbone,
Cherokee 31201; Roy Longbone, Cherokee 31200;
Dewey Longbone, now English, NE; Lida Longbone,
nee Crettenden, Cherokee 26958, Lillie Jackson
Cherokee 31261; Caroline Longbone, Cherokee 31198,
and the heirs, executors, administrators, devisees,
trustees, successors and assigns, creditors and
claimants, immediate and remote, whether known or
unknown of Lizzie Lenowisha, then Longbone, Cherokee
31095, Defendants

Civil No. 775

United States of America, Intervenor.

ORDER SUBSTITUTING S. R. EVANS AS PLAINTIFF AND MAKING ADDITIONAL
PARTIES DEFENDANT AND FOR PERMISSION TO FILE AMENDED AND
SUPPLEMENTAL COMPLAINT

The motion of S. R. Evans coming on for hearing on this 19th day of June, 1944,
and the Court being fully advised in the premises finds that said motion should be sustained; now, there
fore

IT IS ORDERED that S. R. Evans be substituted plaintiff in the place of Frankie
Longbone, Cherokee NB 926; Gertrude Longbone, now Creed, Cherokee NE, and Silas Leonard Longbone, Chero-
kee NE; and

IT IS FURTHER ORDERED that the following named persons be and hereby are made
additional parties defendant, to-wit:

The heirs, executors, administrators, devisees, trustees and assigns,
immediate and remote of Silas Longbone, deceased; and the unknown heirs,
executors, administrators, devisees, trustees and assigns of Silas
Longbone, deceased;

The Heirs, executors, administrators, devisees, trustees and assigns,
immediate and remote, of George Longbone, deceased, and the unknown heirs,
executors, administrators, devisees, trustees, and assigns of George
Longbone, deceased;

The heirs, executors, administrators, devisees, trustees and assigns,
immediate and remote of Caroline Longbone, deceased, and the unknown heirs,
executors, administrators, devisees, trustees and assigns, of Caroline
Longbone, deceased; and

The heirs, executors, administrators, devisees, trustees and assigns,
immediate and remote of Pearl Longbone, deceased, and the known heirs
executors, administrators, devisees, trustees, and assigns, of Pearl
Longbone, deceased;

and

IT IS FURTHER ORDERED that S. R. Evans be permitted to file an amended and supplemental complaint.

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

ENDORSED: Filed Jun 19 1944
H. P. Warfield, Clerk
U. S. District Court LM

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

HUGH WILSON, Plaintiff,

vs.

JENNIE DINNIS CHUCULARE, full blood Cherokee citizen, Roll No. 19711; JIM DINNIS, Full blood Cherokee Citizen, Roll No. 30-566; JOHN FALLING full blood Cherokee Citizen, Roll No. 12718; OSCAR RAYMOND, full blood Cherokee Citizen, Roll No. 19712; the heirs, executors, administrators, devisees, trustees and assigns, known and unknown, immediate and remote, of MARY DINNIS, full blood Cherokee Citizen, Roll No. 19707, deceased; and of NANCY DINNIS BEARPAW, full blood Cherokee Citizen Roll No. 10708, deceased; and of ANDREW BEARPAW, deceased; and of CLEO BEARPAW, full blood Cherokee Citizen, deceased; and of PETER DINNIS, full blood Cherokee Citizen, Roll No. 19706, deceased; and of SUSIE DINNIS FALLING, full blood Cherokee Citizen, Roll No. 19710, deceased; and the STATE OF OKLAHOMA,

No. 1042 Civil

Defendants.

UNITED STATES OF AMERICA, Intervener.

JOURNAL ENTRY
(ORDER FOR PARTITION)

On the 2nd day of November, 1943, the same being a regular day of the 1943 term of the Federal Court in and for the Northern District of the State of Oklahoma, and the above entitled and numbered cause came on for hearing before the Honorable Royce H. Savage, Judge of the Federal Court; the plaintiff being represented by L. Keith Smith, his attorney of record, and the United States of America, intervener in said cause being represented by the Honorable Whit Y. Mauzy, United States Attorney, and the defendants in said cause being represented by Ad V. Coppedge, attorney at law of Grove, Oklahoma, and all defendants whose military status is unknown or uncertain being represented by E. Lawton Bragg, attorney at law of Tulsa, Oklahoma, he having been duly appointed by this Court to represent such defendants; and it first being duly sworn to the satisfaction of the Court

that all of the defendants herein have been duly served with summons in said cause either personally or by publication, and the Court having examined all of the service in said case, and the Court having further examined the notice served upon the Superintendent of the Five Civilized Tribes, and the Marshal's return thereof; and having found the service herein in all respects to be good and sufficient, and having approved the same; and the Court having found further that an affidavit has been filed for the appointment of an attorney to represent the non-answering defendants who may be in the military service of the United States as provided for in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and the Court finding that upon such examination that E. Lawton Bragg has heretofore been appointed to represent such non-answering defendants and that an answer of said attorney is on file herein;

WHEREUPON, the Court proceeded to hear the evidence of witnesses sworn and examined in open Court, and at the conclusion of which the Court entered its findings of fact and conclusions of law, which are hereby referred to by the Court and each finding therein set forth and each conclusion of law therein stated is incorporated herein as though hereout in full; and in accordance with such findings of fact and conclusions of law;

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED by the Court that the allotted lands of Mary Dennis, full blood Cherokee Citizen, Roll No. 19707, the same being designated in plaintiff's petition as Tract No. 1, and being described as follows, to-wit:

The North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) and the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 30, Township 24 North and Range 23 East, Delaware County, Oklahoma,

are owned by the following persons in the proportions set opposite the name of each:

Hugh Wilson, plaintiff herein	715/1800ths
Jennie Dennis Chuculate	475/1800ths
John Falling	300/1800ths
Jim Dennis	155/1800ths
Oscar Raymond	155/1800ths

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the allotted lands of Peter Dennis, Cherokee Citizen, Roll No. 19706, the same being described and designated in plaintiff's petition as Tract No. 2, and which are described as follows, to-wit:

The South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) and the Northeast quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) and the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 30, Township 24 North, Range 23 East, Delaware County, Oklahoma,

are owned by the following persons and in the proportion set opposite the name of each:

Jennie Dennis Chuculate	285/600ths
Hugh Wilson plaintiff herein	345/600ths
Oscar Raymond	65/600ths
Jim Dennis	65/600ths
John Falling	100/600ths

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the names and identify of the heirs of Mary Dennis, Cherokee Citizen, Roll No. 19707, deceased; and of Peter Dennis, Cherokee Citizen, Roll No. 19706, deceased; and of Clec Bearpaw, also known as Iva Cleora Bearpaw, one and the same person, deceased; and of Andrew Bearpaw, deceased; and of Nancy Dennis Bearpaw, deceased; and of Susie Dennis Falling, deceased; be, and they are hereby, decreed to be as set out in the Court's findings of fact herein.

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 200.00
acres, more or less; and Lucy Willock, et al.,

Defendants.

CIVIL NO. 1077

ORDER AUTHORIZING PUBLICATIO OF NOTICE

NOW on this 19th day of June, 1944, 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:

Luck Willock; J. L. Caudill, also known as James Caudill; Ed Likins; Myrtle Likins Lewis; Joe Likins McAdams; Sophia Petty Queen; P. L. Caudill; Willard Norris Shouse; Lillian Fields, now Gish; Jess F. Gish; Charles Gray; Zelda Gray; John J. Nichols; Harry Stekoll; Thomas Long; Bessie Long; George W. Baker; Ruby E. Baker; James P. Butler, Cherokee Roll No. 502; Mae Butler; John Ross Nichols; Donald Lee Nichols; William Lee Shelton; Lon Hampton, also known as Lon T. Hampton; Ethel Hampton; The Cornerstone Bank of Southwest City, Missouri, a corporation; The Federal Land Bank of Wichita, a corporation; Land Bank Commissioner; The Federal Farm Mortgage Corporation; a corporation; The Federal Land Bank of Wichita, a corporation, agent and attorney-in-fact for Land Bank Commissioner and The Federal Farm Mortgage Corporation, a corporation; Floyd Barnes, Edna Thompson, Avis Thompson, Avery Thompson, Quanita Thompson, Myrtle Thompson, Wm. D. Mason, Frances J. Mason, Percy W. Bonfoey, Trustee, W. F. Thomas, A. C. Jones, George Shamblin, J. A. Montgomery, Charels Burdette, C. F. Yeager, G. J. Brackney, Opal Norris Main, Cecil Norris Gilbert, Jewell Norris, Lovell Caudill Brown, Opal Wright, Roy Wright, Herbert Caudill, 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; 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 J. A. Caudill, deceased; Sarah Caudill, deceased; B. J. Caudill, deceased, Marm Caudill Likins, deceased; Florence Likins Thompson, deceased; Mintie Caudill Norris, deceased; Nellie Norris Carter, deceased; Mary Caudill Petty, deceased; M. Caudill, deceased; May Caudill Wright, deceased; Susie Caudill Works, deceased; M. A. Caudill, deceased; James H. Fields, Cherokee Roll No. 9974; deceased; Jeffie Tay-unea-cie, Cherokee Roll No. 9190, deceased; Lucy Beamer, Cherokee Roll No. 18239, deceased; J. A. Frazier, deceased; G. M. Nichols, deceased, Aggie Bucket, Cherokee Roll No. 17679, deceased; J. F. Carey, deceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above-named defendants, and any and all other persons, firms, corporations, or legal entities, claiming any interest whatever in the real estate herein described and involved 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 notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that notice be published in The Grove Sun, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four successive 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 14th day of August, 1944, the petitioner, United States of America, will, on the 14th day of August, 1944, at the hour of ten o'clock A.M., 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 realproperty, 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 Jun 19 1944
H. P. Warfield, Clerk
U. S. District Court

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

MILTON ROE SABIN AND BERTHA
FLORENCE SABIN,

Plaintiffs,

vs

HOME OWNERS' LOAN CORPORATION,
A CORPORATION, ET AL,

Defendants.

CIVIL ACTION NO. 1079

JOURNAL ENTRY OF JUDGMENT

ON THIS THE 22nd day of February, 1944, came on regularly to be heard the above entitled and numbered cause, the Plaintiffs, Milton Roe Sabin and Bertha Florence Sabin, appearing in person and by their attorneys, Herbert K. Hyde and Lee Williams, and the Defendants, the Home Owners' Loan Corporation by its attorney, J. L. Walsh, Jr., O. K. Wetzel in person and by his attorney, G. Ellis Gable, P. L. Murphy in person and by his attorney, G. Ellis Gable, P. L. Murphy, J. L. Walsh, Jr., A. Garland Marrs, Sheriff of Tulsa County, Oklahoma, W. D. Duggins, Deputy Sheriff, Nate Martin, John Burnett and Tom Kithcart, Deputies to Sheriff Marrs in person and by their attorney, Robert D. Hudson, Cal Crum, Court Clerk, District Court, Tulsa County, Oklahoma, in person and by his attorney, William M. Taylor and Joe Hodges doing business under the name and style of Joe Hodges Transfer and Storage Company, by his attorney, A. E. Montgomery. All parties announced ready for trial whereupon a Jury of twelve good and lawful men was duly selected, impanelled and sworn to try said cause and both Plaintiffs and Defendants having made opening statements to the court and to the Jury and the defendants having objected to the introduction of any evidence to the title or possession of Lot 16, Block 6, Sunset Terrace Addition to the City of Tulsa, Tulsa County, Oklahoma, to which the Plaintiffs except and the exception was allowed. The court, after examination of all the pleadings and hearing the statements of the counsel, sustained the objection whereupon the Plaintiffs made tender of the evidence as objected to and the Defendants renewed their

objection which the court sustained. Plaintiffs excepted and exception allowed. Plaintiffs proceeded with their evidence and rested, whereupon all the Defendants moved for a dismissal with prejudice and the court having considered each and all of said motions, overruled the motion for dismissal as to all of the Defendants except O. K. Wetzel, P. L. Murphy and Cal Crum, Court Clerk, District Court of Tulsa County, Oklahoma, and sustained the motion to dismiss with prejudice as to them. Plaintiffs excepted and exceptions allowed.

The Defendants, the Home Owners' Loan Corporation, A. G. Marrs, W. S. Duggins, Nate Martin, John Burnett, Tom Kithcart and Joe Hodges ther upon introduced evidence in their own behalf and at the conclusion of which the said Defendants rested and each of the Defendants moved the court for a directed verdict, and

The court having considered each and all of said motions for a directed verdict and it appearing that there was no issue of fact for determination as to the Defendant, the Home Owners' Loan Corporation, sustained in the motion as to the defendant, the Home Owners' Loan Corporation and directed the Jury to render a verdict in favor of the Defendant, the Home Owners' Loan Corporation, but overruled the motion as to all other Defendants. Plaintiffs excepted and exceptions allowed.

The Court thereupon submitted to the Jury under proper instructions, the said case and all issues therein, including the issue of conversion as to the Defendants A. Garland Marrs, W. S. Duggins, Nate Martin, John Burnett, Tom Kithcart and Joe Hodges, and the Home Owners' Loan Corporation and after due deliberation, the Jury returned into open court its verdicts as follows:

"We, the Jury find for the Defendants. We the Jury find for the Defendants, the Home Owners' Loan Corporation.

Signed _____ Foreman

"We, the jury find for the defendants. We the jury find for the Defendants, A. Garland Marrs, W. S. Duggins, Nate Martin, John Burnett, Tom Kithcart and Joe Hodges."

Signed _____ Foreman and

It appearing to the court that the verdicts were just and proper, the same were duly received and the Jury discharged, and it appearing to the court that each and all of the defendant are entitled to judgment and that Plaintiffs take nothing.

It is therefore ordered, adjudged and decreed on this 23rd day of February by the Court that the motion of the Defendants, O. K. Wetzel, P. L. Murphy, Cal Crum, Court Clerk of the District Court of Tulsa County be, and the same is hereby sustained and the above action is hereby dismissed with prejudice as to such defendants.

It is further ordered, adjudged and decreed on this 23rd day of February, 1944, that Plaintiffs, Milton Roe Sabin and Bertha Florence Sabin take nothing as against any of said defendants and that judgment is hereby rendered on all issues in favor of each and all of said Defendant against Plaintiffs herein. It is further ordered, adjudged and decreed that each and all of said Defendants recover their costs against plaintiffs.

To all of which Plaintiffs except and said exceptions are allowed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 19 1944.
H. P. Warfield, Clerk
U. S. District Court

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

UNITED STATES OF AMERICA,

Petitioner,)

vs

) No. 1103 - Civil

8.5 acres of land, more or less, situate in Tulsa County, State of Oklahoma, and

O. L. Avey, et al.,

Respondents.)

ORDER OF DISTRIBUTION

Now on this 19th day of June, 1944, this cause came on to be heard and the Court, having been fully advised in the premises, finds that distribution should be made as to Tracts Nos. R-3 and 4 involved in this proceeding.

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

Tract No. R-3

O. L. Avey

\$200.00

Tract No. 4

O. L. Avey

\$350.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 19 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,

Petitioner,)

vs

) CIVIL NO. 1115

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 192.43 acres, more or less; and Van S. Chandler, et al.,

Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 18 (19 FW 778)

NOW on this 19th day of June, 1944, therecoming on for hearing the application of the defendant, Raymon Baker, also known as Raymond Baker, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 18 (19 FW 778), and the Court being fully advised in the premises, finds:

That the defendant, Raymon Baker, also known as Raymond Baker, was the owner of the land designated as Tract No. 18 (19 FW 778) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$1345.00 for the taking of entire fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner; thereby vesting in the petitioner, United States of America, the entire fee simple title in and to said tract, 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 land.

The Court further finds that the defendant, Raymond Baker, also known as Raymon Baker, in writing, agreed to grant and sell to the petitioner the entire fee simple title in and to said tract of land for the sum of \$1130.00, reserving the right to remove all buildings, fences, pump, pipes and trees located thereon, which was accepted by the petitioner.

The Court further finds that the sum of \$1130.00 is just compensation for the injuries and damages sustained by said defendant, Raymon Baker, also known as Raymond Baker.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Raymond Baker, also known as Raymond Baker, was the owner of the land designated as Tract No. 18 (19 FW 778) when this proceeding was commenced, and the sum of \$1130.00 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation.

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

To: RAYMON BAKER, also known as RAYMOND BAKER
Owner - Tract No. 18 (19 FW 778)

\$1130.00.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 19 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs		) CIVIL NO. 1126
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, containing 240.20 acres, more or less;)
and Lula B. Huggins, et al.,	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 5 (25 FW 592)

NOW, on this 19th day of June, 1944, there coming on for hearing the applica-
tion of the defendant, O. B. Chapman, for an order fixing title, decreeing just compensation and
making distribution as to Tract No. 5 (25 FW 592) and the Court being fully advised in the premises,
finds:

That the defendant, O. B. Chapman, was the owner, of the land designated as
Tract No. 5 (25 FW 592) 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 \$275.00
for the taking of a perpetual flowage easement 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 flowage Easement, and decreed that the owners and
those having any right, title or interest in and to said land, have and recover just compensation for
the taking of said perpetual easement.

The Court further finds that the defendant, O. B. Chapman, in writing, agreed
to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for
the sum of \$275.00, which was accepted by the petitioner.

The Court further finds that the sum of \$275.00 is just compensation for the
injuries and damages sustained by said defendant, O. B. Chapman.

The Court further finds that no person, firm, corporation, or taxing subdivisi-
on of the State, other than said Defendant have any right, title or interest in and to said just compensa-
tion, except the mortgagee, Blanche E. Freeman, who has filed a waiver herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defen-
dant, O. B. Chapman, was the owner of the land designated as Tract No. 5 (25 FW 592) when this
proceeding was commenced, and that the sum of \$275.00 is just compensation for the damages sustained
by the defendant, O. B. Chapman, and that said defendant is the only person having any right, title
or interest in and to said just compensation, except

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

To: O. B. Chapman,	
Owner	
TRACT NO. 5 (25 FW 592)	\$275.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 19 1944
H. P. Warfield, Clerk
U. S. District Court H

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

Josephine Tulsa, nee Spybuck,	Plaintiff,)
)
vs.		) No. 1170 Civil
)
Charley Spybuck, et al.,	Defendants.)
)
United States of America,	Intervener.)

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now, on this 19th day of June, 1944, there coming on for hearing the motion of the plaintiff, Josephine Tulsa, nee Spybuck, for an order approving the sale of real estate made in the above action on the 12th day of June, 1944, by the United States Marshal for the Northern District of Oklahoma, a return and report of said sale being heretofore filed in the above court, plaintiff appearing by her attorney, John S. Severson; the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who appeared as well for all the restricted Indians, parties to said action; the defendants Charley Spybuck, Woodrow Spybuck, James Spybuck and Juanita Charley, nee Spybuck appearing by their attorney, Harry E. Price; the defendant A. H. Thomas appearing by his attorney, Harry Seaton;

And the Court having heard said motion, and having examined said return, and being fully advised, find that said Marshal, after advertising the same in all particulars as required by law and as provided by the orders of this Court, sold the same Jacob Fell, for the sum of \$2750.00, the same being within the appraised price as fixed by the commissioners appointed by this Court to appraise the same, and that said sale was in all particulars made in accordance with the orders of this Court and the statutes, both State and Federal, in like cases made and provided; and that said report of sale should in all things be confirmed and approved and that distribution of said funds would be made by the said United States Marshal;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal's sale of the following described lands involved in this action, to-wit:

S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 13, Township 21 North, Range 12 East,
Tulsa County, Oklahoma.

be and the same is hereby in all things approved and confirmed and made firm and effectual forever; and that said purchaser be subrogated to the rights of all of the parties to said action for the protection of his title.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal make, execute and deliver to said purchaser a proper conveyance, conveying the said land to him in accordance with this order and with the orders of this Court heretofore made in this action; that he pay to the registry of this Court the entire sum received from said sales and heretofore reported by him, to-wit: the sum of \$2750.00.

IT IS FURTHER ORDERED by the Court that the Clerk of this Court, H. P. Warfield, distribute said funds, as follows, to-wit:

That he retain the sum of \$84.80, being the costs incurred in this action, including \$12.00 publication fees; that he pay to the Court Clerk of Tulsa County, Oklahoma, the sum of \$35.00, being the accrued costs in said Court, including the costs of transferring to this Court; to U. S. Marshal \$38.50 his fees, and that he pay to A. H. Thomas his proportionate part.

That he pay to the order of John S. Severson the sum of \$175.00; Harry E. Price the sum of \$50.00; and Harry Seaton the sum of \$50.00 as reasonable attorney's fees in this action.

Now on this 12th day of November, 1943, the trial of this cause proceeds, pursuant to assignment before the Honorable Bower Broaddus, presiding Judge, the plaintiff, Elizabeth Williams, being present in person and by her attorney, Ernest R. Brown, the United States of America appearing by Whit Y. Mauzy, United States Attorney and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, Mr. W. E. Foltz appearing on behalf of certain alleged heirs, and Mr. Paul P. Pinkerton appearing as attorney pursuant to the Court's appointment to represent such of the unknown heirs or representatives of the estate as may be in the military or naval services of the United States of America within the meaning of the Act of Congress, entitled Soldiers' & Sailors' Civil Relief Act of 1940, the Court having heard certain evidence on September 24, 1943, as no reasons appeared then for continuing the trial, and since no reasons appear for further delay, and all parties having announced ready, further evidence is offered, and the Court being fully advised from all the evidence, finds that notice of said hearings has been regularly served in the manner provided by law, on all of the known heirs, and that service by publication in the manner provided by law has been had and published on the unknown heirs to said estate.

The Court further finds that Zeke Knightkiller who is enrolled under Cherokee Roll No 17903 departed this life on the 25th day of May, 1937, a resident of Mayes County, Oklahoma, intestate, and left surviving him no wife, no parent and no issue.

The Court further finds that determines that Jennie Dennis, now Chuculate, enrolled opposite Cherokee Roll No. 19711, is a niece, and Jim Dennis, enrolled opposite Cherokee Roll No. 30566 is a nephew of the said Zeke Knightkiller, deceased, that they are the nearest of kin, and that they are the sole and only heirs of the said Zeke Knightkiller, deceased, and that they each inherited an undivided one-half (1/2) interest in and to his estate, including his allotment, described as follows, to-wit:

The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) and the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section Thirty-two (32), and the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section Thirty-two (32); and the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) and the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SW 1/4) of Section Thirty-three (33), all in Township Nineteen (19) East of the Indian Base and Meridian, Mayes County, Oklahoma.

BWER BROADDUS
JUDGE

ENDORSED: Filed Jun 20 1944
E. 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. 1018
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA; and Walker Fields, et al.,)	
	Defendants.)	

J U D G M E N T

NOW, on this 20th day of June, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the Commissioners' report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

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

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

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

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

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

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

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

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

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 29th day of November, 1943, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 1st day of December 1943, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows:

TRACT NO. 1 (5 - FW-172)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$ 1.20

TRACT NO. 2 (5 - FW-173)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$9.60

TRACT NO. 3 (5 - FW-174)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$3.30

TRACT NO. 4 (5 - FW-175)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

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

TRACT NO. 5 (5 - FW-176)
Flowage Easement

All that part of the following described tract of land situated in the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, to-wit:
"Beginning at the Southwest Corner of $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 29; thence East 246.0 feet; thence following 750' contour line to a point in the West boundary of $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$; thence South to the point of beginning",
lying below Elev. 757 Sea Level Datum, containing approximately 1.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$57.80

TRACT NO. 6 (5 - FW-177)
Flowage Easement

All that part of the $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ and all that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec 29, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and all that part of the $W\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 29, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and except a tract of land described as follows, to-wit:

"Beginning at the Southwest corner of $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 29; thence East 246.0 feet; thence following 750' contour line to a point in West boundary of $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$; thence South to the point of beginning".

All in T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, containing approximately 1.9 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$15.20

TRACT NO. 7 (5 FW 178)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER IF ANY \$1.20

TRACT NO. 8 (5 - FW-182)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and except that portion on which the Grand River Dam Authority has the right of flowage containing approximately 1.6 acres.

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

TRACT NO. 9 (5 - FW-184)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$0.80

TRACT NO. 10 (5 - FW-185)
Flowage Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$6.60

TRACT NO. 11 (5 - FW-186)

Flowage Easement

All that part of the $W\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 20, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757' Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$4.80

TRACT NO. 12 (5 - FW-187)

Flowage Easement

All that part of the $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 20, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757' Sea Level Datum, except that portion owned by the Grand River Dam Authority containing approximately 2.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$10.40

TRACT NO. 13 (5 - FW-188)

Flowage Easement

All that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 20, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757' Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$10.40

TRACT NO. 14 (5 - FW-191)

Flowage Easement

All that part of the $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 20, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757' Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 10.9 acres.

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

TRACT NO. 15 (5 - FW-201)

Flowage Easement

All that part of the $E\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, and all that part of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 21, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757' Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$10.40

TRACT NO. 16 (5 - FW-202)
Flowage Easement

All that part of the $E\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of Lot 2 of Sec. 21, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 6.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$50.40

TRACT NO. 17 (5 - FW-204)
Flowage Easement

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER IF ANY \$7.20

TRACT NO. 18 (5 - FW-208)
Flowage Easement

All that part of Lot 1, and all that part of Lot 3 in Sec. 21, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority has the right of flowage.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$0.80

TOTAL \$560.30

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

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

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation, in the total amount of \$560.30,

(8) That the United States of America did, on the 15th day of June, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (5 - FW-172)	\$1.20
TRACT NO. 2 (5 - FW-173)	\$6.60
TRACT NO. 3 (5 - FW-174)	\$3.30
TRACT NO. 4 (5 - FW-175)	\$1.65
TRACT NO. 5 (5 - FW-176)	\$ 57.80
TRACT NO. 6 (5 - FW-177)	\$7.60
TRACT NO. 7 (5 - FW-178)	\$1.20
TRACT NO. 8 (5 - FW-182)	\$150.00
TRACT NO. 9 (5 - FW-184)	\$0.40
TRACT NO. 10 (5 - FW-185)	\$6.40
TRACT NO. 11 (5 - FW-186)	\$4.80
TRACT NO. 12 (5 - FW-187)	\$10.40
TRACT NO. 13 (5 - FW-188)	\$5.20
TRACT NO. 14 (5 - FW-191)	\$181.00
TRACT NO. 15 (5 - FW-201)	\$5.85
TRACT NO. 16 (5 - FW-202)	\$44.10
TRACT NO. 17 (5 - FW-204)	\$4.05
TRACT NO. 18 (5 - FW-208)	\$0.65
TOTAL	\$492.20

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944 dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein 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, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

TRACT NO. 1 (5 - FW-172)	\$1.20
TRACT NO. 2 (5 - FW-173)	\$9.60
TRACT NO. 3 (5 - FW-174)	\$3.30
TRACT NO. 4 (5 - FW-175)	\$2.40
TRACT NO. 5 (5 - FW-176)	\$57.80
TRACT NO. 6 (5 - FW-177)	\$15.20
TRACT NO. 7 (5 - FW-178)	\$1.20
TRACT NO. 8 (5 - FW-182)	\$150.00
TRACT NO. 9 (5 - FW-184)	\$0.80
TRACT NO. 10 (5 - FW-185)	\$6.40
TRACT NO. 11 (5 - FW-186)	\$4.80
TRACT NO. 12 (5 - FW-187)	\$10.40
TRACT NO. 13 (5 - FW-188)	\$10.40
TRACT NO. 14 (5 - FW-191)	\$218.00
TRACT NO. 15 (5 - FW-201)	\$10.40
TRACT NO. 16 (5 - FW-202)	\$50.40
TRACT NO. 17 (5 - FW-204)	\$7.20
TRACT NO. 18 (5 - FW-208)	\$0.80
TOTAL	\$560.30

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

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

TRACT NO. 1 (5 - FW-172)
Flowage Easement

WALKER FIELDS,
ANNIE FIELDS fee owners \$1.20
(Commissioners' award)
(Make check payable to Treasurer of the United States for the
use and benefit of Walker Fields and Annie Fields)

TRACT NO. 2 (5 - FW-173)
Flowage Easement

ETHEL J. BOURDON Fee owner \$9.60
(Commissioners' award)

TRACT NO. 3 (5 - FW-174)
Flowage Easement

MRS. LIZZIE SKAGGS Fee owner \$3.30
(Commissioners' award)

TRACT NO. 4 (5 - FW-175)
Flowage Easement

ANDREW FLUKE (deceased -- fee owner \$2.40
(Make check payable to Lizzie Skaggs, for the
heirs of Andrew Fluke, deceased)
(Commissioners' award)

TRACT NO. 5 (5 - FW-176)
Flowage Easement

GUSTAV STAUB fee owner \$57.80
(Commissioners' award)

TRACT NO. 6 (5 - FW-177)
Flowage Easement

MARIE MICHAU SMITH fee owner \$15.20
(Commissioners' award)

TRACT NO. 7 (5 - FW-178)
Flowage Easement

HUGH E. SMITH (deceased) fee owner \$1.20
(Make check payable to Dollie E. Marquess and
Dollie E. Marquess, Guardian of Kenneth Norval
Smith, a minor)
(Commissioners' award)

TRACT NO. 8 (5 - FW-182)
Flowage Easement

WALLACE E. STEPHENS,
ARTIST OLYVIA STEPHENS, fee owners \$150.00
(Commissioners' award)

TRACT NO. 9 (5 - FW-184)
Flowage Easement

MARIE MICHAU SMITH fee owner \$0.80
(Commissioners' award)

TRACT NO. 10 (5 - FW-185)
Flowage Easement

CATHERINE O. POPLIN fee owner \$6.40
(Commissioners' award)

TRACT NO. 11 (5 - FW-186)
Flowage Easement

P. L. HAYS
BERNICE HAYS fee owners \$4.80
(Commissioners' award)

TRACT NO. 12 (5 - FW-187)
Flowage Easement

C. H. BOATWRIGHT fee owner \$10.40
(Commissioners' award)

TRACT NO. 13 (5 - FW-188)
Flowage Easement

PERRY V. BERRY fee owner \$10.40
(Commissioners' award)

TRACT NO. 14 (5 - FW-191)
Flowage Easement

NANNIE L. WHITE fee owner \$218.00
(Commissioners' award)

TRACT NO. 15 (5 - FW-201)
Flowage Easement

EARL F. SMITH fee owner \$10.40
(Commissioners' award)

TRACT NO. 6 (5 - FW-202)
Flowage Easement

LESLIE L. SPAIN fee owner \$50.40
(Commissioners' award)

TRACT NO. 17 (5 - FW-204)
Flowage Easement

JOHN T. MILLER fee owner \$7.20
(Commissioners' award)

TRACT NO. 18 (5 - FW-208)
Flowage Easement

JOHN T. MILLER fee owner \$0.80
(Commissioners' award)

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 20 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.		)	CIVIL NO. 1066
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA; and Van S. Chandler, et al.,	Defendants.)	
)	
UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.		)	CIVIL NO. 1115
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA; and Van S. Chandler, et al.,	Defendants.)	
)	
UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.		)	CIVIL NO. 1073
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA; and C. J. Nicholson, et al.,	Defendants.)	

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

EMMA WALKER,	Plaintiff,)
)
vs		) No. 1188 Civil
)
IZORA ALEXANDER LEE, et al	Defendants.)

ORDER OVERRULING MOTION TO DISMISS WITHOUT PREJUDICE

This cause coming on for hearing this 10th day of June, 1944, before the Honorable Royce H. Savage, Judge of said Court, on motion of plaintiff for an order permitting her to dismiss this cause without prejudice as against the defendants, M. P. Mathis, Fannie C. Holman, J. B. Hammons, and F. P. Swan; and it appearing to the Court that said motion should be overruled;

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that said motion of plaintiff for an order to dismiss this cause without prejudice as against said defendants, M. P. Mathis, Fannie C. Holman, J. B. Hammons, and F. P. Swan, be and the same is hereby overruled.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 20 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 21, 1944

On this 21st day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
vs		) No. 756 Civil
)
Unknown Heirs of Benjamin Cheater, et al.,)
	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 15th day of June, 1944, this matter coming on for hearing before the Honorable F. E. Kennamer, United States District Judge, the United States appearing by Whit Y. Mauzy.

United States Attorney for the Northern District of Oklahoma, and the defendant R. D. Cravens appearing by Keith Smith, and W. E. Foltz appearing for such defendants as are in the military or naval service of the United States or its allies, by virtue of appointment by said court, the defendants Board of County Commissioners, John Curtis, County Treasurer, Clark Bell, Tax Assessor of Delaware County, State of Oklahoma, Bell Duffield, R. T. Duffield, Carpathis Rearden, J. R. Morgan, J. B. W. Fergan, and the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Benjamin Cheater, deceased, and Chiccowie Cheater, deceased, appearing not, but each of them being in default, and it appearing that all of said parties have been served personally or by notice of publication as required by law, which notice by publication this court hereby examines and approves and confirms, and the court having heard testimony of witnesses sworn and examined in open court, and being fully advised in the premises and in consideration thereof, finds the averments of said complaint are true as therein set out and as found in separate findings of fact made this 15th day of June, 1944.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Chiccowie Cheater and Lucy Cheater are the sole and only heirs of Benjamin Cheater, deceased, and that each of said individuals inherited an undivided one-half interest in and to the allotment of Benjamin Cheater, described as follows:

Southwest Quarter of the Southeast Quarter of Section 28,
Township 23 North, Range 24 East, and

The North Half of the Northeast Quarter, and the North Half
of the South Half of the Northeast Quarter of Section 33, Township
23 North, Range 24, East, and

The South Half of the Southeast Quarter of Section 27, Township
23 North, Range 24 East, and

The Southeast Quarter of the Southeast Quarter of Section 28,
Township 23 North, Range 24 East.

That the conveyance executed by Chiccowie Cheater to Lucy Cheater dated April 16, 1915, conveying the following described property, to-wit:

The North Half of Northeast Quarter, and the North Half of the South
Half of the Northeast Quarter of Section 33, Township 23 North,
Range 24 East, situated in Delaware County, State of Oklahoma,

is void and the same is hereby cancelled, set aside and held for naught.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sole and only heirs of Chiccowie Cheater, deceased, are as follows, to-wit:

Heavey Keener, Cherokee Indian, full-blood, husband
Joe Keener, Cherokee Indian, full-blood, son
Bob Keener, Cherokee Indian, full-blood, son
Joanna Keener, Cherokee Indian, full-blood, daughter
Scott Keener, Cherokee Indian, full-blood, son
Ben Keener, Cherokee Indian, full-blood, son
Russell Keener, Cherokee Indian, full-blood, son

and that the said Heavey Keener owns an undivided one-sixth (1/6) interest in and to the allotment of Benjamin Cheater, deceased, and the children of the said Chiccowie Cheater own an undivided one-sixty-fourth (1/64) interest each in and to said allotment, and Lucy Cheater owns an undivided one-half (1/2) interest in and to the allotment of Benjamin Cheater, deceased, as hereinbefore set out.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the tax deed executed by the County Treasurer of Delaware County, State of Oklahoma, to the Board of County Commissioners of said County, dated June 15, 1940, and recorded in Book 139, page 309, and the warranty deed dated June 2, 1941 executed by Earl Coppedge, Chairman, of the Board of County Commissioners of Delaware County to T. H. Lee, recorded in Book 144, page 623, covering the following described property, to-wit:

The South Half of the Southeast Quarter of Section 28, Township 23 North, Range 24 East, and

The South Half of the Southeast Quarter of Section 27, Township 23 North, Range 24 East, Delaware County, State of Oklahoma,

is cancelled, set aside and held for naught, and the same is declared to be restricted tax-exempt real estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the taxing officials of Delaware County, State of Oklahoma, be and the same are hereby restrained and enjoined from placing such property on the tax rolls of said County while held by the present owners, and while such property remains restricted and tax exempt.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title and possession of Plaintiff's wards of said premises, be and the same is hereby forever settled and quieted in Lucy Cheater an undivided one-half interest; in Heavy Keener, an undivided one-sixteenth interest, and in Joe Keener, Bob Keener, Joanna Keener, Scott Keener, Ben Keener and Russell Keener, an undivided one-sixty-fourth interest, said premises being described as follows, to-wit:

Southwest Quarter of the Southeast Quarter of Section 28, Township 23 North, Range 24 East, and

The North Half of the Northeast Quarter, and the North Half of the South Half of the Northeast Quarter of Section 33, Township 23 North, Range 24 East, and

The South Half of the Southeast Quarter of Section 27, Township 23 North, Range 24 East, and

The Southeast Quarter of the Southeast Quarter of Section 28, Township 23 North, Range 24 East, Delaware County, State of Oklahoma,

as against all claims or demands by said defendants, and those claiming by or through them, or any of them, and all deeds or documents in said chain of title claimed by said defendants be and the same are hereby cancelled, and removed as clouds on the title of said plaintiffs in and to the foregoing described premises, and said defendants and those claiming through, by or under them, are hereby perpetually enjoined and forbidden to claim any right, title or interest or estate in and to said premises by virtue of said deeds, hostile or adverse to the possession and title of plaintiff's wards herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover its costs from the defendants herein.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jun 21 1944
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. 1140
)	
CERTAIN PARCELS OF LAND IN CRAIG, DELAWARE AND)	
OTTAWA COUNTIES, OKLAHOMA; and Robert D. Owens,)	
et al.,	Defendants.)	

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 21 day of June, 1944, it appearing to this Court that on May 15, 1944, upon application of the petitioner, United States of America, Page Crahan, T. B. Harp and T. G. Grant, were selected and appointed as commissioners to inspect the real property involved in this action, and ap raise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said Commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said Commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

Page Crahan - commissioner's fee - May 22, 23, 24 and 25, 1944,
4 days at \$26.00 per day \$104.00

T. H. Harp, commissioner's fee - May 22, 23, 24, and 25, 1944 -
4 days at \$26.00 per day \$104.00

T. G. Grant, commissioner's fee - May 22, 23, 24, and 25, 1944,-
4 days at \$26.00 per day \$104.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 21 1944
H. P. Warfield, Clerk
U. S. District Court H

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

Geneva Scullawl Leeson, et al.,	Plaintiffs,)
)
vs		) No. 1200
)
William Scullawl, et al.,	Defendants.)

ORDER APPOINTING ATTORNEY

It appearing from the affidavit of the plaintiff, Geneva Scullawl Leeson, that the defendants have been duly served with summons and publication notice herein, and that the time within which to answer has expired, and the defendants have defaulted in appearing or answering and it further appearing therefrom that some of said defendants may be in the Military Service of the United States or its allies, or under order to report for induction, and it is proper for the Court to appoint an attorney to defend for all defendants who are in default.

IT IS THEREFORE, ordered that H. L. Smith, attorney at law of this Bar be and he hereby is appointed to represent all of the defendants who are in default in the above entitled action, and to take such steps to protect the interest of said defendants in the premises as may seem to him advisable under the circumstances.

Dated this the 21st day of June, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 21 1944
H. P. Warfield, Clerk
U. S. District Court. H

Court adjourned to June 22, 1944

On this 22nd day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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

CHESTER BOWLES, Administrator, Office of)
Price Administration,	Plaintiff,
vs)
EFREM STEFANOFF, an individual, d/b/a	) Civil No. 1209
STEVE'S BAR,	Defendant.

J U D G M E N T

Now, on this 5th day of June, 1944, this matter was regularly set for hearing upon the motion of plaintiff for preliminary injunction against the defendant, and at said time pursuant to written stipulation and agreement of the parties, this cause came on for trial, at which time the plaintiff appeared by and through his counsel of record, John J. D. Cobb, and the defendant appeared in person and a formal stipulation signed by Efrem Stefanoff, individually, wherein it was agreed that the defendant waived answer, any and all defenses to the claims set forth in the complaint herein and waived hearing, and findings of fact and conclusions of law, and agreed that a permanent injunction against defendant may issue.

And the Court, having heard statement of counsel, examined the stipulation filed herein, and being otherwise well and truly advised in the premises, finds that said permanent injunction should issue.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and representatives, and each of them, and any and all persons in active concert or participation with him, be, and are hereby, permanently enjoined from directly or indirectly doing any act or practice in violation of Revised Order No. G-1, under General Order No. 51, as issued by the Office of Price Administration insofar as said order prohibits the sale of any beverage item covered and controlled by said Orders, in excess of the maximum price set forth therein for such beverage item.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant be required to pay the cost of this action.

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

ENDORSED: Filed In Open Court
Jun 22 1944
H. P. Warfield, Clerk
U. S. District Court M E

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

CHESTER BOWLES, Administrator, Office of Price Administration, Plaintiff,)
vs) Civil No. 1210
J. D. LEMON, an Individual d/b/a Club Buffet, Defendant.)

J U D G M E N T

Now, on this 22nd day June, 1944 this matter was regularly set for hearing upon the motion of the plaintiff for preliminary injunction against the defendant, and at said time, pursuant to written stipulation and agreement of the parties, this cause came on for trial, at which time the plaintiff appeared by and through his counsel of record, John J. D. Cobb, and the defendant appeared in person, and a formal stipulation signed by J. D. Lemon, individually, wherein it was agreed that the defendant waived answer, and any all defenses to the claims set forth in the complaint herein and waived hearing, and findings of fact and conclusions of law, and agreed that a permanent injunction against defendant may issue.

And the Court, having heard statement of counsel, examined the stipulation filed herein and being otherwise well and fully advised in the premises, finds that said permanent injunction should issue.

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

CHESTER BOWLES, Administrator, Office of Price Administration,	Plaintiff,)	
		)	Civil No. 1210
vs)	
J. D. LEMON, an individual, d/b/a Club Buffett	Defendant.)	

J U D G M E N T

Now, on this 22th day June, 1944, this matter was regularly set for hearing upon the motion of plaintiff for preliminary injunction against the defendant, and at said time, pursuant to written stipulation and agreement of the parties, this cause came on for trial, at which time the plaintiff appeared by and through his counsel of record, John J. D. Cobb, and the defendant appeared in person and a formal stipulation signed by J. D. Lemon, individually, wherein it was agreed that the defendant waived answer, any and all defenses to the claims set forth in the complaint herein and waived hearing, and findings of fact and conclusions of law, and agreed that a permanent injunction against defendant may issue.

And the Court, having heard statement of counsel, examined the stipulation filed herein and being otherwise well and fully advised in the premises, finds that said permanent injunction should issue.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and representatives, and each of them, and any and all persons in active concert or participation with him, be and are hereby permanently enjoined from directly or indirectly doing any act or practice in violation of Revised Order No. G-1, under General Order No. 51, as issued by the Office of Price Administration insofar as said order prohibits the sale of any beverage item covered and controlled by said Orders in excess of the maximum price set forth therein for each beverage item.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant be required to pay the cost of this action.

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

ENDORSED: Filed In Open Court
Jun 22 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

CHESTER BOWLES, Administrator, Office of Price Administration,	Plaintiff,)	
		)	Civil No. 1211
vs)	
JOE CHANCELLOR an Individual, d/b/a DIXIE BAR,	Defendant.)	

J U D G M E N T

Now, on this 5th day of June, 1944, this matter was regularly set for hearing upon

the motion of plaintiff for preliminary injunction against the defendant, and at said time, pursuant to written stipulation and agreement of parties, this cause came on for trial, at which time the plaintiff appeared by and through his counsel of record, John J. D. Cobb, and the defendant appeared in person and by his counsel of record, Irvine J. Ungerman, and a formal stipulation signed by Joe Chancellor, individually, which was approved as to form by his attorney of record, was presented herein, wherein it was agreed that the defendant waived answer, and any all defenses to the claims set forth in the complaint herein and waived hearing, and findings of fact and conclusions of law, and agreed that a permanent injunction against defendant may issue.

And the Court, having heard statement of counsel, examined the stipulation filed herein, and being otherwise well and fully advised in the premises, finds that said permanent injunction should issue.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and representatives, and each of them, and any and all persons in active concert or participation with him, be and are hereby, permanently enjoined from directly or indirectly doing any act or practice in violation of Revised Order No. G-1 under General Order No. 51, as issued by the Office of Price Administration insofar as said Order prohibits the sale of any beverage item covered and controlled by said Orders in excess of the maximum price set forth therein, for such beverage item.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant be required to pay the cost of this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Jun 22 1944
H. P. Warfield, Clerk
U. S. District Court

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

CHESTER BOWLES, Administrator, Office of)
Price Administration, Plaintiff,)
vs) CIVIL NO. 1224
I. H. DAWSON, an individual, Defendant.)

J u d g m e n t

Now, on this 22nd day of June, 1944, this matter was regularly set for hearing upon the motion of the plaintiff for preliminary injunction against the defendant, and at said time, pursuant to written stipulation and agreement of the parties, this cause came on for trial, at which time the plaintiff appeared by and through his counsel of record, John J. D. Cobb, and the defendant appeared in person, and a formal stipulation signed by I. H. Dawson, individually, was presented herein, wherein it was agreed that defendant waived answer, any and all defenses to the claims set forth in the complaint herein and waived hearing, and findings of fact and conclusions of law, and agreed that a permanent injunction against defendant should issue.

And the Court, having heard statement of counsel and having examined the stipulation and being otherwise well and fully advised in the premises, finds that said permanent injunction should issue.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, employees and representatives, and each of them, and any and all persons in active concert or participation with them, be and they are hereby, permanently enjoined from directly or indirectly demanding or receiving any rent in excess of the maximum legal rent for the use and occupancy of all housing accommodations owned by defendant and subject to Rent Regulation, and from doing any act or practice in violation of Rent Regulation for Housing, of the Office of Price Administration.

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

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

ENDORSED: Filed in Open Court
Jun 22 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to June 23, 1944

On this 23rd day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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

Lorinda Bushyhead, Myrtle Plunkett, nee)
Spaniard, Iva Ezell, nee Spaniard, and)
Annie Nedeen, now Mankiller, Plaintiffs,)

vs)

No. 672 Civil)

Charlie Bushyhead, if living, and Jack)
Spaniard, if living, and if dead, the heirs)
and unknown heirs, executors, administrators)
devisees, trustees and assigns, immediate)
and remote, of Charlie Bushyhead, deceased,)
and Jack Spaniard, deceased, and the State of)
Oklahoma and the United States of America,)
Defendants.)

JOURNAL ENTRY CONFIRMING SALE

Now on this 23 day of June, 1944, come the plaintiffs by H. F. Fulling, their attorney, and comes also the United States of America by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the Motion of Plaintiffs to confirm the sale of the following described real estate in Washington County, Oklahoma. to-wit:

The Northeast Quarter of the Southwest Quarter of the Northeast Quarter and the West Half of the Southwest Quarter of the Northeast Quarter and the Southeast Ten Acres of Lot Two (2), and the Southwest Ten Acres of Lot Two (2), and the North 20.85 acres of Lot Two (2) in Section 5, Township 27 North, Range 13 East, containing 70.35 acres, more or less.

made by John P. Logan, United States Marshal for the Northern District of Oklahoma as Special Commissioner appointed by the Court to sell said real estate with his return of sale attached to said Motion, is presented to the Court for hearing and the Court having carefully examined said proceedings and being sufficiently advised finds and is satisfied that said sale was duly and properly advertised and was in all respects made in conformity to the provisions of law pertaining to sale of real estate; that said real estate was sold to D. M. Tyler for the sum of \$1200.00 cash, which was more than two thirds of the appraised value fixed by the Commissioners in Partition, and the Clerk of this Court is directed to make an entry on the Journal that the Court is satisfied of the legality of said sale, and that said real estate was in all respects advertised and sold to D. M. Tyler, as required by law and in accordance with the Order of this Court and that said sale should be confirmed and approved.

IT IS THEREFORE CONSIDERED, ADJUDGED AND DECREED by the Court that the sale of said real estate to D. M. Tyler, was in all respects made as required bylaw and the order of this Court, and the same should be and is hereby in all things confirmed and approved, and the said John P. Logan, United States Marshal for the Northern District of Oklahoma as Special Commissioner, is hereby ordered and directed to execute to said purchaser, D. M. Tyler, a deed for said real estate in consideration of said sum of \$1200.00 so paid by said purchaser.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jun 23 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

SHERMAN McCORD, A MINOR, BY H. W. McCORD,
GUARDIAN OF THE PERSON AND ESTATE OF
SHERMAN McCORD, A MINOR, Plaintiff,

vs

JAMES H. WALLACE, A SOLE TRADER, DOING
BUSINESS AS AND UNDER THE FIRM NAME OF
STYLE OF JAMES H. WALLACE AND COMPANY,
Defendant.

No. 1125

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard this 23rd day of June, 1944, the plaintiff being present in person and by his attorneys, Ernest R. Brown, and Paul Pinson, and the defendant being present by its attorneys, Crouch, Rhodes & Crowe, and both parties announcing ready for trial and a jury being waived in open court, the Court heard the evidence of witnesses and being fully advised in the premises finds that the plaintiff has sustained the allegations of his complaint and is entitled to judgment accordingly.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the plaintiff, Sherman McCord, a minor, by H. W. McCord, Guardian of the person and estate of Sherman McCord, have and recover from the defendant, James H. Wallace, the sum of Fifteen Hundred Dollars (\$1500.00) and the costs of this action.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Jun 23 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to June 24, 1944

On this 24th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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

Frankie Longbone, Cherokee NE 926;
Gertrude Longbone, now Creed, Cherokee NE;
and Silas Leonard Longbone, Cherokee NE;
Plaintiffs,

vs

The Oklahoma Tax Commission; Jesse Longbone;
Cherokee 31201; Roy Longbone, Cherokee 31200;
Dewey Longbone, now English, NE; Lydia Longbone,
nee Crittenden, Cherokee 26958; Lillie Jackson,
Cherokee 31261; Caroline Longbone, Cherokee 31198,
and the heirs, executors, administrators, devisees,
trustees, successors and assigns, creditors and
claimants, immediate and remote, whether known or
unknown, of Lizzie Lenowisha, then Longbone, Cherokee
31095,
Defendants.

Civil No. 775

United States of America, Intervenor.

ORDER FOR PUBLICATION NOTICE

On motion of plaintiff, S. R. Evans, for an order directing the defendants hereinafter named to appear, plead or answer in accordance with Section 57 of the Judicial Code (28 U.S.C. 118), it appearing to the Court that this is an action to determine heirship and to quiet title upon real estate located within the Judicial District described as follows, to-wit:

The East Half of the Northeast Quarter of Section 11,
Township 27 North, Range 13 East, in Washington County,
Oklahoma,

and this action is one of the class of cases wherein service by publication is authorized by the statutes of the United States of America and by the statutes of the State of Oklahoma; that the plaintiff has been unable in the exercise of due diligence to ascertain the existence or address of there hereinafter named defendants except those who were the original plaintiffs or served as defendants, and that therefore it is not possible for personal service to be made on said defendants.

It is therefore, ORDERED that each of you the following named defendants, to-wit:

The heirs, executors, administrators, devisees, trustees,
and assigns, immediate and remote, of Silas Longbone,
deceased, and the unknown heirs, executors, administrators,
devisees, trustees and assigns of Silas Longbone, deceased;

The heirs, executors, administrators, devisees, trustees
and assigns, immediate and remote, of George Longbone,
deceased, and the unknown heirs, executors, administrators,
devisees, trustees and assigns of George Longbone, deceased;

The heirs, executors, administrators, devisees, trustees,
and assigns, immediate and remote of Caroline Longbone,
deceased, and the unknown heirs, executors, administrators,
devisees, trustees and assigns of Caroline Longbone, deceased;

The heirs, executor, administrators, devisees, trustees,
and assigns, immediate and remote, of Pearl Longbone,
deceased, and the unknown heirs, executors, administrators,
devisees, trustees and assigns of Pearl Longbone, deceased,
and

The heirs, executors, administrators, devisees, trustees,
successors, and assigns, creditors and claimants, immediate
and remote, whether known or unknown, of Lizzie Lenowisha,
then Longbone, deceased,

are directed to appear, plead and answer or otherwise move with respect to the amended and supplemental complaint of S. R. Evans filed herein, on or before the 11th day of August, 1944, by which complaint the plaintiff seeks a judgment and decree against each of you quieting his title in and to the afordescribed real estate and determining the heirship of Silas Longbone, deceased, of George Longbone, deceased, and of Lizzie Lenowisha, then Longbone, deceased, and forever adjoining, barring and estopping each of you from setting up, asserting or claiming any right, title or interest in or to the above described real estate; and

IT IS FURTHER ORDERED that if you default, this Court will proceed to hear and adjudicate this suit and that said amended and supplemental complaint will be taken as true and a judgment and decree rendered against you quieting the title of the substituted plaintiff, S. R. Evans, and to the above described premises and decreeing that Silas Longbone, George Longbone, Caroline Longbone, Pearl Longbone and Lizzie Lenowisha, then Longbone, and each of them died a resident of Washington County, Oklahoma, and that the sole and only heirs of Silas Longbone were his wife, Lydia Longbone, nee Crittenden, and his children, George Longbone, Jesse Longbone, Roy Longbone, Frankie Longbone, Gertrude Longbone now Creed, Silas Leonard Longbone and Dewey English nee Longbone; that the sole and only heirs of George Longbone were his mother, Caroline Longbone and his wife, Pearl Longbone; that the sole and only heirs of Caroline Longbone were her two sons, Jesse Longbone and Roy

1944, and that he make a report of his doings under this order to this court.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Jun 24 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 26, 1944

On this 26th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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. 1066)

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA containing approximately 246.60 acres,
more or less; and Don Emery, et al.,

Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 21
(11 FW 793 (Rev.))

NOW on this 26th day of June, 1944, there coming on for hearing the application of the defendant, Helen M. Conrad, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 21 (11 FW 793 (Rev.)), and the Court being fully advised in the premises finds:

That the defendant, Helen M. Conrad, was the owner of the land designated as Tract No. 21 (11 FW 793 (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 \$141.30 for the taking of a perpetual flowage easement 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 flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court finds that pursuant to the Act of June 10, 1920 (41 Stat. 1063 (16 U.S.C. Sec. 809); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U.S.C. Secs. 401-304) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1888, 25 Stat. 357 (40 U.S.C. Sec. 257); and the Act of February 26, 1931, 46 Stat. 1421 (40 U.S.C. Sec. 258 (a) to 258 (e)); Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U.S.C. 171 (a)), the Secretary of the Interior is authorized and directed to acquire in the name of the United States of America, said lands.

That pursuant to and by virtue of said authority, the Secretary of the Interior has duly selected for acquisition by the United States for said public purposes, 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 as follows, to-wit:

(For description of Tracts see Journal 6, Page 957).

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 T. G. Grant of Tulsa County, Oklahoma, W. L. Mayes of Mayes County, Oklahoma, and T. B. Hays of Craig 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 hereinabove described and consider the injury and assess the damages said defendants as the owners thereof, or having any right, title or interest therein will sustain by reason of the condemnation and appropriation of the petitioner, of said land.

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 United States Post Office Building in Vinita, Oklahoma, on the 27th day of June, 1944 at the hour of 9:30 o'clock A.M., for the purpose of taking the oath of office and the performance of their duties.

ROYCE H. SAVAGE
J u d g e

ENDORSED: Filed Jun 26 1944
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 DELAWARE COUNTY,)
OKLAHOMA, containing approximately 240.20)
acres, more or less; and Lulu B. Haddings,)
et al.,	Defendants.)

CIVIL NO. 1126

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 29
(25 FW 907 (Rev.))

NOW on this 26th day of June, 1944, there coming on for hearing the application of the defendant, Olive Blanche Eddins, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 29 (25 FW 907 (Rev.)) and the Court being fully advised in the premises finds:

That the defendant, Olive Blanche Eddins, was the owner of the land designated as Tract No. 29 (25 FW 907 (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 \$45.00 for the taking of a perpetual flowage easement 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 flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Olive Blanche Eddins, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$45.00, which was accepted by the petitioner.

The Court further finds that the sum of \$45.00 is just compensation for the injuries and damages sustained by said defendant, Olive Blanche Eddins.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Olive Blanche Eddins, was the owner of the land designated as Tract No. 29 (25 FW 907 (Rev.)), when this proceeding was commenced, and that the sum of \$45.00 is just compensation for the damages sustained by the defendant, Olive Blanche Eddins and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: Olive Blanche Eddins Owner Tract No. 29 (25 FW 907 (Rev.))
\$45.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 26 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,

Petitioner,)

vs)

CIVIL NO. 1126

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 240.20 acres, more or less; and Lulu B. Huggins, et al.,

Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 18 (25 FW 888) and TRACT NO. 41 (26 FW 908)

NOW, on this 26 day of June, 1944, there coming on for hearing the application of the defendant, Lulu B. Huggins, for an order fixing title, decreeing just compensation and making distribution as to Tracts No. 18 (25 FW 888) and 41 (26 FW 908) and the Court being fully advised in the premises, finds:

That the defendant, Lulu B. Huggins, was, the owner of the land designated as Tracts No. 18 (25 FW 888) and 41 (26 FW 908) 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 sums of \$213.00 and for the taking of a perpetual flowage easement upon and over said tracts of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, there vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Lulu B. Huggins, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tracts of land for the sum of \$ _____, which was accepted by the petitioner.

The Court further finds that the sum of \$213.00 and \$242.00 is just compensation for the injuries and damages sustained by said defendant, Lulu B. Huggins.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Lulu B. Huggins, was the owner of the land designated as Tracts No. 18 (25 FW 888) and 41 (26 FW 908) when this proceeding was commenced, and that the sum of \$213.00 and \$242.00s are just compensation for the damages sustained by the defendant, Lulu B. Huggins, and that said defendant is the only person, having any right, title or interest in and to said just compensation, except.

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

TO: Lulu B. Huggins	Owner	
TRACT NO. 18 (25 FW 888)		\$213.00
TRACT NO. 41 (26 FW 908)		\$242.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 26 1944

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

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs)
		) CIVIL NO. 1181
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)
OKLAHOMA, containing approximately 61.04)
acres, more or less; and C. F. Brodrick,)
et al.,	Defendants.)

ORDER AUTHORIZING PUBLICATION NOTICE

NOW, on this 26 day of June, 1944, 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:

C. S. Maddox; Grace Maddox; Robert Z. Long; P. F. Prater; Izora Prater; W. E. Crow; Albert Cummings; Evelyn Cummings; S. A. Brady; Willie Brady; The Federal Land Bank of Wichita, a corporation; J. B. Hunter, Fletcher Rogers, A. J. McKinney, J. S. Edson, Carrie Russell Shore and S.S. Miller, 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, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of Thomas Long, deceased; and the known and unknown trustees, creditors and assigns, immediate and remote and their spouses, if any, of James C. Hall, Trustee, deceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above named defendants, and any and all other persons, firms, corporations or legal entities, claiming any interest whatever in the real estate herein described and involved, 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 AFTON AMERICAN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of the condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, are commissioners, on or before the 21st day of August, 1944, the petitioner, United States of America, will, on said 21st day of August, 1944, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court 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, subject only to the exist rights of the Grand River Dam Authority, if any, and that said defendants, and each of them, may be present, if they so desire.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 26 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs		) CIVIL NO. 1225
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)
OKLAHOMA, containing approximately 7.40)
acres, more or less; and S. S. Garman, et al.,)
	Defendants.)

ORDER APPOINTING COMMISSIONERS
(TRACT NO. 5 (50 FW 1335-Rev.)
(TRACT NO. 6 (50 FW-1337)

NOW, on this 26th day of June, 1944, there coming on for hearing the application of the owners of Tracts No. 5 (50 FW-1335 - Rev.), and No. 6 (50 FW 1337), for the appointment of commissioners, and it appearing that the petitioner, United States of America, instituted these proceedings to acquire the fee simple title to said tracts of land in connection with the completion and full utilization of the Grand River Dam (Pensacola Project); and that all of the persons having any right, title or interest in and to said Tract No. 5 (50 FW 1335-Rev.) and Tract No. 6 (50 FW 1337) have entered their appearance and requested the appointment of commissioners and the petitioner, the United States of America, consents to the appointment of commissioners at this time.

The Court finds that pursuant to the Act of June 10, 1920, 41 Stat. 1063 (16 U.S.C. Sec. 809); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U.S.C. Secs. 401-403) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1888, 25 Stat. 357 (40 U.S.C. Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (40 U.S.C. Sec. 258 (a) to 258 (e)); Title II of the Act of March 27, 1942, 56 Stat. (50 U.S.C. 171 (a)), the Secretary of the Interior of the United States of America is authorized to acquire in the name of the United States of America the land hereinafter described.

That pursuant to and by virtue of said authority, the Secretary of the Interior has duly selected for acquisition by the United States for said public purposes, certain lands situated, lying and being in the County of Ottawa, in the Northern District of Oklahoma, within the jurisdiction of this Court, and more particularly described as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE J7 - P. 956)

It further appears that all of those persons claiming any interest in and to said land adverse to the United States of America, which said persons are defendants in this proceeding, have entered their appearance, waived service and return of notice and requested the appointment of commissioners by this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that T. G. Grant, of Tulsa County, Oklahoma; W. L. Mayes of Mayes County, Oklahoma; and T. B. Harp of Craig 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 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 said lands.

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 U. S. Post Office Building in Vinita, Oklahoma, on the 27th day of June, 1944, at the hour of 9:30 o'clock A.M., for the purpose of taking the oath of office, and the performance of their duties.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 26 1944
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to June 27, 1944

On this 27th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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

PAYNE OIL CORPORATION, a corporation,)
Plaintiff,)
vs) No. 1087 Civil
)
PHILLIPS PETROLEUM COMPANY, a)
corporation,) Defendant.)

ORDER WAIVING SUPERSEDEAS BOND

The defendant Phillips Petroleum Company having heretofore filed its Notice of Appeal herein and the parties hereto having filed a Stipulation herein providing that no supersedeas bond or undertaking of the defendant be required to stay the issuance of execution in this cause pending the determination of said appeal;

IT IS ORDERED that the issuance of execution in this cause be and the same hereby is stayed pending determination of the aforesaid appeal by the United States Circuit Court of Appeals for the Tenth Circuit.

DATED this 27 day of June, 1944.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jun 27 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to June 28, 1944

On this 28th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 28th day of June, A. D. 1944, it being made satisfactorily to appear that Jesse D. Davis is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is admitted to the Bar of the Court.

Court adjourned to June 29, 1944

On this 29th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

In the Matter of the Estate of)
ISOM PETERS, Deceased.) CIVIL NO. 943

ORDER AND NOTICE

BE IT REMEMBERED that on this 29 day of June, 1944, the same being a day of the regular January 1944 term of this court at Tulsa, Oklahoma, A. C. Wise, executor of the Estate of Isom Peters, deceased, having filed herein his final account and presented to the court his petition for settlement thereof and determination of the heirship of decedent, distribution, and closing of said estate, and motion for an order setting same for hearing and publication of notice of such hearing.

And it appearing to the court that the will of said decedent was admitted to probate by this court on the 16th day of June, 1943, and more than one year has elapsed since said date.

IT IS HEREBY ORDERED that said final account and petition be set for hearing on the 7th day of August, 1944, at 9:30 o'clock A.M., and all parties interest in said estate are hereby given notice of said hearing and are hereby directed to appear before this court in the United States court room in the City of Tulsa, Oklahoma, at said time and show cause, if any they have, why said final account should not be settled and approved and a final order made determining the heirship of said decedent and decreeing a distribution of said estate, and such other and further orders made as may to the court seem just and necessary, and said estate closed.

time in the performance of said acts in connection with the operation of the Grand River Dam (Pensacola) Project, upon depositing in the registry of this Court the sum of \$17.05; and the Court further finds that the sum of \$27.60 is fair and just compensation for the taking of said perpetual flowage easement upon said lands; that the defendant, C. D. Armstrong, should have and receive the sum of \$72.00 as damages for the destruction of growing crops upon a portion of said lands caused by the taking of said easement; that the total sum of \$99.60 is full and just compensation for the taking of said easement and for all damages occasioned thereby.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the owners of said lands shall receive just compensation in the sum of \$27.60 by reason of the condemnation and taking of a perpetual easement by the United States of America to inundate, submerge and flow the following described tract of land, to-wit:

(SEE JOURNAL 6, P. 382)

together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project; that the defendant, C. D. Armstrong, shall receive just compensation in the sum of \$72.00, with interest thereon at the rate of six per cent per annum from June 14, 1944, by reason of damages sustained to growing crops upon a portion of said lands due to the exercise of said perpetual easement by the petitioner; that the total sum of \$99.60 is full and just compensation for the taking of said perpetual easement on said tract of land; together with all damages sustained by the defendant, C. D. Armstrong, to growing crops thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the public use and purpose for which said estate in said lands is taken by the petitioner is strictly in accordance with the Acts of Congress made and provided in such cases.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the registry of this Court the sum of \$82.55, said amount being the deficiency between the just compensation herein fixed and determined and the amount deposited by the petitioner with its Declaration of Taking in the sum of \$17.05, and that a portion of said deficiency judgment, in the sum of \$10.55 (same being the difference between the just compensation herein fixed and determined for the taking of said easement, in the amount of \$27.60, and the estimated just compensation, in the amount of \$17.05, deposited with the petitioner's Declaration of Taking) bear interest at the rate of six per cent per annum from June 16, 1943, until deposited in the registry of this Court.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 30 1944
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. 1045
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA, containing approximately 97.5)	
acres more or less, and John Chapman, et al.,)	
	Defendants.)	

ORDER OF DISMISSAL

Now on this the 30th day of June, 1944, this matter comes on regularly for hearing up on the motion to dismiss of the State of Oklahoma on the relation of the State Highway Commission, Petitioner appearing by counsel, Whit Y. Mauzy, United States Attorney, R. L. Davidson, Special Assistant United States Attorney, and Q. B. Boydston, Assistant Chief Counsel, Southwestern Power Administration, and the State of Oklahoma on the relation of the State Highway Commission appearing by Randall S. Cobb, Attorney General of the State of Oklahoma, and by Finis O. Stewart, Assistant Attorney General both sides announce ready for hearing of said motion.

And the Court, after an examination of the files and pleadings herein, and after having heard statements of counsel, and after being fully advised in the premises, finds that the respondent, State of Oklahoma on the relation of the State Highway Commission, is not the owner of, nor is it interested in, any of the property affected by the instant condemnation case, and that this cause should therefore be dismissed as to such respondent.

It is therefore, by the Court ordered, adjudged and decreed that as to the State of Oklahoma on the relation of the State Highway Commission, this cause should be, and the same hereby is, ordered dismissed.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed In Open Court
Jun 30 1944
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)	
		)	CIVIL NO. 1046
CERTAIN PARCELS OF LAND IN MAYES COUNTY,)	
OKLAHOMA, containing approximately 9.9)	
acres, more or less; and Cary Caldwell, et al.,)	
	Defendants.)	

JUDGMENT ON VERDICT AS TO TRACT NO. 15

NOW, on this 14th day of June, 1944, the United States District Court for the Northern District of Oklahoma, being regularly and duly convened and in session at Vinita, Oklahoma, within said District and State, the above proceeding came on for jury trial as to Tract No. 15, upon the demand

of the defendant, R. G. Uhl, and pursuant to regular assignment. The petitioner, the United States of America, appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and R. L. Davidson, Special Assistant United States Attorney and the defendant, R. G. Uhl appeared by his attorneys, Frank Nesbitt of Miami, Oklahoma, and L. Keith Smith, of Jay, Oklahoma. Whereupon all parties announced ready for trial.

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorneys for the defendant, R. G. Uhl, and attorneys for the petitioner, United States of America; whereupon, the defendant, R. G. Uhl introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, on the 14th day of June, 1944, the jury in charge of its bailiff, returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,)	
)	
vs		)	Case No. 1046 Civil
		)	Tract No. 15
Certain parcels of land in Mayes		)	R. G. Uhl, fee owner
County, Oklahoma; and R. G. Uhl,)	
et al.,	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 15 was
 Dollars (\$4,000.00)

(S) KENNETH E. BEALL
Foreman.

ENDORSED:
Filed In Open Court.
June 14, 1944
H. P. WARFIELD,
Clerk, U. S. District Court"

WHEREUPON, it is by the court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, R.G. Uhl, shall receive just compensation in the sum of \$4,000.00 for the taking of the perpetual easement by the United States of America to inundate, submerge and flow said tract of land, and to enter upon said land from time to time in the performance of said acts in connection with the operation of the Grand River Dam (Pensacola) Project.

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

(SEE J 6 - P. 429)

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorneys for the defendants, J. M. Hutchins and Cora A. Hutchins, and attorneys for the petitioner, United States of America; whereupon, the defendants, J. M. Hutchins and Cora A. Hutchins, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, on the 15th day of June, 1944, the jury, in charge of its bailiff, returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,)	
		)	Case No. 1056 Civil
vs)	
		)	Tract No. 53.
Certain parcels of Land in Delaware		)	J. M. Hutchins and Cora A. Hutchins,
County, Oklahoma; and J. M. Hutchins		)	fee owners.
et al.,	Defendant.)	

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 53 was Dollars \$1375.00.

Keith J. Guenther
Foreman.

ENDORSED:
Filed in Open court
June 15, 1944
H. P. WARFIELD,
Clerk, U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendants, J. M. Hutchins and Cora A. Hutchins, shall receive just compensation in the sum of \$1,375.00 for the taking of a perpetual easement by the United States of America to inundate, submerge and flow said tract of land, together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the public use and purpose for which said estate in said land is taken by the petitioner is strictly in accordance with the acts of Congress made and provided in said causes, and that a legal description of said real estate upon and over which said flowage easement is taken by these condemnation proceedings is as follows, to-wit:

(SEE Journal 6, Pl. 557)

That the estate taken in said real estate is a perpetual easement to inundate, submerge and flow said land, 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 in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the estate and interest in said real estate taken by these eminent domain proceedings, did vest in the United States of America on the 5th day of August, 1943, upon the depositing in the registry of this Court of the sum of \$440.00 as estimated just compensation.

A jury was duly impanelled and sworn to try the cause according to law; and opening and opening statements were made by the attorneys for the defendant, Van S. Chandler, and attorneys for the petitioner, United States of America; whereupon, the defendant, Van S. Chandler, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, and on the 17th day of June, 1944, the said jury in charge of its balliff, returned its verdict into Court, which verdict is in word and figures as follows, to-wit:

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

United States of America,	Plaintiff,	)	Case No. 1066 Civil Tract No. 4
)	
vs		)	Case No. 1115 Civil Tract No. 1
)	
Certain Parcels of Land in Delaware		)	Van S. Chandler, fee owner
County, Oklahoma; and Van S. Chandler,)	
et al,	Defendant.)	

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 4 was One Thousand Sixty Five and no/100 Dollars (\$1065.00. and further find that the fair market value of Tract No. 1 on November 19, 1943, was Eight Thousand & No/100 Dollars (\$8000.00) and further find that the flood damage of May, 1943 was One Thousand twenty five dollars \$1025.00.

Page S. Bates,
Foreman.

ENDORSED:
Filed in Open Court
June 17, 1944
H. P. WARFIELD,
Clerk, U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, Van S. Chndler, shall receive just compensation in the sum of \$1,065.00 for the taking of a perpetual easement by the United States of America to inundate, submerge and flow said tract of land, together with the right to cut and clear all timber therefrom, and to remove or require the removal therefrom of all obstructions, natural or artificial, buildings, fences, and other improvements, and to enter upon said land from time to time in the performance of said acts, in connection with the operation of the Grand River Dam (Pensacola) Project.

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

TRACT NO. 4 (5 FW 189 Rev)

(For description see J 6, P. 623)

That the estate taken in said real estate is a perpetual easement to inundate, submerge and flow said tract of land, to cut and clear all timber therefrom, and to removal 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, in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to said estate and interest therein taken by these eminent domain proceedings, did vest in the United States of America on the 27th day of August, 1943, upon the depositing in the registry of this Court the sum of \$663.50 as estimated just compensation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$1,065.00 is full and just compensation for the estate and interest taken by the petitioner, United States of America, and that of said sum the amount of \$401.50 shall bear interest at the rate of six per cent per annum from the 27th day of August, 1943 @ said amount of \$401.50 being the difference between the just compensation herein determined to be \$1,065.00 and the estimated just compensation deposited with the Declaration of Taking in the sum of \$663.50.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY the Court that the petitioner pay into the registry of this Court the sum of \$401.50 - said amount being the deficiency between the just compensation herein fixed and determined and the amount deposited by the petitioner with its Declaration of Taking in the sum of \$663.50, and that said deficiency bear interest at the rate of six per cent per annum from the 27th day of August, 1943, until deposited in the registry of the Court.

To the judgment accepting and approving the jury's verdict, the defendant, Van S. Chandler, an the petitioner, United States of America, objected and excepted, and such objections and exceptions are allowed.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 30 1944
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. 1069
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, containing approximately 281.30)
acres, more or less, and William H. Kneeland,)
an incompetent, et al, Defendants.)

ORDER OF DISMISSAL

Now on this 30th day of June, 1944, this matter comes on regularly for hearing upon the motion of the State of Oklahoma on the relation of the State Highway Commission. Petitioner appearing by counsel, Whit Y. Mazzy, United States Attorney, R. L. Davidson, Special Assistant United States Attorney, and Q. B. Boydston, Assistant Chief Counsel, Southwestern Power Administration, and the State of Oklahoma on the relation of the State Highway Commission appearing by Randall S. Cobb, Attorney General of the State of Oklahoma, and by Finis O. Stewart, Assistant Attorney General, both sides announce readiness for hearing of said motion.

And the Court, after an examination of the files and pleadings herein, and after having heard statements of counsel, and after being fully advised in the premises, finds that the respondent, State of Oklahoma on the relation of the State Highway Commission, is not the owner of,

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

United States of America,	Plaintiff,	)	Case No. 1073 Civil
		)	Tract No. 1
vs		)	C. J. Nicholson, fee owner
Certain Parcels of Land in Ottawa)	
County, Oklahoma; and C. J. Nicholson,)	
et al.	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 1 was Twenty two hundred & fifty 7 No/100 Dollars \$2250.00. and further find that the flood damage of May, 1943 was Crop Damage Six Hundred and forty-five —Dollars (\$645.00.

Page S. Bates,
Foreman

ENDORSED:
Filed In open court
June 17, 1944
H. P. WARFIELD,
Clerk, U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, C. J. Nicholson, shall receive just compensation in the sum of \$2,250.00 for the taking of the perpetual easement by the United States to inundate, submerge and flow said tract of land, together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project, and that the defendants, C. J. Nicholson, shall receive the additional sum of \$645.00 as damages for the flooding, in May, 1943, of the crops growing on said tract of land.

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

(FOR DESCRIPTION SEE J 6 - P. 669)

That the estate taken in said real estate is a perpetual easement to inundate, submerge and flow said tract of land, 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 in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the title to said estate and interest taken by these eminent domain proceedings, did vest in the United States of America on the 1st day of September, 1943, upon the depositing in the registry of this Court of the sum of \$2,016.00 as estimated just compensation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$2,250.00 is full and just compensation for the estate and interest taken by the petitioner, United States of America, and that said sum, the amount of \$234.00 shall bear interest at the rate of six per cent per annum from the 1st day of September, 1943 - said sum of \$234.00 being the difference between the just compensation

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorneys for the defendant, O. W. Smithpeter and attorneys for the petitioner, the United States of America; whereupon, the defendant, O. W. Smithpeter, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, on the 13th day of June, 1944 the jury, in charge of its bailiff, returned its verdict into court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,)	
		)	Case No. 1075 Civil
vs		)	Tract No. 21
		)	O. W. Smithpeter, fee owner
Certain parcels of land in Delaware)	
County, Oklahoma; and O. W. Smithpeter)	
et al.,	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 21 was Dollars (\$300.00). and further find that the flood damage of May, 1943 was \$135.00.

HARRY B. BURT
Foreman.

ENDORSED: Filed In Open Court
June 13, 1944
H. P. Warfield
Clerk, U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, O. W. Smithpeter shall receive just compensation in the sum of \$300.00 for the taking of the perpetual easement by the United States of America to inundate, submerge and flow said tract of land, together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project; that the defendant, O. W. Smithpeter, shall have and receive the sum of \$135.00 as damages to crops growing on said lands caused by the flooding thereof in May, 1943.

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

(SEE J 6, P. 669)

That said estate taken in said real estate is 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 land from time to time in the performance of said acts in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the title to said interest in said real estate taken by these eminent domain proceedings did vest in the United States of America on the 2nd day of September, 1943, upon the depositing of the money in the registry of this Court of the sum of \$324.00 for said Tract No. 21.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$300.00 is full and just compensation for the estate and interest taken by the petitioner, the United States of America, in and to said tract of land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$135.00 is full and just compensation for all damages caused to crops growing on said tract of land caused by the May, 1943, flood, and that the sum of \$24.00 being the difference between the amount deposited in the registry of the Court on September 2, 1943, as the estimated just compensation for the taking of said easement, and the \$300.00 ascertained and fixed by the verdict of the jury as just compensation for the taking of said easement shall be credited upon the \$135.00 ascertained and fixed by the jury as just compensation for all damages caused to crops growing on said land caused by the May, 1943, flood, leaving a balance due the defendant, O. W. Smithpeter, for damages to said crops of \$111.00, and it is ORDERED AND ADJUDGED by the Court that the defendant, O. W. Smithpeter, is entitled to interest on said \$111.00 at the rate of six per cent per annum from June 13, 1944, until paid, and the petitioner is ordered to pay into the registry of this Court the said sum of \$111.00 together with interest thereon at the rate of six per cent per annum from June 13, 1944, until said deposit is made in the registry of the Court.

To the judgment accepting and approving the jury's verdict, the defendant, O. W. Smithpeter, and the petitioner, the United States of America, objected and excepted, and such objections and exceptions are allowed.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 30 1944
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. 1075

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA, containing approximately 214.30
acres, more or less; and Lucy A. Wallace,
et al,

Defendants.)

JUDGMENT ON VERDICT AS TO TRACT NO. 30

NOW, on this the 12th day of June, 1944, the United States District Court for the Northern District of Oklahoma, being regularly and duly convened and in session at Vinita, Oklahoma, within said District and State, the above proceeding came on for jury trial as to Tract No. 30 in Civil No. 1075, upon the demand of the defendant, Fred Branson, and pursuant to the regular assignment the petitioner, the United States of America, appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and R. E. Davidson, Special Assistant United States Attorney, and the defendant, Fred Brandon, appeared by his attorneys, Ad V. Coppedge, of Grove, Oklahoma, and H. P. Walker of Miami, Oklahoma. Whereupon, all parties announced ready for trial.

The parties agreed in open court that the compensation to be determined in said trial, as to Tract No. 30, in Case No. 1075 Civil, was for the taking of a perpetual easement to inundate, submerge and flow said tract of land, together with the right to cut and clear all timber there-

from and to remove or require the removal therefrom of all obstructions, natural or artificial structure buildings, fences and other improvements and to enter upon said land from time to time in the performance of said acts in connection with the operation of the Grand River Dam (Pensacola) Project, as of September 2, 1943.

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorneys for the defendant, Fred Branson, and attorneys for the petitioner United States of America, whereupon the defendant, Fred Branson, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, and on the 13th day of June, 1944, the jury in charge of its bailiff, returned its verdict into Court, which verdict is in words and figures as follows to-wit:

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

United States of America,	Plaintiff,)
		) Case No. 1075 Civil
vs		) Tract No. 30
)
Certain parcels of land in Delaware		) Case No. 1115 Civil
County, Oklahoma; and Fred Branson,		) Tract No. 28
et al,	Defendants.	) Fred Branson, fee owner.

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 30 was Five Hundred twenty five and No/100 Dollars (\$525.00.
and further find that the fair market value of Tract No. 28 on Nov. 19, 1943, was twenty and no/100 Dollars \$20.00

Daniel Leon Bloomheart
Foreman

ENDORSED: Filed In Open Court
H. P. Warfield, Clerk June 13, 1944
United States District Court"

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, Fred Branson, shall receive just compensation in the sum of \$525.00 by reason of the condemnation and taking of a perpetual easement by the United States of America to inundate, submerge and flow said tract of land, together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project.

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

TRACT NO. 30 (24 FW 610)
(For Description see Journal 6, P. 669)

That said estate taken in said real estate is a perpetual easement to inundate, submerge and flow, to cut and clear all timber therefrom, and to remove or require the removal thereupon 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 in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

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 totime in the performance of said acts in connection with the Grand River Dam (Pensacola) Project, as of September 2, 1943, and for the flooding of crops growing on said land in May, 1943.

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorneys for the defendant, William P. Mayes, and attorneys for the petitioner, the United States of America; whereupon, the defendant, William P. Mayes, introduced evidence and rested, an the petitioner introduced evidence and rested; whereupon, on the 13th day of June, 1944, the jury, in charge of its bailiff, returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,)	
		)	Case No. 1075 Civil
vs		)	Tract No. 9, Tract No. 12 and
		)	Tract No. 26
Certain Parcels of Land in Delaware		)	William P. Mayes, fee owner
County, Oklahoma; and William P.)	
Mayes, et al.,	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tracts 9, 12 and 26 was Eleven Hundred Ninety and no/100 dollars \$1190.00 and further find that the flood damage of May, 1943 was Eighty Two and no/100 dollars \$82.00.

Daniel Leon Bloomheart
Foreman.

ENDORSED:
Filed In Open Court
June 13, 1944
H. P. Warfield, Clerk
U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, William P. Mayes, shall receive just compensation in the sum of \$1190.00 for the taking of a pe petual easement by the United States of America to inundate, submerge and flow said tracts of land, together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project; that the defen dant, William P. Mayes, shall have and receive the sum of \$82.00 as damages to crops growing on said lands caused by the flooding thereof in May, 1943.

IT IS FURTHER ORDERED ADJUDGED AND DECREED by the Court that the public use and purpose for which said estate in said lands is taken by the petitioner is strictly in accordance with the acts of Congress made and provided in said cases, and that a legaldescription of said real estate upon and over which said flowage easement is taken by these condemnation proceedings is as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE J 6 - P. 669)

That said estate taken in said real estate is a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom, an 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 in connection with the maintenance and operation of the Grand Rive Dam (Pensacola) Project.

JUDGMENT ON VERDICT AS TO TRACTS NO. 28 and 31 IN CASE
NO. 1075 CIVIL and AS TO TRACT NO. 35 in CASE NO.
1110 CIVIL

NOW, on this 16th day of June, 1944, the United States District Court for the Northern District of Oklahoma, being regularly and duly convened and in session at Vinita, Oklahoma, within said District and State, the above proceedings came on for jury trial as to Tracts No. 28 and 31 in Case No. 1075 Civil, and as to Tract No. 35 in Case No. 1110 Civil, under an order of consolidated for purposes of trial, and upon the demand of the defendant, S. C. Jackson, as to each of said tracts No. 28, 31 and 35, and upon the demand of the petitioner, United States of America, as to Tracts No. 28 and 31, and pursuant to regular assignment. The petitioner, United States of America, appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and R. L. Davidson, Special Assistant United States Attorney and the defendant, S. C. Jackson, appeared by his attorneys, Frank Nesbitt of Miami, Oklahoma, and L. Keith Smith of Jay, Oklahoma. Whereupon, all parties announced ready for trial.

The parties agreed in open court that the compensation to be determined on said trial as to Tracts No. 28 and 31 in Case No. 1075, Civil, was for the taking of a perpetual easement to inundate, submerge and flow said tracts, together with the right to cut and clear all timber therefrom, and to remove or require the removal thereof from 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 in connection with the operation of the Grand River Dam (Pensacola) Project, as of September 2, 1943, and that the compensation to be determined on said trial as to Tract No. 35 in Case No. 1110, Civil, was for the taking of a perpetual easement to inundate, submerge and flow said tract, and to enter thereon from time to time in the performance of said acts in connection with the operation of the Grand River Dam (Pensacola) Project, of November 16, 1943; and for the flooding, in May, 1943, of crops growing on said Tracts No. 21, 31 and 35.

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorneys for the defendant, S. C. Jackson, and that attorneys for the petitioner, United States of America; whereupon, the defendant, S. C. Jackson, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, on the 17th day of June, 1944, the jury, in charge of its bailiff, returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,	) Case No. 1075 Civil
		) Tract No. 28 Tract No. 31
vs)
		) Case No. 1110 Civil
Certain Parcels of Land in Ottawa and		) Tract No. 35
Delaware Counties; and S. C. Jackson,		) S. C. Jackson, fee owner
et al,	Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tracts 28, 31 and 35 was Two Thousand and no/100 Dollars (\$2000.00. and further find the flood damage of May, 1943 was crop damage Two Hundred and no/100 Dollars (\$200.00).

PAGE S. BATES
Foreman

ENDORSED:
Filed In Open Court
June 17, 1944
H. P. WARFIELD,
Clerk, U. S. District Court

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, S. C. Jackson, shall receive just compensation in the sum of \$2,000.00 for the taking of the perpetual easement by the United States of America, to inundate, submerge and flow said Tracts No. 21 and 31, together with the right 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 in connection with the operation of the Grand River Dam (Pensacola) Project, and to inundate, submerge and flow said Tract No. 35, and to enter thereon from time to time in the performance of said acts in connection with the operation of the Grand River Dam (Pensacola) Project; that the defendant, S. C. Jackson, shall have and receive the further sum of \$200.00 as damages to crops growing on Tracts No. 28, 31 and 35, caused by the flooding thereof in May, 1943.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the public use and purpose for which said estates in said lands are taken by the petitioner are strictly in accordance with the acts of Congress made and provided in said cases, and that a legal description of said premises upon and over which said flowage easements are taken by these eminent domain proceedings is as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE J 6 - P. 669)

(FOR DESCRIPTION OF TRACT SEE J 6 - 926.)

That the perpetual estates taken in said separately described tracts of real estate are perpetual easements to inundate, submerge and flow tracts No. 21 and 31, 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 tracts of land from time to time in the performance of said acts, in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project, and to inundate, submerge and flow said tract No. 35, and to enter thereon from time to time in the performance of said acts, in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the title to said interest in Tracts No. 28 and 31 in Case No. 1075 Civil, taken by these eminent domain proceedings, did vest in the United States of America on the 2nd day of September, 1943, upon the depositing in the registry of this Court of the sum of \$10.00 as just compensation for said Tract No. 28, and the sum of \$803.00 as just compensation for Tract No. 31; that title to said interest in tract No. 35 in Civil Case No. 1110, Civil, taken by these eminent domain proceedings, did vest in the United States of America on the 16th day of November, 1943, upon the depositing in the registry of this Court of the sum of \$523.00 as just compensation for said tract No. 35.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$2,000.00 is full and just compensation for the estate and interest taken by the petitioner, United States of America, in and to said tracts of land, numbered 28 and 31 in Case No. 1075 Civil, and Tract No. 35 in Case No. 1110 Civil, and that of said sum the amount of \$664.00 shall bear interest at the rate of six per cent per annum from the 2nd day of September, 1943 - said amount of \$664.00 being the difference between the just compensation herein determined to be \$2,000.00 and the estimated just compensation deposited with the Declaration of Taking in said proceedings in the sum of \$1,336.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the petitioner pay into the registry of this Court, in Case No. 1075 Civil, said sum of \$664.00 - said amount being the deficiency between the just compensation herein fixed and determined and the amount deposited by the petitioner with its Declaration of Taking, and that said deficiency bear interest at the rate of six per cent per annum from the 2nd day of September, 1943, until deposited in the registry of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the sum of \$200.00 is full and just compensation for all damages caused to crops growing on said tracts of land caused by the flooding thereof in May, 1943, and it is ORDERED AND ADJUDGED BY THE COURT that the defendant, S. C.

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

Cinda Monahwee, et al.,	Plaintiffs,)	
)	
vs		)	No. 1111 Civil
)	
Sinclair Prairie Oil Company, et al.,	Defendants.)	

O R D E R

The motion of the plaintiffs to remand this action to the District Court of Creek County was heard on the 3rd day of December, 1943, and thereafter, on order of the court briefs were submitted by the parties; and the Court, being fully advised in the premises, is of the opinion that the motion should be denied.

IT IS ORDERED that the motion of plaintiffs to remand this action to the District Court of Creek County, Oklahoma, from which it was removed, beand the same is hereby denied and dver-ruled.

Dated this 30th day of June, 1944.

ROYCE H. SAVAGE
J u d g e

ENDORSED: Filed Jul 3 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

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

JUDGMENT ON VERDICT AS TO TRACT NO. 1

NOW, on this 16th day of June, 1944, the United States District Court for the Northern District of Oklahoma, being regularly and duly convened and in session at Vinita, Oklahoma, within said District and State, the above proceeding came on for jury trial as to Tract No. 1 upon the demand of the defendat, Van S. Chandler, and the demand of the petitioner, United States of America, and pursuant to regular assignment. The petitioner, United States of America, appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and R. L. Davidson, Special Assistant United States Attorney, and the defendant, Van S. Chandler, appeared by his attorneys, Frank Nesbitt, of Miami, Oklahoma, and L. Keith Smith, of Jay, Oklahoma. Whereupon, all parties announced ready for trial.

The parties agreed in open court that the condemnation to be determined in said trial as to Tract No. 1, was for the taking of the entire fee simple title in and to the hereinafter described land as of November 19, 1943, and for damages sustained by the defendant, Van S. Chandler, on account of the flooding, in May, 1943, of crops growing on said land and personal property located thereon and used in connection therewith.

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by attorneys for the defendant, Van S. Chandler, and by attorneys for the petitioner, United States of America; whereupon, the defendant, Van S. Chandler, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, and on the 17th day of June, 1944, the jury in charge of its bailiff, returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,)
		) Case No. 1066 Civil
vs		) Tract No. 4.
		) Case No. 1115 Civil
Certain Parcels of Land in Delaware		) Tract No. 1.
County, Oklahoma; and Van S. Chandler,		) Van S. Chandler, fee owner
et al.,	Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 4 was One Thousand Sixty five and no/100 dollars (\$1065.00) and further find that the fair market value of Tract No. 1 on Nov. 19, 1943 was Eight Thousand and no/100 Dollars (\$8000.00) and further find that the flood damage of May, 1943 was One Thousand Twenty Five Dollars (\$1025.00)

Page S. Bates,
Foreman.

ENDORSED: Filed In Open Court
June 17, 1944
H. P. WARFIELD,
Clerk, U. S. District Court "

WHEREUPON, it is ORDERED, ADJUDGED AND DECREED by the Court that said verdict be accepted and approved in every respect, and that the defendant, Van S. Chandler, shall receive just compensation in the sum of \$8000.00 for the taking of the entire, fee simple title in and to said tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the public use and purpose for which said estate in said land is taken by the United States is strictly in accordance with the Acts of Congress made and provided in said cases, and that a legal description of said real estate, fee simple title to which is taken by these eminent domain proceedings, is as follows. to-wit:

(FOR DESCRIPTION SEE J6, P. 957)

That the estate taken in said real estate is the entire fee simple title.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the title to said estate and interest therein taken by these eminent domain proceedings did vest in the United States of America, on the 19th day of November, 1943, upon the depositing in the registry of this Court of the sum of \$4,980.00 as estimated just compensation.

The parties agreed in open court that the compensation to be determined on said trial as to said Tract No. 28, was for the taking of the entire, fee simple title in and to the hereinafter described land, as of November 19, 1943.

A jury was duly impaneled and sworn to try the cause according to law, and the opening statements were made by the attorneys for the defendant, Fred Branson, and by attorneys for the petitioner, United States of America; whereupon, the defendant, Fred Branson, introduced evidence and rested, and the petitioner introduced evidence and rested; whereupon, and on the 13th day of June, 1944, the said jury in charge of its bailiff returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

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

United States of America,	Plaintiff,	)	Case No. 1075 Civil	Tract No. 30
)		
vs		)	Case No. 1115 Civil	
		)	Tract No. 28	
Certain Parcels of Land in Delaware County, Oklahoma; and Fred Branson, et al,	Defendant.	)	Fred Branson, fee owner	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 30 was Five Hundred Twenty five and no/100 dollars \$525.00 and further find that the fair cash market value of Tract No. 28 on Nov. 19, 1943, was Twenty and no/100 dollars \$20.00.

DANIEL LEON BLOOMHEART
Foreman

ENDORSED:
Filed In Open Court
June 13, 1944
H. P. Warfield, Clerk
U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, Fred Branson, shall receive just compensation in the sum of \$20.00 by reason of the condemnation and taking of the entire, fee simple title to said tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the public use and purpose for which said estate in said land is taken by the United States is strictly in accordance with the Acts of Congress made and provided in said cause, and that a legal description of said real estate, fee simple title to which is taken by these eminent domain proceedings, is as follows, to-wit:

(SEE J 6 - P. 957)

That said estate taken in said real estate is the entire, fee simple title.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to said estate and interest taken by these eminent domain proceedings did vest in the United States of America on the 19th day of November, 1943, upon the depositing in the registry of this Court of the sum of \$9.00 for said Tract No. 28.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$20.00 is full and just compensation for the estate and interest taken by the petitioner, United States of America, in and to said Tract No. 28, and that of said sum the amount of \$11.00 shall bear interest at the rate of six per cent per annum from the 19th day of November, 1943, - said amount of \$11.00 being the difference between

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs		) CIVIL NO. 1181
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA, containing approximately 61.04 acres, more or less; and O. F. Brodrick, et al.,	Defendants.)

ORDER OF DISMISSAL

Now on this the 30 day of June, 1944, this matter comes on regularly for hearing upon the motion to dismiss of the State of Oklahoma on the relation of the State Highway Commission. Petitioner appearing by counsel, Whit Y. Mauzy, United States Attorney, R. L. Davidson, Special Assistant United States Attorney, and Q. B. Boydston, Assistant Chief Counsel, Southwestern Power Administration, and the State of Oklahoma on the relation of the State Highway Commission appearing by Randall S. Cobb, Attorney General of the State of Oklahoma, and by Finis O. Stewart, Assistant Attorney General, both sides announce readiness for hearing of said motion.

And the Court, after an examination of the files and pleadings herein, and after having heard statements of counsel, and after being fully advised in the premises, finds that the respondent State of Oklahoma on the relation of the State Highway Commission, is not the owner of, nor is it interested in, any of the property affected by the instant condemnation case, and that this cause should therefore be dismissed as to such respondent.

It is therefore, by the Court, ordered, adjudged and decreed that as to the State of Oklahoma on the relation of the State Highway Commission, this cause should be, and the same hereby is, ordered dismissed.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed In Open Court
Jun 30 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

United States of America,	Plaintiff,)
)
vs		) No. 1182 Civil
		) Tract No. 6 (53 FW 1403)
		) Tract No. 24 (53 FW 1475)
Certain Parcels of land in Ottawa County, Oklahoma, et al.,	Defendants.)

ORDER OF DISBURSEMENT

Now this 30th day of June, 1944, the same being a judicial day of said court, this matter comes on for hearing on the application of Margaret Shelton and her husband B. Wright Shelton, for the disbursement of certain funds now on deposit in the office of the Clerk of this Court.

The plaintiff, and the applicants appear by their respective attorneys of record, and while this matter was noticed for hearing for July 7, 1944, it was agreed by the parties that same should be heard at this time.

There-upon said application was presented to and considered by the court, and it was made to appear to the court that the plaintiff herein has condemned and taken for the purposes of its project the lands herein described as Tract No. 6 (53 FW 1403) same being a flowage easement on said lands, and plaintiff has itself determined the damages by reason of the taking of a flowage easement on said lands at \$1800.00 and has paid that amount of money into court; that plaintiff has condemned and taken that certain tract of land herein described as Tract No. 24 (53 FW 1475) and has itself determined the damages caused by said taking at \$7.50 and has paid that amount of money into court.

The court finds that the taxes for 1943 and all prior years levied and assessed against said lands have been paid; that the Federal Land Bank of Wichita, Wichita, Kansas has a mortgage on said lands on which there is now due the approximate sum of \$2000.00, and that the moneys herein should be paid to said mortgagee. The court finds that there are no other claimants to said funds.

IT IS THEREFORE ORDERED that the Clerk of this Court do forthwith pay the sum of \$1800.00 damages for taking of a flowage easement on Tract No. 6 (53 FW-1403), and the further sum of \$7.50 damages for the taking of Tract No. 24 (53 FW 1475) to The Federal Land Bank of Wichita, Wichita, Kansas, as a payment on the mortgage debt aforesaid.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Jun 30 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

GENEVA SCULLAWL LEESON, GRACIE ELAM, ERNEST HAYS)
and RUSCO HAYS, Plaintiffs,)

vs

WILLIAM SCULLAWL, RICHARD SCULLAWL, JOHN)
McINTOSH, FLORENCE HEGWAR, nee HAYS, SALLIE)
McINTOSH, EDNA CASEY, GRACIE McINTOSH, J.)
W. McIntosh, MARY FIELDS, ROSA TALLCHIEF,)
LILLIE SPURRIER, BELL BIGHEART, BLANCHE)
BIGHEART, LEO BIGHEART, SYLVESTER BIGHEART,)
if living, and if any of said defendants be)
dead, then their heirs, executors, adminis-)
trators, devisees, trustees and assigns,)
immediate and remote, known and unknown; and)
the heirs, executors, administrators, devisees,)
trustees, and assigns, immediate and remote,)
known and unknown, of Jennie Scullawl, Cherokee)
Roll No. 10,172, deceased; John Scullawl, Chero-

NO. 1200 CIVIL

kee Roll No. 10,171, deceased; Mary Hays, Chero-)
 kee Roll No. 10,173, deceased; Alice Bigheart,)
 Cherokee Roll No. 31,712, deceased; JamesMc-)
 Intosh, Cherokee Roll No. 26,578, deceased, and)
 STATE OF OKLAHOMA, Defendant.)

JOURNAL ENTRY

This matter coming on for hearing this 28th day of June, 1944, having been continued from the 21st day of June, 1944, the plaintiffs appearing by their attorney, Chas. W. Pennel, and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the court after being fully advised in the premises, finds that the findings of fact and conclusions of law of the court have heretofore been filed in this case. That proper and sufficient service has been had upon all of the defendants and that the Soldiers and Sailors Relief Act of 1940, as amended, has been fully complied with. That pursuant to the court's findings of fact and conclusions of law, plaintiffs are entitled to judgment quieting title in them as more fully appears from the court's findings of fact and conclusions of law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the title and possession of said plaintiff, Gracie Elam, in and to the following described real estate, to-wit:

Northwest Quarter of Southeast Quarter of Northeast
 Quarter and Southwest Quarter of Southeast Quarter of
 Northeast Quarter and Northwest Quarter of Northeast
 Quarter of Southeast Quarter of Section 13, Township
 25, Range 12, situated in Washington County, Oklahoma

be and the same is hereby forever settled and quieted in said plaintiff, Gracie Elam, as against all claims or demands of each and every kind whatsoever by the said defendants or intervener and those claiming by, through or under them or any of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title and possession of said plaintiff, Ernest Hays, in and to the following described real estate, to-wit:

Northeast Quarter of Northeast Quarter of Southeast
 Quarter of Section 13, Township 25, Range 12, situated
 in Washington County, Oklahoma

be and the same is hereby forever settled and quieted in said plaintiff, Ernest Hays, as against all claims or demands of each and every kind whatsoever by the said defendants or intervener and those claiming by, through or under them or any of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title and possession of said plaintiff, Geneva Scullaw Leeson, in and to the following described real estate, to-wit:

Northeast Quarter of Southeast Quarter of Northeast
 Quarter of Section 13, Township 25, Range 12, situated
 in Washington County, Oklahoma,

be and the same is hereby forever settled and quieted in said plaintiff, Geneva Scullaw Leeson, as against all claims or demands of each and every kind whatsoever by the said defendants or intervener and those claiming by, through or under them or any of them.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title and possession of said plaintiff, Rosco Hays, in and to the following described real estate, to-wit:

Southeast Quarter of Southeast Quarter of Northeast
 Quarter of Section 13, Township 25, Range 12, situated
 in Washington County, Oklahoma,

by law to direct the institution of such condemnation proceedings;

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$2,384.00, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 30th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (15 - FW-257)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, less the east 468 feet of the south 300 feet thereof, in Sec. 18, all in T 23 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 13.6 acres.

TRACT NO. 2 (34 - FW-1115 to 1127
inclusive, and 1127 A
B, C, D, and E)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the south 10.0 acres of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T 25 N, R 24 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence westerly along the south boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 50.8 feet to a point 1276.9 feet from the SW corner thereof, thence N. 83° 24' W. 159.8 feet; thence N. 63° 45' W. 610.1 feet, thence N. 56° 31' W. 290.7 feet, thence N. 50° 53' W.

173.5 feet, thence N. 34° 05' W. 111.0 feet, thence N. 18° 10' W. 118.2 feet, thence N. 7° 43' E. 95.2 feet, thence N. 54° 30' E. 153.5 feet, thence N. 67° 58' E. 205.4 feet, thence N. 44° 04' E. 203.5 feet, thence N. 40° 50' E. 128.5 feet, thence N. 56° 55' E. 70.5 feet, thence S. 78° 41' E. 250.9 feet, thence N. 84° 52' E. 180.3 feet, thence N. 43° 25' E. 280.5 feet, to a point in the east boundary of said south 10.0 acres of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ 143.3 feet from the SE corner of said south 10.0 acres of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ thence northerly along said east boundary a distance of 21.2 feet, thence S. 54° 50' W. 267.9 feet, thence N. 74° 49' W. 187.9 feet, thence N. 64° 10' W. 88.1 feet, thence N. 68° 28' W. 146.8 feet, thence S. 74° 45' W. 198.6 feet, thence S. 46° 43' W. 83.5 feet, thence S. 27° 18' W. 111.1 feet, thence S. 83° 06' W. 154.2 feet, thence N. 72° 44' W. 28.9 feet, thence N. 3° 15' E. 108.3 feet, thence S. 37° 24' W. 204.1 feet, thence S. 56° 03' W. 65.2 feet, thence S. 89° 09' W. 54.9 feet to a point in the west boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1175.6 feet from the SW corner thereof, thence northerly along said west boundary a distance of 156.1 feet to the NW corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence S. 74° 14' E. 21.3 feet, thence N. 47° 56' E. 368.7 feet, thence S. 18° 36' E. 244.7 feet, thence S. 86° 52' E. 68.1 feet, thence N. 32° 04' E. 54.4 feet, thence N. 53° 51' E. 110.8 feet; thence N. 67° 19' E. 295.1 feet, thence S. 69° 30' E. 158.0 feet, thence S. 86° 15' E. 283.2 feet, thence N. 31° 11' E. 162.3 feet, thence to a point in the east boundary of said south 10.0 acres of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence southerly along said east boundary a distance of 259.1 feet to a point 53.6 feet north of the SE corner of said south 10.0 acres of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ thence S. 47° 08' W. 187.2 feet, thence S. 23° 32' W. 187.1 feet, thence N. 64° 16' W. 148.2 feet, thence N. 86° 28' W. 264.3 feet, thence S. 54° 27' W. 174.6 feet, thence S. 51° 46' W. 246.6 feet, thence S. 64° 44' W. 209.5 feet, thence S. 39° 11' W. 157.4 feet, thence S. 9° 03' W. 53.8 feet, thence S. 12° 28' E. 84.5 feet, thence S. 35° 05' E. 106.9 feet, thence S. 50° 33' E. 172.0 feet, thence S. 56° 48' E. 288.3 feet, thence S. 63° 51' E. 604.0 feet, thence S. 85° 08' E. 172.1 feet, thence N. 64° 18' E. 39.9 feet, to a point in the east boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ thence southerly along said south boundary a distance of 38.9 feet to the point of beginning, containing 5.9 acres, more or less.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$7,101.70, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 30th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain of the lands hereinafter described and designated as "Flowage Easement"; and a perpetual easement to inundate, submerge and flow, intermittently, during flood periods, upon and over certain of the lands hereinafter described and designated as "Easement for Intermittent Flowage During Flood Periods"; and to enter upon all of said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situated, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (57 FW 1625)
Flowage Easement

All that part of Lot 14 and all that part of the south 11.05 acres of Lot 11 in Sec. 31, T 28 N, R 23 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 7.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 14 and all that part of said south 11.05 acres of Lot 11 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 3.7 acres.

TRACT NO. 2 (57 - FW-1794)
Flowage Easement

All that part of the 10 acres off the south side of that part of Lot 5 lying east of the M. C. & G. Railroad in Sec. 31, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 6.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said fractional portion of Lot 5 lying above Elev. 756.1 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 3 (57 - FW-1795)
(57 - FW-796)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of the SE 10.0 acres of Lot 4 and all that part of the west 21.80 acres

of Lot 4 in Sec. 31, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Authority containing approximately 13.5 acres.

Easement For Intermittent
Flowage During Flood Periods

All that part of said SE 10.0 acres of Lot 4 lying above Elev. 756.1 Sea Level Datum; and all that part of said west 21.80 acres of Lot 4 and all that part of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 5.8 acres.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquire on or before the 7th day of July, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Jun 30 1944
H. P. Warfield, Clerk
U. S. District Court AC

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs		) CIVIL NO. 1244
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA containing approximately 3.4 acres, more or less; and Cleo Needham, et al.,	Defendants.)

JUDGMENT ON DECLARATION OF Taking

THIS CAUSE COMING on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above cause on the 30th day of June, 1944, and for an order fixing the date when possession of the property herein described is to be

surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

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

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of \$204.60, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 30th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement for road purposes, subject to any existing rights held by the public, the State of Oklahoma, or any subdivision thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority, a public corporation, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, in, upon and over the lands, situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (30 FW-CR-1001)
Perpetual Easement for Road Purposes

The east 40.0 feet of the north 225.4 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 24, T 25 N, R 23 E, and the west 40.0 feet of the north 225.4 feet of Lot 2, Sec. 19, T 25 N, R 24 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, containing 0.4 acre, more or less.

TRACT NO. 2 (30 - FW-CR-1002)
Perpetual Easement for Road Purposes

The east 65.0 feet of the south 23.9 feet, except the part

owned by the Grand River Dam Authority, of Lot 1 in Sec. 24, T 25 N, R 23 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, containing less than 0.1 acre.

TRACT NO. 3 (30 - FW-CR-1004)
Perpetual Easement for Road Purposes

The west 200.0 feet of the South 374.6 feet of Lot 1, Sec. 19, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, containing 1.7 acres, more or less.

TRACT NO. 4 (30 - FW-CR-1005)
Perpetual Easement for Road Purposes

The east 40.0 feet of the south 374.6 feet, except that portion owned by the Grand River Dam Authority, of Lot 1, Sec. 24, T 25 N, R 23 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, containing 0.3 acre, more or less.

TRACT NO. 5 (35 - FW-CR-1084 N)
Perpetual Easement for Road Purposes

All that part of Out lot 1 as shown on the recorded plat of Pollan Heights, situated in the $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18, T 25 N, R 25 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width being 40 feet on each side of the following described line;

Beginning at a point 240.7 feet south and 424.7 feet west of the NE corner of said $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence N. 47° 27' E. 35.6 feet, thence on a curve to the right having a radius of 359.3 feet, a distance of 64.4 feet, thence being a strip of land 75 feet in width on the left and 40 feet on the right of the aforementioned line prolonged for a distance of 163.6 feet, thence N. 83° 56' E. a distance of 75.6 feet, containing approximately 0.9 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT ORDERED, ADJUDGED AND DECREED that a perpetual easement for road purposes is vested in the United States of America, subject to any existing rights held by the public, the State of Oklahoma or any subdivisions thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority, a public corporation, in, upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purposes of exercising

On this 3rd day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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

Lorinda Bushyhead, Myrtle Plunkett Spaniard,
Iva Ezell, nee Spaniard, and Annie Nedeem,
now Mankiller, Plaintiffs,

vs

NO. 672 Civil

Charlie Bushyhead, if living, and Jack
Spaniard, if living, and if dead, the heirs and
unknown heirs, executors, administrators, devisees,
trustees and assigns, immediate and remote, of
Charlie Bushyhead, deceased, and Jack Spaniard,
deceased, and the State of Oklahoma and the
United States of America, Defendants.

JOURNAL ENTRY FOR DISTRIBUTION OF FUNDS

Now on this 3rd day of July, 1944, come the plaintiffs by H. F. Fulling, their attorney, and comes also the United States of America by Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, and show to the Court that on the 19th day of June, 1944, John P. Logan, United States Marshal for the Northern District of Oklahoma, as Special Commissioner, sold to D. M. Tyler the following described real estate in Washington County, Oklahoma, to-wit:

The Northeast Quarter of the Southwest Quarter
of the Northeast Quarter and the West Half of the
Southwest Quarter of the Northeast Quarter and the
Southeast Ten acres of Lot Two (2) and the North
20.85 acres of Lot Two (2) in Section 5, Township
27 North, Range 13 East, containing 70.35 acres,
more or less,

for the sum of \$1200.00 and that said sale was confirmed by this Court on June 23, 1944, and that said sum of \$1200.00 is now in the hands of said United States Marshal awaiting an order of this Court as to its disposition, and the Court being duly and sufficiently advised finds that the United States Marshal should be and he is hereby ordered and directed to pay said sum of \$1200.00, the purchase price of said real estate, to the Clerk of this Court to be deposited by him in the registry of this court and take his receipt therefor, all of which is now done by said United States Marshal.

The Court further finds that from a sale of real estate in Tulsa County in this cause there is a balance in the hands of the Clerk of this Court of \$24.80, making the total amount of \$1224.80 for distribution under the order of this Court.

The Court further finds that said Clerk should be and he is hereby ordered to pay said sum of \$1224.80 as follows:

To the appraisers Elmer Vick and C. C. Weber, in the amounts shown and claimed by each of them, being the total sum of \$54.40

To the Bartlesville Daily Examiner, Bartlesville, Oklahoma, for publication of the notice of sale of real estate, 20.00

To the Clerk of this Court for administering oath to Commissioners 3.00

To H. F. Fullin, attorney, for expenses 20.00
And Attorneys Fees 100.00

To the United States Marshal 28.50

Total allowance of fees and expenses \$205.90

The Court further finds after payment of fees and expenses there is a balance in the hands of the Clerk of this Court in the Registry of the Court the sum of \$1018.90, and said Clerk should be and he is hereby ordered and directed to pay said balance to the Treasurer of the United States through the Superintendent of the Five Civilized Tribes at Muskogee, Oklahoma, to be distributed by him in accordance with the interests of the owners of said real estate as found by this Court on October 7, 1941, to-wit:

To the plaintiff Lorinda Bushyhead, widow of Charley Bushyhead, deceased, one-half thereof, to wit \$509.45

To the plaintiff Myrtle Plunkett nee Spaniard, heir of Charlie Bushyhead, deceased, 1/8 thereof, to-wit: \$127.36

To Iva Ezell, nee Spaniard, as an heir of Charlie Bushyhead, deceased, 1/8 thereof, to-wit: \$127.36

To the plaintiff, Annie Nedson Mankiller, 1/4 thereof, to wit: \$254.73

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Jul 3 1944
H. P. Warfield, Clerk
U. S. District Court

THE CREEK INDIANS NATIONAL COUNCIL, Plaintiff,)
)
 vs) No. 927 - Civil
)
 NANCY BARNETT and SINCLAIR PRAIRIE OIL
 CO. et al., Defendants.)

Now on this 3rd day of July, A. D. 1944, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between the Creek Indians National Council, by C. W. Ward, President, et al., plaintiffs, and Nancy Barnett (Glen C. Young her guardian ad litem), et al., defendants, No. 927 Civil, the judgment of the said District Court in said cause, entered on April 14, 1943, was in the following words, viz:

(SEE J 6, P. 236)

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by the Creek Indians National Council by C. W. Ward, president and Washington Adams, secretary-treasurer, for and on behalf of themselves and 18,765 other members of the Creek Tribe of Indians, and their heirs, agreeably to the Act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause bet and the same is hereby affirmed; and that Sinclair Prairie Oil Company, a corporation, E. G. Barnard, H. B. Feagen, Arch H. Hyden, as Administrator with the will annexed of the Estate of Sarah C. Betty, deceased, and Bardon Oil Company, appellees, have and recover of and from The Creek Indians National Council, by C. W. Ward, president, and Washington Adams, secretary-treasurer, for and on behalf of themselves and 18,765 members of the Creek Tribe of Indians, and their heirs, appellants, their costs herein.

-- May 23, 1944.

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

WITNESS, the Honorable HARRIAN F. STONE, Chief Justice of the United States, the 1st day of July, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF
CLERK

Printing record

Attorney \$20.00

ENDORSED: Filed Jul 3 1944 H. P. Warfield

Clerk, U. S. District Court H

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

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

American Automobile Insurance Company,
a corporation, Plaintiff,

vs

Israel J. Richman, Carl R.
Samuels, Ada Briggs, Mrs.
Sam Brown, Sam F. Brown,
and Ruby Duncan, Defendants.

No. 1041 Civil

D E C R E E

On consideration of the Findings of Fact and Conclusions of Law on filed herein, it is ORDERED, ADJUDGED AND DECREED that Automobile Liability Policy #5440050, issued by plaintiff, to Minnie Richman, does not cover or apply to the accident of September 6, 1942, mentioned in the pleadings herein; that such policy of insurance does not cover or protect defendant, Israel J. Richman insofar as the accident above referred to is concerned, and does not require plaintiff herein to pay the judgments heretofore obtained by defendants, Carl R. Samuels and Ada Briggs, against Israel J. Richman, and does not require plaintiff to provide a defense or furnish other protection for Israel J. Richman, nor require plaintiff to pay any judgments which might be obtained against the said Richman by Mrs. Sam Brown, Sam F. Brown, or Ruby Duncan; that the actual use of the automobile insured under policy #5440050 was not with the permission, express or implied, of the named assured, Minnie Richman, at the time of the accident above mentioned; that defendant Israel J. Richman, did not have authority, express or implied, from Minnie Richman, the named assured, to consent to the use of said automobile, at the time and under the circumstances, by the driver thereof, Clinton Fillmore Kresge; that plain iff is not obligated by said policy of insurance to pay any judgments recovered or that may be recovered against defendant, Israel J. Richman, growing out of the accident on September 6, 1942; that the costs of this action are taxed to defendants herein.

Dated this 3rd day of July, 1944.

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

ENDORSED: Filed In Open Court
Jul 3 1944
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

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA, containing approximately 281.30
acres, more or less; and William H. Kneeland,
an Incompetent, et al., Defendants.

CIVIL NO. 1069

ORDER APPOINTING COMMISSIONERS

NOW, on this 3rd day of July, 1944, the above cause came on regularly for hearing

upon the petition of the United States of America for an order appointing commissioners, and it appears 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 the 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, 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 had 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 and 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 J6 - Page 634)

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that T. G. Grant of Tulsa County, Oklahoma; and W. L. Mayes of Mayes County, Oklahoma; and T. B. Harp of Craig County, Oklahoma, each and 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 name 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 United States Post Office Building, in the City of Vinita, Oklahoma, on the 6th day of July, 1944, at the hour of 9:30 o'clock A.M., for the purpose of taking the oath of office, and the performance of their duties.

ROYCE H. SAVARE
J u d g e

ENDORSED: Filed Jul 3 1944
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)

CIVIL NO. 1110

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA, containing approximately 284.8 acres,
more or less; and J. Ben Robinson, et al.,

Defendants.)

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 3rd day of July, 1944, 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:

J. Ben Robinson, C. E. Mellette; Mary R. Mellette; William Dubois; John Rolston, also known as John Rolston; Belle Chanley; Marie T. Whipple; Jerry Charles Whipple, a minor; Marie T. Whipple, Guardian of Jerry Charles Whipple, a minor; Henry Dubois; Audrey Dubois; Kenneth Lunday; Vera B. Rolston, now Lewis; Clifford T. Lewis; Annie Carmen; Phillip Clasy; Robert Clasy; James R. Clasy; Thomas Clasy; Walter B. Clasy; Leroy Lang; Loretta Dubois, now Bain; P. E. Bain; William E. Danley; Lucyle Danley; Ernest E. Coats; D. E. Shartel; John J. Nichols; Lucille Coates, nee Sager, same as Lucile Coats, nee Sager; H. C. Coates; Lydia Edna Orendorff Macpherson; C. B. Miller; R. B. Butts, John Sager; Zephra Pierce; Cynthia Ballard, also known as Cynthia E. Ballard and Cynthia Ellen Ballard; Jessie Lamarr Ballard; Genevive Ballard, now Crass; Arnetta Ballard, now Johnson; Helen E. Yeargain, now Springson; Marjorie Frankenberger; Tokio Vandagriff; Lee Vandagriff; Mary Mildred Nichols; T. C. Nichols; Dona B. Jones, now Stephenson; C. Stephenson; Walter L. Tunnell; Rosa M. Tunnell; Mack Dicken; H. D. Wooley; Evelyn Wooley; W. T. Killan; Chandler B. Abend; Beatrice Dutton; W. F. Dutton; North American Life Insurance Company of Chicago, a corporation; Land Bank Commissioner; The Federal Farm Mortgage Corporation, a corporation; The Federal Land Bank of Wichita, a corporation, agent and attorney-in-fact for Land Bank Commissioner and The Federal Farm Mortgage Corporation, a corporation; Ida E. Cantrell, now Greer, Maude Parks, A. J. Edwards, C. F. Jarrett; Ola L. Jarrett; L. D. Sager; Fred L. Butler, Tom Nowlin, Cynthia Ballard, also known as Cynthia E. Ballard and Cynthia Ellen Ballard, E. W. Armstrong, Jess Landrum, William H. Parkhurst, F. E. Carlstrom, M. F. Steele, Henry D. Mode, also known as El D. Mode, W. H. Aehnelt, Walter Smith, Lizzie Moore, Frank White, Aaron Thompson, Simon Thompson, Egypt Thompson, Bart Thompson, Johnie Thompson, Carrie Nevins, Oma Carter, Cynthia Blackwell, Eva A. Welch, Cherokee Citizen, Roll No. 21688, Truley Gregory, nee Haynes, Norman Bacon, J. A. Baker, Sarah E. Baker, F. A. Edward, J. W. McIntosh, F. H. Clayton, Trustee for the Wolf Creek Mining & Royalty Company, Mattie J. Melton, J. M. Melton, Thos. W. Flake, Mrs. Vada Lee, Florence Lee, Grand River Power Company, Fidelity Loan Company, Light Oil & Mineral Association, if living

or in existence, or if deceased, and not in existence, their known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors, successors 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 a Eliza Rolston, also known as Eliza Rolston, deceased; Rose Lunday Duncan, deceased; John F. Carey, deceased; Louis Rolston, deceased; M. A. Baird, deceased; Joseph M. Ballard, deceased; Fannie Glasby, nee Ballard, deceased; Amie Ragsdale, Cherokee Roll No. 1913, deceased; Jacob Dubois, deceased; William R. Dubois, deceased; Alice E. Orendorff, deceased; John Smith, Cherokee Roll No. 28724, deceased; Josephine West, deceased; Johnny Miller, Jr., deceased; Joe Miller, also known as Joseph J. Miller, deceased; John K. Miller, also known as John Miller and John W. Miller, deceased; Cass M. Bradley, deceased; Laura Parks, Cherokee Roll No. 654, deceased; S. J. Sager, also known as Sarah J. Sager, deceased; Baldolph Ballard, Cherokee Roll No. 8575, deceased; Mariam Ballard, deceased; George Ballard, deceased; Robert A. Ballard, deceased; Alie K. Rutherford, formerly Vandagriff, deceased; Rebecca J. Broadus, deceased; Walter Dicken, deceased; Debora Sheldon, deceased; Mary C. Parkhurst, deceased; Caroline Yeargain, deceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above-named defendants, and any and all other persons, firms, corporations, or legal entities, claiming any interest whatever in the real estate herein described and involved, 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 notice be signed by the attorneys for the petitioner herein, and duly attested by the Clerk of this Court, and that said notice should be published in The Grove Sun, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four successive 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 28th day of August, 1944, the petitioner, United States of America, will, on said 28th day of August, 1944, at the hour of ten O'clock A.M., or as soon thereafter as counsel may be heard apply to the Judge of the United States District 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 the 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 E. SAVAGE
JUDGE

ENDORSED: Filed Jul 3 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

B. A. LAGARDE,	Plaintiff,)
)
vs		) No. 1229 - Civil
)
CARMEN HOWELL,	Defendant.)

ORDER AUTHORIZING PLAINTIFF TO TAKE DEPOSITION

NOW on this the 3rd day of July, 1944, the same being a regular judicial day of the January term of the above indicated court, the application of plaintiff for leave to take deposition in the above entitled cause coming on for hearing, and the court having examined the same and being fully advised in the premises and finding -

1. That plaintiff should be permitted to take the deposition of the said defendant, as requested.

N O W, T H E R E F O R E,

IT IS HEREBY ORDERED AS FOLLOWS:-

1. That said plaintiff is hereby authorized to take the deposition of Carmen Howell, the defendant in the above entitled cause, at such time and place and upon such notice as required by law and the rules of this Court;
2. That said plaintiff is specifically authorized to require said defendant to bring with him the instruments and documents mentioned in said motion when he appears to have his said deposition taken; and the Clerk of this Court is authorized and directed, upon proper proof of service of notice to take deposition of the said defendant, to issue a subpoena to said defendant requiring his attendance at the proper time and place of taking said deposition and commanding him to produce at said hearing, for examination and introduction and evidence, the documentary evidence above referred to.

DATED, July 3, 1944.

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

ENDORSED: Filed Jul 3 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to July 6, 1944

On this 6th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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. Maizy, United States Attorney
John P. Logan, United States Marshal

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

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

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

ORDER APPOINTING SUCCESSOR TO THE LATE J. H. McBIRNEY
SUCCESSOR TRUSTEE

Now on this 6th day of July, 1944, the fact of the death of J. H. McBirney, the Successor Trustee herein, having been directed to the attention of the Court, and it appearing necessary that a successor should be appointed to prepare a Final Report for and on behalf of said J. H. McBirney in his capacity as Trustee, and for the purpose of performing the duties required of the Successor Trustee herein, and because of the fact that Dorothy McBirney Hardy, the daughter of the late J. H. McBirney, is familiar with the books and records of her father, and since she is a capable and qualified person to serve as successor to said Successor Trustee, the court finds that she should be forthwith appointed as Successor Trustee of the holders of the Guaranteed First Lien Participation Certificates issued by the Exchange National Company.

IT IS, THEREFORE, ORDERED, that Dorothy McBirney Hardy should be and she is hereby appointed Successor Trustee of the holders of the Guaranteed First Lien Participation certificated issued by the Exchange National Company, and that she be required to execute and file herein a surety bond in the principal amount of Ten Thousand (\$10,000.00) Dollars, as security for the faithful performance of the duties of Successor Trustee after she shall have made and subscribed an oath undertaking the obligations of Successor Trustee of the holders of the Guaranteed First Lien Participation Certificates issued by the Exchange National Company, and Travis I. Milsten, who has been serving as attorney for the Successor Trustee herein since Major Felix A. Bodovitz entered Military Service, is hereby directed to continue to serve as attorney for Dorothy McBirney Hardy, Successor Trustee of the holders of the Guaranteed First Lien Participation Certificates issued by the Exchange National Company.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Jul 6 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to July 13, 1944

On this 13th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clrk, 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:

JAMES T. SPENCER, ADMR. etc.	Plaintiff,)
)
vs		) No. 39 - Civil
)
GYPSY OIL CO. A CORP. ET AL.,	Defendants.)

Now on this 13th day of July, A. D. 1944, it is ordered by the Court that the Clerk file and spread of record Mandate in the above cause, same being in words and figures as follows to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING: Whereas, lately in the District Court of the United States for the Northern District of Oklahoma before you, or some of you in a cause between James T. Spencer, Administrator of the Estate of Jackson Barnett, deceased, plaintiff, and Gypsy Oil Company, a corporation, et al., Defendants, No. 39, Civil, the judgment on the said district court in the said cause entered on October 6, 1942, was in the following words, viz:

"This action came on to be tried before the court, and the evidence adduced by the parties having been heard, and the court having made its findings of fact and conclusions of law, it is hereby

"Adjudged, that this action be and it hereby is dismissed on the merits; and that the defendants recover of plaintiff their costs as taxed and have execution therefor."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by James T. Spencer, Administrator of the Estate of Jackson Barnett, deceased, agreeably to the act of Congress, in such case case and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Gypsy Oil Company, a corporation, et al., appellees, have and recover of and from James T. Spencer, Administrator of the Estate of Jackson Barnett, deceased, appellant, their costs herein.

-- May 22, 1944.

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

WITNESS, the Honorable Harlan F. Stone, Chief Justice of the United States, the 5th day of July, in the year of our Lord one thousand nine hundred and fourth four.

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

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

ENDORSED: Filed Jul 13 1944
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. 1092 Civil
1,435.0748 acres of land, more or less,)
situate in Mayes County, Oklahoma, and)
Porter W. Arterberry, et al.,	Respondents.)

FINAL JUDGMENT

Now on this 13th day of July, 1944, it appears to the Court that in accordance with the judgment heretofore entered on the 19th day of May, 1944, the sum of \$32,252.00, which represents the fair, cash, market value as determined by said judgment as to Tracts Nos. 1697, 1698, 1701, 1769, 1770, 1771, 1773, 1773-A, 1773-B, 1774, 1775, 1776, 1777, 1782, 1786, 1787, 1788, 1790, 1792, and 1793 described therein, and hereinafter described, and involved in this proceeding, has been deposited with the Clerk of this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the full fee simple title, subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipe lines, as to that particularly real estate designated and described as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE J6, Page 825)

did, on the depositing of said sum of \$32,252.00, with the Clerk of this Court as aforesaid, vest, in the United States of America, and the United States of America is hereby adjudged to have acquired said real estate and estate therein as hereinabove set out, exclusive of any and all other claims made of that might be made hereto.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 13 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

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

ORDER OF DISTRIBUTION

NOW on this 13th day of July, 1944, this cause came on to be heard and the Court, having been fully advised in the premises, finds that distribution should be made as to various tracts included in the above condemnation proceeding.

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

Tract No. 1697	
Lizzie H. Sloan Carlson, William Carlson, and the County Treasurer of Mayes County, Oklahoma,	\$ 2,400.00
Tract No. 1698	
Hazel E. Bonecutter, Geo. C. Bonecutter, Ruth Wisdom, A. V. Wisdom, William A. Crockett, Eugenia Crockett, David M. Crockett, Maxine W. Crockett, John P. Crockett, Lillie L. Crockett, Maxine Patterson, H. J. Patterson, and the County Treasurer of Mayes County, Oklahoma,	350.00
Tract No. 1701	
A. S. Huggins, Mary V. Huggins, Vivien Wood, T. L. Snodgrass, and County Treasurer of Mayes County, Oklahoma,	1,900.00
Tract No. 1769	
DeWitt Hansen, Ruth M. Hansen, and the County Treasurer of Mayes County, Oklahoma,	5,400.00
J. L. Wilson, Rachel C. Wilson and the County Treasurer of Mayes County, Oklahoma,	5,500.00
Tract No. 1771	
J. L. Wilson, Rachel C. Wilson and the County Treasurer of Mayes County, Oklahoma,	500.00
Tract No. 1773	
The Federal Land Bank of Wichita and Federal Farm Mortgage Corporation	1,397.46

Levi R. Detweiler, Lydia Ann C. Detweiler, and The County Treasurer of Mayes County, Oklahoma	727.54
Tract No. 1773- A	
R. B. Detweiler, Deemy Detweiler, and the County Treasurer of Mayes County, Oklahoma	1.00
Tract No. 1773- B	
R. B. Detweiler, Deemy Detweiler and the County Treasurer of Mayes County, Oklahoma	1.00
Tract No. 1774	
The Travelers Insurance Company	2,865.70
The Prospect Company	200.00
Will A. Crockett, Alma R. Crockett, and the County Treasurer of Mayes County, Oklahoma	184.30
Tract No. 1775	
John R. Cartmill, Elizabeth C. Cartmill, and the County Treasurer of Mayes County, Oklahoma	850.00
Tract No. 1776	
O. M. Van Arsdale, Esther L. Van Arsdale, Eva Davenport and the County Treasurer of Mayes County, Oklahoma	1,500.00
Tract No. 1777	
Oleta M. Stingley, Earl E. Stingley, Homer L. Lee, Gussie A. Lee, and the County Treasurer of Mayes County, Oklahoma	500.00
Tract No. 1782	
George E. Warren, Margaret V. Warren, and the County Treasurer of Mayes County, Oklahoma	2,400.00
Tract No. 1786	
Ollie McCracken Jones, J. A. Jones, Porter W. Arterberry, Eldee McCracken Arterberry, and the County Treasurer of Mayes County, Oklahoma	1,900.00
Tract No. 1788	
Frank Pistotnik, Antonio Pistotnik and the County Treasurer of Mayes County, Oklahoma	450.00

Tract No. 1790

J. A. Beckham, Parlee Beckham and the County Treasurer of Mayes County, Oklahoma 350.00

Tract No. 1792

Eldee Arterberry, Porter W. Arterberry, and the County Treasurer of Mayes County, Oklahoma 500.00

Tract No. 1793

Eldee Arterberry, Porter W. Arterberry, and the County Treasurer of Mayes County, Oklahoma 1,575.00

ROYCE H. SAVAGE JUDGE

ENDORSED: Filed Jul 13 1944 H. P. Warfield, Clerk U. S. District Court ME

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

CHESTER TOWLES, as Administrator of the Office of Price Administration, Plaintiff, vs T. L. ROBINSON, Defendant. No. 1187 - Civil

JOURNAL ENTRY

Now on this 18th day of April 1944, same being a judicial day of said court, this cause comes on for hearing in its regular order of setting on the complaint and answer of defendant thereto. Plaintiff appears by and through his attorneys, James E. Wash and Ellis C. Clark and defendant appears in person and by Frank Nesbitt, his attorney of record. Thereupon in open court defendant admitted the violation charged in Count I, paragraph IX (a), Counts II and III and consented that an injunction issue with respect thereto; defendant moved the court to strike Count I, Paragraph IX (c) of the complaint and plaintiff consented thereto; and defendant specifically denied the allegations of Count I, Paragraph IX (b), and thereupon the parties made their respective opening statements to the court in relation to that portion of the complaint. The Court having heard the statements of counsel, having examined the pleadings, and being well advised of the premises finds:

That defendant should be enjoined from violating the Emergency Price Control Act and Rent Regulation in the particulars charged in Count I, Paragraph IX (a), Counts II and III of the complaint. The Court finds that the maximum rental on the property owned by defendant, located at 323 N. Main Street in the City of Miami, Oklahoma, has never been determined by the Administrator of the Office of Price Administration, and therefore the Court has no jurisdiction with respect to Count I, Paragraph IX (b) and Count IV, but the defendant, through his attorney of record stipulated and agreed in open court that said T. L. Robinson would take no further action or proceedings in the case of T. L. Robinson vs N. O. Wood, now pending in the District Court of Ottawa County, Oklahoma until the maximum rental for said property is determined by the Administrator of the Office of Price Administration as hereinafter ordered.

The Court further finds that an order should issue requiring the Administrator of the Office of Price Administration by and through the Area Rent Director of the Baxter Springs Defense-Rental Area to obtain and hold a hearing in Miami, Oklahoma within two weeks from this date to permit interested parties to present evidence whereby the maximum rental of the property at 323 N. Main Street in Miami, Oklahoma, may be found and determined by the Administrator.

The Court finds that the parties so agreed that the injunction prayed for in Plaintiff's complaint, in the particulars hereinbefore specified, should be made permanent and final without further hearing in the premises, and that the costs of this action should be assessed to the defendant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees, attorneys, and all persons in active concert or participation with defendant, be and they hereby are permanently enjoined from:

(a) directly or indirectly, demanding, receiving, soliciting or attempting to demand, receive or solicit a rental for properties he owns, controls, manages and/or rents in the Mining Exchange Building and at 213 $\frac{1}{2}$ N. Main Street in the City of Miami, Oklahoma, in excess of the rental permitted by the Emergency Price Control Act of 1942 and Rent Regulation for Housing.

(b) discontinuing the provisions and supply of gas, light and water which he supplied to three apartments located at 213 $\frac{1}{2}$ N. Main Street in the city of Miami, Oklahoma, on the date determining the maximum rent for said premises.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Count I, Paragraph IX (b), (c) and Count IV of the Complaint herein filed be and the same is dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant be and hereby is ordered to properly and correctly register or re-register his rental properties for housing purposes with the Administrator by and through the Area Rent Office in the Baxter Springs Defense-Rental Area on or before September 1, 1944.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, Administrator of the Office of Price Administration, by and through the Area Rent Director of the Baxter Springs Defense-Rental Area, be and he is hereby required to give notice to defendant and his attorneys of record here and to the present tenant occupying the property located at 323 N. Main Street in the City of Miami, Oklahoma, and his attorney, and hold a hearing in the City of Miami, Oklahoma, on or before the 1st day of September, 1944 for the purpose of determining, as provided in Section 5.(d) of Rent Regulation for Housing, the maximum rental chargeable for the housing accommodations located at 323 N. Main Street in the City of Miami, Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said Area Rent Director shall make findings in writing as to the maximum rental he finds and determines can be charged for said housing accommodations and that defendant shall have saved to him, after said finding and determination, all rights of appeal provided by the Emergency Price Control Act of 1942 and the Rent Regulation for housing. That the costs of this action are assessed to the defendant.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 13 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to July 14, 1944

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, D. R. Hardy was, the owner of the land designated as Tract No. 42 (10 FW 716) when this proceeding was commenced, and that the sum of \$309.50 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: D. R. Hardy Owner Tract No. 42 (10 FW 716) \$309.50

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

The United States of America, Plaintiff,)
vs) No. 1046 - Civil
CERTAIN Parcels of land in Mayes County,)
Oklahoma, etal, Defendants.)
Tract No. 15 (2 FW-59)

ORDER OF DISBURSEMENT

Now this 14th day of July, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of Roy G. Uhl and his wife Celia Uhl for disbursement of funds.

Plaintiff and the applicants each appear by their respective attorneys of record when upon said application is presented to the court, and there being no objections or exceptions filed and no person appearing in open court to claim said fund or any part thereof, the applicants introduced their testimony and rested, and the court being well advised in the premises, finds:

Applicants herein are the lawful owners and in actual possession of the lands herein described as Tract No. 15 (2 FW-59); that plaintiff has condemned and taken a flowage easement on said lands for purposes of its project; that plaintiff has paid into court in accord with its Declaration of taking as its own estimate of damages sustained by said taking the sum of \$2048.00 which sum of money has heretofore been paid to the applicants pursuant to the order of the court herein entered; that on June 14, 1944 after trial by jury a verdict was returned and judgment thereon rendered for the total sum of \$4000.00 for the appropriation of a flowage easement on said lands and the plaintiff has paid the further sum of \$2063.91 into court (that being the difference between the amount of damages as fixed by plaintiff in its Declaration of Taking and the amount of the verdict and judgment of the court plus \$111.91 interest) for the benefit of those lawfully entitled thereto.

The court finds that there are no mortgages or liens against said property and no other

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

United States of America, Plaintiff,)
)
 vs)
)
 Certain Parcels of land in Delaware County,)
 Oklahoma, John T. Miller, et al., Defendants.)

No. 1066 Civil
Tract No. 17, (5 FW 2-3 Rev.)

O R D E R

Now this 30th day of June, 1944, this matter comes on for hearing in its regular order of setting on the Motion docket of the court on the Exceptions to the Commissioners Report herein filed by the defendants John T. Miller, James Brand, Marvin Brand, Alfred Brand, and Joe Brand. The parties litigant appear by their attorneys of record whereupon said Exceptions were presented to and considered by the court, and the court being well advised in the premises, finds:

That on and prior to the date the Commissioners inspected the above described property the defendants James Brand, Marvin Brand, Alfred Brand and Joe Brand were the equitable owners under the contract for deed of the following described real estate, which is a part and parcel of the above described tract:

All that part of the following described land situated above the 750' contour not now owned by the Grand River Dam Authority; to wit: Beginning at a point in the west boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28, Twp. 24, North, Range 22 East of the Indian Base and Meridian, 217 feet north of the SW corner thereof; thence east 402.7' to a point 254.9' west of the east side of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 28; thence south 217 feet to a point on the south side of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 28 and 254.9 feet west of the SE corner thereof; thence west 402.7 feet to the SW corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 28; thence north 217 feet to the point of beginning, containing 2 acres more or less all in Delaware County, Oklahoma.

The court finds that at the time the Commissioners herein inspected the tract first hereinbefore described, the said defendants were in the actual possession of the lands herein described, and that said lands are improved and of a different type and character from the remaining lands of said tract so that said land should be inspected and damages determined by reason of taking a flowage easement thereon, separate from the remainder of said tract.

IT IS THEREFORE ORDERED that the Exceptions to the Commissioners Report herein filed be, and the same are overruled.

IT IS FURTHER ORDERED that the same Commissioners herein appointed by the court and who inspected the above described tract and filed Report herein, are ordered to file a supplemental report herein, determining, fixing and showing the damages caused by taking a flowage easement on the land hereinbefore described and owned by the defendants James Brand, Marvin Brand, Alfred Brand and Joe Brand as a separate tract, and further determining, fixing and showing the damages caused by taking a flowage easement on the remainder of said tract of lands as described and designated by the Tract number and description of plaintiff herein, as a separate tract.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

The United States of America,	Plaintiff,	)	No. 1066 - Civil
		)	Tract No. 4,
vs		)	(5 FW 189 - Rev.)
Certain parcels of land in Delaware)	
County, Oklahoma, et al,	Defendants.)	

ORDER OF DISBURSEMENT

Now this 14th day of July, 1944, same being a judicial day of said court, this matter comes on for hearing on the Supplemental Application for disbursement of funds herein filed by Van Chandler and his wife Maude Chandler.

Plaintiff and applicants appear by their respective attorneys of record whereupon said application was presented to and considered by the court, and ther being no opposition or exceptions filed and no other person appearing to claim the fund or any part thereof, the court heard the evidence and being well advised of the premises finds:

Applicants were the owners of the lands herein described as Tract No. 4 (5 FW 189-Rev); that plaintiff has condemned and taken a flowage easement on said lands for its project and paid the sum of \$663.50 into the office of the Clerk of this Court as their estimate of the damages caused by said taking, which moneys have heretofore been paid to applicants; that on trial by jury of said cause on June 16, 1944 a verdict was returned and judgment thereon rendered for the total amount of \$1065.00 for and on account of plaintiff appropriating a flowage easement on said lands; that plaintiff has paid the sum of \$401.50 (the difference between the verdict and judgment and the amount paid applicants heretofore) plus interest in the sum of \$20.28 or the total sum of \$421.78 into the office of the Clerk of this Court for the benefit of those lawfully entitled thereto.

The court finds that there are no mortgages or liens on said lands or against said fund, that taxes on said land for 1943 and all prior years are fully paid, and applicants are the sole and lawful owners of said fund and entitled to have the same paid to them in full.

IT IS THEREFORE ORDERED that the Clerk of this Court do forthwith pay to Van Chandler the said sum of \$421.78 as payment in full for the flowage easement on and over said tract of land.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Jul 14 1944
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. 1066

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA, etc., and Don Emery, et al.,

) Defendants.

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 14th day of July, 1944, it appearing to this Court that on May 29, 1944 upon application of the petitioner, United States of America, T. G. Grant, W. L. Mayes and C. V. Hamilton were selected and appointed as commissioners to inspect the real property involved in this action, and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said Commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

W. L. Mayes, commissioner's fee - June 5th, 6th and 7th, 1944
3 days at \$26.00 per day \$78.00

T. G. Grant, commissioner's fee - June 5th, 6th and 7th, 1944,
3 days at \$26.00 per day \$78.00

C. V. Hamilton, commissioner's fee - June 5th, 6th and 7th,
1944 3 days at \$26.00 per day \$78.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jul 14 1944
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		) CIVIL NO. 1072
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA; etc., and Cecile F. Traband, et al.,	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 8 (23 FW-509)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendant, J. G. Austin for an order fixing title, decreasing just compensation and making distribution as to Tract No. 8 (23 FW 509) and the Court being fully advised in the premises, finds:

That the defendant, J. G. Austin, was the owner of the land designated as Tract No. 8 (23 FW-509) 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 \$10.40 for the taking of a perpetual flowage easement 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 flowage easement 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 a perpetual flowage easement.

The Court further finds that the defendant, J. G. Austin in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$10.40, which was accepted by the petitioner.

The Court further finds that the sum of \$10.40 is just compensation for the injuries and damages sustained by said defendant J. G. Austin.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, J. G. Austin the owner of the land designated as Tract No. 8 (23 FW 509) when this proceeding was commenced and that the sum of \$10.40 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation except

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

TO: J. G. Austin, Owner Tract No. 8 (23 FW 509) \$10.40

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

The United States of America,	Plaintiff,)
		) No. 1073 - Civil Tract No. 1
vs		) (14 FW-842)
)
Certain Parcels of land in Ottawa County,)
Oklahoma, et al,	Defendants.)

ORDER OF DISBURSEMENT

Now this 14th day of July, 1944, the same being a judicial day of said court this cause comes on for hearing on the Supplemental application for disbursement of funds herein filed by C. J. Nicholson and his wife Cleo Nicholson.

Plaintiff and applicants each appear by their attorneys of record and there being no objections or exceptions filed against said application and no other person appearing in opposition thereto, the applicants introduced their evidence and rested; and the court being well advised of the premises finds:

Applicants are the lawful owners and in actual possession of the lands herein described as Tract No. 1 (14 FW-842); plaintiff has condemned and taken a flowage easement and on and over said lands for the purposes of its project; plaintiff has fixed the damages caused by such taking as shown in its Declaration of Taking, in the sum of \$2016.00 and paid that amount of money into the office of the Clerk of this Court for the benefit of those lawfully entitled thereto, and in pursuance of the order of this court heretofore made and entered said money has been paid to these applicants; that on June 16, 1944 after trial by jury, a verdict was returned and judgment thereon rendered in the sum of \$2250.00 damages for taking an easement on said lands and \$645.00 crop damages; that plaintiff has now paid into the office of the Clerk of this Court the further sum of \$379.00 plus \$43.95 interest or a total of \$922.95 (that being the difference between the damages as fixed by the Declaration of Taking and the verdict and judgment plus accrued interest) for the benefit of those lawfully entitled thereto.

The court finds that there are no mortgages or liens against said lands; that taxes for 1943 and all former years have been fully paid; that applicants are the sole and lawful owners of said land and are entitled to said moneys in the sum of \$922.95.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay said sum of \$922.95 to C. J. Nicholson and George Oakley, Jr. tenant.

FRANCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Jul 13 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

The United States of America, Plaintiff,)
 vs) No. 1075 - Civil Tract No. 28 (24 FW 608)
) Tract No. 31 (24 FW 611)
 Certain parcels of land in Delaware County,)
 Okla. et al, Defendants.)

CONSOLIDATED WITH

The United States of America, Plaintiff,)
 vs) No. 1110 Civil Tract No. 35 (29 FW 612)
 Certain parcels of land in Delaware County,)
 Okla. et al, Defendants.)

ORDER OF DISBURSEMENT

Now this 14th day of July, 1944, same being a judicial day of said court, this cause comes on for hearing on the Supplemental Application of S. C. Jackson for disbursement of funds.

Plaintiff and applicant each appear by their attorneys of record, and there being no objections or exceptions on file against said application and no other person appearing to claim said funds or any part thereof, the Applicants introduced their evidence and rested, and the Court being well advised of the premises, finds:

Plaintiff has condemned and taken a flowage easement for the purposes of its project on certain lands owned by the applicant; that Commissioners appointed by this court have inspected said lands in fixed the damages as follows:

Case No. 1110 - Civil, Tract No. 35 (29 FW 612)	\$670.00
Case No. 1075 - Civil, Tract No. 28 (24 FW 608)	20.00
Case No. 1075-Civil, Tract No. 31 (24 FW 611)	1250.00
Crop damages	200.00

The court finds that on June 16, 1944, after trial by jury, a verdict was returned and judgment thereon rendered for all of said tracts of land on and over which plaintiff has condemned and taken a flowage easement, for the sum of \$2000.00 and crop damages in the sum of \$300.00 and that plaintiff has paid that amount of money into the office of the Clerk of this court for the benefit of those lawfully entitled thereto. The court finds that applicant has not heretofore drawn any sum of money from the office of the Clerk of this court that may have been paid therein for the benefit of those lawfully entitled thereto.

The court finds that applicant is the true and lawful owner of all of said tracts of land and in open and lawful possession thereof; that there are no mortgages nor liens against said lands; that taxes for 1943 and former years have been fully paid, and the applicant is entitled to said sum of money.

IT IS THEREFORE ORDERED that the Clerk of this Court do forthwith pay the said sum of \$2231.12 to the applicant S. C. Jackson.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed in Open Court
Jul 14 1944
E. P. Warfield, Clerk
U. S. District Court LW

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

UNITED STATES OF AMERICA,

Petitioner,

vs

CIVIL NO. 1075

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA,
etc., and Lucy A. Wallace, et al.,
Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 15
(24 FW 580)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendant, William E. Miller, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 15 (24 FW 580) and the Court being fully advised in the premises, finds:

That the defendant, William E. Miller, was the owner of the land designated as Tract No. 15 (24 FW 580) 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 \$10.50 for the taking of a perpetual flowage easement 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 flowage easement upon and over said land; and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, William E. Miller, in writing, agreed to grant and sell to the petitioner a perpetual easement for flowage purposes upon and over said tract of land for the sum of \$10.50, which was accepted by the petitioner.

The Court further finds that the sum of \$10.50 is just compensation for the injuries and damages sustained by said defendant.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State other than said defendant have any right, title or interest in and to said just compensation except Joe K. Mathews, who has filed a disclaimer in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, William E. Miller, was the owner of the land designated as Tract No. 15 (24 FW 580) when this proceeding was commenced, and that the sum of \$10.50 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation except

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

TO: William E. Miller - Owner Tract No. 15 (24 FW 580) \$10.50

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jul 14 1944
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. 1076

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA, etc., and Alta Foust, et al.,

Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 30
(13 FW-830)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendant, Jennie A. Shipman for an order fixing title, decreeing just compensation and making distribution as to Tract No. 30 (13 FW-830) and the Court being fully advised in the premises, finds: That the defendant, Jennie A. Shipman, was the owner of the land designated as Tract No. 30 (13 FW-830) 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 \$24.00 for the taking of a perpetual flowage easement 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 flowage easement, 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 flowage easement.

The Court further finds that the defendant, Jennie A. Shipman, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$24.00, which was accepted by the petitioner.

The Court further finds that the sum of \$24.00 is just compensation for the injuries and damages sustained by said defendant.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant Jennie A. Shipman, was the owner of the land designated as Tract No. 30 (13 FW-830) when this proceeding was commenced, and that the sum of \$24.00 is just compensation for the damages sustained by the defendant; and that said defendant is the only person, having any right, title or interest in and to said just compensation, except

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

TOP Jennie A. Shipman Owner Tract No. 30 (13 FW-830) \$24.00

BOYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court LM

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

UNITED STATES OF AMERICA,

Petitioner,

vs

CIVIL NO. 1076

SEE AIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA,
etc., and Alia Fearst, et al.,
Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 29 (13 FW-829)

NOW on this 14th day of July, 1944, there coming on for hearing the application of the defendants, J. G. Austin and W. H. Moore for an order fixing title, decreeing just compensation and making distribution as to Tract No. 29 (13 FW-829) and the Court being fully advised in the premises, finds:

That the defendant J. G. Austin and W. H. Moore, were the owners of the land designated as Tract No. 29 (13 FW-829) 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 \$392.50 for the taking of a perpetual flowage easement 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 flowage easement 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 flowage easement.

The Court further finds that the defendants, J. G. Austin and W. H. Moore in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$392.50, which was accepted by the petitioner.

The Court further finds that the sum of \$392.50 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 have any right, title or interest in and to said just compensation, except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, J. G. Austin and W. H. Moore, were the owners of the land designated as Tract No. 29 (13 FW-829) when this proceeding was commenced, and that the sum of \$392.50 is just compensation for the damages sustained by the defendants; and that said defendants are the only persons having any right, title or interest in and to said just compensation, except

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

TO: J. G. Austin	\$362.50
W. H. Moore	30.00
Owners	
Tract No. 29 (13 FW-829)	

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
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

CIVIL NO. 1112

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA,
etc., and Bertha P. Weyl, et al., Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 40 (20 FW 881)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendant, Reuben R. Huffaker, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 40 (20 FW 881) and the Court being fully advised in the premises, finds:

That the defendant, Reuben R. Huffaker, was the owner of the land designated as Tract No. 40 (20 FW 881) 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 \$122.50 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 flowage Easement upon and over said tract of land, 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 flowage easement.

The Court further finds that the defendant, Reuben R. Huffaker, in writing, agreed to grant and sell to the petitioner, a perpetual flowage easement upon and over said tract of land for the sum of \$122.50 which was accepted by the petitioner.

The Court further finds that the sum of \$122.50 is just compensation for the injuries and damages sustained by said defendant.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Reuben R. Huffaker, was the owner of the land designated as Tract No. 40 (20 FW 881) when this proceeding was commenced, and that the sum of \$122.50 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: Reuben R. Huffaker, Owner - Tract No. 40 (20 FW 881) \$122.50

ROYCE W. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
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

CIVIL NO. 1112

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA;
etc., and Bertha P. Weyl, et al., Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 17 (19 FW-782)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendants, J. G. Austin, Admr., of the Estate of R. E. Wiley, deceased, and Annie Wiley for an order fixing title, decreeing just compensation and making distribution as to Tract No. 17 (19 FW-782) and the Court being fully advised in the premises, finds:

That the defendant, J. G. Austin, Admr., of the Estate of R. E. Wiley, deceased, and Annie Wiley, were the owners of the land designated as Tract No. 17 (19 FW-782) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$58.00 for the taking of a perpetual flowage easement 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 flowage easement, 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 a perpetual flowage easement.

The Court further finds that the defendants, J. G. Austin, Admr., of the Estate of R. E. Wiley, deceased, and Annie Wiley in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$58.00 which was accepted by the petitioner.

The Court further finds that the sum of \$58.00 was 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 defendant have any right, title or interest in and to said land and compensation, except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, J. G. Austin, Admr., of the Estate of R. E. Wiley, deceased, and Annie Wiley, were the owners of the land designated as Tract No. 17 (19 FW-782) when this proceeding was commenced, and that the sum of \$58.00 is just compensation for the damages sustained by the defendant; and that these said defendants are the only persons having any right, title or interest in and to said just compensation, except

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

TO: J. G. Austin, Admr. of the Estate of R. E. Wiley, deceased, and Annie Wiley	
Owners	
Tract No. 17 (19 FW-782)	\$58.00.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court IN

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

The United States of America,

Plaintiff,

vs

No. 1115 Civil Tract No. 1
(6 FW 189 - Rev)

Certain parcels of land in Delaware County,
Oklahoma, et al,

Defendants.

ORDER OF DISBURSEMENT

Now this 14th day of July, 1944, same being a judicial day of said court, this matter comes on for hearing on the Supplemental Application for disbursement of funds herein filed by Van Chandler and his wife Maude Chandler.

Plaintiff and the applicants appear by their respective attorneys of record whereupon said application was presented to and considered by the court, and there being no objections or exceptions filed and no other person appearing to claim the fund or any part thereof, the court heard the evidence and being well advised in the premises, finds:

Applicants were the owners of the lands herein described as Tract N. 1 (6 FW 189-Rev) that plaintiff has condemned and taken the fee simple title and estate in and to said lands for its project and paid the sum of of \$4980.00 into the office of the Clerk of this Court as its estimate of the damages caused by said taking which moneys have heretofore been paid to or for the benefit of applicants herein; that on June 16, 1944 after trial of said cause in said court a verdict was rendered and judgment thereon entered for the sum of \$8000.00 for and on account of the appropriation of said lands, and the further sum of \$1025.00 damages for destruction of personal property by flood, which property belonged to applicants; that plaintiff has paid the sum of \$3020.00 (the difference between the amount paid under the Declaration of Taking and the amount of the verdict and judgment) with the further sum of \$111.23 interest, or a total of \$3131.23 into the office of the Clerk of the Court for the benefit of those lawfully entitled thereto; that plaintiff has not yet paid the said sum of \$1025.00 into the office of the Clerk of said Court to reimburse applicants for the damage and loss of personal property but will do so in the near future.

The court finds that applicants herein were the lawful owners of said land; that there were no liens nor mortgages on said land and the taxes for 1943 and prior years are fully paid so that applicants herein are entitled to all of said moneys.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay the sum of \$3131.23 to Van Chandler as just compensation for said tract of land taken by plaintiff;

IT IS FURTHER ORDERED that when plaintiff pays the further sum of \$1025.00 (compensation for the damage to and destruction of applicants' personal property) into the office of the Clerk of this court, said Clerk is ordered and directed to pay the same forthwith to said Van S. Chandler.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed In Open Court
Jul 14 1944
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

CIVIL NO. 1115

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLA. CO.; etc., and Van S. Chandler, et al.,

Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO.
20 (19 FW-862)

Now, on this 14th day of July, 1944, there coming on for hearing the application of the defendants, J. G. Austin, Admr. of the estate of R. E. Wiley, deceased, and Annie Wiley, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 20 (19 FW-862) and the Court being fully advised in the premises, finds:

That the defendants, J. G. Austin, Admr. of the Estate of R. E. Wiley, deceased, and Annie Wiley, were the owners of the land designated as Tract No. 20 (19 FW 862) 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 \$1,693.60 for the taking of the fee simple title said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title 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 the fee simple title.

The Court further finds that the defendants, J. G. Austin, Admr. of the Estate of R. E. Wiley, deceased, and Annie Wiley in writing agreed to grant and sell to the petitioner the fee simple title said tract of land for the sum of \$1,593.60, which was accepted by the petitioner.

The Court further finds that the sum of \$1,693.60 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 have any right, title or interest in and to said just compensation except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, J. G. Austin, Admr. of the Estate of R. E. Wiley, deceased, and Annie Wiley were the owners of the land designated as Tract No. 20 (19 FW 862) when this proceeding was commenced, and that the sum of \$1,693.60 is just compensation for the damages sustained by the defendants; and that said defendants are the only persons having any right, title or interest in and to said just compensation, except

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

TO: J. G. Austin, Admr., of the Estate of R. E. Wiley, deceased, and Annie
Wiley Owners Tract No. 20 (19 FW 862) \$1,693.60

ROYCE W. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 1115
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, etc., and Van S. Chandler, et al.,	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT No. 31 (25 FW 880)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendant, Reuben R. Huffaker for an order fixing title, decreeing just compensation and making distribution as to Tract No. 31 (25 FW 880) and the Court being fully advised in the premises, finds:

That the defendant, Reuben R. Huffaker, was the owner of the land designated as Tract No. 31 (25 FW 880) 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 \$406.00 for the taking of the entire fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration filed by the petitioner, thereby vesting in the petitioner, United States of America, the entire fee simple title in and to said tract of land, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said land.

The Court further finds that the defendant, Reuben R. Huffaker, in writing, agreed to grant and sell to the petitioner, the entire fee simple title in and to said tract of land for the sum of \$406.00 which was accepted by the petitioner.

The Court further finds that the sum of \$406.00 is just compensation for the injuries and damages sustained by said defendant.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Reuben R. Huffaker, was the owner of the land designated as Tract No. 31 (25 FW 880) when this proceeding was commenced, and that the sum of \$406.00 is just compensation for the damages sustained by the defendant; and that said defendant is the only person, having any right, title or interest in and to said just compensation except

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

TO: Reuben R. Huffaker Owner - Tract No. 31 (25 FW 880) \$406.00

ROYCE W. SARGENT
JUDGE

ENDORSED: Filed Jul 14 1944
H. P. Werfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs		) CIVIL NO. 1115
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, etc., and Van S. Chandler, et al.,)
	Defendants.)

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 14th day of July, 1944, it appearing to this Court that on June 26th, 1944, upon application of the petitioner, United States of America, T. G. Grant, W. L. Hayes and T. B. Harp were selected and appointed as commissioners to inspect the real property involved in this action, and to raise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said Commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said commissioners be and they are hereby allowed the following fees, to-wit:

W. L. Hayes, commissioner's fee - June 27th, July 5, 6th and 7th, 1944;
4 days at \$26.00 per day \$104.00

T. G. Grant, commissioner's fee - June 27th, July 5th, 6th and 7th, 1944;
4 days at \$26.00 per day \$104.00

T. B. Harp, commissioner's fee - June 27th, July 5th, 6th and 7th, 1944;
4 days at \$26.00 per day \$104.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
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

CIVIL NO. 1128

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA: et al, and Ruth Harrison, et al.,

Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 10 (13 FW-CR-829)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of the defendant, J. G. Austin for an order fixing title, decreeing just compensation and making distribution as to Tract No. 10 (13 FW-CR-829) and the Court being fully advised in the premises, finds:

That the defendant, J. G. Austin the owner of the land designated as Tract No. 10 (13 FW-CR-829) 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 \$12.60 for the taking of a perpetual easement for road 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 road 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 a perpetual easement for road purposes.

The Court further finds that the defendant J. G. Austin in writing, agreed to grant and sell to the petitioner, a perpetual easement for road purposes, upon and over said tract of land for the sum of \$12.60 which was accepted by the petitioner.

The Court further finds that the sum of \$12.60 is just compensation for the injuries and damages sustained by said defendant, J. G. Austin.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, J. G. Austin the owner of the land designated as Tract No. 10 (13 FW-CR-829) when this proceeding was commenced and that the sum of \$12.60 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: J. G. AUSTIN Owner Tract No. 10 (13 FW-CR-829) \$12.60

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
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		) CIVIL NO. 1131
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, etc., and Paul Scott, et al.,)
	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO.
2 (33 FW 1027)

TOW, on this 14th day of July, 1944, there coming on for hearing the applica-
tion of the defendant, G. C. Ray, for an order fixing title, decreeing just compensation and making
distribution as to Tract No. 2 (33 FW 1027) and the Court being fully advised in the premises, finds:

That the defendant, G. C. Ray, was the owner of the land designated as Tract No.
2 (33 FW 1027) 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 \$72.50 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 upon and over said land;
and decreed that the owners and those having any right, title or interest in and to said land, have and
recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, G. C. Ray, in writing, agreed to grant
and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of
\$72.50 which was accepted by the petitioner.

The Court further finds that the sum of \$72.50 is just compensation for the injur-
ies and damages sustained by said defendant.

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

IT IS WHEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant
G. C. Ray, was the owner of the land designated as Tract No. 2 (33 FW 1027) when this proceeding was
commenced, and that the sum of \$72.50 is just compensation for the damages sustained by the defendant;
and that said defendant is the only person having any right, title or interest in and to said just com-
pensation, except

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

TO: G. C. Ray Owner Tract No. 2 (33 FW 1027) \$72.50

ROYCE H. SAVAGE
J U D G E

ENTERED: Filed Jul 14 1944
H. F. Marfield, Clerk
U. S. District Court IN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.		) CIVIL NO. 1181
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA, containing approximately 61.04 acres, more or less; and G. F. Brodrick, et al.,	Defendants.)

ORDER DIVESTING PETITIONER OF THE FEE SIMPLE TITLE AND
REVESTING TITLE IN FORMER OWNERS, SUBJECT TO
PERPETUAL EASEMENTS FOR FLOWAGE, DIKES AND
LEVIES, AS TO TRACT NO. 6 (50 FW 1338) AND
TRACT NO. 7 (50 FW 1339)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of petitioner, United States of America, for a judgment on the stipulation entered into between the petitioner, and the defendants, Paul Holmes and Ercell Holmes, former owners of the tracts of land designated and described in this proceeding as Tract No. 6 (50 FW 1338) and Tract No. 7 (50 FW 1339) and it appearing to the court that the petitioner, United States of America instituted condemnation proceeding to acquire the entire fee simple title to said tracts of land, and that on the 3rd day of April, 1944, the petitioner filed its Declaration of Taking and deposited in the registry of this court the sum of \$425.00 as the estimated just compensation for the taking of the fee simple title to the land described on Tract No. 6, and the sum of \$7,750.00 as the estimated just compensation for the taking of the fee simple title to the land described in Tract No. 7, and that the entire fee simple title to said tracts of land vested in the petitioner, United States of America on said date; and the court, on said date, entered a judgment on said Declaration of Taking vesting title in the petitioner and vesting in the owners of the lands the right to have and recover just compensation; and it further appearing that the amount of just compensation to be paid for said taking has not been ascertained and awarded in this proceeding and established by judgment herein; that the estimated just compensation deposited by the petitioner in the amounts of \$425.00 and \$7,750.00 respectively, are now on deposit in the registry of this court; and

It further appearing to the court that the defendants, Paul Holmes and Ercell Holmes, former owners of said tracts of land designated as Tracts No. 6 and 7 in this proceeding, and the petitioner herein, have stipulated and agreed as follows, to-wit:

1. That the petitioner, the United States of America, be divested of the fee simple title in and to the lands designated and described as Tracts No. 6 and 7 in this proceeding, and that the fee simple title to the land described in said Tract No. 6 revert in the defendant, Ercell Holmes, and that the fee simple title to the land described in Tract No. 7, revert in the defendants, Paul Holmes and Ercell Holmes, all subject to a perpetual easement in the petitioner, United States of America, to inundate, submerge and flow, and a perpetual easement, right and privilege to construct, maintain and repair dikes and levies upon and over said Tracts No. 6 and 7, and to enter upon said land from time to time in the performance of said acts.

2. (a) That the sum of \$325.00 inclusive of interest, shall be in full satisfaction of and just compensation as to Tract No. 6 (50 FW 1338), and that the sum of \$4500.00, inclusive of interest, shall be in full satisfaction of and just compensation as to Tract No. 7 (50 FW 1339), and for the taking and retaining by the petitioner, United States of America of a perpetual easement to inundate, submerge and flow, and a perpetual easement, right and privilege to construct, maintain and repair dikes and levies upon, over and across said Tracts No. 6 and 7, and to enter upon said tracts of land from time to time in the performance of said acts.

(b) That said amounts shall be in full satisfaction of and just compensation for any and all damages, if any, which the owners may have sustained, by reason of the taking of the entire fee simple title to said tracts by the petitioner and the holding of said fee simple title by the petitioner until the revesting of the title to said tracts in the defendants herein.

(c) That said amounts shall also be in full satisfaction of any and all damages, if any, sustained by the defendants by reason of the May 1943 flood, or the inundating and overflowing of said tracts of land subsequent to May, 1943.

3. That the sum of \$235.00 and \$4500.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing at the time of the taking of said tracts of land by the petitioner, and that any and all award of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties named as defendants herein, shall be payable out of and deductible from said sums.

4. That the United States of America shall receive and withdraw from the registry of this court the sum of \$200.00 said amount being the difference between the estimated just compensation deposited by the petitioner in the sum of \$425.00 for the taking of the fee simple title to the land described in Tract No. 6, and the stipulated consideration to be paid for said easements upon and over said tract in the amount of \$225.00; and that the United States of America shall receive and withdraw from the registry of this court the sum of \$3250.00 said amount being the difference between the estimated just compensation deposited by the petitioner in the amount of \$7750.00 for the taking of the fee simple title to the land described in Tract No. 7, and the stipulated consideration to be paid in the amount of \$4500.00 for said easements upon and over said tract.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that the United States of America be and it is hereby divested of the fee simple title to the lands situated, lying and being in the County of Ottawa, State of Oklahoma, more particularly described as follows, to-wit:

(See J 7 - P. 598)

EXCEPT a perpetual easement in the petitioner, United States of America, to inundate, submerge and flow, and a perpetual easement in the petitioner, United States of America, to construct, maintain and repair dikes and levies upon, over and across said lands, and to enter upon said lands from time to time in the performance of said acts; and that the fee simple title to the lands hereinabove described as Tract No. 6 is hereby revested in the defendant, Ercell Holmes, subject to a perpetual easement in the petitioner, United States of America, to inundate, submerge and flow, together with a perpetual easement, right and privilege in the petitioner, United States of America, to construct, maintain and repair dikes and levies upon, over and across said Tract No. 6, and to enter upon said tract of land from time to time in the performance of said acts; and that the fee simple title to the lands hereinabove described as Tract No. 7 is hereby revested in the defendants, Paul Holmes and Ercell Holmes, subject to a perpetual easement in the petitioner, United States of America, to inundate, submerge and flow, together with a perpetual easement, right and privilege in the petitioner, United States of America, to construct, maintain and repair dikes and levies upon, over and across said Tract No. 7, and to enter upon said tract of land from time to time in the performance of said acts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$235.00 inclusive of interest, is in full satisfaction of and just compensation as to Tract No. 6, and that the sum of \$4500.00, inclusive of interest, is in full satisfaction of and just compensation as to Tract No. 7 for the taking and retaining by the petitioner, United States of America of a perpetual easement to inundate, submerge and flow, together with a perpetual easement, right and privilege to construct, maintain and repair dikes and levies upon, over and across said tracts No. 6 and 7, and to enter upon said tracts from time to time in the performance of said acts; and that said amounts are in full satisfaction of and just compensation for any and all damages, if any, which the owners may have sustained by reason of the taking of the entire fee simple title to said tracts by the petitioner and the holding of said fee simple title by the petitioner until the revesting of said title in the

defendants herein; and that said sums are also in full satisfaction of all damages, if any, sustained by the defendants by reason of the May 1943 flood and for the inundating and overflowing of said tracts of land subsequent to May, 1943.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the said sums of \$225.00 and \$4500.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing at the time of the taking of said tracts of land by the petitioner, and that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties named as defendants herein, shall be payable out of and deductible from said sums.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court be and he is hereby directed to refund to the Treasurer of the United States of America the sum of \$200.00, said amount being the difference between the estimated just compensation deposited by the petitioner in the amount of \$425.00 for the taking of the fee simple title to Tract No. 6, and the stipulated consideration to be paid in the amount of \$225.00 for said easements upon and over said tract; and the sum of \$3250.00, said amount being the difference between the estimated just compensation deposited by the petitioner in the amount of \$7750.00 for the taking of the fee simple title to Tract No. 7, and the stipulated consideration in the amount of \$4500.00 for said easements upon and over said tract.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court LM

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs)
		) CIVIL NO. 1181
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA containing approximately 61.04 acres, more or less; and C. F. Brodrick, et al.,	Defendants.)

ORDER DIVESTING PETITIONER OF THE FEE SIMPLE TITLE AND
REVERSING TIME IN FORMER ORDER, SUBJECT TO
PERPETUAL ELOMAGE EASEMENT AS TO TRACT
NO. 10 (50 FW 1343)

NOW, on this 14th day of July, 1944, there coming on for hearing the application of petitioner for a judgment upon the Stipulation entered into between the petitioner and the defendant Hollie Jones Byrne, as to Tract No. 10 (50 FW 1343) in this proceeding, and it appearing to the court that the petitioner, the United States of America instituted condemnation proceedings herein to acquire the entire fee simple title to the land described in and designated as Tract No. 10 (50 FW 1343) in this proceeding, and filed its Declaration of Taking and deposited in the registry of this Court the sum of \$1965.00, and that title to said land vested in the petitioner on the 3rd day of April, 1944 and that on said date the court entered a judgment on said Declaration of Taking; and

It further appearing to the court that the amount of just compensation to be paid for said taking has not been ascertained and awarded in this proceeding and established by judgment herein; and that the estimated just compensation deposited by the petitioner in the amount of \$1965.00 is now on deposit in the registry of this court.

It further appearing that the owner of said tract of land prior to the taking by the Government, and the petitioner have stipulated and agreed as follows, to-wit:

1. That the United States of America be divested of the fee simple title in and to the land described in and designated as Tract No. 10 (50 FW 1343), and that the fee simple title thereto revert in the defendant, Hollie Jones Byrne, subject to a perpetual easement to inundate, submerge and flow and to enter upon said land from time to time in the performance of said acts.

2. (a) That the sum of \$1000.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking and retaining by the petitioner, United States of America, of a perpetual easement upon and over the land described in and designated as Tract No. 10 (50 FW 1343) to inundate, submerge and flow and to enter upon said land from time to time in the performance of said acts.

(b) That the said sum of \$1000.00 shall be in full satisfaction of and just compensation for any and all damages that the defendant may have sustained, and if, by reason of the taking of the entire fee simple title by the petitioner and the holding of said fee simple title by the petitioner until the reversion of said fee simple title in the defendant, subject to said perpetual easement flowage.

(c) That the said sum of \$1000.00 shall also be full satisfaction of and just compensation for any and all damages, if any, sustained by the defendant by reason of the May, 1943 flood, or the inundating and overflowing of said tract of land subsequent to May, 1943.

3. That the petitioner, United States of America shall receive and withdraw a refund in the amount of \$965.00, said amount being the difference between the estimated just compensation in the sum of \$1965.00 deposited by petitioner in the registry of this court for the taking of the fee simple title to said tract of land, and the compensation fixed by said stipulation to be paid for the taking of a perpetual flowage easement, in the amount of \$1000.00.

4. That said just compensation in the sum of \$1000.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing at the time of the taking of said tract of land, and that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties named as defendants herein, shall be payable out of and deductible from said sum.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America be and it is hereby divested of the fee simple title to the land described and designated as Tract No. 10 (50 FW 1343), lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 10 (50 FW 1343)

Lots 63, 64 and 66 fronting on Broadway Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma,

EXCEPT a perpetual easement to inundate, submerge and flow and to enter upon said land from time to time in the performance of said acts, and that the fee simple title to said tract of land revert in the former owner, Hollie Jones Byrne, subject to a perpetual easement in the petitioner, United States of America, to inundate submerge and flow and to enter upon said land from time to time in the performance of said acts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$1000.00, inclusive of interest, is in full satisfaction of and just compensation for the taking and retaining by the petitioner, United States of America of a perpetual easement upon and over said tract of land to inundate, submerge and flow, and to enter upon said land from time to time in the performance of said acts, and is in full satisfaction of any and all damages, if any, that the defendant may have sustained

of America, to enter a judgment upon amendment No. 1 to the Declaration of Taking filed in the above entitled cause on the 30th day of June, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein and amendment No. 1 thereto, said amendment No. 1 to the Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

SECOND: That a petition in condemnation, and amendment No. 1 thereto, were filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition and amendment No. 1 thereto, and also under the authority of the Attorney General of the United States.

THIRD: That said petition and amendment No. 1 thereto, and amendment No. 1 to the Declaration of Taking, state the authority under which, and the public use for which said land was taken, and that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such land as is described in the petition, as amended and supplemented by amendment No. 1, for the construction of public works, and in connection with the Grand River Dam Project, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said amendment No. 1 to the Declaration of Taking.

FIFTH: That said amendment No. 1 to the Declaration of Taking contains a statement of the estate or interest in said land taken for said public use.

SIXTH: That a plat map showing the land taken is incorporated in said amendment No. 1 to the Declaration of Taking.

SEVENTH: That a statement is contained in said amendment No. 1 to the Declaration of Taking for a sum of money estimated by said acquiring authority to be just compensation for the estate taken in said land, in the amount of \$305.50 and that said sum was deposited in the registry of the Court for the use of the persons entitled thereto, upon and at the time of the filing of said Amendment No. 1 to the Declaration of Taking.

EIGHTH: That a statement is contained in said amendment No. 1 to the Declaration of Taking, that the amount of the ultimate award of compensation for the taking of said estate in said property, in the opinion of said Secretary of the Interior, will be within any limits prescribed by Congress as to the price to be paid therefor.

IT IS THEREFORE on this 14th day of July, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain land herein-after described and designated as "Flowage Easement"; and a perpetual easement to inundate, submerge and flow, intermittently, during flood periods, upon and over certain land hereinafter described and designated as "Easement for Intermittent Flowage During Flood Periods"; and to enter upon all of said land from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 30 (56 FW 1806 Rev.)
Perpetual Easement for
Permanent Flowage

(See J7 - P. 372)

be, and the same is hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the estate taken in said property, upon the filing of amendment No. 1 to the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and is hereby vested with perpetual easements as heretofore set forth, upon and over the land heretofore described, for the uses and purposes therein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners, and those in possession or having any right, title or interest in and to the land heretofore described, surrender and deliver up possession of said land to the United States of America, for the purpose of exercising all of the rights and privileges herein acquire, on or before the 14th day of July, 1944; and that this cause be held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE

EMCORDED: Filed Jul 14 1944
H. P. Warfield, Clerk
U. S. District Court IN

Court adjourned to July 18, 1944

On this 18th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting on Regular January 1944 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. Macy, 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

CHESTER BOWLES, Administrator Office of Price Administration, Plaintiff,)
vs) CIVIL ACTION NO. 1215
BRADY STEEL CORPORATION, an Oklahoma Corporation, Defendant.)

JOURNAL EIGHTH DECEMBER

Now on this 18th day of July, 1944, this matter comes on for hearing in open court

pursuant to due and regular setting of the docket of this Court, and both sides being represented by their respective counsel, and the parties having submitted to the Court their Stipulation and Agreement as to findings of fact, conclusions of law and judgment to be rendered herein, and the Court having duly and fully considered said Stipulation and the pleadings and exhibits filed herein, finds:

That the defendant has violated the provisions of Revised Price Schedule No. 49 heretofore established by the plaintiff in connection with the resale of iron and steel products;

That said violation resulted in an overcharge to the United States Maritime Commission by the defendant in the sum of \$6,343.44;

That said violation was neither wilful nor the result of failure on the part of the defendant to take practicable precautions against the occurrence of said violation;

That plaintiff is entitled to judgment against the defendant for said sum of \$6,343.44, together with the cost of this action;

That the plaintiff is not entitled to the injunction or injunctive relief prayed for by it herein, and that this portion of plaintiff's action shall be dismissed;

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED that plaintiff have and recover judgment against the defendant in the sum of \$6,343.44; that plaintiff's prayer for an injunction and injunctive relief against the defendant herein be, and the same hereby is, denied, and that portion of plaintiff's action is hereby dismissed; and that the costs of this action be taxed against the defendant.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed in Open Court
Jul 18 1944
H. P. Warfield, Clerk
U. S. District Court IN

Court adjourned to July 19, 1944

On this 19th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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. Hanzly, 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 DISTRICT OF OKLAHOMA

CHESTER BONIES, Administrator
OFFICE OF PRICE ADMINISTRATION,

Plaintiff,

CIVIL NO. 1935

vs.

J. P. JORDAN, an individual &/b/o
J. P. JORDAN POULTRY COMPANY,

Defendant.

J U D G E M E N T

On this 19th day of July, 1944, this matter was regularly set for hearing upon the motion of plaintiff for preliminary injunction against the defendant, and at said time, pursuant to written stipulation and agreement of the parties, this cause came on for trial, at which time the plaintiff appeared by and through his counsel of record, John J. D. Cobb, and James T. Steil, and the defendant appeared in person and by his counsel of record, Byron W. Boone, and a formal stipulation signed by J. P. Jordan, individually, and approved by his attorney of record was presented herein, wherein was agreed that the defendant waived answer, any and all defenses to the claims set forth in the complaint herein and waived hearing, all findings of fact and conclusions of law, and agreed that a permanent injunction should be granted against defendant and his agents.

And the Court, having heard statement of counsel, examined the stipulation filed herein, and being otherwise well and fully advised in the premises, finds that said permanent injunction should issue.

IT IS WHEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants and representatives, and each of them, and any and all persons in active concert or participation with him, be and are hereby, permanently enjoined from directly or indirectly doing any act or practice in violation of Revised Maximum Price Regulation No. 369, insofar as it pertains to the sale or purchase in excess of the maximum ceiling prices for said poultry items covered by Revised Maximum Price Regulation No. 369, and shall not evade the price elimination set forth in said regulation whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to, the commodities prices of which are herein regulated by said Revised Maximum Price Regulation No. 369, alone or in conjunction with any other commodity, or by way of commission service, transportation, or other charge or discount, premium, or other privilege or other trade understanding or otherwise as fully set out in Section 1439.5 of said regulation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said defendant, his agents, servants, employees and representatives, and each of them, and any and all persons in active concert or participation with him, be and are hereby, permanently enjoined from directly or indirectly doing any act or practice in violation of Section 1439.4 of the Revised Maximum Price Regulation No. 369, by reason of failure to keep such records and reports as are provided for in said Section.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said defendant, his agents, employees, servants and representatives and each of them and any and all persons in active concert or participation with him shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 remains in effect, a complete and accurate record of each sale or delivery of poultry items, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities, types, grades, weight classes of poultry bought and sold, the number of head of each type, grade and weight class of poultry bought and sold, the type of sale made (delivered or non-delivered) and the price paid or received, as provided in Section 1439.4 of Revised Maximum Price Regulation No. 369.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant be required to pay the cost of this action.

ENTERED: Filed in Open Court

July 19 1944 H. P. Warfield, Clerk

ROYCE H. SAVAGE

United States District Judge for the District of Oklahoma

On this 20th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, not pursuant to adjournment, Hon. Royce E. Savage, Judge, present and presiding.

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

Public proclamation having been duly made, the following proceedings were here 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. 1019

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
 OKLAHOMA; and Cooweescowee Constitution,
 etc., et al

Defendants.

J U D G M E N T

NOW, on this 19th day of July, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

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

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

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

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

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

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

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

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

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the Lands involved in this proceeding, duly qualified on the 25th day of January, 1944, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 27th day of January, 1944, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder if any, as to the land more particularly designated and described as follows, to-wit:

TRACT NO. 1 (7 - FW-219)
Floodage Easement

All that part of the NW¹/₄ NE¹/₄ of Sec. 10, T 23 N, R 22 E, of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.8 acre.

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

TRACT NO. 2 (7 - FW-220)
Floodage Easement

All that part of the NE¹/₄ NW¹/₄ of Sec. 10, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$12.00

TRACT NO. 3 (7 - FW-243)
Floodage Easement

All that part of the S¹/₂ NE¹/₄ of Sec. 11, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$14.00

TRACT NO. 4 (7 - FW-244)
Floodage Easement

All that part of the NE¹/₄ NE¹/₄ NE¹/₄ of Sec. 11, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.8 acre.

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

TRACT NO. 5 (7 - FW-248)
Floodage Easement

All that part of the W¹/₂ SW¹/₄ of Sec. 13, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying

below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.7 acres.

Total Fair Cash Market Value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any \$13.50

Tract No. 7 (7 - FW-249)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

Total Fair Cash Market Value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any \$0.90

Tract No. 8 (7 - FW-250)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

Total Fair Cash Market Value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any \$0.30

Tract No. 9 (7 - FW-251)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.0 acres.

Total fair cash market value of the estate taken (perpetual easement) and all damages to the remainder, if any \$18.00

Tract No. 10 (7 - FW-252)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.9 acres.

Total fair cash market value of the estate taken (perpetual easement) and all damages to the remainder, if any \$9.50

Tract No. 11 (7 - FW-253)

Flowage Easement

All that part of the $N\frac{1}{2}$ $W\frac{1}{2}$ $SE\frac{1}{4}$ of Sec. 12, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$0.60

Tract No. 12 (7 - FW-254)

Flowage Easement

All that part of the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 12, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.2 acres.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$11.00

Tract No. 13 (7 - FW-271)

Flowage Easement

All that part of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 12, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$2.40

Tract No. 14 (7 - FW-255)

Flowage Easement

All that part of the west 17.56 acres of Lot 3, and all that part of the west 17.56 acres of Lot 4, in Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

Total fair cash market value of the estate taken (perpetual easement) and all damages to the remainder, if any \$10.20

Tract No. 15 (15 - FW-256)

Flowage Easement

All that part of the SE 10.6 acres of Lot 3, and all that part of the $E\frac{1}{2}$ $SW\frac{1}{4}$, and all that part of the $S\frac{1}{2}$ $W\frac{1}{2}$ $SE\frac{1}{4}$, and all that part of the east 27.1 acres of Lot 4 in Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 13.6 acres.

Total fair cash market value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any \$206.20

Tract No. 16 (15 - FM-258)
 Flowage Easement

All that part of the east 468 feet of the south 300 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

Total fair cash market value of the estate, taken (Perpetual Easement) and all damages to the remainder, if any \$21.00

Tract No. 17 (15 - FM-259)
 Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

Total fair cash market value of the estate taken (perpetual Easement) and all damages to the remainder, if any \$14.00

Tract No. 18 (15 - FM-260)
 Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, in Sec. 13, and all that part of the SW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13, all in T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.9 acres.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$84.00

Tract No. 19 (15 - FM-261)
 Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.4 acres.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$316.80

Tract No. 21 (15 - FM-263)
 Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma,

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

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$0.60

Tract No. 22 (15 - FW-264)
Flowage Easement

All that part of the $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$5.10

Tract No. 23 (15 - FW-265)
Flowage Easement

All that part of the $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

Total fair cash market value of the Estate taken (Perpetual Easement) and all damages to the remainder, if any \$1.05

Tract No. 24 (15 - FW-266)
Flowage Easement

All that part of the $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 656 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 5.1 acres.

Total fair cash market value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any, \$301.00

Tract No. 25 (15 - FW-267)
Flowage Easement

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.5 acres.

Total fair cash market value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any \$6.90

Tract No. 26 (15 - FW-268)
Flowage Easement

All that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

Total Fair Cash Market Value of the Estate Taken (Perpetual Easement) and all Damages to the remainder, if any \$2.29

Tract No. 27 (15 - FW-269)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7; T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre:

Total fair cash market value of the Estate taken (Perpetual Easement) and all damages to the remainder, if any \$1.25

Tract No. 28 (15 - FW-270)
Flowage Easement

All that part of Lot 1, and all that part of the NE 10.0 acres of Lot 2, and all that part of the West 17.56 acres of Lot 3 in Sec. 7, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

Total fair cash market value of the estate taken (perpetual Easement) and all Damages to the remainder, if any \$6.60

Total \$10,095.19

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

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

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation, in the total amount of \$1,095.19.

(8) That the United States of America did, on the 15th day of June, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

Tract No. 1 (7 - FW-219)	\$1.00
Tract No. 2 (7 - FW-220)	\$4.00
Tract No. 3 (7 - FW-243)	\$7.70
Tract No. 4 (7 - FW-244)	\$6.40
Tract No. 5 (7 - FW-245)	\$10.00

Tract No. 7 (7 - FW-249)	\$0.80
Tract No. 8 (7 - FW-250)	\$0.50
Tract No. 9 (7 - FW-251)	\$6.00
Tract No. 10 (7 - FW-252)	\$3.80
Tract No. 11 (7 - FW-253)	\$0.60
Tract No. 12 (7 - FW-254)	\$4.40
Tract No. 13 (7 - FW-27)	\$2.40
Tract No. 14 (15 - FW-255)	\$5.10
Tract No. 15 (15 - FW-256)	\$207.80
Tract No. 16 (15 - FW-258)	\$34.00
Tract No. 17 (15 - FW-259)	\$14.00
Tract No. 18 (15 - FW-260)	\$84.00
Tract No. 19 (15 - FW-261)	\$346.80
Tract No. 21 (15 - FW-262)	\$0.60
Tract No. 22 (15 - FW-264)	\$5.10
Tract No. 23 (15 - FW-265)	\$1.05
Tract No. 24 (15 - FW-266)	\$301.00
Tract No. 25 (15 - FW-267)	\$6.90
Tract No. 26 (15 - FW-268)	\$2.29
Tract No. 27 (15 - FW-269)	\$1.25
Tract No. 28 (15 - FW-270)	\$3.30
Total	\$1,046.39

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 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. 909); and Executive Order No. 2944, 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 purposes 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 therein the meaning and purport of the above designated Acts of Congress.

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

(See Above)

It is further ordered, adjudged and decreed that the estate taken is a perpetual easement upon and over the 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, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

It is further Ordered, Adjudged and Decreed that the Estate in all of 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 the 15th day of June, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$1,046.39, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

It is further Ordered, Adjudged and Decreed that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the

Tract No. 1 (7 - 111-219)
Fluvage Easement

Cooeweescowee Constitution - Fee Owner \$1.00
(Restricted)
(Make check payable to Treasurer of the United States for Cooeweescowee Constitution, fee owner)
(Commissioners' award)

Tract No. 2 (7 - 111-220)
Fluvage Easement

Lizzie Constitution (deceased) fee owner \$12.00
(Restricted)
(Make check payable to Treasurer of the United States for the heirs of Lizzie Constitution, deceased, fee owner)
(Commissioners' award)

Tract No. 3 (7 - 111-248)
Fluvage Easement

Mary Creekkiller (deceased) fee owner \$14.00
(restricted)
(Make check payable to Treasurer of the United States for the heirs of Mary Creekkiller, deceased, fee owner)
(Commissioners' award)

Tract No. 4 (7 - 111-214)
Fluvage Easement

J. E. Buffington,
Lizzie Buffington, fee owners \$8.00
(Commissioners' award)

Tract No. 5 (7 - 111-243)
Fluvage Easement

Ethel J. Gordon fee owner \$15.50
(Commissioners' award)

Tract No. 7 (7 - 111-245)
Fluvage Easement

Lizzie D. Walker, nee Buffington fee owner \$0.90
(Commissioners' award)

Tract No. 8 (7 - 111-250)
Fluvage Easement

Dora Ingram fee owner \$0.80
(Commissioners' award)

Tract No. 9 (7 - 111-251)
Fluvage Easement

E. M. Goding fee owner \$18.00
(Commissioners' award)

Tract No. 10 (7 - FW-252) Flowage Easement		
L. F. Mayfield	fee owner	\$9.50
(Commissioners' award)		
Tract No. 11 (7 - FW-253) Flowage Easement		
Norman B. Blake	fee owner	\$9.00
(Commissioners' award)		
Tract No. 12 (7 - FW-254) Flowage Easement		
George Wilson	- owner of an undivided 3/4th interest; and	
I. W. Ingram	- owner of an undivided 1/4th interest - fee owners	\$11.00
(Commissioners' award)		
Tract No. 13 (7 - FW-271) Flowage Easement		
J. E. Hodges	fee owner	\$2.40
(Commissioners' award)		
Tract No. 14 (15 - FW-255) Flowage Easement		
I. W. Ingram	fee owner	\$10.00
(Commissioners' award)		
Tract No. 15 (15 - FW-256) Flowage Easement		
James B. Smith, Stella Smith	fee owners	\$295.00
(Commissioners' award)		
Tract No. 16 (15 - FW-258) Flowage Easement		
Hillside Baptist Church	fee owner	\$84.00
(Commissioners' award)		
Tract No. 17 (15 - FW-259) Flowage Easement		
Hiram Purcell	fee owner	\$24.00
(Commissioners' award)		
Tract No. 18 (15 - FW-260) Flowage Easement		
Lydia G. Sellers	fee owner	\$84.00
(Commissioners' award)		

Tract No. 19 (15 - FW-261)
 Flouage Easement

Albert Starr (restricted) fee owner \$546.00
 (Make check payable to Treasurer of United States
 for Albert Starr, fee owner)
 (Commissioners' award)

Tract No. 21 (15 - FW-262)
 Flouage Easement

Omar P. Ortner,
 Lester Jordan fee owners \$0.60
 (Commissioners' award)

Tract No. 22 (15 - FW-264)
 Flouage Easement

Caroline L. Yeargain fee owner \$8.10
 (Commissioners' award)

Tract No. 23 (15 - FW-265)
 Flouage Easement

I. W. Ingram fee owner \$1.05
 (Commissioners' award)

Tract No. 24 (15 - FW-266)
 Flouage Easement

Zeb George fee owner \$361.00
 (Commissioners' award)

Tract No. 25 (15 - FW-267)
 Flouage Easement

Harold R. Carey,
 John F. Carey fee owners \$6.90
 (Commissioners' award)

Tract No. 26 (15 - FW-268)
 Flouage Easement

Cecil L. Henry fee owner \$3.25
 (Commissioners' award)

Tract No. 27 (15 - FW-269)
 Flouage Easement

Ethel Roberts, now Skinnerhorn fee owner \$1.25
 (Commissioners' award)

Tract No. 28 (15 - FW-270)
 Flouage Easement

J. L. Sandison fee owner \$4.30
 (Commissioners' award)

Total \$1,095.19

It is further Ordered that this cause is held open for such other and further order judgments and decrees as may be necessary in the premises.

Hayes H. Savage
J U D G E

ENDORSED: Filed Jul 20 1944
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-

Certain Parcels of Land in Ottawa County,
Oklahoma, containing approximately 70.2 acres,
more or less; and C. J. Nicholson, et al.,
Defendants.)

Civil No. 1075

J U D G M E N T

NOW, on this 19th day of July, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

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

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

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

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

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

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

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

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

(8) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the land involved in this proceeding, duly qualified on the 18th day of January, 1944, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate file their report herein on the 24th day of January, 1944, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly described and designated as follows, to-wit:

Tract No. 3 (14 PW 843)
Flowage Easement

All that part of the S. 1/2 NE 1/4 and all that part of Lot 1, and all that part of the E. 20.10 acres of Lot 2 in Sec. 2, T 25 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 17.1 acres.

Total fair cash market value of the Estate taken (Perpetual Easement) and all damages to the remainder, if any \$700.00

Tract No. 3 (14 - PW 843-A)
Flowage Easement

All that part of the NE 1/4 SW 1/4 NE 1/4 of Sec. 1, T 25 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$1.20

Tract No. 4 (14 PW 844)
Flowage Easement

All that part of the SE 1/4 NE 1/4 of Sec. 2, T 25 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 2.3 acres.

Total fair cash market value of the estate taken (Perpetual Easement) and all damages to the remainder, if any \$350.00

Tract No. 5 (14 - PW 845)
Flowage Easement

All that part of the SW 1/4 NE 1/4 of Sec. 2, T 25 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.3 acres.

Total fair cash market value of the estate taken, (perpetual easement) and all damages to the remainder, if any \$26.00

Tract No. 2 (14 - FM 846)
Easement Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35, T 26 N, R 28 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 757' Sea Level D. top, containing approximately 0.8 acre.

Total fair cash market value of the Estate Taken (Perpetual Easement) and all damages to the remainder, if any \$7.00

Total \$1084.20

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

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

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation, in the amount of \$1084.20.

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

Tract No. 2 (14 FM 846)	\$569.20
Tract No. 3 (14 FM 843 A)	1.20
Tract No. 4 (14 FM 844)	231.00
Tract No. 5 (14 FM 845)	26.00
Tract No. 6 (14 FM 846)	7.00
Total	\$844.40

(9) The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-275 (U.S. C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1930, 41 Stat. 1063 (U.S. C. Title 18, Sec. 309), and Executive Order No. 3944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated acts of Congress.

It is therefore Ordered, Adjudged and Decreed that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

Tract No. 2 (14 FM 846)	\$791.00
Tract No. 3 (14 - FM 843-A)	1.20
Tract No. 4 (14 FM 844)	231.00
Tract No. 5 (14 FM 845)	26.00
Tract No. 6 (14 FM 846)	7.00
Total	\$1084.20

It is Further Ordered, Adjudged and Decreed that the estate taken is a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom; 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, for use in connection with the completion and full utilization of the Grand River Dam (Pawnee) Project in Oklahoma.

It is Further Ordered, Adjudged and Decreed that the estate in all of 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 the last day of September, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$344.40, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

It is Further Ordered, Adjudged and Decreed that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the use and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right, title or interest therein.

It is Further Ordered, Adjudged and Decreed that the petitioner pay into the registry of this court the sum of \$279.30, said sum being the deficiency between the sum of \$1064.20, the just compensation herein fixed by the report of commissioners, and the amount deposited with the Declaration of Taking, as the just compensation for the taking of said tracts of land, in the sum of \$344.40.

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

Rayce H. Savage
 Judge of the United States District Court,
 Northern District of Oklahoma

Endorsed; Filed Jul 20 1944
 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 Ottawa County,
 Oklahoma, containing approximately 16.3
 acres, more or less; and O. J. Nicholson,
 et al., Defendants.

Civil No. 1173

Order Fixing Title and Taking Distribution

Now, on this 20th day of July, 1944, when one cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated.

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

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

Tract No. 3 (14 FM 843)
Flourage Easement

Grove England,
Bessie England, fee owners
The Federal Land Bank of Wichita,
a Corporation - holder of mortgage, \$700.00
(Commissioners' award)

Tract No. 3 (14 FM 843-A)
Flourage Easement

Hotel E. Oakley, fee owner \$1.00
(Commissioners' award)

Tract No. 4 (14 FM 844)
Flourage Easement

Harvey Howell,
Eulith Howell, fee owners, \$850.00
(Commissioners' award)

Tract No. 5 (14 FM 845)
Flourage Easement

James Y. Victor, Executor of the Estate of
E. C. Victor, deceased, \$38.00
(Commissioners' award)

Tract No. 6 (14 FM 846)
Flourage Easement

J. A. Threlkeld, fee owner \$7.00
(Commissioners' award)

Total \$1384.00

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

It is therefore ordered, adjudged and decreed by this Court that the defendant W. F. Hamton and Charlotte Hamton, were the owner of the land designated as Tract No. 45 (26 FW 912) when this proceeding was commenced, and that the sum of \$131.00 is just compensation for the damages sustained by the defendants; and that said defendants are the only persons having any right, title or interest in and to said just compensation, except

It is further ordered that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: W. F. Hamton and Charlotte Hamton
Owners - Tract No. 45 (26 FW 912) \$131.00

Royce H. Savage
Judge

Endorsed: Filed Jul 27 1944
H. P. Herfields, Clerk
U. S. District Court III

In the United States District Court in and for the Northern District of Oklahoma

United States of America, Petitioner,)
vs) Civil No. 1136
Certain Parcels of Land in Delaware County,)
Oklahoma, etc., and John G. Sims, et al.,)
Defendants.)

ORDER Granting Title, Decreeing Just Compensation and Making Distribution as to Tract No. 40 (25 FW 996)

On, to-wit: 19th day of July, 1944, there coming on for hearing the application of the defendant, John G. Sims, Jr., for an order fixing title, decreeing just compensation and making distribution as to Tr. No. 40 (25 FW 996) and the Court being fully advised in the premises, find:

That the defendant, John G. Sims, Jr., was the owner of the land designated as Tract No. 40 (25 FW 996) and that on or about the 1st day of July, 1944, the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$131.00 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 upon and over said land; and decreed that the said defendant, having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual flowage easement.

The Court further finds that the defendant, John G. Sims, Jr., in writing, agreed to grant and sell to the petitioner a perpetual easement for flowage purposes upon and over said tract of land for the sum of \$131.00 which was accepted by the petitioner.

No. 6 and 7 under its Declaration of Taking; that on the 14th day of July, 1944, this Court entered an order and judgment divesting the petitioner of the fee simple title to said tracts and revesting said title in the former owners, subject to a perpetual easement in the petitioner, United States of America, to inunade, submerge and flow, together with a perpetual easement, right and privilege to construct, maintain and repair dikes and levies upon and ove said tracts of land, and the right to enter upon said lands from time to time in the performance of said acts; and fixing the just compensation to be paid for said rights on Tract No. 6 in the amount of \$225.00 and for said rights upon Tract No. 7 in the amount of \$4500.00.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, ErCELL Holmes, was the owner of the land designated as Tract No. 6 (50 FW 1338) and that the defendants, Paul Holmes and ErCELL Holmes, were the owners of the lands designated as Tract No. 7 (50 FW 1339) when this proceeding was commenced; that the defendant, ErCELL Holmes, is the only person having any right, title or interest in and to the just compensation fixed for said Tract No. 6, and that Paul Holmes and ErCELL Holmes are the only persons having any right, title or interest in and to the just compensation fixed for said Tract No. 7.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said estate in said tracts as follows, to-wit:

ERCELL HOLMES Owner - Tract No. 6 (50 FW 1338)	\$225.00
PAUL HOLMES AND ERCELL HOLMES Owner - Tract No. 7 (50 FW 1339)	\$4500.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 20 1944
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. 1181
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA,)
etc. and O. F. Brodrick, et al.,	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISRIBUTION AS TO TRACT NO. 3 (47 FW 1540 - A)

NOW, on this 19th day of July, 1944, there coming on for hearing the application of the defendants C. S. Maddox and Grace Maddox, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 3 (47 FW 1540 - A) and the Court being fully advised in the premises, finds:

That the defendants, C. S. Maddox and Grace Maddox, were the owners of the land designated as Tract No. 3 (47 FW 1540- A) 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 \$384.50 for the taking of the entire fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the entire fee simple title in and to said land; 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 land.

The Court further finds that the defendants, C. S. Maddox and Grace Maddox, in writing, agreed to grant and sell to the petitioner the entire fee simple title in and to said tract of land for the sum of \$384.50 which was accepted by the petitioner.

The Court further finds that the sum of \$384.50 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 have any right, title or interest in and to said just compensation, except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, C. S. Maddox and Grace Maddox, were the owners of the land designated as Tract No. 3 (47 FW 1540-A) when this proceeding was commenced, and that the sum of \$384.50 is just compensation for the damages sustained by the defendants; and that said defendants are the only person having any right, title or interest in and to said just compensation, except

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract of land as follows, to-wit:

TO: C. S. Maddox and Grace Maddox Owners Tract No. 3 (47 FW 1540-A)

\$384.50

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jul 20 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to July 21, 1944

On this 21st day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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. 1071
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 78.80 acres, more or less; and Grace H. Settle, et al.,	Defendants.)	

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION FOR CONDEMNATION

NOW, on this 21st day of July, 1944, 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 given leave to file an amendment to its petition herein, making additional parties defendant

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.

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

ENDORSED: Filed Jul 21 1944
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. 1110
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 284.8 acres, more or less; and J. Ben Robinson, et al.,	Defendants.)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 36 (29 FW 968)

of the defendant, E. H. Beauchamp for an order fixing title, decreeing just compensation and making distribution as to Tract No. 27 (28 FW 966) and the Court being fully advised in the premises, finds:

That the defendant E. H. Beauchamp, was the owner of the land designated as Tract No. 27 (28 FW 966) 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 \$727.00 for the taking of a perpetual flowage easement upon, over and across said tract of land; and that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, ther by vesting in the petitioner, United States of America, a perpetual flowage easement upon, over and across said land; 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 a perpetual flowage easement upon, over and across said tract of land.

The Court further finds that the defendant, E. H. Beauchamp, has in writing, agreed to grant and sell to the petitioner, United States of America, a perpetual flowage easement upon, over and across said tract of land for the sum of \$727.00, which was accepted by the petitioner.

The Court further finds that the sum of \$727.00 is just compensation for the injuries and damages sustained by said defendant.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant E. H. Beauchamp, was the owner of the Land designated as Tract No. 27 (28 FW 966) when this proceeding was commenced, and that the sum of \$727.00 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: E. H. BEAUCHAMP Owner Tract No. 27 (28 FW 966)
\$727.00

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jul 21 1944
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. 1225
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)	
OKLAHOMA, containing approximately 7.40)	
acres, more or less; and S. S. Garman,)	
et al.,	Defendants.)	

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION
FOR CONDEMNATION

NOW, on this 21st day of July, 1944, there coming on for hearing the appli-
cation of the petitioner, United States of America, for leave to file the 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 the petition herein, making additional
parties defendant.

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.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jul 21 1944
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. 1247 Civil
)	
988.82 acres of land, more or less, situate)	
in Mayes County, Oklahoma, and Anna Alderman,)	
et al.,	Respondents.)	

O R D E R

Now on this 21st day of July, 1944, 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 neces-
sary that notices be served on various parties claiming an interest in and to said lands;

NOW, THEREFORE, IT IS HEREBY ORDERED AND DIRECTED that notices, as attached
hereto, be served upon each of the parties named as respondents herein by the United States Marshals
for the Eastern Northern and Western Districts of Oklahoma, and that said Marshals make their returns
herein within thirty (30) days from this date.

ENDORSED: Filed Jul 21 1944
H. P. Warfield, Clerk, U. S. District Court

ROYCE H. SAVAGE
J U D G E

Court adjourned to July 22, 1944

On this 22nd day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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

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

ORDER OF COURT OVER- RULING EXCEPTIONS AND MOTION
TO AMEND THE FINDINGS OF FACT AND CONCLUSIONS
OF LAW

Now on this the 10th day of April, 1944, the parties appear by their respective counsel, and the defendant Massman Construction Company and the Eighteen Surety Company Defendants having filed herein exceptions and motion to amend the Findings of Fact and Conclusions of Law filed herein by the Honorable Eugene Rice, and said matter coming on for hearing upon the Court's findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the exceptions to the Court's Findings of Fact and Conclusions of Law, taken by the defendant Massman Construction Company and the Eighteen Surety Company Defendants, and the motion of the defendant Massman Construction Company and the Eighteen Surety Company Defendants, to amend the Court's Findings of Fact and Conclusions of Law, be, and the same hereby are over-ruled.

EUGENE RICE
U. S. DISTRICT JUDGE

ENDORSED: Filed Jul 22 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to July 24, 1944

On this 24th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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. 1071
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA, containing approximately 78.80 acres,)	
more or less, and Grace H. Settle, et al.,)	
	Defendants.)	

ORDER APPOINTING COMMISSIONERS AS TO TRACT NO. 28 (28 FW 568)

NOW, on this 24th day of July, 1944, there coming on for hearing the application of the defendants, Joe Buchanan and Clye Buchanan, for an order appointing commissioners as to Tract No. 28 (28 FW 568), and it appearing to the Court that the United States of America filed a Declaration of Taking and deposited the estimated just compensation for the taking of a perpetual easement to inundate, submerge and flow; and 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, the land described in and designated as Tract No. 28 (28 FW 568) in this proceeding.

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 directed 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 purpose 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 Oklahoma, within the jurisdiction of this Court, and more particularly described by courses and distances as follows, to-wit:

(See J 6 - P. 642) for description of Tract

It further appears that all of those persons claiming any interest in and to said land 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.

Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$200.00 for the taking of a perpetual flowage easement 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 flowage easement upon and over said tract of land; 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 flowage easement.

The Court further finds that the defendant, Clarence W. Winnie, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$200.00, which was accepted by the petitioner.

The Court further finds that the sum of \$200.00 is just compensation for the injuries and damages sustained by said defendant.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State other than said defendant have any right, title or interest in and to said just compensation, except that said defendant is a restricted Indian, and said just compensation should be paid to the Treasurer of the United States for his use and benefit.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Clarence W. Winnie, was the owner of the land designated as Tract No. 20 (51 FW 1368) when this proceeding was commenced, and that the sum of \$200.00 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except that said defendant is a restricted Indian, and said compensation should be paid to the Treasurer of the United States for his use and benefit.

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

TO: Treasurer of the United States, for the use and benefit of
Clarence W. Winnie

Owner of Tract No. 20 (51 FW 1368) \$200.00.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed In Open Court
Jul 24 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to July 25, 1944

On this 25th day of July, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 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: