

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 22, 1944

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

SOUTH PENN OIL COMPANY, a corporation,)
 et al.,) Plaintiffs,)
 vs) No. 671 CIVIL)
 PHILLIPS PETROLEUM COMPANY, a corporation,)
 et al.,) Defendants.)

ORDER EXTENDING TIME FOR FILING BRIEF

Now on this 22 day of March, 1944, for good cause shown, the plaintiffs herein are hereby granted an extension of thirty (30) days from the 26th day of March, 1944, in which to file with the court the memorandum brief heretofore ordered by the Court.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 22 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,)
 v) No. 1132 Civil)
 Lester L. Abernathy,)
 Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 22nd day of March, 1944, this matter having come on for hearing before the Court on January 24, 1944, on the application of the United States for a temporary injunction, plaintiff appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, but the defendant making no appearance nor filing any pleadings, and being in default, a temporary injunction was issued, and it further appearing that although defendant has been duly and regularly served with summons and a copy of the complaint in this action, he has also failed to answer, demurrer, or otherwise plead herein, and it further appearing that the defendant is not in the military forces of the United States, the Court finds said defendant to be in default and further finds plaintiff entitled to judgment as prayed for in its complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the defendant, Lester L. Abernathy be, and he is perpetually restrained and enjoined from interfering with the possession, management and control of the following described restricted Indian lands, to-wit: The South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-two (22), Township Twenty-nine North (29N), Range Twenty-three East (23E), Ottawa County, Oklahoma, and all buildings and improvements thereon, by the United States of America, the Secretary of the Interior, and the Superintendent of the Quapaw Indian Agency at Miami, Oklahoma, and costs are taxed to defendant.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 22 1944
H. P. Warfield, Clerk
U. S. District Court LN

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)
)
 v.)
) No. 1171 CIVIL
 One 1938 Cadillac V-8 Coupe Automobile,)
 Motor No. 3,271,257; C. B. Kingery,)
 Claimant.)

ORDER FOR MONITION

Now on this 22nd day of March, 1944, it appearing to the Court that the said 1938 Cadillac V-8 Coupe automobile, motor No. 3,271,257, was seized at a point on 11th Street near Pittsburgh Street, in the City of Tulsa, in Tulsa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this Court, on January 19, 1944, by H. B. Westover and Theodore Hagstrom, agents for the United States Bureau of Narcotics, by virtue of their said offices and in accordance with the provisions of law in such case made and provided while said automobile was being used by C. B. Kingery in violation of Section 781, Title 49, United States Code Annotated, to transport, convey, conceal, possess, and to facilitate the transportation, conveyance, concealment and possession of nineteen (19) grains of morphine sulphate, a narcotic drug and a "contraband article" within the meaning of said statute it further appearing that claimant C. B. Kingery has filed a claim and furnished bond to the United States in the penal sum of Two Hundred Fifty Dollars (\$250.00) as provided by Section 1608, Title 19, United States Code Annotated, and that thereupon, the matter has been transmitted, as provided therein, to this office, whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimant C. B. Kingery of this proceeding, unless notice thereof be waived.

IT IS THEREFORE ORDERED that monition issue as prayed for in said libel and that same be served upon C. B. Kingery, unless notice thereof be waived, and any other person that might claim any interest in said automobile, requiring them to appear in said court on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile should not be forfeited to libelant under the provisions of Section 782, Title 49, United States Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Custom and Internal Revenue Laws of the United States.

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 22 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to March 23, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA THURSDAY, MARCH 23, 1944

On this 23rd day of March, 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

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, MARCH 23, 1944

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 214.20 acres, more or less; and Lucy A. Wallace, et al., Defendants.)

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 23 day of March, 1944, it appearing to this Court that on February 28, 1944, upon application of the petitioner, United States of America, W. L. Mayes, T. G. Grant 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 - March 6, 7 and 8, 1944 - 3 days at \$26.00 per day. \$78.00
- T. G. Grant, commissioner's fee - March 6, 7 and 8, 1944 - 3 days, at \$26.00 per day \$78.00
- C. V. Hamilton, commissioner's fee - March 6, 7 and 8, 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 Mar 23 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

Jackson Materials Company, a corporation, Plaintiff,)
vs No. 1097 Civil)
The Massman Construction Company, a corporation, Defendant.)

O R D E R

Now on this 23 day of March, 1944, and before the service of its answer to plaintiff's complaint herein, as amended, comes the above named defendant, The Massman Construction Company, and presents to the court its Motion to Bring in a Third-Party Defendant and Additional Parties Defendant to Counterclaim, duly filed in said cause, and the Court being fully advised in the premises and finding that said motion and applications are made before the service of defendant's answer to plaintiff's complaint herein, said motion is hereby sustained, and it is ordered that Grand River Dam Authority, a Public Corporation, organized and existing under the laws of the State of Oklahoma, be and is hereby made a Third-Party Defendant herein and that summons, together with a copy of defendant's Answer and Third-Party Complaint (copy of plaintiff's complaint and amendment thereto, herein being attached as Exhibits thereto) as served upon said Third-Party Defendant, Grand River Dam Authority, as provided by law, and that said third-party defendant plead thereto as directed in said summons.

It is further ordered that L. B. Jackson and Harley T. Price be and they are hereby made defendants to the Counterclaim herein, and that summons be served upon them, together with a copy of defendant's answer and counterclaim contained in Defendant's Answer, Counterclaim and Third-Party Complaints (copy of plaintiff's complaint and amendment thereto, herein, being attached as Exhibits thereto), and that said Defendants to the Counterclaim plead thereto as directed in said summons.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 23 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. 1166 - Civil)
1.79 acres of land, more or less situate in Tulsa County, State of Oklahoma, and John Carr, et al., Respondents.

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

Now on this 23 day of March, 1944, the above matter coming on for hearing on the application of the petitioner for permission of the Court to amend its Petition for Condemnation filed herein by adding the name of an additional party respondent, as follows, to-wit:

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

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THURSDAY, MARCH 23, 1944

Water Improvement District No. 5

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

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 23 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. 1166 Civil
)	
1.79 acres of land, more or less, situate in Tulsa County, State of Oklahoma, and John Carr, et al.,	Respondents.)	

O R D E R

Now on this 23 day of March, 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 necessary 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 hereon within fifteen (15) days from this date.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 23 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 24, 1944

On this 24th day of March, 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. Garfield, 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. 1178
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, containing approximately 41.82)
acres, more or less; and Mesa Grande Yacht)
Club, et al.,	Defendants.)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled case, on the 24th day of March, 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 Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$13,284.23, 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;

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, MARCH 24, 1944

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 24th day of March, 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 (5 - FW-203 A)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 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, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.8 acres.

TRACT NO. 2 (7 - FW-239
7 - FW-240
7 - FW-241)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 23 North, Range 22 East, of the Indian Base and Meridian, Delaware County, Oklahoma, lying below Elevation 757 Sea Level Datum (which includes all that part of the lots, blocks, streets and driveways designated as Mayfield Lodge, as shown by dedication and plat made by L. F. Mayfield and Bertha Mayfield and filed in the County Clerk's Office of Delaware County, on the 12th day of May, 1941, lying below elevation 757 Sea Level Datum) except that portion which is owned by the Grand River Dam Authority, containing approximately 3.6 acres.

TRACT NO. 3 (8 - FW-286 B)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1, 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.

TRACT NO. 4 (9 - FW-313)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 26, 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 1.0 acres.

TRACT NO. 5 (9 - FW-337)
Flowage Easement

All that part of the NW 9.10 acres of Lot 1, and all that part of the SW 10.0 acres of Lot 1 in Sec. 25, 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 0.4 acre.

TRACT NO. 6 (9 - FW-338)
Flowage Easement

All that part of Lot 9, and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 24, and all that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 25, all in 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 1.7 acres.

TRACT NO. 7 (9 - FW-339)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, 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 1.0 acre.

TRACT NO. 8 (9 - FW-684 A)
Flowage Easement

All that part of the E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 23, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence southerly along the west boundary of said E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 702 feet; thence N. 24° 26' E. 148.3 feet; thence N. 2° 13' W. 306.0 feet; thence N. 8° 15' E. 244.8 feet; thence N. 1° 08' E. 15.39 feet to a point on the north boundary of said E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 258.81 feet from the NE corner thereof; thence westerly along the north boundary of said E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 70.6 feet to the point of beginning, containing 0.8 acre, more or less.

TRACT NO. 9 (9 - FW-686)
Flowage Easement

All that part of the NE $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 23, 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 1.7 acres.

TRACT NO. 10 (9 - FW-686 A)
Flowage Easement

All that part of the E $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, T 24 N,

R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

"Beginning at the NE corner of the $E\frac{1}{2}$ $NE\frac{1}{2}$ $NW\frac{1}{2}$ $NW\frac{1}{2}$ of Sec. 23, T 24 N, R 22E of, thence west 258.81 feet, thence S. $1^{\circ} 8' W$. 15.39 feet; thence S. $31^{\circ} 5' E$. 297.3 feet; thence S. $14^{\circ} 23' E$. 341.5 feet; thence S. $19^{\circ} 29' E$. 24.8 feet to a point in the East boundary of the $E\frac{1}{2}$ $NE\frac{1}{2}$ $NW\frac{1}{2}$ $NW\frac{1}{2}$, thence north along said east boundary 624.3 feet to the point of beginning"

lying below Elev. 757 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 11 (12 - FW-805)
Flowage Easement

All that part of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 26, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the north boundary of said $SW\frac{1}{4}$ $SE\frac{1}{4}$ 505.5 feet from the NE corner thereof, thence S. $59^{\circ} 53' W$. 263.7 feet; thence S. $43^{\circ} 03' E$. 543.2 feet; thence S. $15^{\circ} 22' W$. 237.9 feet; thence S. $50^{\circ} 15' W$. 340.0 feet; thence S. $15^{\circ} 49' W$. 345.9 feet; thence S. $0^{\circ} 00' E$. 5.7 feet to a point in the south boundary of said $SW\frac{1}{4}$ $SE\frac{1}{4}$ 750.8 feet from the SE corner thereof; thence westerly along said south boundary a distance of 319.2 feet; thence N. $65^{\circ} 47' E$. 62.8 feet; thence N. $8^{\circ} 06' E$. 200.2 feet; thence N. $31^{\circ} 50' E$. 122.7 feet; thence N. $58^{\circ} 41' E$. 128.5 feet; thence N. $43^{\circ} 01' E$. 197.0 feet; thence N. $17^{\circ} 50' E$. 137.8 feet; thence N. $4^{\circ} 29' E$. 115.8 feet; thence N. $30^{\circ} 07' W$. 175.8 feet; thence N. $53^{\circ} 17' W$. 148.5 feet; thence N. $66^{\circ} 33' W$. 38.3 feet; thence N. $37^{\circ} 21' W$. 106.4 feet; thence N. $79^{\circ} 24' W$. 191.8 feet; thence S. $65^{\circ} 05' E$. 189.8 feet; thence N. $10^{\circ} 14' E$. 54.0 feet; thence N. $42^{\circ} 06' E$. 141.0 feet; thence N. $45^{\circ} 00' E$. 15.4 feet to a point in the north boundary of said $SW\frac{1}{4}$ $SE\frac{1}{4}$; thence Easterly along said north boundary a distance of 340.0 feet to the point of beginning, containing 8.3 acres; more or less, (which includes all that part of the lots, blocks, streets, avenues, alleys and driveways designated as Berrice, Oklahoma, as shown by dedications and plats filed in the County Clerk's office in Delaware County, Oklahoma, on the 27th day of December, 1939, and on the 26th day of April, 1941), lying below Elev. 757 Sea Level Datum.

TRACT NO. 12 (12 - FW-807)
Flowage Easement

All that part of the $NW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 26, T 25 N, R 22 E, of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$, thence Easterly along the north boundary of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ a distance of 350.4 feet to a point 358.1 feet west of the NE corner thereof; thence S. $17^{\circ} 06' E$. 192.8 feet; thence S. $59^{\circ} 31' W$. 425.4 feet to a point in the west boundary of said $NW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ 252.5 feet north of the SW corner thereof; thence

northerly along said west boundary a distance of 408.2 feet to the point of beginning, less 0.26 acres for K. O. & G. Railroad right-of-way, containing approximately 2.0 acres.

TRACT NO. 13 (12 - FW-810)

Flowage Easement

All that part of Lot 2 in Block 29, together with that part of the streets, avenues, drives, and alleys adjacent to said Lot, in the Townsite of Lake View Addition to Bernice, Oklahoma, as shown by dedication and plat dated Feb. 28, 1939, lying below Elev. 757 Sea Level Datum, situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma.

TRACT NO. 14 (12 - FW-810 A)

Flowage Easement

All that part of Lots 3 and 4 in Block 29 in the Townsite of Lake View Addition to Bernice, Oklahoma, as shown by dedication and plat dated February 28, 1939, lying below Elev. 757 Sea Level Datum, situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma.

TRACT NO. 15 (12 - FW-810 B)

Flowage Easement

All that part of Lots 1 to 4 inclusive in Block 27, all that part of Lots 1 to 6 inclusive in Block 28, and all that part of Lots 5, 6 and 7 in Block 29, and all that part of Lots 1 to 4 inclusive in Block 30, together with all that part of the streets, avenues, drives and alleys adjacent to said Lots in the Townsite of Lake View Addition to Bernice, Oklahoma, as shown by dedication and plat dated February 28, 1939, lying below Elev. 757 Sea Level Datum, situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma.

TRACT NO. 16 (12 - FW-811 Rev.)

- 12 - FW-811 A
- 12 - FW-811 B
- 12 - FW-811 D
- 12 - FW-811 E
- 12 - FW-811 F
- 12 - FW-811 G
- 12 - FW-811 H
- 12 - FW-811 J
- 12 - FW-811 K
- 12 - FW-811 L)

Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, (which includes all that part of the lots, streets, avenues and alleys in that part of Second Lake View Addition situated in said S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ as shown by dedication and plat filed in the County Clerk's office of Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum), except that portion owned by the Grand River Dam Authority, containing approximately 3.7 acres.

TRACT NO. 17 (12 - FW-813)

Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, not platted and dedicated in the Townsite of Second Lake View Addition to Bernice and not owned by the Grand River Dam Authority lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 18 (16 - FW-391)

Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the 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. 28, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.8 acres.

TRACT NO. 19 (16 - FW-392)

Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TRACT NO. 20 (16 - FW-393)

Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 21 (16 - FW-389 A Rev.)

Flowage Easement

All that part of Lot 2 in Block 1 in the Townsite of Lakoma Park, Delaware County, Oklahoma, as shown on the plat and dedication filed on the 3rd day of December, 1941, in the office of the County Clerk of Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre, together with that part of the streets, avenues, and alleys adjacent to said Lot 2, lying below Elev. 757 Sea Level Datum.

TRACT NO. 22 (24 - FW-578 Rev.)

Flowage Easement

All that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TRACT NO. 23 (24 - FW-605 A)

Flowage Easement

All that part of the north 522.42 feet of the west 417.42 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, entaining apprdmately 0.2 acre,

TRACT NO. 24 (25 - FW-879)

Flowage Easement

All that part of the NW $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 1.62 acres.

TRACT NO. 25 (27 - FW-450)

Flowage Easement

All that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 26 (27 - FW-468 Rev.)

Flowage Easement

All that part of the NE $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 21, and all that part of the 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 S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the SW $\frac{1}{2}$ SE $\frac{1}{4}$ except the south 330 feet of the west 495 feet thereof, in Sec. 16, all in T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 758 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 8.8 acres.

TRACT NO. 27 (34 - FW-1129)

Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence westerly along the north boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 190.4 feet to a point 1134.8 feet east of the NW corner thereof; thence S. 21° 53' E. 60.5 feet; thence S. 25° 32' E. 97.1 feet; thence S. 58° 08' E. 99.4 feet; thence N. 60° 46' E. 46.4 feet to a point in the east boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1159.2 feet north of the SE corner thereof; thence northerly along said east boundary a distance of 172.5 feet to the point of beginning, containing approximately 0.6 acre.

TRACT NO. 28 (34 - FW-1140)

Flowage Easement

Lots 20, 21 and 22 in Block A as shown on the dedication plat of the original Townsite of Guffey's Cabin Site, dated the 29th day of April, 1941, situated in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N,

R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues and alleys adjacent to said lots.

TRACT NO. 29 (34 - FW-1141)

Flowage Easement

Lot 19 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said Lot.

TRACT NO. 30 (34 - FW-1146)

Flowage Easement

Lots 7 and 8 in Block A, as shown on the dedication plat of the original townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues and alleys adjacent to said lots.

TRACT NO. 31 (34 - FW-1147)

Flowage Easement

Lots 4 and 5 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said lots.

TRACT NO. 32 (34 - FW-1148 A)

Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, 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 NW corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence southerly along the west boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 351.8 feet to a point 311.3 feet north of the SW corner thereof; thence S. 37° 44' E. 6.0 feet; thence N. 79° 45' E. 320.4 feet; thence N. 72° 39' E. 337.0 feet; thence northerly 197.4 feet to a point in the north boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence westerly along said north boundary a distance of 640.0 feet to the point of beginning, which land is otherwise described as Lot 3 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941.

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

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

REGUL. JANUARY 1944 TERM

MONDAY, MARCH 27, 1944

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1043
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 87.20 acres, more or less; and Rome Williams, et al,	Defendants.)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 27th day of March, 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 appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in 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 20, 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 has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other improvements, and to enter upon said lands from time to time in the performance of said acts, upon and over said 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 LANDS SEE J 6 - Page 473)

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 C. V. Hamilton, of Ottawa County, Oklahoma; and W. L. Mayes of Mayes County, Oklahoma; and T. G. Grant, of Tulsa 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.

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

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TULSA, OKLAHOMA

MONDAY, MARCH 27, 1944

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, in the City of Vinita, Oklahoma, on the 10th day of April, 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 Mar 27 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

Jackson Material's Company,
a corporation, Plaintiff,)
vs.) No. 1097 Civil
The Massman Construction Company, a
Corporation, et al., Defendants.)

ORDER EXTENDING TIME FOR PLAINTIFF TO PLEAD TO COUNTERCLAIM

Now on this ___ day of March, 1944, on application of the plaintiff, Jackson Materials Company, and for good cause shown it is hereby ordered by the court that said plaintiff be, and it is hereby granted an extension of thirty (30) days in addition to the regular time allowed by the law and the rules of this court, in which to plead or file answer to the counterclaim filed herein by the defendant The Massman Construction Company.

ROYCE H. SAVAGE
J U D G E

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

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

REGULAR JANUARY 1944 TERM

MONDAY, MARCH 27, 1944

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,		)	CIVIL NO. 1115
OKLAHOMA, containing approximately 192.43)	
acres, more or less; and CERTAIN PERSONAL)	
PROPERTY LOCATED THEREON AND USED IN CONNECTION)	
THEREWITH, and Vann S. Chandler, et al.,)	
	Defendants.)	

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION
IN CONDEMNATION TO INCLUDE PERSONAL
PROPERTY

NOW, on this 27th day of March, 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 granted leave to file an amendment to its petition, thereby including certain personal property located on and used in connection with a portion of the real estate described in the original petition, and making the owners and those having any right, title or interest in and to said personal property 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, thereby including certain personal property located on and used in connection with a portion of the real estate described in its original petition and making the owners and those having any right, title or interest in and to said personal property, parties defendant.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 27 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,		)	CIVIL NO. 1115
OKLAHOMA, containing approximately 192.43)	
acres, more or less; and CERTAIN PERSONAL)	
PROPERTY LOCATED THEREON AND USED IN)	
CONNECTION THEREWITH, and Vann S. Chandler,)	
et al.,	Defendants.)	

JUDGMENT VESTING TITLE AND FIXING JUST COMPENSATION
FOR PERSONAL PROPERTY Tract No. 26 (24 FW 571)

NOW, on this 27th day of March, 1944, there coming on for hearing the application of the petitioner, for judgment on stipulation as to personal property located upon and used in connection

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MONDAY, MARCH 27, 1944

with the lands described in and designated as Tract No. 26 (24 FW 571), and for an order fixing and determining the damages sustained, if any, to said personal property, occasioned by the temporary use of same from the 18th day of May, 1943, to the 22nd day of May, 1943, inclusive, by the United States of America, in connection with the Grand River Dam (Pensacola) Project, and upon consideration thereof and the Copy of said stipulation thereto attached, and of the condemnation petition and amendment thereto, and the statutes in such cases made and provided, and Executive Order of the President of the United States, No. 8944, dated November 19, 1941; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943, and the Second War Powers Act of March 27, 1942 (50 U.S.C. Sec. 171-A), and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition, and amendment thereto, state the authority under which and the public use for which said lands and personal property were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire the estate in said lands and to make temporary use of the personal property located upon and used in connection with said lands as are described in the petition, and amendment thereto, for the safety and defense of the United States, for the prosecution of the war, and for the construction of public works; 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 personal property temporarily used sufficient for the identification thereof is set out in said petition for condemnation, as amended, and designated as personal property located upon and used in connection with the lands described as Tract No. 26 (24 FW 571);

FIFTH: That the Secretary of the Interior, through his duly authorized representative has entered into an agreement and stipulation with the defendants, W. E. Perry and Goldie Perry, the owners of all of the personal property described in Tract No. 26 (24 FW 571), in the amendment to the petition in condemnation, thereby fixing and determining the full and just compensation to be paid said defendants, in the sum of \$20.00.

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

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$20.00 is full and just compensation for the loss of and damage to all personal property located upon and used in connection with the lands described in and designated in these proceedings as Tract No. 26 (24 FW 571), sustained by the owners, or those having any right, title or interest in and to said personal property, inclusive of every interest therein as the result of the flooding of said lands, in May, 1943, by the petitioner in connection with the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America deposit in the registry of this court the said sum of \$20.00 for the use and benefit of the owners and those having any right, title or interest in and to the personal property described under Tract No. 26 (24 FW 571) in the amended petition filed herein on the 27th day of March, 1944.

IT IS FURTHER ORDERED that upon petitioner paying into the registry of this Court the said sum of \$20.00 the same shall be in full settlement of all damages or claims for damages, against the United States of America, occasioned by the temporary use of said personal property from the 18th day of

defendant, Bennett A. Armstrong, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 4 (6 FW-CR 659) in this action, and the Court being fully advised in the premises, finds:

That the defendant, Bennett A. Armstrong, was the owner of said tract of land 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 \$51.00 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 said perpetual easement.

The Court further finds that the defendant, Bennett A. Armstrong, 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 \$51.00 which was accepted by the petitioner.

The Court further finds that the sum of \$51.00 is just compensation for the injuries and damages sustained by said defendant, Bennett A. Armstrong.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Bennett A. Armstrong, was the owner of the land designated as Tract No. 4 (6 FW-CR 659) when this proceeding was commenced; and that the sum of \$51.00 is just compensation for the damages sustained by said defendant; 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 of land as follows, to-wit:

TO: Bennett A. Armstrong - Owner	
Tract No. 4 (6 FW-CR 659)	\$51.00

ROYCE H. SAVAGE
J U D G E

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

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

REGULAR JANUARY 1944 TERM

MONDAY, MARCH 27, 1944

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

WILLIAM CLOW, JR.,	Plaintiff,)	
)	
vs.		)	No. 1172 Civil
)	
JOHN P. LOGAN, U. S. Marshal for Northern District of Oklahoma,	Defendant.)	

ORDER MAKING ADDITIONAL PARTIES DEFENDANT

Upon application of the defendant, the following parties are made parties defendant in the above entitled cause:

Chester Auger, Leavenworth, Kansas
 Luther Lane, Tulsa, Oklahoma
 Frank T. Bowen and Co., a corporation,
 Minneapolis, Minnesota

Said parties are directed to appear and set forth any and all rights or claims to ownership or possession of the property involved herein, and said parties are hereby notified that such rights or claims will be fully determined in this cause.

DATED this 27 day of March, 1944.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Mar 27 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 28, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 28, 1944

On this 28th day of March, 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 WITHIN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Ben Pickup,	Plaintiff,)	
)	
vs.)	
		)	NO. 1141 CIVIL
John Pickup, et al.	Defendants.)	
)	
United States of America,	Intervener.)	

ORDER CONFIRMING COMMISSIONERS' REPORT AND DIRECTING THE SALE OF REAL ESTATE

This case coming on for hearing in its regular order this the 28 day of March, 1944, upon the return and report of the commissioners heretofore appointed by this court and upon plaintiff's motion to confirm the same as filed; the plaintiff appearing by his attorney, John S. Severson, the Intervener, the United States of America, appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who likewise appears for all of the full blood Indians, parties to said action, the defendant, Billie Pickup, appearing by his guardian ad litem, M. S. Robertson, United States Probate Attorney, the defendants, the Unknown heirs, executors, administrators, devisee, trustees and assigns, both immediate and remote, of Jennie Pickup, nee Sanders, deceased, Cherokee Indian Roll No. 29650, appearing not and no one appearing for them, and it being shown to the court that said report is in all things made as directed by the order of the court made in said cause, and said report being duly filed, and there being no objections or exceptions filed to the same, and that none of the parties interested, including the United States of America, have elected to take the lands involved at the appraised price, the court finds that said commissioners' report should in all things be approved and made firm and effectual forever.

The Court further finds that said commissioners' report discloses that the lands involved cannot be partitioned in kind between the plaintiff and defendants, the owners thereof, without manifest injury to the value thereof and that said commissioners have placed their valuation of said tract in the sum of \$2500.00; that the said appraisal is fair and is not disproportionate to the value thereof, and that the United States Marshal for the Northern district of Oklahoma, should proceed to sell said land at public sale, as provided by the laws of the State of Oklahoma, as well as the Acts of Congress in like cases made and provided.

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

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

The East Half of the Northeast Quarter of Section 21, Township 20 North, Range 20 East, containing 80 acres, more or less, in Mayes County, Oklahoma.

if no election to take said premises at the appraised price be made within ten days from the date hereof.

IT IS FURTHER ORDERED that said land be sold for cash, in the same manner as in cases of sales of real estate by execution under the laws of the State of Oklahoma, and to be made for not less than two-thirds of the appraised price fixed by the Commissioners, which was \$2500.00 and that the United States Marshal make due return of his proceedings hereunder to this court for confirmation and further orders of the court, and that this order is made pursuant to the jurisdiction conferred upon this court by the Acts of Congress in like cases made and provided, and in accordance with the procedural provisions of the Statutes of the State of Oklahoma and the Acts of Congress, granting jurisdiction to

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

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TUESDAY, MARCH 28, 1944

partition the lands of deceased full-blood Indians of the Five Civilized Tribes.

ROYCE H. SAVAGE
United States Judge

ENDORSED: Filed Mar 28 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

Mary Smoke, nee Dreadfulwater, Plaintiff,)
vs) NO. 1142 CIVIL
Goldie Smoke, nee Dreadfulwater, et al.,)
Defendants.)

ORDER CONFIRMING COMMISSIONERS' REPORT AND DIRECTING THE SALE OF REAL ESTATE

This cause coming on for hearing in its regular order this the 28 day of March, 1944, upon the return and report of the commissioners heretofore appointed by this court and upon plaintiff's motion to confirm the same as filed; the plaintiff Mary Smoke, nee Dreadfulwater, appearing by her attorney, John S. Severson; the intervener, the United States of America, appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who likewise appears for all of the full blood Cherokee Indians, parties to said action; the defendant Cora Dreadfulwater, a minor, appearing by her guardian ad litem, M. S. Robertson, United States Probate Attorney; the defendant Martin England appearing in person, and the Unknown heirs, executors, administrators, devisees, trustees and assigns, both immediate and remote, of Andrew Dreadfulwater, deceased, Cherokee Indian, Roll No. 18153, and of Maudie Dreadfulwater, deceased Cherokee Indian, enrolled as Maudie Rowe, Roll No. 21331, appearing not and no one appearing for them, and it being shown to the Court that said report is in all things made as directed by the order of the court made in said cause, and said report being duly filed and there being no objections or exceptions filed to the same, and that none of the parties interested, including the United States of America, have elected to take the lands involved at the appraised price, the court finds that said commissioners' report should in all things be approved and made firm and effectual forever.

The Court further finds that said commissioners' report discloses that the lands involved cannot be partitioned in kind between the plaintiff and defendants, the owners thereof, without manifest injury to the value thereof and that said commissioners have placed their valuations of said tracts, as follows:

SE 1/4 NW 1/4 & NE 1/4 SE 1/4 SE 1/4 of Section 24, Township 20 North, Range 20 East, Mayes County, Oklahoma, in the sum of \$1370.00

E 1/2 NE 1/4 NE 1/4 of Section 17, Township 20 North, Range 20 East, Mayes County, Oklahoma, in the sum of 350.00

NW 1/4 SW 1/4 SE 1/4 of Section 6, Township 23 North, Range 14 East, Washington County, Oklahoma, in the sum of 80.00

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 25 North,
Range 14 East, Nowata County, Oklahoma,
in the sum of 120.00

E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 26 North,
Range 14 East, Nowata County, Oklahoma,
in the sum of 240.00

that said appraisement is fair and is not disproportionate to the value thereof, and that the United States Marshal for the Northern District of Oklahoma, should proceed to sell said tracts of land, severally at public sale, as provided by the laws of the State of Oklahoma as well as the Acts of Congress in like cases made and provided.

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

IT IS FURTHER ordered, adjudged and decreed by the Court that the Honorable Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, proceed to advertise and sell said real estate involved herein, as heretofore described; sale to be made of each of said tracts in severalty, if no election to take said premises at the appraised price be made within ten days from the date hereof by the United States of America or any other interested party, subject to England lease on land in Sec. 17.

IT IS FURTHER ORDERED that said land be sold for cash, in the same manner as in cases of sales of real estate by execution under the laws of the State of Oklahoma, and to be made for not less than two-thirds of the several appraised prices as fixed by the Commissioners as heretofore set out, and that the United States Marshal make due return of his proceedings hereunder to this court for conformation and further orders of the court, and that this order is made pursuant to the jurisdiction conferred upon this court by the Acts of Congress in like cases made and provided, and in accordance with the procedural provisions of the Statutes of the State of Oklahoma and the Acts of Congress, granting jurisdiction to partition the lands of deceased full-blood Indians of the Five Civilized Tribes.

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

ENDORSED: Filed Mar 28 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

REGISTER JANUARY 1944 TERM

MUSKOGEE, OKLAHOMA

TUESDAY, MARCH 28, 1944

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

Ella Mae Cannon, nee Vann,	Plaintiff,)
)
vs)
		) NO. 1143 civil
Arch Vann, et al.,	Defendants,)
)
United States of America,	Intervener.)

ORDER CONFIRMING COMMISSIONERS' REPORT AND DIRECTING THE SALE OF REAL ESTATE

This case coming on for hearing in its regular order this the 28 day of March, 1944, upon the return and report of the commissioners heretofore appointed by this court and upon plaintiffs' motion to confirm the same as filed; the plaintiff appearing by her attorney, John S. Severson, the Intervener, the United States of America, appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who likewise appears for all of the full blood Indians, parties to said action, the defendants, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann, minor appearing by their guardian ad litem, M. S. Robertson, United States Probate Attorney, who also appears as guardian ad litem for the minor defendants Raymond Vann and Maxine Vann, the defendants, the Unknown Heirs, Executors, Administrators, Devisees, Trustees and Assigns, both immediate and remote, of Nannie Vann, deceased, and of French Vann, deceased, both of whom were enrolled members of the Cherokee Nation and members of the Five Civilized Tribes, appearing not and no one appearing for them, and it being shown to the Court that said report is in all things made as directed by the order of the court made in said cause, and said report being duly filed, and there being no objections or exceptions filed to the same, and that none of the parties interested, including the United States of America, have elected to take the lands involved at the appraised price, the court finds that said commissioners report should in all things be approved and made firm and effectual forever.

The court further finds that said commissioners' report discloses that the lands involved cannot be partitioned in kind between the plaintiff and defendants, the owners thereof, without manifest injury to the value thereof and that said commissioners have placed their valuations of said tracts, as follows:

$\frac{1}{2}$ NW $\frac{1}{4}$ Section 29, Township 24 North,
Range 13 East, Washington County, Oklahoma,
in the sum of \$1440.00

$\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{2}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{2}$ and $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
and SW $\frac{1}{4}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ and SW $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 29,
Township 24 North, Range 13 East, Washington
County, Oklahoma, in the sum of \$1800.00

that the said appraisement is fair and is not disproportionate to the value thereof, and that the United States Marshal for the Northern District of Oklahoma, should proceed to sell said tracts of land severally at public sale, as provided by the laws of the State of Oklahoma, as well as the Acts of Congress in like cases made and provided.

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

IT IS FURTHER ordered, adjudged and decreed by the Court that the Honorable Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, proceed to advertise and sell said real estate involved herein, as heretofore described; sale to be made of each of said tracts in severality,

if no election to take said premises at the appraised price to be made within ten days from the date hereof by the United States of America or any other interested party.

IT IS FURTHER ordered that said land be sold for cash, in the same manner as in cases of sales of real estate by execution under the laws of the State of Oklahoma, and to be made for not less than two-thirds of the several appraised prices as fixed by the Commissioners as heretofore set out, and that the United States Marshal make due return of his proceedings hereunder to this court for confirmation and further orders of the court, and that this order is made pursuant to the jurisdiction conferred upon this Court by the Acts of Congress in like cases made and provided, and in accordance with the procedural provisions of the Statutes of the State of Oklahoma and the Acts of Congress, granting jurisdiction to partition the lands of deceased full-blood Indians of the Five Civilized Tribes.

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

ENDORSED: Filed Mar 28 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,)
vs.) CIVIL NO. 1177
J. L. WILLEY, and individual d/b/a)
J. L. WILLEY, STORE, Defendant.)

J U D G M E N T

Now on this 28th day of March, 1944, this matter was regularly set for hearing upon the motion of the plaintiff for preliminary injunction against 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. L. Willey, individually, was presented herein, wherein it was agreed that defendant waived answer, and 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, servants, 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 doing any act or practice in violation of Ration Order No. 3, Ration Order No. 13, Ration Order 16, Maximum Price Regulation No. 336, and Maximum Price Regulation No. 423, and the amendments and the supplements thereto, of the Office of Price Administration.

IT IS FURTHER ORDERED that the defendant, within 15 days from the date of this Order, in accordance with the Ration Orders and Maximum Price Regulations above set out, register his retail

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 28, 1944

establishment with the appropriate War Price and Rationing Board, set up and keep the records required to be kept, make the necessary reports to the War Price and Rationing Board, post the point values and ceiling prices of the various commodities as required by the Ration Orders and Maximum Price Regulations hereinabove set forth; and further that the defendant surrender to the appropriate War Price and Rationing Board for cancellation, stamps or certificates in weight value equal to the amount of 165 pounds of sugar as specifically provided in Section 1407.107 of Ration Order No. 13 of the Office of Price Administration.

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

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

ENDORSED: Filed Mar 28 1944
H. P. Warfield, Clerk
U. S. District Court IN

Court adjourned to March 29, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 29, 1944

On this 29th day of March, 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-)	
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	CIVIL NO. 1112
OKLAHOMA, containing approximately 349.5)	
acres, more or less; and CERTAIN PERSONAL)	
PROPERTY LOCATED THEREON AND USED IN)	
CONNECTION THEREWITH, and Bertha P. Weyl,)	
et al.,	Defendants,)	

JUDGMENT VESTING TITLE AND FIXING JUST COMPENSATION FOR PERSONAL PROPERTY Tract No. 26 (20 FW 863)

Now, on this 29th day of March, 1944, there coming on for hearing the application of the petitioner for judgment on stipulation as to personal property located upon and used in connection with the lands described in and designated as Tract No. 26 (20 FW 863), and for an order fixing and determining the damages sustained, if any, to said personal property, occasioned by the temporary use of same from the 18th day of May, 1943, to the 22nd day of May, 1943, inclusive, by the United States of America,

RECEIVED JANUARY 1944 TERM

OKLAHOMA, OKLAHOMA

WEDNESDAY, MARCH 29, 1944

in connection with the Grand River Dam (Pensacola) Project, and upon consideration thereof and the copy of said stipulation thereto attached, and of the condemnation petition and amendment thereto, and the statutes in such cases made and provided, and Executive Order of the President of the United States, No. 8949, dated November 19, 1941; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9372, dated August 30, 1943, and the Second War Powers Act of March 27, 1942, (50 U.S.C. Sec. 171-A), and it appearing to the satisfaction of the Court:

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

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

THIRD: That said petition, and amendment thereto, state the authority under which and the public use for which said lands and personal property were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire the estate in said lands and to make temporary use of the personal property located upon and used in connection with said lands as are described in the petition, and amendment thereto, for the safety and defense of the United States, for the prosecution of the war, and for the construction of public works; that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the personal property temporarily used sufficient for the identification thereof is set out in said petition for condemnation, as amended, and designated as personal property located upon and used in connection with the lands described as Tract No. 26 (20 FW 863);

FIFTH: That the Secretary of the Interior, through his duly authorized representative has entered into an agreement and stipulation with the defendants, Clarence Haywood and Mrs. Dorean Haywood, the owners of all of the personal property described in Tract No. 26 (20 FW 863), in the amendment to the petition in condemnation, thereby fixing and determining the full and just compensation to be paid said defendants, in the sum of \$45.00.

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

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$45.00 is full and just compensation for the loss of and damages to all personal property located upon and used in connection with the lands described in and designated in these proceedings as Tract No. 26 (20 FW 863), sustained by the owners, or those having any right, title or interest in and to said personal property, inclusive of every interest therein as the result of the flooding of said lands in May, 1943, by the petitioner in connection with the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America deposit in the registry of this court the said sum of \$45.00 for the use and benefit of the owners and those having any right, title or interest in and to the personal property described under Tract No. 26 (20 FW 863) in the amended petition filed herein on the 29th day of March, 1944.

IT IS FURTHER ORDERED, that upon petitioner paying into the registry of this Court the said sum of \$45.00 the same shall be in full settlement of all damages or claims for damages, against the United States of America, occasioned by the temporary use of said personal property from the 18th day of

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 100.20 acres, more or less; and CERTAIN PERSONAL PROPERTY LOCATED THEREON AND USED IN CONNECTION THEREWITH, and A. G. Nicks, et al., Defendants.)

CIVIL NO. 1129

JUDGMENT VESTING TITLE AND FIXING JUST COMPENSATION FOR PERSONAL PROPERTY Tract No. 43 (31 FW 1155)

NOW on this 29th day of March, 1944, there coming on for hearing the application of the petitioner for judgment on stipulation as to personal property located upon and used in connection with the lands described in and designated as Tract No. 43 (31 FW 1155), and for an order fixing and determining the damages sustained, if any, to said personal property, occasioned by the temporary use of same from the 18th day of May, 1943, to the 22nd day of May, 1943, inclusive, by the United States of America, in connection with the Grand River Dam (Pensacola) Project, and upon consideration thereof and the copy of said stipulation thereto attached, and of the condemnation petition and amendment thereto, and the statutes in such cases made and provided, and Executive Order of the President of the United States, No. 8944, dated November 19, 1941; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943, and the Second War Powers Act of March 27, 1942, (50 U.S.C. Sec. 171-A), and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition, and amendment thereto, state the authority under which and the public use for which said lands and personal property were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire the estate in said lands and to make temporary use of the personal property located upon and used in connection with said lands as are described in the petition, and amendment thereto, for the safety and defense of the United States, for the prosecution of the war, and for the construction of public works; that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the personal property temporarily used sufficient for the identification thereof is set out in said petition for condemnation, as amended, and designated as personal property located upon and used in connection with the lands described as Tract No. 43 (31 FW-1155);

FIFTH: That the Secretary of the Interior, through his duly authorized and representative has entered into an agreement and stipulation with the defendants, J. H. Deaver and Mrs. J. H. Deaver, the owners of all of the personal property described in Tract No. 43 (31 FW 1155), in the amendment to the petition in condemnation, thereby fixing and determining the full and just compensation to be paid said defendants, in the sum of \$112.00.

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

ENCHER JANUARY 1944 TERM

OKLAHOMA, OKLAHOMA

THURSDAY, MARCH 30, 1944

the rate of 12% per annum from September 1, of the year in which the respective installments were due to the date of the filing of this action, to-wit: December 29, 1942.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that the plaintiff have and recover judgment against the respective separately described properties for the amount of each and all unpaid and delinquent assessment installments for the years set out in plaintiff's complaint and amendment to complaint, together with penalty thereon at the rate of 12% per annum from the respective due dates thereof to the 29th day of December, 1942, when this action was commenced, all of said property being located in the City of Drumright, Creek County, Oklahoma, to wit:

Tract No.	Defendant	Property	Ant. of Judgment
1	Ruth Alexander Nesley Alexander Dec	S. 50' Lot 22 Blk 6, Original Town	\$ 172.92
2	" " "	S. 50' " 23 " 6, " "	112.32
3	" " "	S. 50' " 24, " 6, " "	90.72
4	Sarah E. Sebring Ethel Blackstock	Lot 25, Blk 6, " "	404.87
6	L. E. Shanks, Dollie Blevins, E. Wolfe	Lot 27, Blk 6, " "	404.87
24	Mabel Martin, J. M. Langen, dec. George Pelsey	Lot 7, Blk 17 M. Jones Addition	428.98
35	" " "	Lot 8, Blk 17, " " "	452.75
40	L. E. Shanks - J. Arthur Wilson	W. 70' Lot 9, Blk 17 " "	280.74
41	" " " "	W. 70' Lot 10 Blk 17 " "	302.24
42	" " " "	W. 70' Lot 11 Blk 17 " "	340.96
43	" " " "	W. 70' Lot 12 Blk 17 " "	415.89
57	L. E. Shanks, Sarah Ann Tinker, Geo. Pelsey	Lot 17, Blk 23 " "	977.15
58	" " " "	Lot 18, Blk 23 " "	1246.70
59	L. E. Shanks, Emay Clark Sarah Ann Tinker, Geo. Pelsey	Lot 19, Blk 23 " "	1272.46
71	Ben Cook Adm. J. M. Troutt, H. K. Bartlett Wm. Hoerster, dec. Geo. T. Pelsey	Lot 7, Blk 18 " "	539.47
72	" " " "	" Lot 8, Blk 18 " "	565.10
73	Geo. C. Gardner, dec. Geo. T. Pelsey, Montfred Jones	Lot 13, Blk 19 " "	167.31
74	" " " "	Lot 14, Blk 19 " "	167.43
75	" " " "	Lot 15, Blk 19 " "	167.43
76	Mary Pearl Gardner	Lot 16 Blk 19 " "	32.79
77	" " " "	Lot 17, Blk 19 " "	32.79
78	" " " "	Lot 18 Blk 19 " "	32.79
101	John W. Briggs, dec. Parker Patrick, P. B. Cawley, B. L. Blackstock	Lot 9 Blk 24 " "	641.77
102	" " " " " "	Lot 10, Blk 24 " "	641.77
103	" " " " " "	Lot 11 Blk 24 " "	641.77
116	R. L. Rolifield, Samuel S. Kraker, Henty Eddie Kraker, Benton Donley Wilson, Ruth Wilson, Parker Patrick	Lot 18 Blk 24 " "	511.41
117	W. A. Sanford, T. Clark Murray, W. Schomas, Guaranty State Bank	Lot 19 Blk 24 " "	527.11

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

REGULAR JANUARY 1944 TERM

DRUMRIGHT, OKLAHOMA

THURSDAY, MARCH 23, 1944

118	" " " "	Lot 20, Blk 34	" " "	501.33
119	W. K. Mumford, W. Clark Murray, M. Schuman, Guar- anty State Bank, L. P. Bowser	Lot 21, Blk 34	" " "	556.85
120	W. K. Mumford, W. Clark Murray, Guaranty State Bank, L. P. Bowser	Lot 22 Blk 34,	" " "	636.29
127	H. E. Thomas, H. F. Sebastian, Drumright, Bldg. & Loan Assn. Citizens Bk	Lot 5, Blk 31	" " "	756.56
128	" " " "	Lot 6, Blk 31,	" " "	756.56
131	B. L. Blackstock, Ray L. Cohen	Lot 9, Blk 31	" " "	676.35
132	" " " "	Lot 10 Blk 31	" " "	676.35
171	H. R. Cravens, Mrs. H. H. Cravens, Lydia M. Cravens J. V. Prazier, John R. Johnson	Lot 22, Blk 46	" " "	609.14
172	" " " " "	Lot 23, Blk 46,	" " "	740.48
173	" " " " "	Lot 24, Blk 46,	" " "	740.48

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that all of such judgments as hereinabove rendered shall bear interest from December 22, 1942, at the rate of 6% per annum until paid and each of said lots and parcels of land hereinabove described shall bear its proportionate part of court costs incurred in this action; and it is further expressly ordered, adjudged and decreed by the court that the above judgments and each of them are judgments in rem against the specific lots and parcels of land as herein foreclosed and are not to be considered in any manner as personal judgments against the defendants or either of them hereinabove named; that each respective judgment against each respective lot is further adjudged to be a valid first and prior lien against the respective lots, subject to the sale thereof as hereinafter provided and further subject to existing general or ad valorem taxes and special assessments not herein foreclosed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that the City Clerk of Drumright, Oklahoma is permitted and directed to accept the payment of the judgments rendered herein which shall be remitted by the City Clerk to the City Treasurer of Drumright, Oklahoma to the credit of Street Improvement District No. 5. Upon the payment of said judgments the city clerk shall mark on his records the satisfaction of the several installments merged in judgment and shall so notify the County Treasurer of Creek County, Oklahoma, and the County Treasurer of Creek County, shall mark on his records the payment and satisfaction of said installments.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that said liens be and the same are hereby foreclosed and in the event said respective judgments or any of them, together with interest and pro rate costs are not paid within six months after the rendition thereof an order of sale shall issue by the clerk of said court directed to a Special Master to be designated by the court to sell said real estate above described in the manner and forms in the case of real estate under execution, subject to existing general or ad valorem taxes and special assessments not herein foreclosed, and that the proceeds arising from said sale be applied as follows:

1. To the payment of the costs of said sale and of this action;
2. To the payment of the respective judgments hereinabove rendered which shall be paid to the City Treasurer of Drumright, Oklahoma to be placed to the credit of Street Improvement District No. 5;
3. Residue, if any, shall be paid to the clerk of this court to await the further order of the court.

and that from and after the sale of said property the said defendants hereinabove named and all persons claiming under or through said defendants or any of them since the commencement of this action, be barred and foreclosed from all right title or interest in and to said real estate except the right, title and interest accruing by virtue of existing ad valorem taxes and special assessments and reserving to the

RECEIVED JANUARY 1944 PERK.

OKLAHOMA

TUESDAY, MARCH 14, 1944.

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

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

ORDER OVERRULING MOTION TO QUASH

This matter coming on to be heard on this 30th day of March, 1944, upon the motion of the defendant, Benjamin D. Champlin, to quash service of summons, the plaintiff appearing by its attorney, Arnold T. Fleig, and the defendant appearing not; and the Court being fully advised, finds that said defendant has heretofore entered his appearance in this action, and that said motion should be overruled.

IT IS THEREFORE ORDERED that the motion to quash of the defendant, Benjamin D. Champlin be, and the same is hereby overruled; and it is further ordered that said defendant be, and he is hereby allowed twenty days from this date in which to answer plaintiff's complaint.

ROYCE E. SAVAGE
United States District Court

ENDORSED: Filed Apr 5 1944
H. P. Garfield, Clerk
U. S. District Court ME

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

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

ORDER OVERRULING MOTION TO DISMISS

This matter coming on to be heard on this 30th day of March, 1944, upon motion to dismiss of the defendants, A. H. Friedman, Pearl Lomb, Celia Cox, Girard Blackbird, W. C. Barnes, Geo. D. Bunch, W. B. Phillips, Bob Hale, J. B. McNew, Geo. E. Chambers, Percy W. Kuhn, Daisy Ballard, E. J. Wollett, Vene D. Fry, Louise Helton, First Methodist Episcopal Church, First Presbyterian Church, Donald Jackson, Orie Johnson, Myrtle Colombe, Minnie E. Cook, L. W. Evans, the plaintiff appearing by its attorney, Arnold T. Fleig, and the defendants appearing not, and the Court being fully advised, finds that said motion should be overruled.

IT IS THEREFORE ORDERED that the motion to dismiss of said defendants be, and the same is hereby overruled; and it is further ordered that the defendant be, and they are hereby allowed twenty days from this date in which to answer plaintiff's complaint.

ROYCE E. SAVAGE
United States District Judge

ENDORSED: Filed Apr 5 1944
H. P. Garfield, Clerk
U. S. District Court ME

IN THE DISTRICT COURT OF THE TERRITORY OF OKLAHOMA
DEPARTMENT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

OKLAHOMA, OKLAHOMA

THURSDAY, MARCH 20, 1944

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

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

ORDER OVERRULING MOTION TO DISMISS

This matter coming on to be heard on this 20th day of March, 1944, upon motion to dismiss of the defendant, W. G. Streetman, County Treasurer of Osage County, Oklahoma, the plaintiff appearing by its attorney, Arnold T. Fleig, and the defendant appearing by R. E. Havens, Assistant County Attorney for Osage County, Oklahoma, and the Court having heard the arguments of counsel and being fully advised, finds that said motion should be overruled.

IT IS THEREFORE ORDERED that the motion to dismiss of said defendant be, and the same is hereby overruled; and it is further ordered that the defendant be, and he is hereby allowed twenty days from this date in which to answer plaintiff's complaint.

ROYCE H. SAVAGE
United States District Judge

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

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

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

ORDER OVERRULING MOTION TO DISMISS

This matter coming on to be heard on this 30th day of March, 1944, upon motion to dismiss of the defendants, W. J. Mahan and Ruby Gentry, the plaintiff appearing by its attorney, Arnold T. Fleig, and the defendants appearing not; and the Court finds that said motion should be overruled.

IT IS THEREFORE ORDERED that the motion to dismiss of said defendant be, and the same is hereby overruled; and it is further ordered that said defendants be, and they are hereby allowed twenty days from this date in which to answer plaintiff's complaint.

ROYCE H. SAVAGE
United States District Judge

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

RECORDED JANUARY 1964 TERM

OKLAHOMA

FRIDAY, MARCH 31, 1944

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CIVIL NO. 1066

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 246.80 acres, more or less; and Don Eacry, et al.,

Defendants.

ORDER FIXING TITLE, DECREETING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 12 (5 FW 197) and TRACT NO. 13 (5 FW 198)

NOW, on this 31 day of March, 1944, there coming on for hearing the application of the defendants, W. A. Fanning and Lillie Tynon, now Fanning, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 12 (5 FW 197) and Tract No. 13 (5 FW 198), and the Court being fully advised in the premises, finds:

That the defendant, W. A. Fanning, was the owner of the lands designated as Tract No. 12 (5 FW 197) and the defendant, Lillie Tynon, now Fanning, was the owner of the lands designated as Tract No. 13 (5 FW 198), 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 \$138.00 and \$19.00 respectively, 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, 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 easement.

The court further finds that the defendants, in writing, agreed to grant and sell to the petitioner perpetual flowage easements upon and over said tracts of land for the sum of \$138.00 and \$19.00, respectively, which was accepted by the petitioner; and the Court finds that said sums are just compensation for the injuries and damages sustained by said defendants.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, W. A. Fanning, was the owner of the land designated as Tract No. 12 (5 FW 197), and the defendant, Lillie Tynon, now Fanning, was the owner of the tract of land designated as Tract No. 13 (5 FW 198), when this proceeding was commenced, and that said sums of \$138.00 and \$19.00, respectively, are just compensation for the damages sustained by said defendants; that said defendants are the only persons having any right, title or interest in and to said just compensation.

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

TO: W. A. FANNING - owner of Tract No. 12 (5 FW 197)	\$138.00
Lillie Tynon, now Fanning - owner of Tract No. 13 (5 FW 198)	19.00

ROYCE H. SAVAGE
JUDGE

RECORDED: Filed Mar 31 1944
E. 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 DELAWARE COUNTY, OKLAHOMA, containing approximately 240.20 acres, more or less; and Lula B. Huggins, et al., Defendants.)

CIVIL NO. 1126

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 38 (25 FW 994)

NOW, on this 31 day of March, 1944, there coming on for hearing the application of William Bergman and Emily M. Bergman, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 38 (25 FW 994), and the Court being fully advised in the premises, finds:

That the said William Bergman and Emily M. Bergman were the owners of the lands designated as Tract No. 38 (25 FW 994) in this proceeding prior to November, 19, 1943; that on said date they sold and conveyed said tract of land to Homer L. Land and Gladys M. Land, husband and wife; that on November 17, 1943, the said William Bergman and Emily M. Bergman, in writing, offered to sell and grant to the United State of America a perpetual easement for flowage purposes upon and over said tract of land for the sum of \$607.00; that said offer of sale has been duly accepted by the United States, that the petitioner filed a Declaration of Taking and deposited the sum of \$607.00 in the registry of this Court as the estimated just compensation for the taking of a perpetual 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 easement; that the petitioner took title to said flowage easement on December 17, 1943; that at said time the defendants, Homer L. Land and Gladys M. Land, were the owners of said tract; that an agreement was entered into between the said William Bergman, and Emily M. Bergman; and Homer L. Land and Gladys M. Land, whereby the said William Bergman and Emily M. Bergman were to receive the compensation to be paid for the taking of said easement in the sum of \$607.00; that at the date of the taking of said easement by petitioner there were no encumbrances, liens or taxes due upon said tract of land, and that no persons other than the said Homer L. Land and Gladys M. Land had any right, title or interest in and to said tract of land; that the only persons having any interest in and to the compensation to be paid for the taking of said flowage easement are the said William Bergman and Emily M. Bergman.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Homer L. Land and Gladys M. Land, were the owners of the tract of land designated as Tract No. 38 (25 FW 994) when this proceeding was commenced; that prior to November 19, 1943, said tract was owned by William Bergman and Emily M. Bergman, and pursuant to agreement entered into between said parties, the said William Bergman and Emily M. Bergman are to receive the compensation for the taking of a flowage easement upon said tract by the petitioner; that the sum of \$607.00 is just compensation for the damages occasioned by said taking; that the said William Bergman and Emily M. Bergman are the only persons having any right, title or interest in and to said just compensation.

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

- to: William Bergman and Emily M. Bergman, the persons entitled to receive the compensation for the taking of a flowage easement on Tract No. 38

RECEIVED JANUARY 1944 IN RE

OKLAHOMA

ENTRY, MARCH 31, 1944

(35 17 924)

\$507.00

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 31 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, containing approximately)
22.85 acres, more or less; and Ruth Morrison,)
et al., Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION
AS TO TRACT NO. 2 (6 FW-CR 627); TRACT NO. 3 (6 FW-CR 656); and
TRACT NO. 6 (6 FW-CR 661)

NOW on this 31 day of March, 1944, there coming on for hearing the application of the
defendant, J. A. Bowen, also known as John A. Bowen, for an order fixing title, decreeing just compensa-
tion and making distribution as to Tract No. 2 (6 FW-CR 627); Tract No. 3 (6 FW-CR 656) and Tract No. 6
(6 FW-CR 661) in this action, and the Court being fully advised in the premises, finds:

That the defendant, J. A. Bowen, also known as John A. Bowen, was the owner of said
tracts of land 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 \$50.00, \$250.00 and
\$100.00 respectively, for the taking of perpetual easements for road purposes upon and over said tracts
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, perpetual easements for road purposes, and
decreed that the owners and those having any right, title or interest in and to said tracts of land have
and recover just compensation for the taking of said perpetual easements.

The Court further finds that the defendant, J. A. Bowen, also known as John A. Bowen,
in writing, agreed in grant and sell to the petitioner said perpetual easements for road purposes upon
and over said tracts of land for the sum of \$50.00, \$250.00 and \$100.00 respectively, which was accepted
by the petitioner.

The Court further finds that the sums of \$50.00, \$250.00 and \$100.00 are just compensa-
tion for the injuries and damages sustained by said defendant, J. A. Bowen, also known as John A. Bowen.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, J. A.
Bowen, was the owner of the lands designated as Tract No. 2 (6 FW-CR 627); Tract No. 3 (6 FW-CR 656);
and Tract No. 6 (6 FW-CR 661) when this proceeding was commenced; and that said sums of \$50.00, \$250.00
and \$100.00 respectively, are just compensation for the damages sustained by said defendant; that said
defendant is the only person having any right, title or interest in and to said just compensation.

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

WEDNESDAY, JANUARY 19, 1944

OKLAHOMA

FRIDAY, MARCH 31, 1944

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. A. Bowen, Owner - Tract No. 2 (6 FW-OR 627)	\$50.00
Tract No. 3 (6 FW-OR 656)	250.00
Tract No. 6 (6 FW-OR 661)	100.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 31 1944
H. P. Barfield, 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. 1147
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)
OKLAHOMA, containing approximately 77.90)
acres, more or less; and Susanna Young Wilson)
Darity, et al.,	Defendants.)

ORDER FIXING TITLE, DECREASING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 3 (41 FW 1181)

NOW on this 31 day of March, 1944, there coming on for hearing the application of the defendant, Clay Mathis, for an order fixing title, decreasing just compensation and making distribution as to Tract No. 3 (41 FW 1181) and the Court being fully advised in the premises finds:

That the defendant, Clay Mathis was the owner of the land designated as Tract No. 3 (41 FW 1181) 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 \$1821.00 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, Clay Mathis, 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 \$1,821.00, which was accepted by the petitioner.

The Court further finds that the sum of \$1821.00 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, Clay

Mathis was the owner of the land designated as Tract No. 3 (41 FW 1181), when this proceeding was commenced, and that the sum of \$1321.00 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: Cley Mathis Owner TRACT NO. 3 (41 FW 1181) \$1321.00

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 31 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 3, 1944

On this 3rd day of April, 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 H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA, Petitioner,)
)
-vs-)
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,) CIVIL NO. 1066
OKLAHOMA, containing approximately 246.60)
acres, more or less; and Don Emery, et al.,)
Defendants.)

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 3rd day of April, 1944, it appearing from the affidavit of R. A. 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:

Louise S. Chandler;
Gail P. Chandler;

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

RECORDED JANUARY 1944 PER.

OKLAHOMA

MONDAY, APRIL 3, 1944

Grace P. Rider;
John McAffrey, Cherokee Citizen, Roll No. 8632;
Emma McAffrey;
Helen M. Conrad;
Sallie G. Landrum, now Hunt;
James Stead;
Ray B. Lucas, Superintendent of the Insurance Department of the
State of Missouri, in charge of Central States Life Insurance
Company, a corporation;
Central States Life Insurance Company, a corporation;
Jeff D. Sexton, Jr., Mrs. Lewis Sexton, James H. Brown, Bertha A.
Brown, J. E. Kay, Bennett M. Kay, Dixie Kay, James W. Moorehead, a
minor, M. F. Steele, William L. Collins, Cora D. Snider, Cherokee
Roll No. 25299, J. J. Snider, Clarence J. Earl, H. G. Smith, R. D.
Sheldon, R. E. Overton, J. D. McIntire, F. E. Carlstrom, The Ralph
Development Company, a corporation and Light Oil and Mineral
Association, a corporation, if living, or in existence, or if de-
ceased, 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, of W. H. Moorehead, deceased;
Clarence R. Moorehead, deceased; Celia Scuggin, nee Aleck,
Cherokee Citizen, Roll No. 27619; deceased; Walker Scuggin,
also known as Walker Scuggin Lacey, deceased; Jeff D. Sexton, Sr. deceased;
John Byas Lawrence, Cherokee Citizen, Roll No. 32638; Alice J.
Landrum, Cherokee Citizen, Roll No. 4672, deceased; Alice Sizemore,
deceased; Mark L. Hill, deceased; Rose Singleton, Cherokee Citizen,
Roll No. 26778; deceased; W. H. Tripp, deceased; Charles D. Hawkins,
deceased; Ollie C. Stewart, nee McAffrey, Cherokee Citizen, Roll
No. 8584, 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 be published in The Grove Sun, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) 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 29th day of May, 1944, the petitioner, United States of America, will, on said 20th day of May, 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 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, be present, if they so desire.

ROYCE H. SAVAGE
J U D G E

RECORDED: Filed Apr 3 1944
H. P. Warfield, Clerk
U. S. District Court N

REGULAR JANUARY 1944 TERM

OKLAHOMA

MONDAY, APRIL 3, 1944

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

Calvin C. West, Plaintiff,

vs

Joseph A. West, and Joseph A. West as Administrator of the Estate of Josephine West, deceased, et al., Defendants.

No. 1081 CIVIL

United States of America, Intervenor.

ORDER APPOINTING GUARDIAN AD LITEM

Now on this 3rd day of April, 1944, upon consideration of, the Court and upon the examination of the pleadings heretofore filed, it appears that Harve N. Langley, an attorney of this Court, has heretofore been appointed as guardian ad litem for the defendant, Josephine D. West, an incompetent person; that he has heretofore filed his answer pursuant to said appointment made by the District Court of Mayes County, State of Oklahoma; said answer being filed under date of June 15, 1943, and that said appointment should be by this Court ratified.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Harve N. Langley, be and he hereby is reappointed as such guardian ad litem for said Josephine D. West, incompetent, a defendant herein, and that the answer as heretofore filed be in all matters and things ratified by this Court, and considered as if again refiled herein.

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

ENDORSED: Filed Apr 4 1944
H. P. Warfield, Clerk
U. S. District Court H

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

Calvin C. West, Plaintiff,

vs

Joseph A. West, Joseph A. West as Administrator of the Estate of Josephine West, deceased, Callie Leah D. West, Sequoyah B. West, Josephine D. West, A. Lee Battenfield, Aetna Life Insurance Company, Rosa Beets, nee Blalock, Ray Bingham, J. R. Holt, The Van Briggie Monument Company, a corporation; J. C. Duncan, Elsie M. Duncan, George Parker, J. R. Campbell, The Heirs, executors, administrators, trustees and assigns, immediate and remote, and Creditors of Josephine West, deceased, and if either or both of said corporations be dissolved or extinct and not legally existing, then their respective successors and assigns; and if any of the other above named defendants be dead, then their respective heirs, unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, and creditors of those deceased, Defendants.

NO. 1081 CIVIL

United States of America,

Intervener.)

DEEDS GRANTING PARTITION, QUIETING TITLE AND
DETERMINING HEIRSHIP

The above cause coming on for hearing the 3rd day of April, 1944, in its regular order; plaintiff, Calvin C. West, appearing personally and by his attorneys, W. H. Couts, Jr., and John S. Severson; the defendant Josephine D. West appearing by her attorney and guardian ad litem, Harve N. Langley; the defendant A. Lee Battenfield appearing personally and in his own behalf; the defendant, Aetna Life Insurance Company having filed herein its disclaimer, disclaiming all interest in and to the subject matter of this action, appearing not; defendants Joseph A. West, Joseph A. West as administrators, appearing by A. Lee Battenfield, Gulliciah D. West appearing by Harve N. Langley, Sequoyah B. West, Rosa Beets, nee Blalock, Ray Bingham, J. R. Holt, The Van Briggie Monument Company, a corporation, J. C. DUNCAN, Elsie M. Duncan, J. R. Campbell, George Parker, and the unknown heirs, executors, Administrators, Devisees, Trustees, Assigns and Creditors of Josephine West, deceased, full blood Cherokee Indian, Roll No. 7114, appearing not; and

The United States of America, intervener herein, appearing by Honorable Whit Y. Manzy, United States District Attorney for the Northern District of Oklahoma, who likewise appears for all of the restricted Cherokee Indians who are parties to this action;

And it being first shown to the Court that proper service of summons was legally had on the defendants Joseph A. West, individually and as Administrator of the Estate of Josephine West, deceased, Sequoyah B. West, Josephine D. West and A. Lee Battenfield; that service by publication was had on the defendants Gulliciah D. West, Rosa Beets, nee Blalock, Ray Bingham, The Van Briggie Monument Company, a corporation; J. C. Duncan, Elsie M. Duncan, J. R. Campbell, George Parker, J. R. Holt, and the Unknown Heirs, executors, Administrators, Devisees, Trustees and Assigns, both immediate and remote, and creditors, of Josephine West, deceased, Cherokee Indian, Roll No. 7114, and that a copy of the amended petition filed herein, together with a copy of such notice, which was legally published in The Pryor Jeffersonian, a news paper of general circulation, published in Pryor, Mayes County, Oklahoma, in the issues of July 24 and 31, and of August 7, 1941, was duly mailed to said named defendants at their last known post office address, postage thereon being fully prepaid; that the plaintiff was unable by any means within his knowledge or control to learn the names or post office addresses of any of the unknown defendants, designated as the Unknown heirs, executors, administrators, trustees, assigns and creditors, of Josephine West, deceased, Cherokee Indian, Roll No. 7114, he is therefore excused from mailing or attempting to mail any such copy to them, or either of them;

And the Court having examined said publication and the proof thereof approved the same, and the allegations of said petition are therefore taken as confessed as to all of said defendants so served by publication, and they and each of them are hereby adjudged to be in default.

And it being further shown to the Court that proper notice of the pendency of this action was duly served on the Honorable A. M. Landman, Superintendent of the Five Civilized Tribes, Muskogee, Oklahoma, said service being regularly made by the Honorable Granville T. Norris, United States Marshal for the Eastern District of Oklahoma, on July 16, 1943; said notice and service thereof is presented to the Court and is by the Court examined and approved.

And it being further shown to the Court that the defendant Josephine D. West is an incompetent person and now confined in the Eastern Oklahoma Hospital for the Insane, and that the District Court of Mayes County, Oklahoma, prior to removal of this cause to this court, appointed Harve N. Langley as her guardian ad litem, by order dated May 26, 1943, and, under date of June 15, 1943, he filed in said Court his Answer as such guardian ad litem, in her behalf, and said proceedings are by the Court examined and approved, as set forth this day entered.

And the Court having heard the evidence adduced in said action in support thereof, and having heard argument of counsel, and having examined all the proceedings filed therein, and being fully advised in the premises, finds:

That this action was properly filed in the District Court of Mayes County, Oklahoma, on November 9, 1938, under Case No. 6237; and, thereafter, on the 29th day of May, 1941, an amended and supplemental petition was filed herein;

That thereafter, to-wit: September 1, 1943, the United States of America filed its petition for removal of said action to this court, and, on September 14, 1943, an Order was made by the said District Court of Mayes County, Oklahoma, removing this cause of action to this court, and thereafter said action was duly filed in this court, under No. 1081, Civil.

The Court further finds that the District Court of Mayes County, Oklahoma, had jurisdiction of the persons and the subject matter of this action when same was filed therein, and upon removal thereof this Court obtained jurisdiction of this action, as well as of the persons and the subject matter thereof.

The Court further finds that the allegations of said petition and the amended and supplemental petition, as to all material averments therein, are true; that the lands involved in this action were duly allotted, as set out in said petition, to Josephine West, full blood Cherokee Indian, Roll No. 7114; that she was the owner and in possession thereof at the time of her death, which occurred January 12, 1937; that the lands involved in this action, allotted to her by the Cherokee Nation, comprised her homestead and surplus allotments, and are described as follow, to-wit:

Lot 5 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW 9.42
acres of Lot 2, and Lot 3, all in Section 3,
Township 22 North, Range 21 East, and

SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 22 North, Range
21 East, all in Mayes County, State of Oklahoma.

The Court further finds that the said Josephine West left no husband and no issue of any deceased child, but left as her sole and only heirs her five children; namely:

Plaintiff, Clavin C. West, son, enrolled Cherokee Indian, No. 7717;
Defendant, Josephine D. West, daughter, enrolled opposite No. 7119;
Defendant, Joseph A. West, son, enrolled opposite No. 7119;
Sequoyah B. West, son, defendant, enrolled opposite No. 7116;
Defendant, Calliciah D. West, son, enrolled opposite No. 7115;

that said plaintiff and said defendants are Cherokee Indians of 9/16ths Indian blood, and that they each inherited a one-fifth undivided interest in and to the lands above described on the death of their said mother, and that they are entitled to partition of the same and their title thereto should be quieted in them; and the following named defendants; Aetna Life Insurance Company, Rosa Beets, nee Blalock, Ray Bingham, J. R. Holt, The Van Briggles Monument Company, J. C. Duncan, Elsie M. Duncan, George Baker, J. R. Campbell, the Heirs, Executors, Administrators, Trustees and Assigns, immediate and remote, and Creditors of Josephine West deceased, and if either or both of said corporations be dissolved or extinct and not legally existing, then their respective successors and assigns; and if any of the above other named defendants be dead, then their respective heirs, unknown heirs, executors, administrators, devisees, trustees and assigns immediate and remote, and creditors of those deceased and each of them should be forever barred and enjoined from claiming or asserting any interest, right or title thereto adverse to the plaintiff and the defendants, the sole heirs at law of Josephine West, deceased, as heretofore named, and that said Josephine West died intestate.

The Court further finds that the mortgage, appearing in Book 122, page 426, of the records of the County Clerk of Mayes County, Oklahoma, given by J. C. Duncan and his wife, Elsie M. Duncan, to George Parker, covering the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 22 North, Range 21 East, is void, but constitutes a cloud on the title of the true owners, the sole heirs of said Josephine West, deceased, and should therefore be canceled, set aside and held for naught.

The Court further finds that the Quit Claim Deed from George Parker to J. C. Duncan, shown in Book 142, page 103, given to release a mortgage, shown in Book 128, page 426, which erroneously states that said mortgage appears in Book 122, at page 422, of the books of the County Clerk of Mayes County, Oklahoma, are void but constitute clouds on the title of the true owners thereof, the heirs of Josephine West, deceased, and therefore should be cancelled, set aside and held for naught.

The Court further finds that the Quit Claim Deed, shown in Book 121, page 534, of the records of the County Clerk, Mayes County, Oklahoma, from George Parker to the Aetna Life Insurance Company is void and of no effect, but constitutes a cloud on the title of the true owners, namely; the heirs of Josephine West, deceased, and as such should be cancelled, set aside and held for naught.

The Court further finds that the mining lease, shown in Book 77, at page 66, given by J. R. Holt to Ray Bingham, is void, but the same constituted a cloud on the title of the true owners, to-wit: the heirs of Josephine West, deceased, and as such should be cancelled, set aside and held for naught.

The Court further finds that the mortgage given by Culliciah D. West to A. Lee Battentfield, dated May 12, 1938, recorded in Book 173, page 283 of the records of the County Clerk of Mayes County, State of Oklahoma, in the sum of \$100.00 together with interest and attorney fees, is void, the same being made in violation of the Acts of Congress in like cases made and provided; the said Culliciah D. West being an Indian of 9/16th Cherokee Indian blood, and therefore the same should be cancelled, set aside and held for naught.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the findings of the Court heretofore made be, and the same are hereby made a judgment of this Court as fully as if again restated herein.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff is hereby excused from mailing or attempting to mail copies of the first publication of notice, together with copies of said petition, to each of the defendants heretofore named as being in default; it being shown that their names and addresses can not be ascertained by any means within his control.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Joseph A. West, Culliciah D. West, Sequoyah B. West, and Josephine D. West, are not in the service of the United States of America, proof having been introduced showing such fact; and proper affidavit having been filed as to the non-military services of the remaining defendants.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Calvin C. West and the defendants, Joseph A. West, Culliciah D. West, Sequoyah B. West and Josephine D. West be and they are hereby declared and adjudged to be the sole and only heirs of Josephine West, who died intestate on or about the 12th day of January, 1936; and being the owner of the land heretofore described and involved in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that as said sole and only heirs of said Josephine West, the plaintiff and said defendants heretofore named, upon the death of their mother, became possessed with equal undivided one-fifth (1/5) interests in and to said land, and that the title to said land is hereby quieted in them as to any and all adverse claims or interest by the unknown defendants hereof are set out.

It is further ORDERED, ADJUDGED and DECREED by the Court that the adverse claims of said unknown defendants and the unknown heirs, executors, administrators, devisees, trustees, assigns, and creditors of said Josephine West, deceased, and each and every one of them be, and they are hereby prohibited, barred and enjoined from claiming or asserting any adverse interests in or to said land.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the apparent claims of the defendants, Rosa Beatts, nee Blalock, Ray Bingham, The Van Briggles Monument Company, a corporation, J. C. Duncan, Elsie R. Duncan, J. R. Campbell, George Parker, and J. R. Holt and A. Lee Battentfield, as specifically set out in the findings heretofore made, be and the same are cancelled, set aside and held for naught.

REGULAR JANUARY TERM 1944

DIVISION OF DISTRICTS

OKLAHOMA

TUESDAY, APRIL 4, 1944

It is further ordered, ADJUDGED and DECREED by the Court that partition be granted in this action in favor of the plaintiff J. F. West, and the defendants, Joseph A. West, Callie D. West, Sequoyah B. West and Josephine D. West; and that J. F. Dickens, Elmer Vick and C. C. Weber, Jr. and they are hereby appointed Commissioners to view said premises and make partition in kind thereof, so that they, and each of them may have and hold their one fifth (1/5) undivided interest in severally, if the same can be done without manifest injury to said estate; otherwise said Commissioners will make the appraisement and valuation of said premises, and file a report of their actions with the Clerk of this Court without unnecessary delay.

It is further ORDERED, ADJUDGED and DECREED that the Clerk of this Court issue to said Commissioners a writ of partition conformable to the findings of this Court.

ROYCE H. SAVAGE

District Judge, United States Court - Northern District of the State of Oklahoma

ENDORSED: Filed Apr 4 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. 1174
A CERTAIN PARCEL OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, containing approximately 1 acre,)
more or less; and Wm. B. York, et al.,)
Defendants.)

ORDER APPOINTING COMMISSIONERS

NOW, on this 3rd day of April, 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 appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the land hereinafter described and the acquisition of said estate in said land is necessary for the purpose of relocating public roads and bridges which have been destroyed or materially impaired by the raising of the pool elevation of the Pensacola reservoir; providing access to and from lands, access to and from which by existing public roads has been destroyed or materially impaired by the raising of the pool elevation of the Pensacola reservoir, all incident to and in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project.

The Court finds that pursuant to the Act of August 1, 1882, 25 Stat. 357 (40 U.S.C. Sec. 257); the Act of February 26, 1931, 46 Stat. 1431, (40 U.S.C. Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U.S.C. Secs. 401-403) as amended and supplemented; the Act of June 10, 1930, 41 Stat. 1063 (16 U.S.C. Sec. 309); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U.S.C. 171 (a)); Executive Order No. 9356, dated July 30, 1943; and Executive Order No. 9372, dated August 30, 1943, the Secretary of the Interior is authorized to acquire in the name of the United States of America, said estate in said land.

That pursuant to and by virtue of said authority, the Secretary of the Interior has selected for requisition by the United States for said public purpose, 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

RECORDED JANUARY 1944 1944

OKLAHOMA

LANDY, APRIL 3, 1944

TRACT NO. 2 (43 - FW-1371)

Fee Title

all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, T 26 N R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, thence southerly along the west boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 358.3 feet to a point 301.3 feet north of the SW corner thereof; thence N. 40° 39' E. 465.7 feet to a point in the north boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence westerly along said north boundary a distance of 297.5 feet to the point of beginning, containing approximately 1.2 acres.

TRACT NO. 3 (47 - FW-1540 A)

Fee Title

All that part of Lot 2, Sec. 21, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the East boundary of said Lot 2, 98.7 feet from the NE corner thereof, thence southerly along the east boundary of said Lot 2 a distance of 1221.0 feet to a point 5.4 feet from the SE corner thereof; thence N. 69° 50' W. 279.3 feet; thence N. 21° 30' W. 373.1 feet; thence N. 20° 07' E. 495.2 feet; thence N. 37° 35' E. 313.0 feet; thence E. 31° 28' E. 74.2 feet to the point of beginning, containing 6.70 acres, more or less.

TRACT NO. 4 (47 - FW-1542)

Fee Title

All that part of Lot 4 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said Lot 4, thence westerly along the south boundary of said Lot 4 a distance of 599.5 feet to a point 727.6 feet east of the SW corner thereof; thence N. 50° 14' E. 331.7 feet; thence N. 64° 42' E. 356.0 feet; thence N. 75° 52' E. 11.7 feet to a point in the east boundary of said Lot 4; thence southerly along said east boundary a distance of 369.6 feet to the point of beginning, containing approximately 2.45 acres.

TRACT NO. 5 (48 - FW-1307)

Fee Title

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point 311.4 feet east of the NW corner of said $W\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence S. 40° 50' E. 102.5 feet; thence S. 68° 06' W. 98.9 feet; thence S. 8° 58' W. 487.1 feet; thence S. 11° 43' E. 333.0 feet; thence S. 27° 00' E. 245.3 feet; thence S. 41° 05' E. 277.0 feet to a point in the south boundary of said $W\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ 566.4 feet east of the SW corner thereof, thence easterly along said south boundary 96.9 feet to the SE corner of said $W\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence northerly along the east boundary of said $W\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the NE corner thereof; thence westerly along the north boundary of said $W\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ 351.5 feet to the point of beginning, containing approximately 11.0 acres.

TRACT NO. 6 (50 - FW-1338)
Fee Title

Lots 81 and 83 fronting on Broadway Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma, except that portion of said Lot 83 owned by the Grand River Dam Authority, particularly described as follows, to-wit:

"Beginning at the Northwest corner of said Lot 83; thence southerly along the west boundary of said Lot 83 a distance of 27 feet; thence North 35° 10' East 33 feet to a point in the North boundary of said Lot 83; thence Westerly along the North boundary of said Lot 83 a distance of 16 feet to the point of beginning."

TRACT NO. 7 (50 - FW-1339)
Fee Title

Lots 71, 73, 75, 77 and 79 fronting on Broadway Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 8 (50 - FW-1341)
Fee Title

Lots 74 and 76 fronting on Broadway Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 9 (40 FW-1342)
Fee Title

Lots 68, 70 and 72 fronting on Broadway Street as shown on the dedication plat of the original townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 10 (50 - FW-1343)
Fee Title

Lots 62, 64 and 66 fronting on Broadway Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 11 (50 - FW-1345)
Fee Title

Lots 10, 12, 14, 16, 18, 20 and 22 fronting on First Street as shown on the dedication plat of the original townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 12 (50 - FW-1346)
Fee Title

Lot 8 fronting on First Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 13 (50 - FW-1347)
Fee Title

Lots 3, 5, 7, 9, 11, 13, 15, 17, 19 and 21 fronting on First Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 14 (50 - FW-1350)
Fee Title

Lot 10, Lot 12 and the $S\frac{1}{2}$ of Lot 8 fronting on Main Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 15 (50 - FW-1351)
Fee Title

The $N\frac{1}{2}$ of Lot 8 fronting on Main Street as shown on the dedication plat of the original townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 16 (50 - FW-1352)
Fee Title

Lot 6 fronting on Main Street as shown on the Dedication plat of the Original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 17 (50 - FW-1353)
Fee Title

Lots 2 and 4 fronting on Main Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma.

TRACT NO. 18 (50 - FW-1371)
Fee Title

All that part of the $NW\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 29, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point 283.1 feet east of the NW corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence S. 12° 50' E. 414.5 feet; thence S. 26° 12' E. 296.2 feet; thence S. 34° 53' E. 323.0 feet; thence N. 32° 59' E. 124.6 feet; thence N. 6° 10' E. 305.2 feet; thence N. 84° 54' E. 132.8 feet; thence S. 30° 49' E. 137.5 feet; thence S. 78° 02' E. 146.7 feet; thence N. 11° 58' E. 391.6 feet; thence S. 30° 00' E. 199.9 feet; thence N. 20° 38' E. 81.4 feet; thence N. 87° 11' E. 278.2 feet; thence S. 87° 58' E. 221.7 feet; thence N. 42° 54' E. 464.2 feet; thence S. 76° 00' E. 118.7 feet; thence N. 24° 53' E. 47.7 feet; thence S. 58° 32' E. 208.7 feet; thence N. 78° 50' E. 117.3 feet; thence N. 86° 05' E. 53.3 feet to a point in the east boundary of said N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence northerly along said east boundary a distance of 97.4 feet to the NE corner of said N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence westerly along the north boundary of said N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2361.95 feet to the point of beginning, containing approximately 21.6 acres.

TRACT NO. 19 (51 - FW-1375)
Fee Title

All that part of the S $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ less the east 9 feet thereof, in Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the south boundary of said S $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ 276.4 feet east of the SW corner thereof, thence N. 6° 41' W. 319.6 feet; thence N. 68° 13' E. 274.3 feet; thence N. 9° 29' E. 245.5 feet to a point in the north boundary of said S $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence easterly along said north boundary a distance of 117.3 feet to a point 9 feet west of the NE corner thereof, thence southerly parallel to the east boundary of said S $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ to a point in the south boundary of said S $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9 feet west of the SE corner thereof; thence westerly along said south boundary a distance of 374.9 feet to the point of beginning, containing approximately 4.16 acres.

TRACT NO. 20 (51 - FW-1378)
Fee Title

All that part of the N $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the east boundary of said N $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ 222.1 feet north of the SE corner thereof, thence N. 67° 07' W. 34.6 feet; thence N. 23° 51' W. 450.6 feet; thence N. 11° 05' E. 13.4 feet to a point in the north boundary of said N $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ 119.5 feet east of the NW corner thereof; thence easterly along said north boundary to the NE corner of said N $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence southerly along the east boundary of said N $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ 439.2 feet to the point of beginning, containing approximately 1.2 acres.

TRACT NO. 21 (52 - FW-1500)
Fee Title

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 4, T 27 N, R 24 E, of

the Indian Base and Meridian, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ thence easterly along the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ 815.2 feet to a point 504.8 feet west of the SE corner thereof; thence N. 40° 19' W. 341.6 feet; thence N. 51° 43' W. 379.1 feet; thence N. 52° 46' W. 332.1 feet; thence N. 50° 17' E. 347.3 feet; thence N. 84° 56' W. 293.0 feet; thence N. 0° 06' E. 236.9 feet; thence N. 3° 44' W. 45.0 feet to the NW corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence southerly along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning, containing approximately 8.2 acres.

TRACT NO. 22 (52 - FW-1506)
Fee Title

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence southerly along the west boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 496.0 feet to a point 164.0 feet north of the SW corner thereof; thence N. 41° 22' E. 655.7 feet to a point in the north boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence westerly along said north boundary a distance of 433.0 feet to the point of beginning, containing approximately 2.4 acres.

TRACT NO. 23 (56 - FW-1607)
Fee Title

All that part of the NW 10.0 acres of Lot 6 in Sec. 10, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said NW 10.0 acres of Lot 6, thence easterly along the south boundary of said NW 10.0 acres of Lot 6 a distance of 294.3 feet to a point 365.4 feet west of the SE corner thereof; thence N. 31° 04' W. 36.3 feet; thence N. 37° 31' W. 196.8 feet; thence N. 32° 29' W. 300.2 feet to a point in the west boundary of said Lot 6, 218.1 feet from the NW corner thereof; thence southerly along the west boundary of said Lot 6 to the point of beginning, containing 1.3 acres, more or less.

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by the United States of America, be, and it is hereby vested with the entire fee simple title in and to the lands described, subject only to the right if any, of the Grand River Dam Authority, a public corporation, for the uses and purposes herein stated.

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 \$36,721.40, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE, on this 3rd day of April, 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 (53 - FW-1397 Rev.)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 2 (53 - FW-1398)
Flowage Easement

All that part of Lot 2 in Sec. 33, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.0 acres.

TRACT NO. 3 (53 - FW-1399)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.7 acres.

TRACT NO. 4 (53 - FW-1401)
Flowage Easement

All that part of Lot 1 in Sec. 33, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.0 acres.

TRACT NO. 5 (53 - FW-1402)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the N $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of Lot 1,

and all that part of Lot 2, all that part of Lot 3, and all that part of Lot 4, in Sec. 32, T 28 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 117.6 acres.

TRACT NO. 6 (53 - FW-1403)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, and all that part of Lot 4 in Sec. 31, all in T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 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 30.0 acres.

TRACT NO. 7 (53 - FW-1404)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of Lot 3 in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority containing approximately 46.3 acres.

TRACT NO. 8 (53 - FW-1405)
Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of Lot 3 in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 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 55.2 acres.

TRACT NO. 9 (53 - FW-1407)
Flowage Easement

All that part of Lot 1, and all that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 31; and all that part of Lot 8, and all that part of Lot 7, and all that part of Lot 6, and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30; and all that part of Lot 8 and all that part of Lot 7, all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29; and all that part of the N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, including the bed and banks of Spring River adjacent to said lands, all in T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 161.9 acres.

TRACT NO. 10 (53 - FW-1408)
Flowage Easement

All that part of Lot 5, and all that part of Lot 6 in Sec. 29; and all that part of Lot 9 in Sec. 28, all in T 28 N, R 24 E of the Indian Base and Meridian, Shawnee Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum,

containing approximately 5.1 acres, including the bed and banks of Spring River adjacent to said Lots 5, 6 and 9.

TRACT NO. 11 (53 - FW-1409)

Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of Lot 2, in Sec. 28, T 28 N, R 24 E of the Indian Base and Meridian, Mapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 5.3 acres.

TRACT NO. 12 (53 - FW-1410)

Flowage Easement

All that part of Lot 1 lying east of Spring River in Sec. 28, T 28 N, R 24 E of the Indian Base and Meridian, Shawnee Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 4.1 acres, including the bed and banks of Spring River adjacent to said Lot 1 lying east of Spring River.

TRACT NO. 13 (53 - FW-1411)

Flowage Easement

All that part of Lot 8 in Sec. 28, T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.5 acres.

TRACT NO. 14 (53 - FW-1412)

Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28, T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 27.6 acres.

TRACT NO. 15 (53 - FW-1413)

Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28, T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TRACT NO. 16 (53 - FW-1466)

Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of Lot 1, and all that part of Lot 2 in Sec. 29, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 41.6 acres.

TRACT NO. 17 (53 - FW-1467)
Flowage Easement

All that part of Lot 3, all that part of Lot 4, all that part of Lot 11, all that part of Lot 12, all that part of Lot 13, and all that part of Lot 14 in Sec. 29, including the bed and banks of Spring River lying adjacent thereto; and all that part of Lot 1 lying west of Spring River lying adjacent thereto, all in T 28 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 76.6 acres.

TRACT NO. 18 (53 - FW-1468)
Flowage Easement

All that part of Lot 15, and all that part of Lot 10 in Sec. 29, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 25.7 acres which includes the bed and banks of Spring River adjacent and incident to the ownership of said lot 10.

TRACT NO. 19 (53 - FW-1469)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 29, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.6 acres.

TRACT NO. 20 (53 - FW-1470)
Flowage Easement

All that part of Lot 16, and all that part of Lot 8 in Sec. 29, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 22.8 acres.

TRACT NO. 21 (53 - FW-1471)
Flowage Easement

All that part of Lot 9, all that part of Lot 10, all that part of Lot 11, all that part of Lot 14, all that part of Lot 15, and all that part of Lot 16, in Sec. 30, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 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 26.2 acres.

TRACT NO. 22 (53 - FW-1472)
Flowage Easement

All that part of Lot 3 in Sec. 30, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 23 (53 - FW-1474)

Flowage Easement

All that part of Lot 17 in Sec. 30, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.7 acres.

TRACT NO. 24 (53 - FW-1475)

Flowage Easement

All that part of Lot 5, less the north 630 feet of the west 820 feet in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 25 (53 - FW-1476)

Flowage Easement

All that part of the north 660 feet of Lots 6 and 9 in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.6 acre.

TRACT NO. 26 (53 - FW-1477)

Flowage Easement

All that part of the south 660 feet of Lot 9 in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 27 (53 - FW-1478)

Flowage Easement

All that part of Lot 10 in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acre.

TRACT NO. 28 (53 - FW-1479)

Flowage Easement

All that part of Lot 11, and all that part of Lot 12, and all that part of Lot 13, in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 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 8.7 acres.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 3, 1944

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 \$7,747.00, 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 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 3rd day of April, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, and to enter upon from the 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, to wit:

TRACT NO. 1 (54 - FW-1414 Rev.)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 16, and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of NE $\frac{1}{4}$ SE $\frac{1}{4}$ north of Country road now used, and all that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 21, all in T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 68.2 acres.

TRACT NO. 2 (54 - FW-1416)
Flowage Easement

All that part of Tract 27 in the Townsite of Oakdale, Oklahoma, as shown by the dedication plat dated May 11, 1935, situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 16, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.1 acre, including all right, title and interest in and to the streets, avenues and alleys adjacent to said tract.

TRACT NO. 3 (54 - FW-1417)
Flowage Easement

All that part of Tract 22, all that part of Tract 23, all that part of Tract 26, all that part of Tract 29, and all that part of Tract 32, and all that part of Spring Park, all located in the Townsite of Oakdale, Oklahoma, as shown by dedication and plat dated May 11, 1935; and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 16, lying West of Tracts Nos. 23, 26, 27, 29, and 32 all located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 4.3 acres, which includes all right,

title, or interest in and to the streets, avenues, and alleys adjacent to said Tracts, lying below Elev. 760 Sea Level Datum,

TRACT NO. 4 (54 - FW-1422)
Flowage Easement

All that part of the SW $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of the north 10.0 acres of the NW $\frac{1}{2}$ SW $\frac{1}{2}$ of Sec. 16, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 16.7 acres.

TRACT NO. 5 (54 - FW-1423)
Flowage Easement

All that part of the NW $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 20.9 acres.

TRACT NO. 6 (54 - FW-1458)
Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.8 acres.

TRACT NO. 7 (54 - FW-1459)
Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.7 acres.

TRACT NO. 8 (54 - FW-1460)
Flowage Easement

All that part of the NW $\frac{1}{2}$ SW $\frac{1}{2}$ less the north 10.0 acres thereof, and all that part of the SW $\frac{1}{2}$ SW $\frac{1}{2}$ of Sec. 16, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 25.2 acres.

TRACT NO. 9 (54 - FW-1461)
Flowage Easement

All that part of the NW $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 21, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 4.1 acres.

TRACT NO. 10 (54 - FW-1462)
Flowage Easement

All that part of the SW $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 21, T 28 N, R 24 E of

the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing 3.1 acres, more or less.

TRACT NO. 11 (54 - FW-1463)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21, T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.4 acres.

TRACT NO. 12 (54 - FW-1464)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21, T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reservation in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 32.6 acres.

TRACT NO. 13 (54 - FW-1465)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 7.8 acres.

TRACT NO. 14 (54X-FW-1424)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.8 acres.

TRACT NO. 15 (54X - FW-1425)
Flowage Easement

All that part of Lot 4, and all that part of Lot 5 in Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 19.2 acres.

TRACT NO. 16 (54X - FW-1426)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 17.1 acres.

TRACT NO. 17 (54X - FW-1427)
Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma,

TRACT NO. 24 (54X - FW-1434)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.7 acre.

TRACT NO. 25 (54X - FW-1435)
Flowage Easement

All that part of Lot 1, and all that part of Lot 2 in Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 9.1 acres.

TRACT NO. 26 (54X - FW-1451)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 27 (54X - FW-1452)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 28 (54X - FW-1453)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.6 acres.

TRACT NO. 29 (54X - FW-1454)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying west of Spring River in Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 5.3 acres.

TRACT NO. 30 (54X - FW-1455)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning at the NW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence East 160 feet; thence Southeasterly along the West bank of Spring River to a point in the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$,

thence West 565 feet to the SW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
thence North 1320 feet to the point of beginning, containing
11 acres, more or less"

lying below Elev. 760 Sea Level Datum, containing approximately
6.3 acres.

TRACT NO. 31 (54X - FW-1456)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 28 N, R 24 E of
the Indian Base and Meridian, in Ottawa County, Oklahoma,
lying below Elev. 760 Sea Level Datum, containing approximately
3.3 acres.

TRACT NO. 32 (54Y-FW-1438)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T 29 N, R 24 E of
the Indian Base and Meridian in Ottawa County, Oklahoma,
lying below Elev. 760 Sea Level Datum, containing approximately
9.6 acres.

TRACT NO. 33 (54Y - FW-1439)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, T 29 N, R 24 E of the
Indian Base and Meridian in Ottawa County, Oklahoma,
lying below Elev. 760 Sea Level Datum, containing approxmately
8.4 acres.

TRACT NO. 34 (54Y - FW-1440)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, T 29 N, R 24 E of the
Indian Base and Meridian in Ottawa County, Oklahoma,
lying below Elev. 760 Sea Level Datum, containing approximately
2.2 acres.

TRACT NO. 35 (54Y - FW-1441)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, T 29 N, R 24 E of
the Indian Base and Meridian, in Ottawa County, Oklahoma,
lying below Elev. 760 Sea Level Datum, containing approximately
9.7 acres.

TRACT NO. 36 (54Y - FW-1442)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33, T 29 N, R 24 E of
the Indian Base and Meridian, in Ottawa County, Oklahoma,
lying below Elev. 760 Sea Level Datum, containing less than
0.1 acre.

TRACT NO. 37 (54Y - FW-1443)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, T 29 N, R 24 E of
the Indian Base and Meridian, in Ottawa County, Oklahoma,

lying below Elev. 760 Sea Level Datum, containing approximately 14.2 acres.

TRACT NO. 38 (54Y - FW-1444 Rev.)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ west of Spring River in Sec. 33, T 29 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 4.1 acres.

TRACT NO. 39 (54Y - FW-1444 A)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying east of Spring River in Sec. 33, T 29 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.6 acres.

TRACT NO. 40 (54Y - FW-1445)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 28, T 29 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 14.9 acres.

TRACT NO. 41 (54Y - FW-1446)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 42 (54Y - FW-1447)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.0 acres.

TRACT NO. 43 (54Y - FW-1448)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 44 (54Y - FW-1449)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.5 acres.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 4, 1944

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 4 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. 1106 - Civil
2.5 acres of land, more or less, situate in)	
Tulsa County, State of Oklahoma, and C. H.)	
McCormick, et al.	Respondents.)	

ORDER DISTRIBUTING FUNDS

Now on this 3rd day of April, 1944, this cause comes on to beheard for distribution of funds, and the Court, being fully advised in the premises, finds that distribution should be made as follows:

C. H. McCormick and Catherine McCormick \$1,000.00

IT IS, THEREFORE, ORDERED, that the Clerk of this Court issue a check payable to the above named parties in the amount opposite their names.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 4 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 5, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEINSDAY, APRIL 5, 1944

On this 5th day of April, 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 IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

WEDNESDAY, APRIL 5, 1944

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

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

ORDER OF DISTRIBUTION

Now on this 3rd day of April, 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 Tract No. 2 involved in the above condemnation proceeding.

IT IS, THEREFORE, ORDERED AND DIRECTED that the Clerk of this Court issue a check as to said Tract No. 2 payable as follows, to-wit:

Treasurer of the United States of America	\$128.75
(Refund of over-deposit)	

BOWER BROADIUS
JUDGE

ENDORSED: Filed Apr 5 1944
H. P. Warfield, Clerk
U. S. District Court AC

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	No. 1092 - Civil
)	
1,435.0746 acres of land, more or less,)	
situate in Mayes County, Oklahoma,)	
and Porter W. Arterberry, et al.,	Defendants.)	

PUBLICATION ORDER

Now on this 5th day of April, 1944, it appearing from the affidavit of Curtis P. Harris, Special Attorney for the Department of Justice, attorney for the petitioner herein, and the application of the United States of America, that the following named respondents, to-wit:

- Mrs. K. H. Arterberry
- Melburn Allen
- Carmen R. Butler
- W. D. Breuninger
- C. G. Bathe
- R. W. Black
- P. B. Brown
- Hoyt F. Boylan
- Emmet Chitwood

Emmitt Chitwood
George Coomes
Eva Davenport
Ross Givens
Arley A. Garvin
G. B. Helton
Mrs. J. Z. Hogan
Carrie Hamilton
Joyce D. Harrison (Mrs. J. J. Harrison)
Riley L. Hendrickson
A. W. Haskew
Frankie Haskew
Cora Helton
John Harleson
Warren Harleson, a minor
Stella Jackson
Fannie Johnson
Dollie Ketcher
Flossie Ketcher
Ted Ketcher
Willie King, formerly Willie Ketcher
O. W. Killam
C. E. Lee
Myrtle McIntosh
Myrtle McIntosh, Administratrix of the Estate
of DeWitt C. Cochran, 3/4ths Blood Cherokee
Indian, Roll No. 18,347 deceased
W. T. Muldrew
Gertrude Muldrew (Mrs. W. T. Muldrew)
Clifford F. Morain
Mable Morain (Mrs. Clifford F. Morain)
Oliver Newton
Miriam Newton (Mrs. Oliver Newton)
James K. Peacock
Antonija Pistotnik
John H. Reid
Ayres K. Ross
Jennie Robinson
John A. Raper, Jr.
J. C. Reddin
Lucile Reddin (Mrs. J. C. Reddin)
Della Shankling
Robert Stuart
R. D. Sloan
Canoro C. Smith, also known as S. C. Smith
Lanora E. Smith, also known as Lanaro Smith, a minor,
Marion B. Smith, also known as Marion Smith, a minor
Marvin L. Smith, also known as Marvin Smith, a minor
Naomi Ella Smith, also known as Naomi Smith, a minor
Canaro C. Smith, Jr., also known as C. C. Smith, Jr., a minor,
H. L. Tucker
Louella Tucker (Mrs. H. L. Tucker)
Lillian May Wells
W. D. Wilson
Mrs. W. D. Wilson
Fannie Warren
J. W. Warren
E. A. Warren
Florence Warren (Mrs. E. A. Warren)

Henry Warren
 Neil Warren (Mrs. Henry Warren)
 Basil Warren
 Billie Warren (Mrs. Basil Warren)
 Wayne Warren
 D. H. Whorton

if living, or if any of the above named parties are deceased, their unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, or their successors in interest, whose names, ages and addresses are unknown;

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

Barnsdall Refining Company
 Cherokee Nation
 Choteau Oil & Gas Co.
 The F. B. Collins Investment Company
 Danils Rike Oil Co.
 The First National Bank of Pryor Creek, Oklahoma
 Kern Oil & Gas Company
 The Prospect Company
 Peninsular Fire Insurance Company of America

And the following respondents which are outside the State of Oklahoma and having no service agent in the State of Oklahoma upon whom service may be had, and it is, therefore, necessary to obtain service upon said respondents by publication;

The Federal Land Bank of Wichita
 Land Bank Commissioner

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

M. E. Adkins
 Jacob Anspaugh
 K. H. Arterberry
 Ruth Bradley
 J. L. Baugh
 Tilda Crockett
 DeWitt C. Cochran, 3/4ths Blood Cherokee Indian, Roll No. 18,347
 W. N. Davenport
 J. Z. Hogan
 J. R. Hoskins
 Dullaney Haynes
 Gladys Harleson (Mrs. John Harleson)
 Richard Ketcher
 Wm. A. Kreider
 W. R. Layne
 W. R. Lane
 Fannie K. Lee
 Walter Miller
 Joseph L. McCracken, 1/2 blood Cherokee Indian, Roll No. 6337
 A. G. Sloan
 N. E. Smith
 Horace I. Smith
 Johnson Vann
 W. G. Warren
 A. Wilson

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 5, 1944

are either nonresidents of the State of Oklahoma, or with due and reasonable diligence and search are not to be found in the State of Oklahoma, and that it is necessary that they be served by publication.

IT IS, THEREFORE, ORDERED AND DECREED that the petitioner's application for an order appointing commissioners to appraise the lands sought to be condemned, and petitioner's application for an order fixing title and determining the rightful claimants to the funds to be deposited in court as just compensation for the real estate and estates therein involved in this proceeding, be heard by this court on the 19th day of May, 1944, at 9:30 o'clock A.M., in the Court Room in the Federal Building, in Tulsa Oklahoma, and that there shall be published in The Pryor Jeffersonian, a weekly newspaper of general circulation in Mayes County, on Thursday, April 6, Thursday, April 13, Thursday, April 20 and Thursday, April 27, 1944, notice directing the aforesaid non-resident respondents to appear before this Court at the time and place aforesaid, and that the notification of said non-residents shall be complete upon the filing of an affidavit by the publisher, managing officer or printer of said newspaper that the notice referred to above has been printed and published in said newspaper as hereby directed.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 5 1944
H. P. Warfield, Clerk
U. S. District Court H

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

METROPOLITAN LIFE INSURANCE COMPANY,)
a corporation, Plaintiff,)
vs) NO. 1113 - CIVIL
MARIE F. BEALL and ELOISE F. DALE, Defendant.)

O R D E R

On this 5th day of April, 1944, upon the application of the defendant, Eloise F. Dale,

IT IS ORDERED that said defendant be permitted to file herein forthwith her response to the answer of the defendant Marie F. Beall.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 5 1944
H. P. Warfield, clerk
U. S. District Court LN

A judgment was entered in this cause on the 14th day of February, 1944, against the petitioner, United States of America, for the sum of \$911.42 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 15 (6 FW 643), due to the flooding of said property during the May, 1943 flood, by the United States in connection with the operation of the Grand River Dam (Pensacola) Project,

The United States has caused to be deposited in the registry of this court the sum of \$911.42 in full satisfaction of said judgment.

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

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 14th day of April, 1944, for the sum of \$911.42 as just compensation for the damages sustained by the owner of the personal property located upon and used in connection with the land designated and described as Tract No. 15 (6 FW 643), be and the same is hereby fully satisfied.

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

IT IS FURTHER ORDERED that the Clerk of this Court make distribution of said just compensation now on deposit in his office, to R. F. Orlish, for and in the sum of \$911.42, and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J U D G E

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

Court adjourned to April 7, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, APRIL 7, 1944

On this 7th day of April, 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 and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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

REGULAR JANUARY 1944 TERM

FRIDAY, APRIL 7, 1944

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

The City of Sand Springs, a Municipal Corporation, ex rel Leonard Versluis, Complainant and relator,

vs

Sand Springs Townsite, Company, et al., Defendants.

CIVIL ACTION NUMBER 355

O R D E R

It being made to appear to the court that a judgment against Lot 2, in Block 50, of the Original Townsite of Sand Springs, Oklahoma, was, on account of a typographical error, included in the decree entered in this cause, when such judgment was in fact rendered against Lot 9, in said Block 50, or the Original Townsite of Sand Springs, Oklahoma, on motion of counsel for the Debtor.

It is ORDERED that said decree, filed herein on the 28th day of October, 1941, be amended and corrected by substituting Lot 9, in Block 40, of the Original Townsite of Sand Springs, Oklahoma, in lieu of Lot 2, in Block 50 of said original townsite of Sand Springs, Oklahoma, and that all other portions of said judgment and decree remain as originally rendered and entered.

DATED this 7 day of April, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 7 1944
H. P. Warfield, Clerk
U. S. District Court

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

The City of Sand Springs, a Municipal Corporation, ex rel Leonard Versluis, Complainant and Relator,

vs

Sand Springs Townsite, Company, et al., Defendants.

CIVIL ACTION NUMBER 355

ORDER CONFIRMING SALE

On this 8 day of April, 1944, comes the complainant, by its attorney of record, L. W. Randolph, and moves the Court to confirm the sale of real estate made by the Special Master herein on the 7th day of March, 1944, to the following named purchasers under order of sale issued out of the office of the Clerk of the United States District Court for the Northern District of Oklahoma, dated the 20th day of August, 1943, of the following property, situate in the City of Sand Springs, in Tulsa County, State of Oklahoma, to-wit:

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

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DESCRIPTION	PURCHASER	AMOUNT PAID
(The following property in Second Sunrise Addition to Sand Springs, Oklahoma)		
Lot 15, Block 23,	A. H. Burgess,	\$40.00
Lot 16, Block 23,	A. H. Burgess,	67.00
Lot 17, Block 23,	A. H. Burgess,	67.00
Lot 9, Block 22,	A. H. Burgess,	20.00
Lot 10, Block 22,	A. H. Burgess,	20.00
Lot 11, Block 22,	A. H. Burgess,	20.00
Lot 12, Block 22,	A. H. Burgess,	20.00
Lot 13, Block 22,	A. H. Burgess,	20.00
Lot 14, Block 22,	May Phillips	22.00
Lot 16, Block 22,	A. H. Burgess	150.00
Lot 19, Block 21,	A. H. Burgess	30.00
Lot 21, Block 21,	A. H. Burgess	30.00
Lot 22, Block 21,	A. H. Burgess	30.00
Lot 23, Block 21,	A. H. Burgess	30.00
Lot 9, Block 20,	A. H. Burgess	40.00
Lot 10, Block 20,	A. H. Burgess	40.00
(the following property in Second West Side Addition to Sand Springs, Oklahoma)		
Lot 6, Block 55,	W. C. Magness	400.00
Lot 7, Block 55,	The Church of God	55.00
Lot 8, Block 55,	The Church of God	55.00
(the following property in First West Side Addition to Sand Springs, Oklahoma)		
Lot 9, Block 24,	M. K. Jones	430.00
Lot 12, Block 24,	M. K. Jones	130.00
(the following property in the Original Townsite of Sand Springs, Oklahoma)		
Lot 7, Block 24,	M. K. Jones	67.00
(the following property in First Sunrise Addition to Sand Springs, Oklahoma)		
Lot 1, Block 3,	Rosetta McDonald	67.00
Lot 2, Block 3,	Rosetta McDonald	67.00
Lot 25, Block 2,	O. A. Giles	65.00
Lot 26, Block 2,	O. A. Giles	65.00
Lot 27, Block 2,	L. B. Norris	210.00
Lot 28, Block 2,	L. B. Norris	205.00

(the following property
in the Original Townsite
of Sand Springs, Oklahoma)

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FRIDAY, APRIL 7, 1944

Lot 1,	Block 18,	M. K. Jones	1000.00
Lot 15,	Block 18,	George Petros	100.00
Lot 16,	Block 18,	George Petros	125.00
Lot 9	Block 23,	M. K. Jones	600.00
Lot 5	Block 50	A. H. Burgess	35.00
Lot 8	Block 50	A. H. Burgess	35.00
Lot 10,	Block 50	A. H. Burgess	35.00
Lot 11,	Block 50	A. H. Burgess	35.00
Lot 12	Block 50	A. H. Burgess	35.00

And further moves the Court for an order directing the execution of proper and sufficient deeds to said purchasers and directing the disposition of funds resulting from such sale.

And the Court, having carefully examined the proceedings of said Special Master under said order of sale, is satisfied and that the same have been performed in all respects in conformity with the law; that due and legal notice of said sale was given by publication in "The Sand Springs Leader", a newspaper published and of general circulation in Tulsa County, Oklahoma, wherein said property is located, in the issues of said newspaper on the 3rd, 10th, 17th, and 24th days of February, 1944, and the 2nd day of March, 1944, as required by law and as shown by proof of publication on file herein, and that on the day filed therein, to-wit: the 7th day of March, 1944, said lots or tracts of land were sold separately to the above named purchasers, subject to existing ad valorem taxes and special assessments, if any not herein foreclosed, they being the highest and best bidders therefor; and the Clerk is accordingly directed to make an entry on the journal of said court that the Court is satisfied with the legality of said sale; and no objections being made or exceptions filed, it is

ORDERED, ADJUDGED AND DECREED that said sale and the proceedings thereof be, and the same are hereby approved and confirmed; and it is further ORDERED that the said Byron V. Boone, Special Master, make and execute to the said purchasers at said sale good and sufficient deeds for the respective parcels so sold.

It is further ORDERED that the purchasers of said premises, lands and tenements at said sale aforesaid be immediately let into possession of said premises and each and every part thereof; and the Clerk of this Court is ordered to issue a writ of assistance to the United States Marshal of the Northern District of Oklahoma, upon application therefor, directing him to place the said purchasers in full possession of said premises; and the defendants in this action, and each of them since the commencement of this action, shall, upon presentation of such writ of assistance, immediately deliver possession thereof to the said purchasers, and each of them, and the refusal of said defendants or any of them or of anyone in possession of said premises, to deliver immediate possession thereof to the said purchasers shall constitute contempt of this court.

It is further ORDERED, ADJUDGED AND DECREED that the liens heretofore found and decreed against the respective lots, tracts and parcels of real estate hereinabove described, by reason of benefit assessments levied in Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, together with all costs adjudged against said property in this action, are and have been fully satisfied by said sale; and the County Treasurer of Tulsa County, Oklahoma, is ordered and directed to show such full satisfaction upon the delinquent paying tax rolls and records of said County; and the City Clerk of the City of Sand Springs, Oklahoma, is ordered and directed to note the same upon the record of the assessment against said respective tracts of real estate in said street improvement district.

And it appearing to the Court that the following described tract or parcel of real estate included in and sold at said sale was bid in by the purchaser thereof and sold for an amount greater than the total of the judgment, interest and costs against the same, in the amount as follows:

DESCRIPTION	JUDGMENT LIEN	INTEREST	COSTS	TOTAL	AMOUNT SOLD FOR	SURPLUS
Lot 1, Block 18, Original Townsite of Sand Springs, Oklahoma,	\$467.55	\$107.98	\$11.50	\$577.03	\$1,000.00	\$42.97

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 7, 1944

It is ORDERED that the said Byron V. Boone, Special Master, pay to the this Court the amount above shown, representing the Surplus resulting from said sale in excess of judgment, interest and costs, and that all other proceeds of said sale, including the purchase price of property sold, judgments paid to the Special Master prior to sale and other funds coming into his hands from or on account of said street improvement district, shall by by him, after payment of the costs of sale in the amounts set out in his return of such sale, which statement of costs in hereby approved, paid over to the City Treasurer of the City of Sand Springs, Oklahoma, to by by said Treasurer deposited in and to become a part of the fund collected and held by him for the payment of bonds issued in Street Improvement District Number 7 of the City of Sand Springs, Oklahoma.

It is further ORDERED that the Clerk of this Court pay over and deliver the above mentioned surplus to ent owner or owners of said Lot 1, Block 18, original Townsite of Sand Springs, Oklahoma, as shown by the decree in this cause, or to such other person or persons as may make to the Clerk satisfactory proof of their right to receive the same.

And it appearing that the amounts of the respective judgments against Lot 8, Block 24, Original Townsite of Sand Springs, and Lot 3, Block 3, First Sunrise Addition to the City of Sand Springs, were paid to the Special Master prior to the date of sale, and that Lots 5 and 6, Block 2, First Sunrise Addition, were legally sold by the County Treasurer of Tulsa County before the date of the Special Master's sale, and the paving district credited with its proportionate share of the proceeds of such county sale.

It is further ORDERED that satisfaction of the liens there against be also noted on the records of the County Treasurer of Tulsa County and of the City Clerk of the City of Sand Springs, Oklahoma.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 7 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

Creek Nation of Indians, by Alex Noon,
Principal Chief,)
Plaintiff,)
vs)
Nancy Barnett, nee Grayson, Sinclair)
Prairie Oil Company, a corporation, et al.,)
Defendants.)
No. 367 Civil

JOURNAL ENTRY

On this 7th day of April, 1944, there comes on for hearing the motion of Sinclair Prairie Oil Company, The Atlantic Refining Company, Walter E. Templeman, N. B. Feagin, James Isaiah Wallace, Executor of the estate of Lete Kolvin Stevens, deceased, H. G. Barnard and V. V. Harris, defendants herein, for summary judgment, upon the cross-claim of Jim Payne Woods; said cross-claimant appearing by his attorney, Hugh Webster, and said defendant, Sinclair Prairie Oil Company, appearing by its attorneys, Edward H. Chandler, John H. Miley, Summers Hardy, Ralph W. Garrett and Robert L. Imler; the defendant The Atlantic Refining Company appearing by its attorney, C. B. Cochran; the defendant Walter E. Templeman appearing by his attorney, C. H. Rosenstein; defendant N. B. Feagin appearing by his attorney, Carter Smith; defendant James Isaiah Wallace, Executor of the Estate of Lete Kolvin, Stevens, deceased,

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

REGULAR JANUARY 1944 TERM

FRIDAY, APRIL 7, 1944

exceptions are allowed.

Done in open court this 7th day of April, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 7 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,

Plaintiff,)

vs)

FRANCIS C. CONKWRIGHT, also
known as Frank Conwright and
as Frank Cartwright; GRACE E.
CONKWRIGHT and BANKERS LIFE
COMPANY, a corporation, &

Defendants.)

NO. 1080 - CIVIL

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 29th day of March, 1944, and the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant, Francis C. Conkwright and Grace E. Conkwright, appearing by their attorney W. B. Blair, and the defendant, Bankers Life Company, a corporation, appearing by Frank Settle, of the firm of Settle, Monnet and Clammer, and after the introduction of evidence and argument of counsel and being fully advised in the premises, the court has made its findings of fact and conclusions of law and finds that judgment should be entered for the United States of America.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, have and recover judgment from the defendant, Francis C. Conkwright, in the sum of \$377.38, plus interest and penalty, and for the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, Francis C. Conkwright, within ten (10) days from this date, execute and deliver to the Bankers Life Company properly executed instruments to obtain either a loan or the cash surrender value on said insurance policy to pay the amount of the claim of the United States of America and the Bankers Life Company is ordered, upon the execution and delivery of said instruments and the insurance policy to pay to the United States of America the amount of its claim and to pay to the defendant, Francis C. Conkwright, any balance that may be due and owing to him.

The defendant, Francis C. Conkwright, is further ordered to deliver to the Bankers Life Company, with the properly executed instruments, said life insurance policy No. 5679569A 188 for endorsement, in case a loan is made, or for cancellation in the event the cash surrender value is obtained.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the court reserve this action for further order in the event the defendant fails to execute the aforementioned instruments within ten (10) days hereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a supersedeas bond in the sum of \$750.00 as set and the defendants are allowed twenty (20) days from this date in which to prepare, make

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SAURDAY, APRIL 8, 1944

On this 8th day of April, 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

LEONA STOKES,	PLAINTIFF,)
)
VS		) No. 980 Civil
)
SKELLY OIL COMPANY,)
a corporation,	DEFENDANT.)

JOURNAL ENTRY OF JUDGMENT

This cause came on regularly for trial at Tulsa, Oklahoma, on October 6, 1943. The plaintiff appeared in person and by her attorneys B. A. Hamilton and Fred Tillman. The defendant appeared by its attorneys James W. Cosgrove and Alvin F. Molony. The parties thereupon announced ready for trial and a jury was duly empaneled and sworn. The parties proceeded with the trial of said cause on said date to the Court and the jury, and the trial continued during and through said date and during and through October 7th and 8th, 1943. On said last mentioned date, at the close of all the evidence in the case, the defendant filed its motion for a directed verdict under and pursuant to Rule 50 of the Federal Rules of Civil Procedure. The Court thereupon reserved ruling on said motion for a directed verdict, and after instructing the jury as to the law, submitted the case to the jury with a form of general verdict accompanied by certain written interrogatories, numbered 1 to 7, both inclusive. Thereafter, on October 9, 1943, the jury answered interrogatories 1, 2, 5, 6 and 7 in the negative, and interrogatories 3 and 4 in the affirmative, and rendered and returned a verdict for the said plaintiff in the sum of \$9,000.00.

With ten days after the reception of said verdict and answers to interrogatories, to-wit, on October 16, 1943, the defendant filed in said cause its motion to set aside said verdict and to have judgment in its favor entered in said cause in accordance with its said motion for a directed verdict on the grounds set forth therein and on certain additional grounds.

And thereupon the Court took the cause under advisement and reviewed and considered the evidence given at the trial and heard and considered the oral and written arguments of counsel and against said motions. And thereafter, on April 7, 1944, the Court filed a memorandum in said cause setting forth its views as to the law on the questions raised by said motions, and finding and concluding that the said motion should be sustained, and that judgment for the defendant should be entered in said cause. The plaintiff excepted to the action of the Court in sustaining said motions, and her exception was allowed.

Now, therefore, on this April 7, 1944, IT IS ORDERED, AND ADJUDGED BY THE COURT that the said verdict be and the same is hereby set aside, and that judgment be and same hereby is entered herein for the defendant, and that the plaintiff's petition herein and this action be dismissed with prejudice on the ground and for the reason that under the facts and the law and the said plaintiff has failed to prove a claim against the said defendant upon which relief can be granted; and it is further ordered and adjudged by the Court that said defendant have and recover judgment herein against the said plaintiff for the costs of this action. To all of which the said plaintiff excepts and her exception is allowed.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA SATURDAY, APRIL 8, 1944

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,) CIVIL NO. 1056
OKLAHOMA, containing approximately 89.5 acres,)
more or less; and J. F. Seabolt, et al.,)
Defendants.)

ORDER GRANTING PETITIONER LEAVE TO FURTHER AMEND PETITION
FOR CONDEMNATION

NOW, on this 8th day of April, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to make additional parties defendant as to Tract No. 3 (17 FW 342) in the above proceeding; and the Court being fully advised in the matter finds that said application should be granted and the petitioner granted leave to further amend its petition herein, naming Jackson Buzzard, full-blood Cherokee Indian, Roll No. 18646, as a party defendant as to said Tract No. 3 (17 FW 342).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, be, and it is hereby granted leave and permission of the Court to further amend its petition in condemnation filed herein by making Jackson Buzzard, full-blood Cherokee Citizen, Roll No. 18646, as a party defendant, as to Tract No. 3 (17 FW 342).

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 8 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

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

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION FOR
CONDEMNATION

NOW, on this 8th day of April, 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 granted leave to file an amendment to the petition herein, making additional parties defendant.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, APRIL 8, 1944

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition, 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 Apr 8 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to April 10, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 10, 1944

On this 10th day of April, 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, Hon. Eugene Rice and Hon. Royce H. Savage, Judges, present and presiding.

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

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

IN THE 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.)	

J U D G M E N T

Now on this 10th day of April, 1944, the parties appearing by their respective counsel, all requests for Findings of Fact and Conclusions of Law made by the respective parties are refused except as the same may have been included in the Findings of Fact and Conclusions of Law heretofore entered by the Court. Upon the Court's Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That plaintiff have, and is hereby given judgment against defendant Massman Construction Company and Fidelity and Deposit Company of Maryland, United States Fidelity and Guaranty Company, Maryland Casualty Company, Standard Accident Insurance Company, New Amsterdam Casualty Company, National Surety Corporation, The Fidelity and Casualty Company, The American Surety Company of New York, Hartford Accident and Indemnity Company, The Aetna Casualty and Surety Company, Firemans Fund Indemnity Company, Standard Surety & Casualty Company of New York, Massachusetts Bonding and Insurance Company, Great American Indemnity Company, The Century Indemnity Company.

Columbia Casualty Company, Continental Casualty Company, and Central Surety and Insurance Corporation, jointly and severally, for the sum of \$27,991.85, distributed, as follows:

Count Eight	\$ 2,043.77
Count Nine	992.01
Count Ten	1,108.80
Count Eleven	1,746.52
Count Twelve	22,100.75

2. Defendant Massman Construction Company is given judgment against plaintiff as follows:

Count Four	\$ 5,921.00
Counterclaim One of Cross-Petition	1,024.21

3. The judgment in favor of the Massman Construction Company against the plaintiff shall be off-set and credited against the judgment in favor of the plaintiff against Massman Construction Company and the aforesaid surety companies.

4. Defendant Massman Construction Company is hereby given judgment against Grand River Dam Authority for the sum of \$6,136.37, distributed, as follows:

Count Eight	\$ 4,657.97
Count Ten	1,478.40

5. That except as judgment is given hereby upon the petition of plaintiff and the counterclaim of Massman Construction Company, the prayer of plaintiff's complaint and the prayer of defendant Massman Construction Company's cross-complaint be, and the same are in all things denied and said complaint and cross-complaint, except as judgment is hereby given thereon, respectively, are hereby dismissed upon the merits.

6. That the costs of this action are awarded against defendants Massman Construction Company and Grand River Dam Authority, respectively, in the proportions which the judgment recovered and awarded herein in favor of plaintiff against Massman Construction Company and in favor of Massman Construction Company against Grand River Dam Authority bear to the whole sum of the judgments herein rendered against said defendants.

EUGENE RICE
 District Judge

ENDORSED: Filed Apr 10 1944
 H. P. Warfield, Clerk
 U. S. District Court H

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

United States of America,	Plaintiff,)
)
vs)
)
Certain parcels of land in Delaware County,)
Oklahoma, Cora Hutchins, J. M. Hutchins, et al.,)
	Defendants.)

No. 1056 - Civil
 Tract No. 53 (17 FW-748)

ORDER OF DISBURSEMENT

Now this 10th day of April, 1944, same being a judicial day of said court,

That pursuant to and by virtue of said authority, the Administrator of The Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal thereof 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 describe by courses and distances as follows, to-wit:

(For description of Tracts See Journal 6 - Page 557)

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 commissioner are true and correct and service was had as stated in said returns.

The Court 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 C.V. Hamilton of Ottawa County, Oklahoma; W. L. Mayes of Mayes County, Oklahoma; and T. G. Grant of Tulsa 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 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, in the City of Vinita, Oklahoma, on the 11th day of April, 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 Apr 10 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-)
) 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 APPOINTING COMMISSIONERS AS TO TRACT NO. 4
(5 FW 189-Rev.)

NOW, on this 10th day of April, 1944, there coming on for hearing the application of the defendants, Van S. Chandler and Maude A. Chandler, for an order appointing commissioners as to Tract No. 4 (5 FW 189 - Rev.), 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 the land described in and designated as Tract No. 4 (5 FW 189-Rev.)

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

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

(FOR DESCRIPTION OF TRACT SEE Journal 6, Page 623)

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 of the appointment of commissioners by this Court, according to law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that C. V. HAMILTON of Ottawa County, Oklahoma; W. L. MAYES, of Mayes County, Oklahoma and T. G. GRANT of Tulsa 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 tract 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 land 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.

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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commissioners report at the United States Post Office, in the City of Vinita, Oklahoma, on the 12th day of April, 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 Apr 12 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,		)	CIVIL NO. 1112
OKLAHOMA, containing approximately 349.5)	
acres, more or less; and CERTAIN PERSONAL)	
PROPERTY LOCATED THEREON AND USED IN)	
CONNECTION THEREWITH, and Bertha P. Weyl,)	
et al.,	Defendants.)	

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING
JUDGMENT AS TO PERSONAL PROPERTY
Tract No. 26 (20 FW 863)

NOW, on this the 10th day of April, 1944, it appearing to the Court, that:

A judgment was entered this cause on the 29th day of March, 1944, against the petitioner, United States of America, for the sum of \$45.00 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 26 (20 FW 863), due to the flooding of said property during the May, 1943, flood, by the United States in connection with the operation of the Grand River Dam (Pensacola) Project.

The United States has caused to be deposited in the registry of this court the sum of \$45.00 in full satisfaction of said judgment.

The title to said personal property was vested in Clarence Haywood and Mrs. Dorea Haywood, at the time the same was injured and damages, and they are the only persons having any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 29th day of March, 1944, for the sum of \$45.00 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 26 (20 FW 863), be and the same is hereby fully satisfied.

IT IS FURTHER ORDERED, that Clarence Haywood and Mrs. Dorean Haywood were the owners of said property at the time the injury occurred and the damages were sustained, and they are the only persons having any right, title or interest in and to said just compensation.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
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IT IS FURTHER ORDERED that the Clerk of this Court make distribution of said judgment now on deposit in his office, to Clarence Haywood and Mrs. Dorean Haywood, for and in the sum of \$45.00, and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 10 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. 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 APPOINTING COMMISSIONERS AS TO TRACT NO. 1 (6 FW 189-A)

NOW, on this 10th day of April, 1944, there coming on for hearing the application of the defendants, Van S. Chandler and Maude A. Chandler, for an order appointing commissioners as to Tract No. 1 (6 FW 189-A), 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 the entire fee simple title to the land described in and designated as Tract No. 1 (6 FW 189-A)

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; Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U.S.C. Sec. 171); Executive Order No. 9366, dated July 30, 1943; and Executive Order No. 9373, dated August 30, 1943, the Secretary of the Interior 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 Secretary of the Interior has duly selected for acquisition by the United States for said public purposes, the entire fee simple title, subject only to the rights, if any, of the Grand River Dam Authority, in and to certain land, situate, lying and being in the County of Delaware, in the Northern District of the State of Oklahoma, within the jurisdiction of this Court, and more particularly described by courses and distances as follows, to-wit:

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

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.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that C. V. HAMILTON of Ottawa County, Oklahoma; W. L. MAYES of Mayes County, Oklahoma; and T. G. GRANT of Tulsa 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 tract 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 the entire fee simple title in and to the land hereinabove described, subject only to the rights, if any, of the Grand River Dam Authority in and to 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, in the City of Vinita, Oklahoma, on the 12th day of April, 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 Apr 12 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 240.20 acres, more or less; and CERTAIN PERSONAL PROPERTY LOCATED THEREON AND USED IN CONNECTION THEREWITH, and Lula B. Huggins, et al.,	Defendants.	)	CIVIL NO. 1126

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING
 JUDGMENT, AS TO PERSONAL PROPERTY TRACT NO. 26
 (25 FW 905)

NOW, on this the 10th day of April, 1944, it appearing to the Court, that:

A judgment was entered in this cause on the 27th day of March, 1944, against the petitioner, United States of America, for the sum of \$50.00 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 26 (25 FW 905), due to the flooding of said property during the May, 1943, flood, by the United States in connection with the operation of the Grand River Dam (Pensacola) Project.

The United States has caused to be deposited in the registry of this Court the sum of \$50.00 in full satisfaction of said judgment.

The title to said personal property was vested in Rex R. Runyan and Berneice Runyan, at the time the same was injured and damaged, and they are the only persons having any right, title or interest in and to said just compensation.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 27th day of March, 1944, for the sum of \$50.00 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 26 (25 FW 905), be and the same is hereby fully satisfied.

IT IS FURTHER ORDERED that Rex R. Runyan and Berneice Runyan were the owners of said property at the time the injury occurred and the damages were sustained, and they are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED, that the Clerk of this Court make distribution of said just compensation now on deposit in his office, to Rex R. Runyan and Berneice Runyan, for and in the sum of \$50.00, and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J u d g e

ENDORSED: Filed Apr 10 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-)	
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 100.20 acres, more or less; and CERTAIN PERSONAL PROPERTY LOCATED THEREON AND USED IN CONNECTION THEREWITH, and A. G. Hicks, et al.,	Defendants..	)	CIVIL NO. 1129

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING JUDGMENT
AS TO PERSONAL PROPERTY
TRACT NO. 43 (31 FW 1155)

NOW, on this the 10th day of April, 1944, it appearing to the Court, that:

A Judgment was entered in this cause on the 29th day of March, 1944, against the petitioner, United States of America, for the sum of \$112.00 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 43 (31 FW 1155), due to the flooding of said property during the May, 1943 flood, by the United States in connection with the operation of the Grand River Dam (Pensacola) Project.

The United States has caused to be deposited in the registry of this court the sum of \$112.00 in full satisfaction of said judgment.

The title to said personal property was vested in J. H. Deaver and Mrs. J. H. Deaver, at the time the same was injured and damages, and they are the only persons having any right, title or interest in and to said just compensation.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 10, 1944

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

D. D. MUNGEN,	Plaintiff,)	
)	
vs		)	No. 997 Equity
Hester Martin, Administratrix of the Estate of Otto V. Martin, Deceased, and the Texaco Salt Products Company, a Corporation,	Defendants..)	

ORDER OF DISMISSAL

This cause came on for hearing on this the 10 day of April, 1944, on the Motion of the Plaintiff to Dismiss said cause insofar as relates to the defendant Texaco Salt Products Company and the Court having heard and considered said Motion finds that the same should be and it is hereby sustained.

It is, therefore, by the Court ordered that the above entitled cause be dismissed insofar as relates to the defendant Texaco Salt Products Company, without prejudice to the institution of a new suit.

ROYCE H. SAVAGE
Judge of U. S. District Court

ENDORSED: Filed Apr 10 1944
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to March 11, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 11, 1944

On this 11th day of April, 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

Calvin C. West,	Plaintiff,)	
vs.)	
Joseph A. West, et al.,	Defendants.	)	No. 1081 Civil
)	
United States of America,	Intervener.)	

ORDER APPOINTING NEW COMMISSIONER.

In the above case, it being shown to the Court that one of the Commissioners,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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sum of \$213.64, with interest at the rate of 3% per annum from April 3, 1942, until paid, together with the costs of this action accrued and accruing.

And it further appearing to the court that the promise of said mortgage provided that said real estate may be sold with or without appraisalment.

IT IS FURTHER ORDERED that upon failure of said defendants to satisfy said judgment, interest and costs, the United States Marshal for the United States District Court for the Northern District of Oklahoma shall levy upon the above-described real estate and after having same appraised as provided, shall advertise and proceed to sell the same according to law, and apply the proceeds derived from said sale.

1. Payment of costs of this action.
2. In payment to the plaintiff, the said sum of \$213.64 together with interest thereon at 3% per annum from April 3, 1942 until paid, and
3. That the residue, if any there be, be paid to the said defendants, Mamie Y. Long and Cecil L. Long.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the amount derived from said sale is insufficient to satisfy said judgment and costs, that execution issue against the defendants for the remainder unpaid. And

IT IS FURTHER ORDERED, AND ADJUDGED BY THIS COURT from and after the sale of said lands and tenements under and by virtue of this judgment and decree, that the said defendants Mamie Y. Long and Cecil L. Long, and all persons claiming under them since the commencement of this action, be and are forever barred and foreclosed of and from all lien upon right, title, interest, estate or equity in or to said lands and tenements, or any part thereof.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Apr 11 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

Josephine Tulsa, nee Spybuck,	Plaintiff,)
)
vs)
)
Charley Spybuck, Woodrow Spybuck, James Spybuck,)
Juanita Charley, nee Spybuck, Calvin C. Perry,)
A. H. Thomas, and the Unknown Heirs, Administrators,)
Claimants, Devisees, Trustees and Assigns, both)
immediate and remote, of Rosa Perry, formerly)
Spybuck, nee Chisholm, deceased,)
Cherokee Indian, Roll No. 30879,	Defendants.)
United States of America,	Intervener.)

No. 1170 Civil

DECREE DETERMINING HEIRSHIP, QUIETING TITLE AND AWARING
PARTITION

The above case coming on for hearing in its regular order, on the 11th day of

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

64.

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 11, 1944

April, 1944, the plaintiff, Josephine Tulsa, nee Spybuck, appearing personally and by her attorney, John S. Severson, the defendants Charley Spybuck, Woodrow Spybuck, James Spybuck, Juanita Charley, nee Spybuck, appearing by their attorney, Harry E. Price; the defendant Calvin C. Perry appearing not, having filed herein his disclaimer, disclaiming all interest in and to the subject matter of this action; the defendant A. H. Thomas appearing personally and by his attorney, Harry Seaton; the defendants the Unknown Heirs, Administrators, Claimants, Devisees, Trustees and Assigns, both immediate and remote of Rosa Perry formerly Spybuck, nee Chisholm, deceased Cherokee Indian, Roll No. 30879, appearing not and no one appearing for them, or either of them, they and each of them are adjudged in default, and the allegations in said petition are taken as true as to them;

The intervener, the United States of America, appearing by the Honorable Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, who likewise appears for the restricted Indians, parties to this action.

And it being further shown to the Court that all of the known defendants, parties to this action, are properly before the Court, they and each of them having filed herein a waiver, waiving the issuance and service of summons and having entered their appearance herein; that the defendants, the Unknown heirs, administrators, claimants, devisees, trustees and assigns, both immediate and remote, of Rosa Perry, formerly Spybuck, nee Chisholm, deceased, Cherokee Indian, Roll No. 30879, were properly served with service by publication, said publication being made in the West Tulsa News, a newspaper of general circulation, published in Tulsa County, Oklahoma, which said notice was duly published in the issues of December 30, 1943, January 6, 13, and 20, 1944, and that the answer date fixed therein, to-wit: February 12, 1944, was more than 41 days from the date of the first publication thereof, is submitted to the Court and by the Court examined and approved, proper affidavit in order to secure such publication having been filed as part of the petition in this case; and it being further shown that proper notice of the pendency of this suit was served on A. M. Landman, Superintendent of the Five Civilized Tribes, personally, by the United States Marshal for the Eastern District of Oklahoma, as contemplated by the Act of Congress of April 12, 1926; proof of said service being examined by the Court, is by the Court approved; and the Court having heard the evidence introduced and having examined the pleadings and having heard argument of counsellors, and being fully advised in the premises finds:

That this action was properly filed in the District Court of Tulsa County, Oklahoma, on the 29th day of December, 1943, under Case No. 72315, and that said Court had jurisdiction of the same; that upon petition of the United States of America, under the pertinent acts of Congress in like cases made and provided, said action was by said district court of Tulsa County, Oklahoma, under proper order removed to this Court, and said action was thereupon properly filed herein, under case No. 1170, and by virtue thereof this Court has jurisdiction of said case, as well as the persons and the subject matter thereof.

The Court further finds that the allegations in said petition, as to the material averments thereof, are true, and that the land described herein, to-wit:

The South Half of the Northwest Quarter of Section 13,
Township 21 North, Range 12 East, Tulsa County, Oklahoma,

was duly allotted to Rosa Perry, formerly Spybuck, nee Chisholm, deceased, Cherokee Indian Roll No. 30879 and that she was seized and possessed of the same at the time of her death; that she died intestate, on or about the 28th day of January, 1928; that she left surviving her as her sole and only heirs the following named persons, plaintiff and defendants in this action, to-wit:

Calvin C. Perry, husband,
Josephine Tulsa, nee Spybuck, daughter,
Charley Spybuck, son,
Woodrow Spybuck, son,
James Spybuck, son,
Juanita Charley, nee Spybuck, daughter,

to whom said land descended in the following proportionate parts, to-wit: an undivided one-sixth interest each, the defendant Calvin C. Perry, being her second husband, inherited a child's part only; it being shown that George Spybuck, the first husband of said deceased Rosa Perry, and the father of her said children, parties to this action, departed this life during the year 1935.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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The Court further finds that Calvin C. Perry, the widower of said deceased, to whom a one-sixth interest passed upon her death, prior to the filing of this action, for a good and valuable consideration, sold all his undivided one-sixth right, title and interest to the defendant, A. H. Thomas, who, by virtue thereof became vested with an undivided one-sixth interest in and to the lands involved herein, and is now the owner of said interest and is entitled to have the title to his said one-sixth interest quieted against the adverse claims of the unknown defendants to this action.

The Court further finds that the plaintiff, after diligent inquiry, has been unable to ascertain the names of post office address of any of the unknown defendants in this action since the filing of the petition herein, or within six days after publication of notice, or upto this date, and she is, therefore, excused from attempting to mail copies of said publication, together with copy of the petition filed herein, to them or either of them.

The Court further finds that the plaintiff, Josephine Tulsa, nee Spybuck, and the defendants, Charley Spybuck, Woodrow Spybuck, James Spybuck, Juanita Charley, nee Spybuck, and A. H. Thomas, as successor or Calvin C. Perry, are entitled to partition of the lands involved herein, so that they may each have and own their several one-sixth portion thereof in severalty, if the same can be done without manifest injury to said estate; otherwise said land should be appraised in its entirety and sold, under proper orders of this Court, and commissioners should be appointed to make said partition or appraisal, and that the title to the land involved herein should be quieted in the plaintiff and the defendants herein named against the adverse claims of the unknown defendants herein, and that said unknown defendants and each of them should be forever barred and enjoined from asserting any adverse claim, right or title to said land against said plaintiff and said defendants.

IT IS THEREFORE ordered, adjudged and decreed by the Court that the findings heretofore made be, and the same are hereby made the judgment of this Court, and that the title of the plaintiff, Josephine Tulsa, nee Spybuck, and the defendants, Charley Spybuck, Woodrow Spybuck, James Spybuck, Juanita Charley, nee Spybuck and A. H. Thomas, as successor in interest to the defendant Calvin C. Perry, be declared valid and perfect and quieted against the adverse claims of the defendants the Unknown Heirs, Administrators, Claimants, Devisees, Trustees and Assigns, both immediate and remote, of Rosa Perry, formerly Spybuck, nee Chisholm, deceased Cherokee Indian, Roll No. 30879, and that said unknown defendants, and each of them, are forever barred and enjoined from claiming or asserting any adverse right, title or interest to the land herein involved.

IT IS FURTHER ORDERED that the plaintiff is excused from filing an affidavit showing the mailing of publication notices and petitions to the unknown defendants named herein, it having been shown she has been unable to ascertain the names or addresses of said unknown defendants since the filing of this action.

IT IS FURTHER Ordered, adjudged and decreed by the Court that the plaintiff and the defendants Charley Spybuck, Woodrow Spybuck, James Spybuck, Juanita Charley, nee Spybuck and Calvin C. Perry are and were the sole and only heirs of said deceased Rosa Perry, and that she left no issue of deceased child, or any other person who could in any manner succeed to any interest in said estate, and that the title of A. H. Thomas, as successor to Calvin C. Perry, the decedent's husband, be quieted in him against the adverse claims of said unknown defendants.

IT IS FURTHER ordered, adjudged and decreed by the Court that C. C. Weber, Elmer Vick and Emmett Brown are hereby appointed commissioners to partition the land involved herein in kind among the true owners thereof, as follows:

Josephine Tulsa, nee Spybuck,
Charley Spybuck,
Woodrow Spybuck,
James Spybuck,
Juanita Charley, nee Spybuck,
A. H. Thomas,

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 12, 1944

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 (2 FW 43 (Rev.)
Fee Title

J. F. HARRIS	FEE OWNER	\$134.33
COUNTY TREASURER OF MAYES COUNTY, OKLAHOMA.....	taxes due	\$ 0.67

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

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 12 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 124.0 acres, more or less; and Alta Foust, et al.,	Defendants.)

CIVIL NO. 1076

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 16 (12 FW 824)

NOW on this 12th day of April, 1944 there coming on for hearing the application of the defendants, W. E. Bowman and Loyce Bowman, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 16 (12 FW 824) and the Court being fully advised in the premises, finds:

That the defendants, W.E. Bowman and Loyce Bowman, were the owners of the land designated as Tract No. 16 (12 FW 824) 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 \$110.50 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 easement.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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The Court further finds that the defendant, W. E. Bowman and Loyce Bowman, 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 \$110.50, which was accepted by the petitioner.

The Court further finds that the sum of \$110.50 is just compensation for the injuries and damages sustained by said defendants, W. E. Bowman and Loyce Bowman.

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 W. E. Bowman and Loyce Bowman, were the owners of the land designated as Tract No. 16 (12 FW 824), when this proceeding was commenced, and that the sum of \$110.50 is just compensation for the damages sustained by the defendants, W. E. Bowman and Loyce Bowman, 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. E. Bowman and Loyce Bowman	Owners	
TRACT NO. 16 (12 FW 824)		\$110.50
		ROYCE H. SAVAGE
		J U D G E

ENDORSED: Filed April 2 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 192.43 acres, more or less; and CERTAIN PERSONAL PROPERTY LOCATED THEREON AND USED IN CONNECTION THEREWITH, and Vann S. Chandler, et al.,	Defendants.	)	CIVIL NO. 1115

ORDER FIXING TITLE, MAKING DISTRIBUTION AND
SATISFYING JUDGMENT AS TO PERSONAL PROPERTY
TRACT NO. 26 (24 FW 571)

NOW, on this the 12 day of Apr., 1944, it appearing to the Court, that:

A judgment was entered in this cause on the 27th day of March, 1944, against the petitioner, United States of America, for the sum of \$20.00 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 26 (24 FW 571), due to the flooding of said property during the May, 1942, flood, by the United States in connection with the operation of the Grand River Dam (Pensacola)

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
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Project.

The United States has caused to be deposited in the registry of this Court the sum of \$20.00 in full satisfaction of said judgment.

The title to said personal property was vested in W. E. Perry and Goldie Perry at the time the same was injured and damaged, and they are the only persons having any right, title or interest in and to said just compensation.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that the judgment entered in this cause on the 27th day of March, 1944, for the sum of \$20.00 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 26 (24 FW 571), be, and the same is hereby fully satisfied.

IT IS FURTHER DECREED, That W. E. Perry and Goldie Perry were the owners of said personal property at the time the injury occurred and the damages were sustained, and they are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED, that the Clerk of this Court make distribution of said just compensation now on deposit in his office, to W. E. Perry and Goldie Perry, for and in the sum of \$20.00, and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 12 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 DELAWARE COUNTY, OKLAHOMA, containing approximately 55.89 acres, more or less; and CERTAIN PERSONAL PROPERTY LOCATED THEREON AND USED IN CONNECTION THEREWITH, and Zelda Gray, et al.,		) No. 1124
	Defendants.)

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING
JUDGMENT AS TO PERSONAL PROPERTY
(Tract No. 5 (28 FW 569))

NOW, on this the 12 day of Apr., 1944, it appearing to the Court, that:

A judgment was entered in this cause on the 27th day of March, 1944, against the petitioner, United States of America, for the sum of \$16.60 and \$60.60 as full and just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land described and designated as Tract No. 5, (28 FW 569), due to the flooding of said property during the May, 1943 flood, by the United States in connection with the operation of the Grand River Dam (Pensacola) Project.

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The United States has caused to be deposited in the registry of this Court the sums of \$16.60 and \$60.60 in full satisfaction of said judgment.

The title to said personal property was vested in J. R. Underwood, Sr., J. R. Underwood, Jr., and Grace Underwood, at the time the same was injured and damaged, and they are the only persons having any right, title or interest in and to said just compensation.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 27th day of March, 1944, for the sum of \$16.60 and \$60.60 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 5 (28 FW 569), be and the same is hereby fully satisfied.

IT IS FURTHER DECREED, that J. R. Underwood, Sr., J. R. Underwood, Jr., and Grace Underwood were the owners of said personal property at the time the injury occurred and the damages were sustained, and they are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED, that the Clerk of this Court make distribution of said just compensation now on deposit in his office, to J. R. Underwood, Sr., for the sum of \$16.60 and to J. R. Underwood, Jr., and Grace Underwood, for the sum of \$60.60 and show said judgment fully satisfied upon the records of this Court.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 12 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

CHESTER BOWLES, Administrator,
OFFICE OF PRICE ADMINISTRATION,

Plaintiff,)

vs.)

Civil No. 1180 Civil)

O. L. BRANT, an individual,
c/b/a the EAST SIDE POULTRY

Defendant.)

J U D G M E N T

Now, on this 10th day of April, 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 by his counsel of record, Samuel A. Boorstin, and a formal stipulation signed by O. L. Brant, individually, and by his attorney of record was presented herein, 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.

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.

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)
)
vs)
)
One 1942 Oldsmobile Sedan Automobile,)
Motor No. LA-451,636; One 1931 Ford)
Coupe Automobile, Motor No. A-4,246,)
826, and approximately 21 gallons of	No. 1139 CIVIL)
taxpaid whiskey seized therein;)
Samuel W. McReynolds, James J. Marshall,)
and the Central National Bank of Carthage,)
Missouri,	Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of April, 1944, this cause coming on before the Court, libelant appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and the claimants, Samuel W. McReynolds and James J. Marshall having made their general appearance herein, waived the issuance and service of monition and disclaiming any interest in and to the aforesaid described automobiles and intoxicating liquors, and the claimant, the Central National Bank of Carthage, Missouri, having made its general appearance herein, waived the issuance and service of monition and having consented that this case may be heard and disposed of at any time without further notice unless it pleads or answers herein on or before March 26, 1944, and it further appearing that said claimant, the Central National Bank of Carthage, Missouri, has not filed a pleadings controverting the issues herein and making any claim to the said described property and is now in default, and the Court being fully advised in the premises, finds that a forfeiture should enter as to said automobiles and intoxicating liquors.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be, and the same is hereby allowed as to the approximately twenty-one (21) gallons of taxpaid intoxicating liquors described in this action, which intoxicating liquors are ordered delivered over to the Secretary of the Treasury of the United States for proper and lawful disposition.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture here be, and the same is hereby allowed as to the said 1942 Oldsmobile sedan automobile, motor No. LA-451,636 and one 1941 Ford coupe automobile, motor No. A-4,246,826, and that said automobiles be delivered to the Treasury Department for the use of the Bureau of Internal Revenue in the enforcement of the Internal Revenue Laws, pursuant to Section 304 of the Liquor Law Repeal and Enforcement Act, together with all of their equipment and accessories.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all storage charges incident to the seizures herein be, and the same are hereby ordered paid by the Treasury Department.

ROYCE H. SAVAGE
JUDGE

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

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 13, 1944

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

United States of America,	Plaintiff,)
)
vs		) Civil No. 1140
		) Tract No. 78
Owens, et als,	Defendants.)

ORDER OF COURT

Now on this 13th day of April, 1944, it appearing to the Court from the application of the Miami Packing Company and the First National Bank of Miami, Oklahoma, and from the written waiver of all parties interested in said matter, that the prayer of all application of the Miami Packing Company and the First National Bank of Miami, Oklahoma should be granted;

It is, therefore, ordered that the Clerk of this Court be and he is hereby authorized and empowered to issue a check payable to the Miami Packing Company and the First National Bank of Miami, Oklahoma for the sum of Eighty-seven and 60/100 Dollars, being the amount paid into the office of said clerk for damages in the matter of the condemnation of Tract 78 for a perpetual easement for the erection, maintenance and operation of an electric transmission line over and across a tract of land owned by Miami Packing Company.

Done in open court at Tulsa, Oklahoma the day and year above written.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 11 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

CLARENCE M. STEPHENS,	Plaintiff,)
)
vs		) No. 1155 - C
)
OKLAHOMA NATURAL GAS CORPORATION, and OKLAHOMA NATURAL GAS COMPANY,	Defendants.)

JOURNAL ENTRY

This matter coming on to be heard this 7th day of April, 1944 upon motion of the plaintiff to remand, and the plaintiff being represented by his counsel, G. C. Spillers, and the defendants being represented by their attorneys, Paul Pinson and M. C. Rodolf, and the court having heard the argument of counsel and being fully advised finds that said motion to remand should be denied.

It is therefore by the court ordered, adjudged and decreed that the motion to remand heretofore filed by the plaintiff be and the same is hereby overruled and denied.

Upon oral application of the plaintiff for additional time within which to file an amended complaint, it is ordered that the plaintiff be given 15 days from the date hereof within which to file an amended complaint and that the defendants are given 10 days thereafter to plead or 20 days to answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 13 1944 H. P. Warfield, Clerk

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 13, 1944

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

Clarence M. Stephens,

Plaintiff,)

vs

Oklahoma Natural Gas Corporation,
and Oklahoma Natural Gas Company,

Defendants.)

No. 1155 - C

O R D E R

This cause coming on for hearing before me, Royce H. Savage, Judge of said Court on motion of the plaintiff to remand this cause to the District Court of Tulsa County, Oklahoma, for further proceedings; and the plaintiff appearing by his attorneys, Spillers & Spillers, by G. C. Spillers, and the defendants appearing by their attorneys, I. J. Underwood, Paul Pinson, and M. C. Rodolf; and the Court having heard the argument of counsel, and being fully advised in the premises finds that said motion should be overruled.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the motion to remand be and the same is hereby denied and overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff be and he is hereby given fifteen days within which to file an amended petition herein, to which the defendants except.

Done in open court this 7th day of April, 1944.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to April 14, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 14, 1944

On this 14th day of April, 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 entered, to-wit:

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 14, 1944

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

THE CITY OF SAND SPRINGS, A MUNICIPAL CORPORATION, EX REL, LEONARD VERSLUIS, COMPLAINANT AND RELATOR,)

VS.)

SAND SPRINGS TOWNSITE COMPANY ET AL, DEFENDANTS.)

NO. 355 CIVIL

O R D E R

NOW on this 14 day of April, 1944, there came on for hearing the application of Charles J. Halm of Sand Springs, Oklahoma, for payment to him of the excess of the sale price of Lot One (1) in Block Eighteen (18), Original Towns of Sand Springs, Tulsa County, State of Oklahoma, of the sale price over the judgment lien for foreclosure of the paving assessments.

The applicant appeared by his Attorney, Paul P. Pinkerton, of Sand Springs, Oklahoma, and the Court having examined said application and being fully advised in the premises, finds:

That on the approval of the sale made by Byron V. Boone, Special Master, in the above entitled cause of Lot One (1), Block Eighteen (18) Original Towns of Sand Springs, Tulsa County, Oklahoma, which sale was approved on the 7th day of April, 1944, there was found to exist the sum of \$422.97 in excess of the sale price of said real estate, which was \$1,000.00 over and above the Judgment with interest and cost for paving assessments adjudged as a lien on said real estate in the amount of \$577.03, which has been deposited with the Clerk of this Court.

The Court further finds, that Charles J. Halm, of Sand Springs, Oklahoma, was the legal owner of said Lot at the time of said sale and is entitled to receive said excess amount of \$422.97.

IT IS THEREFORE, BY THE COURT, ORDERED AND ADJUDGED, that the Clerk of this Court be, and he is hereby ordered and directed to pay to said Charles J. Halm of Sand Springs, Oklahoma, the sum of \$422.97 out of the registry of the court, being the amount in the hands of the Clerk of said Court and being the excess of the sale price obtained from the sale of real estate over the judgment lien established for paying assessments.

DONE IN OPEN COURT, on this the 14 day of April, 1944.

ROYCE H. SAVAGE
J U D G E

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

Court adjourned to April 15, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, APRIL 15, 1944

On this 15th day of April, 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

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

REGULAR JANUARY 1944 TERM

MULSA, OKLAHOMA

SATURDAY, APRIL 15, 1944

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

City of Drumright, ex rel, Leonard Versluis,	Plaintiff,)
)
vs)
)
Ruth Alexander, et al.,	Defendants.)

No. 929 Civil

O R D E R

Now on this the 15th day of April, 1944 the verified Motion of the Defendant Lucy M. Benear to set aside default judgment and to stay sale coming on for hearing and the Court having considered said motion and heard the evidence in support thereof doth find:

That the sale of Lots 1 and 2 in Block 23, M. Jones Addition of Drumright, Oklahoma, should be stayed and enjoined as prayed in said Motion.

That said Motion is so far as it seeks to set aside and vacate the default judgment herein referred to and described should be taken under consideration and advisement and the decision therein postponed until a day to be hereafter appointed by the Court.

IT IS THEREFORE BY THE COURT CONSIDERED AND ORDERED that the sale of said Lots 1 and 2 in Block 23, M. Jones Addition to Drumright, Oklahoma, be not consummated but be stayed and enjoined until the further order of this Court and pending determination and decision of Defendant's Motion to vacate and set aside default judgment.

That the motion of the Defendant hereinafter referred to in so far as the same seeks to vacate and set aside the default judgment herein referred to be and the same is hereby taken under consideration and advisement not to be decided or determined until a day hereafter appointed by the Court.

That Sid White, attorney for Derendant Lucy M. Benear, be and he hereby is directed to serve this order by delivering a copy thereof to George M. Fagin, attorney for Plaintiff, before 10:00 o'clock A.M. of the 17th day of April, 1944.

To the action of the Court in declining to stay and enjoin the sale of Lot 6, Block 23, M. Jones Addition to Drumright, Oklahoma, the defendant Lucy M. Benear excepts.

Witness the undersigned Judge of the Court named in the caption.

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

ENDORSED: Filed Apr 15 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-)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 46.2 acres, more or less; and Lewis Foster, et al.,	Defendants.)

CIVIL NO. 1010

ORDER MODIFYING ORDER FIXING TITLE AND MAKING
DISTRIBUTION AS TO TRACT NO. 21 (3 - PW-85)

NOW on this the 15 day of April, 1944, it appearing to this Court that on the 19th day of February, 1944, this Court made and entered an order fixing title and making distribution as to Tract No. 21 (3 - FW-85); that said order was fixed an undivided 2/15ths interest in Mary Buzzard, and ordered distribution of the just compensation for said interest, in the sum of \$4.80, to the said Mary Buzzard; It now appearing that said Mary Buzzard died, intestate, on the 14th day of September, 1938, that she was more than 18 years of age, single, never having been married, without issue, and that she left surviving as her sole and only heir Cornelius Buzzard, father; that said Cornelius Buzzard inherited and is now the owner of an undivided 2/15ths interest in and to said Tract No. 21 (3 - FW-85), and that he is the only person entitled to receive the just compensation for said interest in the sum of \$4.80.

It further appearing that the clerk of this court caused to be issued Registry of the Court Check No. 344, payable to Mary Buzzard, in the sum of \$4.80; that said check should be returned to the clerk of this court for cancellation, and in lieu thereof the clerk should make distribution to Cornelius Buzzard for the undivided 2/15ths interest in said tract owned by Mary Buzzard during her lifetime.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Order heretofore entered on February 19, 1944, be modified as to Tract No. 21 (3 - FW-85), fixing title as to the undivided 2/15ths interest of Mary Buzzard in Cornelius Buzzard, and that the just compensation, in the sum of \$4.80, for the taking of said undivided 2/15ths interest be paid to Cornelius Buzzard.

IT IS FURTHER ORDERED by this Court that the Registry of the Court Check, No. 344 payable to Mary Buzzard for the sum of \$4.80, be cancelled and that in lieu thereof the Clerk issue a check to Cornelius Buzzard in the sum of \$4.80 as full and just compensation for the undivided 2/15ths interest of Mary Buzzard, now deceased, in and to said tract No. 21 (3 - FW-85).

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Apr 15 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

SALLIE BURGESS,)
Plaintiff,)
)
vs) No. 1179 Civil
)
JOHN EDWARD BURGESS, ET AL.,)
Defendants.)

O R D E R

NOW, on this 14th day of April, 1944, this matter coming on before the Court on the application of the United States of America for additional time in which to file its complaint in intervention in this cause for the reason that the same question is involved in the case of United States v. Hollard, which is now pending before the United States Supreme Court, and it appearing to the court, for good cause shown, that said time should be granted,

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted sixty (60) days from April 14, 1944, in which to file its complaint in intervention in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 15 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 17, 1944

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 15th day of April, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF APPELLEES:

Clerk
Printing Record
Attorney \$20.00

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

ENDORSED: Filed Apr 17 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 166.08 acres, more or less; and F. R. Hodgdon, et al.,

Defendants.)

CIVIL NO. 1190

JUDGMENT ON DECLARATION OF TAKING

THIS CAUSE coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled case on the 17th day of April, 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 Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceeding.

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 \$7,840.00, 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 17th day of April, 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 situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (44 - FW-1201 A)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 3, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning at a point in the North line of SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3-26-24 and 253.8 feet East of the Northwest corner thereof; thence Southwesterly along the East boundary line of the Grand River Dam Authority tract a distance of 67.0 feet to a point; thence East parallel with the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 125.0 feet to a point; thence North-easterly parallel with the first course a distance of 67.0 feet to a point in the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence West 125 feet to the point of beginning, containing 0.18 acres, more or less."

TRACT NO. 2 (46 - FW-1287)
Flowage Easement

All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 35, T 27 N, R 23 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758.0 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.4 acres.

TRACT NO. 3 (50 - FW-1333 A)
Flowage Easement

All that part of Lot 1, all that part of Lot 9, all that part of Lot 10, all that part of Lot 11, and all that part of Lot 12 in Block 8 as shown on the dedication plat of Walker's Addition to the townsite of Wyandotte in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, including that part of the street and alleys adjacent and incident to the ownership of Lots 1 and 12 in said Block 8 lying below Elev. 758 Sea Level Datum.

TRACT NO. 4 (50 - FW-1333 B)
Flowage Easement

All that part of Lot 7, all that part of Lot 8, all that part of Lot 9, all that part of Lot 10, all that part of Lot 11, and all that part of Lot 12 in Block 5 as shown on the dedication plat of Walkers Addition to the Townsite of Wyandotte in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent and incident to the ownership of said Lots 7, 8, 9, 10, 11 and 12, lying below Elev. 758 Sea Level Datum.

TRACT NO. 5 (50 - FW-1333 C)
Flowage Easement

All that part of Lot 6 lying below Elev. 758 Sea Level Datum, and all of Lot 1, all of Lot 2, all of Lot 3, all of Lot 4, and all of Lot 5, all in Block 5 as shown on the dedication plat of Walkers Addition to the townsite of Wyandotte in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent and incident to the ownership of said Lots 1, 2, 3, 4, 5 and 6 lying below Elev. 758 Sea Level Datum.

TRACT NO. 6 (50 - FW-1333 D)
Flowage Easement

All that part of Lot 9, all that part of Lot 10, all that part of Lot 11, and all that part of Lot 12 in Block 4 as shown on the dedication plat of Walkers Addition to the townsite of Wyandotte in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent and incident to the ownership of said Lots 9, 10, 11 and 12 in said Block 4, lying below Elev. 758 Sea Level Datum.

TRACT NO. 7 (50 - FW-1333 E)
Flowage Easement

All that part of Lot 1 in Block 4, as shown on the dedication plat of Walkers Addition to the townsite of Wyandotte in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, including the part of the alley adjacent and incident to the ownership of said Lot 1 lying below Elev. 758 Sea Level Datum.

TRACT NO. 8 (50 - FW-1336)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E of the Indian Base and Meridian, Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ 1040.0 feet west of the southeast corner thereof, thence north 50.0 feet; thence westerly parallel to said south boundary to a point 162.0 feet east of the west boundary of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$; thence S. 40° 21' E. 65.6 feet to a point in said south boundary; thence easterly along said south boundary to the point of beginning, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acre.

TRACT NO. 9 (50 - FW-1354)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E, of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion contained in the St. Louis and San Francisco Railroad right-of-way, containing approximately 4.1 acres.

TRACT NO. 10 (50 - FW-1355
50 - FW-1356)
Flowage Easement

All that part of the $W\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ lying north of the St. Louis and San Francisco Railway right-of-way in Sec. 28, T 27 N, R 24 E, of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing 1.3 acres more or less.

TRACT NO. 11 (50 - FW-1357)
Flowage Easement

All that part of the $E\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E, of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing 6.8 acres more or less.

TRACT NO. 12 (50 - FW-1358)
Flowage Easement

All of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ lying north of the St. Louis and San Francisco Railway right-of-way in Sec. 28, T 27 N, R 24 E, of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, containing 14.00 acres more or less.

TRACT NO. 13 (50 - FW-1359)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ lying south of the St. Louis and San Francisco Railway right-of-way in Sec. 28, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum containing approximately 11.4 acres.

TRACT NO. 14 (51 - FW-1374)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ less the East 15 feet thereof, lying below Elev. 760 Sea Level Datum and all of the East 9 feet of the $S\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 2.6 acres.

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TRACT NO. 15 (51 - FW-1374 A)
Flowage Easement

The East 9 feet of the $N\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 0.1 acre.

TRACT NO. 16 (51 - FW-1377)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.0 acres.

TRACT NO. 17 (51 - FW-1388)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 18 (52 - FW-1390)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 3.2 acres.

TRACT NO. 19 (52 - FW-1391)
Flowage Easement

All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 20 (52 - FW-1393)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 21 (52 - FW-1496)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 22 (52 - FW-1497)
Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying

below Elev. 760.0 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 31.3 acres.

TRACT NO. 23 (52 - FW-1498)

Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 1.1 acre.

TRACT NO. 24 (52 - FW-1502)

Flowage Easement.

All of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, containing approximately 20.0 acres.

TRACT NO. 25 (55 - FW-1480)

Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6, T 27 N, R 24 E, of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.5 acres.

TRACT NO. 26 (55- FW-1481)

Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 6, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 27 (55 - FW-1548)

Flowage Easement.

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.6 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.2 acres.

TRACT NO. 28 (55 - FW-1548 A)

Easement for Intermittent
Flowage During Flood Periods

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 29 (55 - FW-1549)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 2.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4 6. acres.

TRACT NO. 30 (55 - FW-1551)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of Lot 1 in Sec. 11, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.1 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of said Lot 1, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 37.8 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, b and it is hereby vested with perpetual easements as hereinabove set forth, upon and over the lands herein above 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 their rights and privileges herein acquired on or before the 24th day of April, 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 apr 17 1944
H. P. Warfield, Clerk
U. S. District Court LN

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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 situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (56 - FW-1552)
Flowage Easement

All that part of Lot 3, and all of Lot 4 in Sec. 10, T 27 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 Dam Authority containing approximately 13.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 3, and all that part of said Lot 4 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 9.5 acres.

TRACT NO. 2 (56 - FW-1553)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 10, T 27 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 Dam Authority, containing approximately 8.0 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 10, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 5.9 acres.

TRACT NO. 3 (56 - FW-1554)
Flowage Easement

All that part of the East 20.0 acres of Lot 2 in Sec. 10, T 27 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 Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 5.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said East 20.0 acres of Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.4 acres.

TRACT NO. 4 (56 - FW-1555)

Flowage Easement

All that part of the West 27.58 acres of Lot 2 (described on supplementary plat as Lots 7 and 8) in Sec. 10, T 27 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 Dam Authority, containing approximately 12.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said West 27.58 acres of Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 8.0 acres.

TRACT NO. 5 (56 - FW-1556)

Flowage Easement

All that part of Lot 1 in Sec. 10, and all that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 3, all in T 27 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 Dam Authority, containing approximately 2.1 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 in Sec. 10, and all that part of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 6 (56 - FW-1557)

Flowage Easement

All that part of Lot 1 in Sec. 3, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said Lot 1, thence northerly along the east boundary of said Lot 1 a distance of 838.7 feet to a point 490.6 feet south of the NE corner thereof; thence S. 14° 43' W. 64.4 feet; thence S. 16° 54' W. 232.9 feet; thence S 4° 02' W. 218.2 feet; thence S. 15° 14' W. 170.1 feet; thence S. 63° 02' W. 234.2 feet; thence S. 2° 02' E. 65.7 feet to a point in the south boundary of said Lot 1; thence easterly along the south boundary of said Lot 1 a distance of 347.7 feet to the point of beginning, lying below Elev. 756.1 Sea Level Datum, containing 0.4 acres, more or less.

Easement for Intermittent
Flowage During Flood Periods

All the above described part of said Lot 1 lying between Elevation 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 7 (56 - FW-1558)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 3, T 27 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 0.6 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.6 acres.

TRACT NO. 8 (56 - FW-1558 A)
Easement for Intermittent
Flowage During Flood Periods

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 9 (56 - FW-1559)
Flowage Easement

All that part of Lot 1 in Sec. 3, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that portion particularly described as follows, to-wit:

Beginning at the SE corner of said Lot 1, thence northerly along the east boundary of said Lot 1 a distance of 838.7 feet to a point 490.5 feet south of the NE corner thereof; thence S. 14° 43' W. 64.4 feet; thence S. 16° 54' W. 232.9 feet; thence S. 4° 2' W. 218.2 feet; thence S. 15° 14' W. 170.8 feet; thence S. 63° 02' W. 234.2 feet; thence S. 2° 02' E. 65.7 feet to a point in the south boundary of said Lot 1; thence easterly along the south boundary of said Lot 1 a distance of 347.7 feet to the point of beginning,

and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ in said Section 3; and all that part of Lot 6 in Sec. 4, T 27 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 Dam Authority, containing approximately 9.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of said Lot 1, except that portion described above, and all that portion of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 9.4 acres.

TRACT NO. 10 (56 - FW-1560)
Flowage Easement

All that part of Lot 5, less the West 880.0 feet thereof, in Sec. 4, T 27 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 Dam Authority.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 5, less the West 880.0 feet thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 11 (56 - FW-1561)
Flowage Easement

All that part of Lot 1 in Sec. 5, and all that part of Lot 2, all that part of Lot 3, all that part of Lot 4, and all that part of the west 880 feet of Lot 5 in Sec. 3, all in T 27 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 Dam Authority containing approximately 14.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 in Sec. 5, and all that part of said Lot 2, all that part of said Lot 3, all that part of said Lot 4, and all that part of said west 880 feet of Lot 5 in Sec. 4, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 14.4 acres.

TRACT NO. 12 (56 - FW-1570)
Flowage Easement

All that part of Lot 2 in Sec. 5, T 27 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 Dam Authority, containing approximately 8.8 acres.

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 2.9 acres.

TRACT NO. 13 (56 - FW-1571)
Flowage Easement

All that part of Lot 3 in Sec. 5, T 27 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 Dam Authority, containing approximately 19.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 3 lying above Elev. 756.1 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 14 (56 - FW-1572)
Flowage Easement

All of Lot 4 in Sec. 5, T 27 N, R 23 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 21.3 acres.

TRACT NO. 15-(56 - FW-1603)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of the west 14.85 acres of Lot 3, and all that part of Lot 2 in Sec. 11, T 27 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 owned by the Grand River Dam Authority, containing approximately 9.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of said West 14.85 acres of Lot 3, and all that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum, and Elev. 760 Sea Level Datum, containing approximately 4.6 acres.

TRACT NO. 16-(56 - FW-1604)
Flowage Easement

All that part of the SW 10.0 acres of Lot 6, all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10, T 27 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 owned by the Grand River Dam Authority, containing approximately 12.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW 10.0 acres of Lot 6, all that part of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, all that part of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of said E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 12.9 acres.

TRACT NO. 17 (56 - FW-1605)
Flowage Easement

All that part of the West 20.0 acres of the South 25.25 acres of Lot 5, all that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10

T 27 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 owned by the Grand River Dam Authority, containing approximately 23.2 acres.

**Easement for Intermittent
Flowage During Flood Periods**

All that part of said West 20.0 acres of the South 25.25 acres of Lot 5, all that part of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, all that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 21.8 acres.

**TRACT NO. 18 (56 - FW-1606 A)
Easement for Intermittent
Flowage During Flood Periods**

All that part of the SE $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.9 acres.

**TRACT NO. 19 (56 - FW-1608)
Easement for Intermittent
Flowage During Flood Periods**

All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 8.0 acres.

**TRACT NO. 20 (56 - FW-1609)
Flowage Easement**

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of the South 17.75 acres of Lot 3, all that part of the South 11.45 acres of Lot 4, all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, and all that part of the NW 10.0 acres of Lot 5 in Sec. 10, all in T 27 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 owned by the Grand River Dam Authority, containing approximately 20.9 acres.

**Easement for Intermittent
Flowage During Flood Periods**

All that part of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the said South 17.75 acres of Lot 3, all that part of said South 11.45 acres of Lot 4, all that part of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, and all that part of said NW 10.0 acres of Lot 5 in Sec. 10, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 39.8 acres.

**TRACT NO. 31 (56 - FW-1612)
Flowage Easement**

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, all that part of Lot 7, all that part of Lot 8, and all that part of Lot 9 in Sec. 4, T 27 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 owned by the Grand River Dam Authority, containing approximately 16.7 acres, including the bed and banks of the Neosho River, adjacent to said Lot 9.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, all that part of said Lot 7, all that part of said Lot 8, and all that part of said Lot 9, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 5.1 acres.

TRACT NO. 22 (56 - FW-1614)
Flowage Easement

All that part of the NW 10.0 acres of Lot 10, all that part of the NE 10.45 acres of Lot 10, and all that part of the south 20.0 acres of Lot 10 in Sec. 4, T 27 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 owned by the Grand River Dam Authority, containing approximately 8.9 acres, including the bed and banks of Neosho River adjacent to said NW 10.0 acres of Lot 10, and said NE 10.45 acres of Lot 10.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW 10.0 acres of Lot 10, all that part of said NE 10.45 acres of Lot 10, and all that part of said S 20.0 acres of Lot 10 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 6.5 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 herein above 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 their rights and privileges herein acquired on or before the 24th day of April, 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 Apr 17 1944
H. P. Warfield, Clerk
U. S. District Court IN

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 17, 1944

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 situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (57 - FW-1575)

Flowage Easement

All that part of the $S\frac{1}{2}$ $S\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 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 Dam Authority, containing approximately 16.0 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $S\frac{1}{2}$ $S\frac{1}{2}$ $N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of said $S\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ lying below Elev. 756.1 Sea Level Datum, containing approximately 0.4 acres.

TRACT NO. 2 (57 - FW-1577)

Flowage Easement

All that part of the unplatted portion of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ lying East of Tar Creek in Sec. 31, T. 28 N., R. 23 E., of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that portion on which the Grand River Dam Authority has the right of flowage, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.5 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said unplatted portion of said $NE\frac{1}{4}$ $NE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.7 acres.

TRACT NO. 3 (57 - FW-1615)

Flowage Easement

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$, all that part of Lot 7, and all that part of Lot 8 in Sec. 5, T. 27 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 owned by the Grand River Dam Authority, containing approximately 2.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $N\frac{1}{2}$ $SE\frac{1}{4}$, all that part of said Lot 7, and all that part of said Lot 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 5.4 acres.

TRACT NO. 4 (57 - FW-1616)

Flowage Easement

All that part of Lot 5, and all that part of Lot 6 in Sec. 5,

T 27 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 owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.0 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 5, and all that part of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.8 acres.

TRACT NO. 5 (57 - FW-1617)
Flowage Easement

All that part of the SE $\frac{1}{4}$ 9.60 acres of Lot 4, and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the East 20.0 acres of Lot 5 in Sec. 6, T 27 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 owned by the Grand River Dam Authority, containing approximately 16.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said east 20.0 acres of Lot 5 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 14.4 acres.

TRACT NO. 6 (57 - FW-1618)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.9 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.4 acres.

TRACT NO. 7 (57 - FW-1619)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.1 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.8 acre.

TRACT NO. 8 (57 - FW-1620)
Flowage Easement

All that part of the south 20.0 acres of Lot 6 in Sec. 6, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.3 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said south 20.0 acres of Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.1 acres.

TRACT NO. 9 (57 - FW-1624)
Flowage Easement

All that part of the NW 10.0 acres of Lot 4, all that part of the SW 10.0 acres of Lot 4, and all that part of the NE 2.70 acres of Lot 4 in Sec. 6, T 27 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 owned by the Grand River Dam Authority, containing approximately 13.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW 10.0 acres of Lot 4, all that part of said SW 10.0 acres of Lot 4 lying above Elev. 756.1 Sea Level Datum, containing approximately 3.5 acres.

TRACT NO. 10 (57 - FW-1626)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of 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 owned by the Grand River Dam Authority and less 0.2 acre St. L. & S. F. RR R/W, containing approximately 5.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 21.0 acres.

TRACT NO. 11 (57 - FW-1627)
Flowage Easement

All that part of the E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T 28 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.1 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1

Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.8 acre.

TRACT NO. 12 (57 - FW-1628)
 Flowage Easement

All that part of the $W\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of the $W\frac{1}{2}$ EA $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 31, T 28 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.1 acres.

TRACT NO. 13 (57 - FW-1629)
 Flowage Easement

All that part of the South 17.88 acres of Lot 12, and all that part of Lot 13 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, containing approximately 4.8 acres.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said South 17.88 acres of Lot 12, and all that part of said Lot 13, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, except less than 0.1 acre St. L. & S. F. Railroad right-of-way, containing approximately 7.4 acres.

TRACT NO. 14 (57 - FW-1630)
 Easement for Intermittent
 Flowage During Flood Periods

All that part of the $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 36, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.6 acres.

TRACT NO. 15 (57 - FW-1631)
 Flowage Easement

All that part of the NE 10.0 acres of Lot 12 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 7.0 acres.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said NE 10.0 acres of Lot 12 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.1 acres.

TRACT NO. 16 (57 - FW-1632)
Flowage Easement

All that part of the NW 7.86 acres of Lot 12 in Sec. 31, T 23 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW 7.86 acres of Lot 12 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 17 (57 - FW-1633)
Flowage Easement

All that part of the south 5.7 acres of the west 15.7 acres of Lot 9 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, containing approximately 4.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said south 5.7 acres of the west 15.7 acres of Lot 9 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.4 acres.

TRACT NO. 18 (47 - FW-1634)
Flowage Easement

All of Lot 7 except that portion owned by the Grand River Dam Authority, and all that part of Lot 8, and all that part of Lot 10, and all that part of the NE 10.0 acres of Lot 9, and all that part of the SE 10.0 acres of Lot 9, and all that part of the north 10.0 acres of the west 15.7 acres of Lot 9 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 owned by the Grand River Dam Authority and less 0.1 acre U. S. Highway No. 66 R/W containing approximately 25.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 8, and all that part of said Lot 10, all that part of said NE 10.0 acres of Lot 9, and all that part of said SE 10.0 acres of Lot 9 and all that part of said north 10.0 acres of the west 15.7 acres of Lot 9, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, less 2.6 acres U. S. Highway No. 66 R/W, containing approximately 10.6 acres.

TRACT NO. 19 (57 - FW-1703)
Flowage Easement

All that part of lot 12 in Block 5, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami,

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.

Easement for Intermittent
Flowage During Flood Periods

All that part of the east 90.0 feet of Lot 11, all that part of Lot 13, all that part of Lot 14, and all that part of Lot 15 in said Block 5 lying below Elev. 760 Sea Level Datum together with all that part of said Lot 12 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 20 (57 - FW-1704)
Flowage Easement

All that part of the east 74.0 feet of Lot 7, all that part of the east 78.0 feet of Lot 8, all that part of the east 82.0 feet of Lot 9, and all that part of the east 88.0 feet of Lot 10, all in Block 5, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of the east 74.0 feet of Lot 7, all that part of the east 78.0 feet of Lot 8, all that part of the east 82.0 feet of Lot 9, and all that part of the east 88.0 feet of Lot 10 in said Block 5 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 21 (57 - FW-1705)
Flowage Easement

All that part of the east 60.0 feet of Lot 6 in Block 5, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of the east 60.0 feet of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 22 (57 - FW-1706)
Flowage Easement

All that part of Lot 1 and all that part of Lot 2 in Block 5, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues and alleys adjacent to said Lots 1 and 2 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 and said Lot 2 lying above Elev. 756.1 Sea Level Datum, including the streets, avenues and alleys adjacent to said Lots 1 and 2 and incident to the ownership thereof lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 23 (57 - FW-1743)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 4, all of Lot 5, all of Lot 6, all of Lot 7, all of Lot 8, all of Lot 9, and all of Lot 10 in Block 1 as shown on the dedication plat of the Homewood Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 4, 5, 6, 7, 8, 9, and 10, and incident to the ownership thereof.

Tract No. 24 (57 - FW-1743 A)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 1, all of Lot 2, and all of Lot 3 in Block 1 as shown on the dedication plat of the Homewood Addition to the original Townsite of Miami in Ottawa County, Oklahoma, including the streets, avenues and alleys adjacent to said Lots 1, 2, and 3 and incident to the ownership thereof.

Tract No. 25 (57 - FW-1744)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 1, all of Lot 2, all of Lot 3, all of Lot 4, and all of Lot 5 in Block 2 as shown on the dedication plat of the Homewood Addition to the original Townsite of Miami in Ottawa County, Oklahoma, including the streets, avenues and alleys adjacent to said Lots 1, 2, 3, 4, 5 and incident to the ownership thereof.

TRACT NO. 26 (57 - FW-1745)
Flowage Easement

All that part of Lot 7, all that part of Lot 8, all that part of Lot 14, all that part of Lot 15, and all that part of Lot 16, all in Block 2 as shown on the dedication plat of Homewood Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues and alleys adjacent to said Lots 7, 8, 14, 15 and 16 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 7, all that part of said Lot 8, all that part of said Lot 14, all that part of said Lot 15, and all that part of said Lot 16, lying below Elev. 756.1 Sea Level Datum, and all of Lot 6, all of Lot 17, all of Lot 18, and all of Lot 19 in said Block 2, including the streets, avenues, and

alleys adjacent to said Lots 6, 7, 8, 14, 15, 16, 17, 18, and 19 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 27 (57 - FW-1746)
Flowage Easement

All that part of Lot 13 in Block 2 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 13 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 13, including the streets, avenues, and alleys adjacent to said Lot 13 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 28 (57 - FW-1747)
Flowage Easement

All of Lot 11, and all that part of Lot 12 in Block 2 as shown on the dedication plat of the Homewood Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 11 and 12 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 12, including the streets, avenues, and alleys adjacent to said Lot 12 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 29 (57 - FW-1748)
Flowage Easement

All of Lot 10, and all that part of Lot 9 in Block 2 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 9 and 10 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 9, including the streets, avenues, and alleys adjacent to said Lot 9 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 30 (57 - FW-1749)
Flowage Easement

All of Lot 13, all of Lot 14, and all of Lot 15, and all of Lot 16 in Block 2 as shown on the dedication plat of Homewood

Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 13, 14, 15 and 16 and incident to the ownership thereof.

TRACT NO. 31 (57 - FW-1749 A)
Flowage Easement

All that part of Lot 19 in Block 3 as shown on the dedication plat of Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 19, and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 19 including the streets, avenues, and alleys adjacent to said Lot 19 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 32 (57 - FW-1750)
Flowage Easement

All of Lot 6, all of Lot 7, all of Lot 8, all of Lot 9, all of Lot 10, all of Lot 11, all of Lot 12, all of Lot 17, and all of Lot 18 in Block 3 as shown on the dedication plat of Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 6, 7, 8, 9, 10, 11, 12, 17 and 18, and incident to the ownership thereof.

TRACT NO. 33 (57 - FW-1751)
Flowage Easement

All that part of Lot 2, and all that part of Lot 3 in Block 3 as shown on the dedication plat of Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to Lot 1 in said Block 3, and adjacent to said Lots 2 and 3, and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All of Lot 1, and all that part of Lot 2, and all that part of Lot 3 in said Block 3, including the streets, avenues, and alleys adjacent to said Lots 1, 2 and 3 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 34 (57 - FW-1752)
Flowage Easement

All of Lot 5, and all that part of Lot 4 in Block 3, as shown on the dedication plat of Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 4 and 5 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 4, including the streets, avenues, and alleys adjacent to said Lot 4 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 35 (57 - FW-1753)
Flowage Easement

All of Lot 1, all of Lot 2, all of Lot 3, and all of Lot 4 in Block 4 as shown on the dedication plat of Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 1, 2, 3 and 4, and incident to the ownership thereof.

TRACT NO. 36 (57 - FW-1754)
Flowage Easement

All of Lot 5, all of Lot 6, all of Lot 7, and all of Lot 8 in Block 4 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 5, 6, 7 and 8 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 37 (57 - FW-1755)
Flowage Easement

All of Lot 9 and all of Lot 10 in Block 4 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues and alleys adjacent to said Lots 9 and 10 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 38 (57 - FW-1756)
Flowage Easement

All of Lot 11 and all of Lot 12 in Block 4 as shown on the dedication plat of the Homewood Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 11 and 12 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 39 (57 - FW-1757)
Flowage Easement

All of Lot 13 in Block 4 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 13 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 40 (57 - FW-1758)
Flowage Easement

All of Lot 18 in Block 4 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 18 and incident to the ownership thereof.

TRACT NO. 41 (57 - FW-1759)
Flowage Easement

All of Lot 19, all of Lot 20, all of Lot 21, and all of Lot 22 in Block 4 as shown on the Dedication plat of Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said lots, 19, 20, 21 and 22, and incident to the ownership thereof.

TRACT NO. 42 (57 - FW-1760)
Flowage Easement

All of Lot 9, all of Lot 10, all of Lot 11, all of Lot 12, and all of Lot 13 in Block 5 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 9, 10, 11, 12 and 13 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

TRACT NO. 43 (57 - FW-1761)
Flowage Easement

All of Lot 14, all of Lot 15, and all of Lot 16 in Block 6 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 14, 15 and 16 and incident to the ownership thereof.

TRACT NO. 44 (57 - FW-1762)
Flowage Easement

All of Lot 8 in Block 5 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 8 and incident to the ownership thereof.

TRACT NO. 45 (57 - FW-1763)
Flowage Easement

All of Lot 7 in Block 6 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 7 and incident to the ownership thereof.

be, and the same are hereby deemed to have been considered and 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

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

REGULAR JANUARY 1944 TERM

MONDAY, APRIL 17, 1944

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 acquired on or before the 24th day of April, 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 Apr 17 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. 1193
)	
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA, and G. M. London, et al.,	Defendants.)	

JUDGMENT ON DECLARATION OF TAKING

THIS CAUSE, coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 17th day of April, 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 Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceeding.

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 \$1,737.50, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

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

IT IS THEREFORE on this 17th day of April, 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 situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (57 - FW-1764)
Flowage Easement

All of Lot 17 in Block 6 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 17 and incident to the ownership thereof.

TRACT NO. 2 (57 - FW-1765)
Flowage Easement

All of Lot 5, all of Lot 6, and all of Lot 18 in Block 6 as shown on the dedication plat of Homewood Addition to the Original Townsite of Miami in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 5, 6 and 18 and incident to the ownership thereof.

TRACT NO. 3 (57 - FW-1766)
Flowage Easement

All of Lot 1, all of Lot 2, all of Lot 4, all of Lot 19, all of Lot 20, all of Lot 21, and all of Lot 22 in Block 6 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 1, 2, 4, 19, 20, 21 and 22 and incident to the ownership thereof.

TRACT NO. 4 (57 - FW-1767)
Flowage Easement

All of Lot 3 in Block 6 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 3, and incident to the ownership thereof.

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TRACT NO. 5 (57 - FW-1768)
 Flowage Easement

All that part of Lot 22 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 22 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 22 including the streets, avenues, and alleys adjacent thereto and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 6 (57 - FW-1769)
 Flowage Easement

All that part of Lot 21 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami in Ottawa County, Oklahoma, including that part of O Street adjacent to said Lot 21 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 21 lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 7 (57 - FW-1770)
 Easement for Intermittent
 Flowage During Flood Periods

All of Lot 1 and all of Lot 2 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lots 1 and 2 and incident to the ownership thereof.

TRACT NO. 8 (57 - FW-1771)
 Easement for Intermittent
 Flowage During Flood Periods

All of Lot 3 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 3 and incident to the ownership thereof.

TRACT NO. 9 (57 - FW-1772)
 Easement for Intermittent
 Flowage During Flood Periods

All of Lot 4 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 4 and incident to the ownership thereof.

TRACT NO. 10 (57 - FW-1773)

Flowage Easement

All that part of Lot 7 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 7 lying above Elev. 758 Sea Level Datum, and all of Lot 6 and all of Lot 5 in said Block 7, including the streets, avenues and alleys adjacent to said Lots 5, 6, and 7 and incident to the ownership thereof.

TRACT NO. 11 (57 - FW-1774)

Flowage Easement

All that part of Lot 12, all that part of Lot 13, all that part of Lot 14, all that part of Lot 15, all that part of Lot 16, all that part of Lot 17, all that part of Lot 18, all that part of Lot 19, and all that part of Lot 20 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues adjacent to said Lots 12, 13, 14, 15, 16, 17, 18, 19 and 20 and adjacent to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 13, all that part of said Lot 14, all that part of said Lot 15, all that part of said Lot 16, all that part of said Lot 17, all that part of said Lot 18, all that part of said Lot 19, and all that part of said Lot 20 in said Block 7 lying below Elev. 756.1 Sea Level Datum, and all that part of said Lot 12 in said Block 7 including that part of South 5th Avenue adjacent to said Lot 12 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 12 (57 - FW-1775)

Flowage Easement

All that part of Lot 8 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 8 lying above Elev. 756.1 Sea Level Datum, and all of Lot 9 in said Block 7, including the streets, avenues, and alleys adjacent to said Lots 8 and 9 and incident to the ownership thereof.

TRACT NO. 13 (57 - FW-1776)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 10 in Block 7 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 10 and incident to the ownership thereof.

TRACT NO. 14 (57 - FW-1777)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 11 in Block 7, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets, avenues, and alleys adjacent to said Lot 11 and incident to the ownership thereof.

TRACT NO. 15 (57 - FW-1778)
Flowage Easement

All of Lot 13 and all of Lot 14 in Block 9, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lots 13 and 14 and incident to the ownership thereof.

TRACT NO. 16 (57 - FW-1779)
Flowage Easement

All of Lot 11 and all of Lot 12 in Block 9, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lots 11 and 12 and incident to the ownership thereof.

TRACT NO. 17 (57 - FW-1780)
Flowage Easement

All of Lot 9 and all of Lot 10 in Block 9, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lots 9 and 10 and incident to the ownership thereof.

TRACT NO. 18 (57 - FW-1781)
Flowage Easement

All that part of Lot 4, all that part of Lot 5, all that part of Lot 6, and all that part of Lot 7 in Block 9, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, and all of Lot 8 in said Block 9; including the streets and avenues adjacent to said Lots 7 and 8 and incident to the ownership thereof lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 7, all that part of said Lot 6, all that part of said Lot 5, and all that part of said Lot 4 lying above elevation 756.1 Sea level datum, and all of Lot 1, all of Lot 2, and all of Lot 3 in said Block 9, including the streets and avenues adjacent to said Lots 1, 2, 3, 4, 5, 6 and 7 and incident to the ownership thereof lying above elevation 756.1 Sea Level Datum.

TRACT NO. 19 (47 - FW-1782)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 10 and Lot 11 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lots 10 and 11 and incident to the ownership thereof.

TRACT NO. 20 (57 - FW-1783)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 9 in Block 8 as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lot 9 and incident to the ownership thereof.

TRACT NO. 21 (57 - FW-1784)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 8 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lot 8 and incident to the ownership thereof.

TRACT NO. 22 (57 - FW-1785)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 6 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lot 6 and incident to the ownership thereof.

TRACT NO. 23 (57 - FW-1786)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 7 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lot 7 and incident to the ownership thereof.

TRACT NO. 24 (57 - FW-1787)
Easement for Intermittent
Flowage During Flood Periods

All of Lot 5; all that part of Lot 3 and all that part of Lot 4 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lots 3, 4 and 5 and incident to the ownership thereof, lying below Elev. 760 Sea Level Datum.

TRACT NO. 25 (57 - FW-1788)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 2 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lot 2 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 26 (57 - FW-1789)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 1 in Block 8, as shown on the dedication plat of the Homewood Addition to the Original Townsite of Miami, in Ottawa County, Oklahoma, including the streets and avenues adjacent to said Lot 1 and incident to the ownership thereof, lying below Elev. 760 Sea Level Datum.

TRACT NO. 27 (57 - FW-1803)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 15 and all that part of Lot 16 in Block 159 as shown on a supplemental plat of the Original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the street and avenue adjacent to said Lots 15 and 16 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 28 (57 - FW-1804)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 30 lying below Elev. 760.0 Sea Level Datum and all of Lot 31, and all of Lot 32 in Block 160 as shown on a supplemental plat of the Original Townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street, avenue, and alley adjacent to and incident to the ownership of said Lots 30, 31 and 32, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 29 (57 - FW-1805)
Flowage Easement

All those parts of Lots 5-16, incl. in Block 160 as shown on a supplemental plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the street and avenue adjacent

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to and incident to the ownership of said Lots 5 to 16, incl.
lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All those part of Lots 5 - 16 incl. in said Block 160 lying
between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level
Datum including all that part of the street, avenue, and alley
adjacent to and incident to the ownership of said Lots 5, 14,
15 and 16, lying between Elev. 756.1 Sea Level Datum and
Elev. 760.0 Sea Level Datum.

TRACT NO. 30 (57 - FW-1806)
Flowage Easement

All that part of Lot 1, and all that part of Lot 2, and all that
part of Lot 3, and all that part of Lot 4, in Block 160 as shown
on a supplemental plat of the Original Townsite of Miami in
Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum,
including all that part of the street adjacent to said Lot 4 and
incident to the ownership thereof lying below Elev. 756.1 Sea
Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 1, and all that part of Lot 2, and all that
part of Lot 3, and all that part of Lot 4 in said Block 160
lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea
Level Datum, including all that part of the street and avenue
adjacent to said Lots 1, 2, 3 and 4 and incident to the ownership
thereof lying between Elev. 756.1 Sea Level Datum and Elev.
760.0 Sea Level Datum.

TRACT NO. 31 (57 - FW-1807)
Flowage Easement

All that part of Lot 4 and all that part of Lot 5, and all that
part of Lot 6, lying below Elev. 756.1 Sea Level Datum and all
that Lot 7 in Block 161 as shown on a supplemental plat of the
Original Townsite of Miami in Ottawa County, Oklahoma, including
all that part of the street and alley adjacent to said Lots 4, 5,
6 and 7 and incident to the ownership thereof lying below Elevation
756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 4, and all that part of Lot 5, and all
that part of Lot 6 in said Block 161 lying between Elev. 756.1
Sea Level Datum and Elev. 760.0 Sea Level Datum including all
that part of the street adjacent to said Lots 4, 5 and 6 and
incident to the ownership thereof lying between Elev. 756.1
Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 32 (57 - FW-1808)
Flowage Easement

All thatpart of Lot 3 in Block 161 as shown on a supplemental plat of the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum including all that part of the avenue and alley adjacent thereto and incident to the ownership thereof lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum including all that part of the avenue adjacent thereto and incident to the ownership thereof lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 33 (57 - FW-1809)
Easement for Intermittent
Flowage During Flood Periods

All that part of the avenue and alley adjacent to and incident to the ownership of Lot 32 in Block 150 as shown on a supplemental plat of the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 34 (57 - FW-1810)
Flowage Easement

All that part of Lot 15 and all thatpart of Lot 16 in Block 150 as shown on a supplemental plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum including all that part of the avenue and alley adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 16 lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 15 and all that part of said Lot 16 lying between Elev. 755.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the avenue and alley adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 35 (57 - FW-1811)
Flowage Easement

All that part of Lot 14 in Block 150 as shown on a supplemental plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 14 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the alley adjacent to said Lot 14 and incident to the

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ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 36 (57 - FW-1811 A)
Easement for Intermittent
Flowage During Flood Periods

All that part of an unnamed and unnumbered tract of land situated in Block 150 between Lot 14 and the St. Louis and San Francisco Railway right-of-way as shown on a supplemental plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the alley adjacent and incident to the ownership of said tract lying below Elev. 760 Sea Level Datum.

TRACT NO. 37 (57 - FW-1821)
Flowage Easement

All that part of lot 8 in Block 133 as shown on the dedication plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the avenue adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 8, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the avenue adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 8, lying between Elev. 756.1 Sea level datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 38 (57 - FW-1822)
Flowage Easement

All thatpart of Lot 6 and all thatpart of Lot 7 in Block 133 as shown on the dedication plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the street adjacent thereto and incident to the ownershipthereof, together with the bed and banks of the Neosho River adjacent to said Lot 7, lying below Elev. 756.1 Sea Level Datum except that part on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent
Flowage During Flood Periods

All thatpart of Lot 5, and all thatpart of Lot 5, and allthat part of Lot 7 in said Block 133 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, including all that part of the street adjacent to Lots 4, 5 and 6 in said Block 133 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 39 (57 - FW-1823)
 Flowage Easement

All that part of Lot 1 and all that part of Lot 2 in Block 132 as shown on the dedication plat of the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the street and avenue adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 1 and 2, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 1 and all that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street and avenue adjacent to said Lots 1 and 2 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 40 (57 - FW-1824)
 Easement for Intermittent
 Flowage During Flood Periods

All that part of Lot 15 in Block 130 as shown on the dedication plat of the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including that part of the avenue and alley adjacent to Lots 14 and 15 in said Block 130, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 41 (57 - FW-1825)
 Flowage Easement

All that part of Lot 7 in Block 130 as shown on the dedication plat of the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the avenue and alley adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 7, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 7 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the avenue and alley adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 42 (57 - FW-1826)
 Flowage Easement

All that part of Lot 5 and all that part of Lot 6 in Block 130 as shown on the dedication plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the street and alley

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adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 6, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 5 and all that part of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the street and alley adjacent to said Lots 5 and 6, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 43 (57 - FW-1827)
Easement for Intermittent
Flowage During Flood Periods

All that part of the street adjacent to and incident to the ownership of Lot 3 and Lot 4 in Block 130 as shown on the dedication plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 44 (57 - FW-1828)
Flowage Easement

All that part of Lot 1, all that part of Lot 2, and all that part of Lot 3 in Block 131 as shown on the dedication plat of the Original Townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, including all that part of the street and avenue adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 1, 2 and 3, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1, all that part of said Lot 2, and all that part of said Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street and avenue adjacent thereto, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 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 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

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

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TULSA, OKLAHOMA

MONDAY, APRIL 17, 1944

all of the rights and privileges herein assigned on or before the 24th day of April, 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 Apr 17 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to April 18, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 18, 1944

On this 18th day of April, 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. Kauzy, 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

VICTORY INVESTMENT CORPORATION,)
et al., Plaintiffs,)
vs) No. 1090 Civil
A. H. FRIELMAN, et al., Defendants.)

ORDER EXTENDING TIME TO ANSWER

On this 18 day of April, 1944, upon their application in open court, it appearing that the time heretofore allowed the defendants ORIE JOHNSON, DAISY BALLARD, MINNIE M. COOK, H. N. COOK, DONALD JACKSON, J. A. PRESBURY, VERSA PRESBURY, MARY VIOLA HUNSAKER, A. C. HUNSAKER, PATRICIA BUTLER WATERS, ALBERT WATERS, THOMAS COX, LOUISE HENTON, and ADELLA ADAMS to answer in the above entitled cause has been insufficient, it is ordered that said defendants have, and they are hereby given 30 days from this date in which to answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 18 1944
H. P. Warfield, Clerk
U. S. District Court LN

U. S. DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF OKLAHOMA

RECEIVED JANUARY 10 1944

OKLAHOMA

TUESDAY, APRIL 18, 1944

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

VICTORY INVESTMENT CORPORATION, et al., Plaintiffs, vs. A. H. FRIEDMAN, et al., Defendants. No. 1091 - Civil

ORDER EXTENDING TIME TO ANSWER

On this 18 day of April, 1944, upon their application in open court, at appearing that the time heretofore allowed the defendants, A. H. FRIEDMAN, PEARL LAMP, CELIA COX, GIRARD BLACKBIRD, W. C. BARNES, GEORGE D. BUNCH, W. B. PHILLIPS, BOB HALE, J. B. McNEW, GEO. E. CHAMPERS, PERCY W. KUHN, DAISY BALLARD, E. J. WALLETT, VENE D. FRY, LOUISE WELTON, FIRST METHODIST EPISCOPAL CHURCH OF FAIRFAX, FIRST PRESBYTERIAN CHURCH OF FAIRFAX, DONALD JACKSON, ORIE JOHNSON, MYRTLE COLOMBE, MINNIE M. COOK, I. W. EVANS, W. J. MAHAN and RUBY GENTRY to answer in the above entitled cause has been insufficient, it is ordered that said defendants have, and they are hereby given 30 days from this date in which to answer.

ROYCE H. SAVAGE JUDGE

ENDORSED: Filed Apr 18 1944 H. P. Warfield, Clerk U. S. District Court LN

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff, vs. Ralph Robinson, Defendant. No. 1175 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 17th day of April, 1944, this matter having come on for hearing before the Court on April 6, 1944, on the application of the United States for a temporary injunction, plaintiff appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, but the defendant making no appearance nor filing any pleadings, and being in default, a temporary injunction was issued, and it further appearing that although defendant has been duly and regularly served with summons and a copy of the complaint in this action, he has also failed to answer, demurrer, or otherwise plead herein, and it further appearing that defendant is not in the military forces of the United States, the Court finds said defendant to be in default and further finds plaintiff entitled to judgment as prayed for in its complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the defendant, Ralph Robinson, do, and he is hereby perpetually restrained and enjoined from interfering with the possession management and control of the Southwest Quarter (SW 1/4) of Section Thirty (30) Township Twenty-three (23) Range Eight (8), Osage County, Oklahoma, and all buildings and improvements thereon, the restricted property of the restricted Osage Indian heirs of Henry Peace, deceased Osage Allottee No. 239, by the Secretary of the Interior of the United States and his duly authorized agent, the Superintendent of the Osage Indian Agency at Pawhuska, Oklahoma, and costs are taxed to defendant.

ROYCE H. SAVAGE JUDGE

ENDORSED: Filed Apr 18 1944 H. P. Warfield, Clerk U. S. District Court LN

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
v.) No. 1176 Civil
Clarence Trenary, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 17th day of April, 1944, this matter having come on for hearing before the Court on April 3, 1944, on the application of the United States for a temporary injunction, plaintiff appearing by Whit Y. Mauzy, United States Attorney, and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, but the defendant making no appearance nor filing any pleadings, and being in default, a temporary injunction was issued, and it further appearing that although defendant has been duly and regularly served with summons and a copy of the complaint in this action, he has also failed to answer, demur, or otherwise plead herein, and it further appearing that defendant is not in the military service of the United States, the Court finds said defendant to be in default and further finds plaintiff entitled to judgment as prayed for in its complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the defendant, Clarence Trenary, be, and he is hereby perpetually restrained and enjoined from interfering with the possession, management and control of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4); Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) and the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Twenty-five (25), Range Nine (9), Osage County, Oklahoma, and all buildings and improvements thereon, the restricted property of the restricted Osage Indian Louis Pah Se To Pah, Osage Allottee No. 619, by the Secretary of the Interior of the United States and his duly authorized agent, the Superintendent of the Osage Indian Agency at Pawhuska, Oklahoma, and costs are taxed to defendant.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 18 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

EMMA WALKER, Plaintiff,)
vs) No. 1188 Civil
IZOPA ALEXANDER LEE, Sinclair Prairie)
Oil Company et al., Defendants.)

ORDER BRINGING IN ADDITIONAL PARTIES ON COUNTER-CLAIM

This cause came on to be heard on motion of defendants, Arch M. Hyden, Administrator with the will annexed of the estate of Sarah C. Getty, deceased, George R. Echols, Administrator of the estate of John D. Boxley, deceased, Beulah Boxley, Willard Martiny Trustee for Kathryn Cornell Maxey, N. B. Feagin, V. V. Harris, P. G. Barnard, C. B. Hyde, M. P. Mathis, Fannie C. Holman, J. B. Hammons, F. P. Swan, Roley Buck, Sinclair Prairie Oil Company, a corporation, BarDon Oil Company, a corporation, and The Atlantic Refining Company, a corporation, for an order making Pearlle Buck, J. T.

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

RECEIVED JANUARY 1944 11:02

WEDNESDAY, APRIL 19, 1944

petition herein, making additional parties defendant.

ROYCE H. SAVAGE
JUDGE

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

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

CALVIN C. WEST, Plaintiff,)
vs) NO. 1081 CIVIL
JOSEPH A. WEST, et al., Defendants.)
UNITED STATES OF AMERICA, Intervener.)

ORDER CORRECTING DESCRIPTION OF LAND INVOLVED

On application of the plaintiff to correct, by amendment, the description of a portion of the land involved in this action, as contained in the Decree of Partition, entered by this Court, on the 3rd day of April, 1944; plaintiff appearing by his attorney, John S. Severson, and the intervenor, the United States of America, by the Honorable Whit Y. Mauzy, U. S. District Attorney; and it being shown to the Court that that part of the description of a portion of said land, as shown on page 4, and set out as follows: "SW $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 31, Township 23 North, Range 21 East, Mayes County, State of Oklahoma."

is erroneous and should be amended so as to read:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 31, Township 23 North, Range 21 East, Mayes County, State of Oklahoma,

said error having occurred through inadvertance.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that that portion of the said description seeking to describe the lands located in Section 31, as herein before set out, be and the same is hereby amended and changed so as to read:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 31, Township 23 North, Range 21 East, Mayes County, State of Oklahoma,

effective as of April 3rd, 1944.

ROYCE H. SAVAGE
U. S. District Judge

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

1944 JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 20, 1944

On this 20th day of April, 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. Manzy, United States Attorney
John P. Losen, 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

J. R. Lawrence, Plaintiff,)
vs) No. 851 Civil
Keokuk Steel Casting Company,)
a corporation, Defendant.)

O R D E R

This matter coming on for hearing before the undersigned Judge of said Court on this 7th day of April, 1944, on a motion of the defendant to strike certain portions of the Second Amended Petition, and a motion to make more definite and certain; and the plaintiff appearing by his attorneys Hudson and Hudson, by Robert D. Hudson, and the defendant appearing by its attorneys, J. C. Boyd and Spillers & Spillers, by G. C. Spillers; and the court, having heard the argument of counsel and being fully advised in the premises, finds that said motion to strike should be denied; the court further finds that the motion to make more definite and certain should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the motion of the defendant to strike should be and the same is hereby denied;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the motion of the defendant to make more definite and certain should be and the same is hereby sustained.

Plaintiff is given ten days within which to amend, and the defendant ten days thereafter to plead further.

The motion to continue this cause during the period of service of the plaintiff in the United States Armed Forces is taken under advisement for further consideration of the Court.

ROYCE H. SAVAGE
JUDGE

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

U. S. DISTRICT COURT OF THE UNITED STATES FOR THE
NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

RECEIVED JANUARY 1944 TERM

FRIDAY, APRIL 21, 1944

On this 21st day of April, 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 E. Savage, Judge, present and presiding.

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

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

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

The City of Drumright, Oklahoma,
a Municipal Corporation, ex rel
Leonard Vershuis,

Plaintiff,

CIVIL ACTION NO. 929

vs.

Ruth Alexander, et al.,

Defendants.

ORDER CONFIRMING SALE

Now on this 21 day of April, 1944, this matter comes on for hearing upon motion of the plaintiff for an order confirming the sale of real estate made by the Special Master herein on the 17th day of April, 1944, to the party as set forth herein under order of sale issued out of the office of the Court Clerk of the United States District Court for the Northern District of Oklahoma, dated March 11th, 1944, of the following property in Drumright, Creek County, Oklahoma, to-wit:

LOTS	BLOCK	ADDITION	PURCHASER	AMOUNT
34	6	Original Townsite	Withdrawn	
35	6	Original Townsite	Withdrawn	
1	15	Original Townsite	L. W. McEwen	\$ 12.00
2	15	Original Townsite	L. W. McEwen	12.00
7	15	Original Townsite	L. E. Shanks	51.00
8	15	Original Townsite	L. E. Shanks	51.00
7	16	M. Jones	Withdrawn	
8	16	M. Jones	L. E. Shanks	1.00
13	18	M. Jones	L. E. Shanks	31.00
14	18	M. Jones	L. E. Shanks	26.00
15	18	M. Jones	L. E. Shanks	26.00
16	18	M. Jones	L. E. Shanks	6.00
17	18	M. Jones	L. E. Shanks	6.00
18	18	M. Jones	L. E. Shanks	6.00
1	23	M. Jones	Withdrawn	
2	23	M. Jones	Withdrawn	
3	23	M. Jones	L. E. Shanks	61.00
4	23	M. Jones	L. E. Shanks	51.00
5	23	M. Jones	L. E. Shanks	51.00
6	23	M. Jones	L. W. Broome	300.00
1	25	M. Jones	L. E. Shanks	26.00
2	25	M. Jones	L. E. Shanks	43.00
3	25	M. Jones	L. E. Shanks	36.00
4	25	M. Jones	L. E. Shanks	36.00
5	25	M. Jones	L. E. Shanks	51.00
1	24	M. Jones	L. E. Shanks	126.00
2	24	M. Jones	L. E. Shanks	126.00

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

REGULAR JANUARY 1944 TERM

OKMGA, OKLAHOMA

FRIDAY, APRIL 21, 1944

3	24	M. Jones	L. E. Shanks	70.00
3	24	M. Jones	L. E. Shanks	26.00
5	25	M. Jones	Withdrawn	
6	25	M. Jones	Withdrawn	
1	36	M. Jones	L. E. Shanks	.10
2	36	M. Jones	L. E. Shanks	.10
3	36	M. Jones	L. E. Shanks	.10
4	36	M. Jones	L. E. Shanks	.10
12	47	M. Jones	L. E. Shanks	.10
13	47	M. Jones	L. E. Shanks	.10
14	47	M. Jones	L. E. Shanks	.10
15	47	M. Jones	L. E. Shanks	.10
16	47	M. Jones	L. E. Shanks	.10
17	47	M. Jones	L. E. Shanks	.10
18	47	M. Jones	L. E. Shanks this lot was sold with Lot 19 for the sum of \$276.00 to	
19	47	M. Jones	L. E. Shanks	
20	47	M. Jones	L. E. Shanks	6.00
21	47	M. Jones	L. E. Shanks	6.00
22	47	M. Jones	L. E. Shanks	.10

all in the City of Drumright, Creek County, Oklahoma.

The Court having carefully examined the proceedings of said Special Master under said order of sale is satisfied that the same has been performed in all respects in conformity to law, and that due and legal notice of said sale was given by publication in the Drumright Oklahoma Journal, a newspaper of general circulation in said County and State wherein said property is located, as required by law, and as shown by proof of publication on file herein and that on the day fixed therein, to-wit: the 17th day of April, 1944, said lots were sold separately to the above named party, subject to existing ad valorem taxes and special assessments not herein foreclosed, said party being the highest and best bidder therefor, and the Clerk is accordingly directed to make an entry on the journal of said Court that the Court is satisfied with the legality of said sale, and no objections being made or exceptions filed.

IT IS ORDERED, ADJUDGED AND DECREED that the sale and proceedings thereof be and the same are hereby approved and confirmed and the Special Master is directed to pay the appraisers' fee in the sum of \$15.00, publication fee in the sum of \$52.00, and a fee of \$171.41 is hereby allowed J. V. Frazier, Special Master.

IT IS FURTHER ORDERED that J. V. Frazier, Special Master, make and execute to the said purchaser at the sale, good and sufficient deed for the respective premises so sold, and pay all funds on hand to the City Treasurer of Drumright, Oklahoma.

IT IS FURTHER ORDERED that the said purchaser of said premises, lands and tenements at said sale aforesaid be immediately let into possession of said premises and each and every part thereof and the Clerk of this Court is ordered to issue a Writ of Assistance to the United States Marshal of the Northern District of Oklahoma, directing him to place the said purchaser in full possession of said premises and the defendants and each of them since the commencement of this action shall, upon presentation of such Writ of Assistance, immediately deliver possession thereof to the said purchaser and the refusal of said defendants or any of them, or anyone in possession of said premises or any part thereof under them or any of them as aforesaid, to deliver immediate possession of said premises to said purchaser constitutes contempt of this Court.

IT IS FURTHER ORDERED that the assessments sued on in plaintiff's complaint be merged in the respective judgments and said respective judgments on the properties described be marked "satisfied" by Special Master's sale, all to be shown on the delinquent paying records in the office of the City Treasurer of Drumright, Oklahoma, and the office of the County Treasurer of Creek County,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the said United States Marshal make, execute and deliver up 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that said United States Marshal deduct out of the funds in his hands the publication costs in the sum of \$16.00, and that he pay to the clerk of this court the sum of \$150.81 costs, incurred in this Court, and that he pay to the Court Clerk of Mayes County, Oklahoma, the sum of \$38.30, being costs incurred prior to the removal of this action to this court from the District Court of Mayes County, Oklahoma, and that he pay to Ben L. Murdock the sum of \$55.00 as a reasonable attorney's fee in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the balance remaining shall be disbursed by check made payable to the Treasurer of the United States and sent to F. W. Sunderwirth, Disbursing Agent for the Five Civilized Tribes, Muskogee, Oklahoma, for the use and benefit of the parties to this action, and their respective interests in the above estate, as follows:

Jacob Arneecheer, undivided 1/3 interest,	\$ 96.65
Ned Arneecheer, undivided 1/9 interest,	32.21
Sam Arneecheer, undivided 1/9 interest,	32.21
Dora Arneecheer, undivided 1/9 interest,	32.21
Linnie Arneecheer, undivided 1/9 interest,	32.21
Lillie Arneecheer, undivided 1/9 interest,	32.21
Joe Arneecheer, undivided 1/9 interest,	32.21

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the respective sums above set out for marshal's cost, court costs and attorney's fee shall be first paid before distribution is made as above set forth.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States Marshal file a report of all disbursements, made under this order, with the Clerk of this Court.

ROYCE H. SAVAGE
United States District Judge

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

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

GAYNELL McCLAIN,	Plaintiff,)
vs		) No. 1165 C
E. I. DUPONT DENEMOURS & CO.,)
A Corporation,	Defendant.)

It is hereby ordered that said cause be and the same is hereby dismissed, this 21st day of April, 1944.

ROYCE H. SAVAGE
Judge of the U. S. District Court for the
Northern District of Oklahoma

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

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

RECEIVED JANUARY 1944 TERM

NO. 937, OKLAHOMA

71
FRIDAY, APRIL 28, 1944

On this 22nd day of April, 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 H. Savage, Judge, present and presiding.

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

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

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

On this 22nd day of April, 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, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA.

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma before you, or some of you, in a cause between J. T. Smith, plaintiff, and The Fourth National Bank of Tulsa, defendant, No. 937 Civil, the judgment of the said district court in the said cause entered on June 22, 1943, was in the following words, viz:

"It is therefore ordered, adjudged and decreed by the court that the motion of the defendant for summary judgment be and it is hereby sustained, and judgment is entered for the defendant and against the plaintiff, and the costs of this action are taxed against the plaintiff.

"To all of which the plaintiff excepts, and exceptions are allowed."

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 J. T. Smith, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the January 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 agreed 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 case is hereby affirmed; and that The Fourth National Bank of Tulsa, as aforesaid, have and recover of and from J. T. Smith, appellant, its costs herein.

-- March 16, 1944

THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

APRIL 22, 1944

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

WITNESS, the Honorable HARIAN F. STONE, Chief Justice of the United States, the 20th day of April in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF APPELLEES:

Attorney \$20.00

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

ENDORSED: Filed Apr 22 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 24, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1944

On this 24th day of April, 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 H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

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

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

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

The City of Sand Springs, a Municipal corporation, ex rel Leonard Vershuis,)	
)	
Complainant,	)	CIVIL MOTION NUMBER 355
vs.)	
)	
Sand Springs Townsite, Company, et al.,)	
Defendants.)	

O R D E R

It being made to appear to the Court that there is now on hand in the fund established by law for the payment of bonds issued in Street Improvement District Number 7 of the City of Sand Springs, Oklahoma, a certain sum of money applicable to the payment of such bonds, with the interest thereon, and it further being made to appear that the City Treasurer of said City refuses to so apply the same, on motion of the relator it is

O R D E R E D: That the City Treasurer of the City of Sand Springs, Oklahoma, L. E. Mohl, be and he is hereby is ordered and directed to forthwith apply the money now on hand in said street improvement district to the payment of the bonds of said district in their numerical order, with interest at the rate of ten per cent per annum from the maturity of said bonds until the date of such payment; in each instance paying the next numbered unpaid bond with the interest accumulated thereon,

until all of the outstanding bonds of said District have been paid in full, with interest, or until said fund shall have been exhausted; and should it occur that the money in said fund at any time shall be insufficient to pay the next numbered bond, with interest, in full, then on demand of the holder of said bond and on presentation thereof, the money so available shall be applied upon said next numbered bond, first in payment of the accumulated interest and the balance upon principal, said bond being endorsed by the city treasurer with the amount of such partial payment and returned to the person who presented the same and the bond register noted accordingly.

DATED this 24 day of April, 1944.

ROYCE H. SAVAGE
United States District Judge

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

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

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

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1944, this matter coming on for hearing upon the motion of the plaintiff, United States of America, for judgment in accordance with mandate of the Circuit Court of Appeals for the Tenth Judicial Circuit, filed in this cause on the 5th day of January, 1944, it appearing that judgment was entered in this cause by the trial court on the 4th day of January, 1943, and that thereafter an appeal was taken by the Board of County Commissioners, defendants herein, and cross-appeal was taken by the United States of America, plaintiff herein, and that on November 26, 1943 in an opinion by the Circuit Court of Appeals for the Tenth Judicial Circuit said judgment of the trial court was affirmed in all respects except it was modified so as to decree and declare the real estate concerned herein be non taxable for the year 1940; that thereafter petition for writ of certiorari was filed in the Supreme Court of the United States and on April 3, 1944, the Supreme Court denied petition for writ of certiorari and released said mandate so signed by the Circuit Court of Appeals for the Tenth Judicial Circuit and it now is in full force and effect.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

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

is held in trust by the United States of America for Gilson Fleemont Moore, Pawnee Indian, and that said real estate is non-taxable for the years 1940, 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee

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

WEDNESDAY, JANUARY 19, 1944

OKLAHOMA, OKLAHOMA

MONDAY, APRIL 24, 1944

County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

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

is held in trust by the United States of America for Phyllis Sadie Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1940, 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the

East Half of Southwest Quarter of
 Section 14, Township 21 North,
 Range 4 East, situated in Pawnee
 County, State of Oklahoma,

is held in trust by the United States of America for Regina Margaret Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1940, 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT THE

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

is held in trust by the United States of America for Phyllis Sadie Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1940, 1941, 1942 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County, are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that said plaintiff have and recover judgment as prayed for in its complaint, and that said plaintiff is entitled to payment of its costs incurred herein.

F. E. KENNAMER
 JUDGE

RECORDED: Filed Apr 24 1944
 H. P. Warfield, Clerk
 U. S. District Court ME

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

WESTER JANUARY 1944 TERM

WILMA, OKLAHOMA

WEDNESDAY, APRIL 24, 1944

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 226.60 acres, more or less; and Don Emery, et al.,	Defendants.)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 5
(5 FW 189-B)

NOW, on this 24th day of April, 1944, there coming on for hearing the application of the defendant, Louise S. Chandler, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 5 (5 FW 189-B) and the Court being fully advised in the premises, finds:

That the defendant, Louise S. Chandler, was the owner of the land designated as Tract No. 5 (5 FW 189-B) when this proceeding was commenced; that the petition filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$78.00 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, Louise S. Chandler, 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 \$78.00, which was accepted by the petitioner.

The Court further finds that the sum of \$78.00, is just compensation for the injuries and damages sustained by said defendant, Louise S. Chandler,

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, Louise S. Chandler, was the owner of the land designated as Tract No. 5 (5 FW 189-B), when this proceeding was commenced, and that the sum of \$78.00, is just compensation for the damages sustained by the defendant Louise S. Chandler 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: Louise S. Chandler Owner	
TRACT NO. 5 (5 FW 189-B)	\$78.00

ROYCE H. SVAGE
JUDGE

ENDORSED: Filed Apr 24 1944
H. P. Garfield, Clerk
U. S. District Court

REGULAR FEBRUARY 1944 TERM

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

CALVIN C. WEST,	Plaintiff,)
)
vs)
)
Joseph W. West, et al.,	Defendant.)
)
United States of America,	Intervener.)

NO. 1080 CIVIL

ORDER APPROVING COMMISSIONERS' REPORT

Now on this the 24 day of April, 1944, the above case coming on for hearing upon the motion of the plaintiff, Calvin C. West, for an order confirming the Commissioners' Report filed herein on April 18, 1944, and for an Order directing the sale of the premises by the United States Marshal.

And the Court having examined said report and the motion filed herein, finds that the same was in all things made pursuant to decree of this court entered April 3, 1944 and the Writ of Partition issued pursuant thereto, and that none of the interested parties have elected to take the lands at the appraised price; therefore it is necessary that said report be approved and that an order be made authorizing and directing the Honorable Jno. P. Logan, U. S. Marshal, of the Northern District of Oklahoma to advertise and sell the lands involved, pursuant to statutes, State and Federal, in like cases made and provided, and that the claims of the said Commissioners are reasonable and that the same should be allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the Court, that said Commissioners' Report be and the same is in all things approved and confirmed; and made firm and effectual forever, and that said Commissioners, Elmer Vick and C. C. Weber, be each allowed \$10.00 as their reasonable fees, together with the further sum of \$9.20 as expenses incurred in making the said appraisement. Intervener given 10 days to take at appraised price. Ten days from this date allowed intervener to elect to take at appraised price.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Honorable Jno. P. Logan, U. S. Marshal, for the Northern District of Oklahoma, he and he is hereby ordered and directed to sell the land herein involved, described as follows, to-wit:

Lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW 9.42 acres of Lot 3, and Lot 5, all in Section 6, Township 22 North, Range 21 East, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 22 North, Range 21 East, all in Mayes County, Oklahoma,

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

ROYCE H. SAVAGE
U. S. District Judge

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

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

Victory Investment Corporation, a Delaware corporation, and the Town of Fairfax, Oklahoma, a municipal corporation, ex rel. Victory Investment Corporation, a Delaware corporation, Plaintiff, No. 1090 - Civil

-vs-

Orie Johnson, et al., Defendants.

C R D E R

For good cause shown, it is ORDERED that the defendants, C. R. Minnick, Audrey Minnick and the First State Bank of Fairfax, Oklahoma, a corporation, be and are hereby granted an extension of fifteen (15) days from the 20th day of April, 1944, in which to file their Answers in this cause.

ROYCE H. SAVAGE JUDGE

ENDORSED: Filed Apr 24 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 APPOINTING GUARDIAN AD LITEM AND ATTORNEY

Now on this 24 day of April, 1944, this cause came on to be heard and the Court, having been fully advised in the premises, finds that Warren Harleson, a minor, is in the United States Navy and that said Warren Harleson has a probably interest in Tract No. 1783 as one of the heirs of J. W. Warren deceased. The Court finds that an attorney should be appointed to represent said Warren Harleson's interest in this case and to serve as Guardian ad litem.

The Court further finds that Basil Warren, who is in the United States Army, has a probably interest in Tract No. 1783 as one of the heirs of J. W. Warren, deceased, and that an attorney should be appointed to represent Basil Warren in this action.

The Court further finds that Lanora E. Smith, also known as Lunaro Smith, Marion E. Smith, also known as Marion Smith, Marvin L. Smith, also known as Marvin Smith, Naomi Ella Smith, also known as Naomi Smith, and Canara C. Smith, Jr., also known as C. C. Smith, Jr., are minors, and that they have a probably interest in Tract No. 1783. The Court finds that a Guardian Ad Litem should be appointed for said minors.

IT IS, THEREFORE, ORDERED that John McCune, a member of the Bar of the State of Oklahoma and of this Court, be, and he is hereby appointed to serve as attorney and guardian ad litem in this cause for Warren Harleson, a minor, in the United States Navy; as attorney for Basil Larren in the United States Army; and as guardian ad litem for Lenora B. Smith, also known as Lenaro Smith, Marion B. Smith, also known as Marion Smith, Marvin L. Smith, also known as Marvin Smith, Naomi Ella Smith, also known as Naomi Smith, and Cenaro C. Smith, Jr., also known as C. C. Smith, Jr., minors.

The Clerk of this Court is directed to mail a copy of this Order to the above named attorney.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 24 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-

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 192.42 acres, more or less; and Van S. Chandler, et al., Defendants.)

CIVIL NO. 1115

ORDER FIXING TITLE, DECREETING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 6 (6 FW670-A)

NOW, on this the 24th day of April, 1944, there coming on for hearing the application of the defendant, Mabel L. Gunter, now Brown, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 6 (6 FW 670-A) and the Court, being fully advised in the premises, finds:

That the defendant, Mabel L. Gunter, now Brown, was the owner of the lands designated as Tract No. 6 (6 FW 670-A) when this proceedings was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$72.50 for the taking of the fee simple title in and to said tract of land. That this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said land.

The Court further finds that the defendant, Mabel L. Gunter, now Brown, agreed to grant and sell to the petitioner the fee simple title in and to 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 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, having any right, title or interest in and to said tract of land; that there are no unpaid taxes thereon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Mabel L. Gunter, now Brown, was the owner of the lands designated as Tract No. 6 (6 FW 670-A) when this

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

APRIL 24 1944

OKLAHOMA

NOBOLY, APRIL 24, 1944

proceeding was commenced, and that the sum of \$72.20 is just compensation for the taking of the fee of said title to said tract of land; 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 herein deposited as follows, to-wit:

TO: Mabel L. Ganter, now Brown
Owner - Tract No. 8 (S FW 670-A).....\$72.20

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 24 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. 1147
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA, /
containing approximately 77.90 acres, more or less; /
and Sassona Young Wilson Darity, et al., /
Defendants. /

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 16
(41 FW 1246)

NOW, on this 24th day of April, 1944, there coming on for hearing the application of the defendants, Ellsworth Moore and M. E. Moore, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 16 (41 FW 1246) and the Court being fully advised in the premises, finds:

That the defendant, Ellsworth Moore, was the owner of the land designated as Tract No. 16 (41 FW 1246) 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 \$144.20 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 defendants, Ellsworth Moore and M. E. 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 \$144.20, which was accepted by the petitioner.

The Court further finds that the sum of \$144.20 is just compensation for the injury 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 by a right, title or interest in and to said just compensation except D. G. Moore and Mildred Moore, holders of certificate and said mortgages have filed waiver herein.

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

REPORT OF JANUARY 1944

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1944

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant Ellsworth Moore, was the owner of the land designated as Tract No. 16 (41 FW 1245) when this proceeding was commenced, and that the sum of \$144.20, is just compensation for the damages sustained by the defendant, Ellsworth Moore, and that said defendant is the only person having any right, title or interest in and to said just compensation, the mortgagees having filed waiver herein.

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: Ellsworth Moore Owner

TRACT NO. 16 (41 FW 1245)

\$144.20

ROYCE H. SAVAGE
J U D G E

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

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 COMMISSIONERS' REPORT

Now on this the 24 day of April, 1944, the above case coming on for hearing upon the motion of the plaintiff, Josephine Tulsa, nee Spybuck, for an order confirming the Commissioners' Report filed herein on April 19th, 1944, and for an Order directing the sale of the premises by the United States Marshal.

And the court having examined said report and the motion filed herein, finds that the same was in all things made pursuant to decree of this court entered April 11th, 1944, and the writ of partition issued pursuant thereto, and that none of the interested parties have elected to take the lands at the appraised price; therefore it is necessary that said report be approved and that an order be made authorizing and directing the Hon. Jno. P. Logan, U. S. Marshal, of the Northern District of Oklahoma, to advertise and sell the lands involved, pursuant to statutes, State and Federal, in like cases made and provided, and that the claims of the said Commissioners, is reasonable and that the same should be allowed.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that said Commissioners' report be and the same is in all things approved and confirmed, and made firm and effectual forever, and that said Commissioners, Elmer Vick, and C. C. Weber, be each allowed \$10.00 as their reasonable fees, together with the further sum of \$3.95 as expenses incurred in making the said appraisal, Intervener given 10 days to take at appraised price.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Hon. Jno. P. Logan, U. S. Marshal, for the Northern District of Oklahoma, be and he is hereby ordered and directed to sell the land herein involved, as follows, to-wit:

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

NORTHERN DISTRICT OF OKLAHOMA

FILED IN JANUARY 1944 PER

WILSON, & KLEPONS

MONDAY, APRIL 24, 1944

The S¹/₂ of NW¹/₄ of Sec. 17, Twp. 21, North, Range 12 East, Tulsa County, Oklahoma, for cash,

after advertising the same in the manner as required by the laws of the State of Oklahoma, and of the United States of America in like cases made and provided and file his report herein.

ROYCE H. SAVAGE
U. S. JUDGE

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

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 41.82 acres, more or less; and Mesa Grande Yacht Club, et al., Defendants.)

CIVIL NO. 1128

JUDGMENT ON AMENDMENT TO DECLARATION OF TAKING AS TO TRACT NO. 27 (34 FW 1129)

NOW, on this 24th day of April, 1944, the petitioner, United States of America, having offered its amendment to the original declaration of taking filed herein as to Tract No. 27 (34 FW 1129), and it appearing to the Court that the petitioner in said original declaration of taking estimated the just compensation for the taking of a flowage easement upon Tract No. 27 (34 FW 1129) to be the amount of \$1129.00; that said amount was deposited in the registry of the court and is now on deposit therein.

It further appearing that said estimate of just compensation for said tract No. 27 (34 FW 1129) was based upon an appraisal for the taking of the full fee simple title in and to said tract of land instead of perpetual easement for flowage, and was inserted in said original declaration of taking through inadvertence and mistake and is therefore erroneous; that the Secretary of the Interior of the United States now estimates the sum of \$368.00 to be just compensation for the taking of a perpetual flowage easement upon said Tract No. 27 (34 FW 1129) - and the Court finds that the petitioner's amendment to its declaration of taking as to Tract No. 27 (34 FW 1129) is in proper form and should be filed; that the original declaration of taking be amended as set forth in said amendment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, be, and it is hereby allowed to file an amendment to its Declaration of Taking as to Tract No. 27 (34 FW 1129) by substituting the sign and figures "\$368.00" in lieu of the sign and figures "\$1129.00" following the words "Estimated Just Compensation".

IT IS FURTHER ORDERED that the Clerk of this Court pay to the Treasurer of the United States the sum of \$761.00 said amount being the difference between the estimated just compensation set forth in the original Declaration of Taking filed herein as to Tract No. 27 (34 FW 1129) and the estimated just compensation as fixed by the amendment to the Declaration of Taking as to said Tract No.

FILED JANUARY 1941 P.M.

TULSA, OKLAHOMA

TUESDAY, APRIL 24, 1944

Joe Martin,
Katie Vann, Cherokee Freedman, Roll No. 2010, if living, or if
deceased, their known and unknown heirs, executors, administrators,
trustees, devisees, legatees, creditors, successors, and assigns,
immediate and remote, and their spouses, if any;

and the known and unknown heirs, executors, administrators,
trustees, devisees, legatees, creditors and assigns, immediate
and remote, and their spouses, if any, of Charles Rhodes,
deceased; Charles Amador, deceased; Charles E. Barnes, deceased;
David Chandler, deceased; Annie E. Chandler, deceased; E. G.
Chandler, deceased; Marie L. Chandler, deceased; Samuel O'Fields,
Cherokee Roll No. 27563, deceased; Peter O'Fields, deceased;
Ella O'Fields, deceased; Austin O'Fields, deceased; Rosie
Ashcraft, deceased; Lulu Leatherman, deceased; and Lizzie
Walker, deceased;

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

William Ward Allen;
Jimmie Walker;

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

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Saul A. Yager, a regular
practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the in-
terests of each of the following defendants, to-wit:

William Ward Allen;
Jimmie Walker;
Marie H. Davenport;
Lafe Rhodes,
Myrtle Bush,
J. W. Monroe,
Arizona Creek, Cherokee Citizen, Roll No. 30999,
J. E. Johnson,
E. G. Johnson,
George H. Matthews,
Carl V. Vaughn,
W. F. Courtad,
Joe Martin,

Katie Vann, Cherokee Freedman, Roll No. 2010, if living, or if
deceased, their known and unknown heirs, executors, administrators,
trustees, devisees, legatees, creditors, successors, and assigns,
immediate and remote, and their spouses, if any;
and the known and unknown heirs, executors, administrators,
trustees, devisees, legatees, creditors and assigns, immediate
and remote, and their spouses, if any, of Charles Rhodes,
deceased; Charles Amador, deceased; Charles E. Barnes, deceased;
David Chandler, deceased; Annie E. Chandler, deceased; E. G.
Chandler, deceased; Marie L. Chandler, deceased; Samuel O'Fields,
Cherokee Roll No. 27563, deceased; Peter O'Fields, deceased;
Ella O'Fields, deceased; Austin O'Fields, deceased; Rosie
Ashcraft, deceased; Lulu Leatherman, deceased; and Lizzie
Walker, deceased.

AND HE IS FURTHER ADVISED AND DIRECTED that a judgment be entered in this cause confirming the report of Commissioners.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Apr 25 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. 1002
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, and P. E. Hastings, et al.,	Defendants.)	

J U D G M E N T

NOW, on this 25 day of Apr., 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 proceedings.
- (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.

RECEIVED FEBRUARY 1944 TERM

INDIAN, OKLAHOMA

TUESDAY, APRIL 25, 1944

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

(6) The Court further finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 1st day of December, 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 2nd 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, to-wit:

TRACT NO. 1 (4 - FW-160)
Flowage Easement

All that part of the north 19.45 acres of Lot 3, and all that part of the Southeast 10.0 acres of Lot 3 in Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elevation 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 0.8 acre.

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

TRACT NO. 2 (4 - FW-161)
Flowage Easement

All that part of the southwest 10.0 acres of Lot 3 of Sec. 5, 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 0.3 acre, more or less.

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

TRACT NO. 3 (4 - FW-162)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, 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, \$3.20

TRACT NO. 4 (4 - FW-163)
Flowage Easement

All that part of the west half of Lot 3, Sec. 5, 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 1.8 acres.

ESTATE OF JANUARY 1944 YEAR

TUESDAY, OKLAHOMA

TUESDAY, APRIL 25, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.40

TRACT NO. 5 (4 - FW-164)
Flowage Easement

All that part of Lot 1 and all that part of the east half of Lot 2 in Sec. 5, 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 1.2 acres.

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

TRACT NO. 6 (4 - FW-165)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, 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 less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$0.40

TRACT NO. 7 (4 - FW-166)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, 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 0.2 acre.

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

TRACT NO. 8 (4 - FW-167)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, 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, \$12.00

TRACT NO. 9 (4 - FW-168)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, 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 0.5 acre.

REVENUE JANUARY 1945 STATE

TRUSTS, CLAIMS

OKLAHOMA, APRIL 15, 1945

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$41.80

TRACT NO. 10 (4 - FW-166)

Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, 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, \$0.45

TRACT NO. 11 (4 FW - 170)

Flowage Easement

All that part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$, and all that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, 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 2.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$66.40

TRACT NO. 12 (4 - FW-171)

Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 32, 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 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. 13 (4 - FW-205)

Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of Lot 2, Sec. 32, 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 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, \$40.80

TRACT NO. 14 (4 - FW-206)

Flowage Easement

All that part of the NW 10.0 acres of Lot 1, Sec. 32, T

1/4 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 2.3 acre.

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

TRACT NO. 15 (4 - FW-207)

Flowage Easement

All that part of the SW 10.0 acres of Lot 3 in Sec. 33, 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, \$2.40

TRACT NO. 16 (4 - FW-209)

Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, all in 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 \$4.40

TRACT NO. 17 (4 - FW-210)

Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, 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 \$0.40

TRACT NO. 18 (4 - FW-211)

Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, 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 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$4.00

REPORT DATED JANUARY 1944

OKLAHOMA

PROPERTY, APRIL 26, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$5.60

TRACT NO. 24 (4 - FW-217)
 Flowage Easement

All that part of the SE $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 4, 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 \$6.40

TRACT NO. 25 (4 - FW-224)
 Flowage Easement

All that part of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 4, 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 1.3 acre.

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

TRACT NO. 26 (4 - FW-225)
 Flowage Easement

All that part of the SE 10.0 acres of Lot 9 of Sec. 4, 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 acres.

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

TRACT NO. 27 (4 - FW-226)
 Flowage Easement

All that part of the NE 7.45 acres of Lot 1, and all that part of the SW 5.90 acres of Lot 1, and all that part of the North 20.0 acres of Lot 9, and all that part of the SW 10.0 acres of Lot 9, and all that part of Lot 8 in Sec. 4, 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 3.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$25.60

TRACT NO. 28 (4 - FW-227)
 Flowage Easement

All that part of the SE 10.0 acres of Lot 1 of Sec. 4, 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.

FILED JANUARY 1944 THREE

OKLAHOMA, OKLAHOMA

COURTNEY, APRIL 20, 1944

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

TRACT NO. 29 (4 - FW-228)
Flowage Easement

All that part of Lot 9 of Sec. 33, 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 less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKE (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$0.90

TOTAL \$245.10

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 \$245.10.

(8) That the United States of America did, on the 29th day of May, 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. 1 (4 - FW-160)	\$3.20
TRACT NO. 2 (4 - FW-161)	1.20
TRACT NO. 3 (4 - FW-162)	3.20
TRACT NO. 4 (4 - FW-163)	3.20
TRACT NO. 5 (4 - FW-164)	4.80
TRACT NO. 6 (4 - FW-165)	0.40
TRACT NO. 7 (4 - FW-166)	0.90
TRACT NO. 8 (4 - FW-167)	12.05
TRACT NO. 9 (4 - FW-168)	1.80
TRACT NO. 10 (4 - FW-169)	0.45
TRACT NO. 11 (4 - FW-170)	33.20
TRACT NO. 12 (4 - FW-171)	1.20
TRACT NO. 13 (4 - FW-205)	20.40
TRACT NO. 14 (4 - FW-206)	1.20
TRACT NO. 15 (4 - FW-207)	2.40
TRACT NO. 16 (4 - FW-209)	4.40
TRACT NO. 17 (4 - FW-210)	0.40
TRACT NO. 18 (4 - FW-211)	1.25
TRACT NO. 19 (4 - FW-212)	9.60
TRACT NO. 20 (4 - FW-213)	0.75
TRACT NO. 21 (4 - FW-214)	5.60
TRACT NO. 22 (4 - FW-215)	1.60
TRACT NO. 23 (4 - FW-216)	1.75
TRACT NO. 24 (4 - FW-217)	2.00

REGULAR JANUARY 1944 TERM

OKLAHOMA

TUESDAY, APRIL 25, 1944

TRACT NO. 25 (4 - FW-224)	3.20
TRACT NO. 26 (4 - FW-225)	1.20
TRACT NO. 27 (4 - FW-226)	17.60
TRACT NO. 28 (4 - FW-227)	0.60
TRACT NO. 29 (4 - FW-228)	0.55
TOTAL	\$142.00

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-202 (U.S.C. Title 40, Secs. 401-402), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944 dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

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

(SAME AS PARAGRAPH 8 hereof)

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 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 29th day of May, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$142.00, 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 hereinabove 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 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 \$103.10, said sum being the deficiency between the sum of \$245.10 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 \$142.00.

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

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

ENDORSED: Filed Apr 25 1944
 H. T. 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. 1002
 CERTAIN PARCELS OF LAND IN DELAWARE)
 COUNTY, OKLAHOMA, AND P. E. HASTINGS,)
 ET AL., Defendants.)

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 25 day of Apr., 1944, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated.

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

IT IS 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 (4 - FW-160)
Flowage Easement

P. E. Hastings fee owner \$3.20
(Commissioners' award)

TRACT NO. 2 (4 - FW-161)
Flowage Easement

Warren Edward Emmons fee owner \$1.20
(Commissioners' award)

TRACT NO. 3 (4 - FW-162)
Flowage Easement

Edward M. Reynolds fee owner \$3.20
(Commissioners' award)

TRACT NO. 4 (4 - FW-163)
Flowage Easement

Ruthen E. Gregory fee owner \$1.40
(Commissioners' award)

TRACT NO. 5 (4 - FW-164)
Flowage Easement

Lillie Creek	fee owner,	\$4.80
(Commissioners' award)		

TRACT NO. 6 (4 - FW-165)
Flowage Easement

Florence Creek, now Ulrich, Cherokee Citizen, Roll No. 31000	fee owner	\$0.40
(Commissioners' award)		

TRACT NO. 7 (4 - FW-166)
Flowage Easement

Zona Amadon, Rhea Fouts, Charles Amadon, a minor, Raymond Amadon, Mary Brown, Robert Amadon	fee owners	\$1.80
(Commissioners' award)		

TRACT NO. 8 (4 - FW-167)
Flowage Easement

N. E. Lanpher	fee owner	\$12.05
(Commissioners' award)		

TRACT NO. 9 (4 - FW-168)
Flowage Easement

J. P. Bright	fee owner	\$4.80
(Commissioners' award)		

TRACT NO. 10 (4 - FW-169)
Flowage Easement

George Singleton	fee owner	\$0.45
(Commissioners' award)		

TRACT NO. 11 (4 - FW-170)
Flowage Easement

Ralph Emerson Duncan	fee owner	\$66.40
(Commissioners' award)		

TRACT NO. 12 (4 - FW-171)
Flowage Easement

Sarah L. Matthews	fee owner	\$2.40
(Commissioners' award)		

TRACT NO. 13 (4 - FW-205) Flowage Easement		
John T. Miller	fee owner (Commissioners' award)	\$40.80
TRACT NO. 14 (4 - FW-206) Flowage Easement		
William Ward Allen	fee owner (Commissioners' award)	\$2.40
TRACT NO. 15 (4 - FW-207) Flowage Easement		
J. C. Wilkerson, J. C. Wickham	fee owners (Commissioners' award)	\$2.40
TRACT NO. 16 (4 - FW-209) Flowage Easement		
Clark Bell	fee owner (Commissioners' award)	\$4.40
TRACT NO. 17 (4 - FW-210) Flowage Easement		
Clark Bell	fee owner (Commissioners' award)	\$0.40
TRACT NO. 18 (4 - FW-211) Flowage Easement		
Nannie L. White, nee Chandler	fee owner (Commissioners' award)	\$4.00
TRACT NO. 19 (4 - FW-212) Flowage Easement		
Treasurer of the United States for Lila White, now Layhead	fee owner (Commissioners' award)	\$9.50
TRACT NO. 20 (4 - FW-213) Flowage Easement		
R. D. Hudson	fee owner (Commissioners' award)	\$2.40
TRACT NO. 21 (4 - FW-214) Flowage Easement		
Dora Ingram	fee owner (Commissioners' award)	\$22.40

TRACT NO. 22 (4 - FW-211)		
Flowage Easement		
I. W. Ingram (Commissioners' award)	fee owner	\$6.40
TRACT NO. 23 (4 - FW-216)		
Flowage Easement		
Ida M. Webber, now Nolan (Commissioners' award)	fee owner	\$5.60
TRACT NO. 24 (4 - FW-217)		
Flowage Easement		
Carl Vaughn (Commissioners' award)	fee owner	\$6.40
TRACT NO. 25 (4 - FW-224)		
Flowage Easement		
W. R. Holway (Commissioners' award)	fee owner	\$1.00
TRACT NO. 26 (4 - FW-225)		
Flowage Easement		
W. B. Moran (Commissioners' award)	fee owner	\$1.20
TRACT NO. 27 (4 - FW-226)		
Flowage Easement		
R. D. Hudson (Commissioners' award)	fee owner	\$25.60
TRACT NO. 28 (4 - FW-227)		
Flowage Easement		
I. W. Ingram (Commissioners' award)	fee owner	\$2.40
TRACT NO. 29 (4 - FW-228)		
Flowage Easement		
J. J. Nichols, E. S. Nichols, Donald Lee Nichols * (Commissioners' award)	fee owners	\$0.80
TOTAL		\$245.10

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.

L. D. Smith: Filed Apr 25 1944
H. P. Warfield, Clerk
U. S. District Court

ROYCE P. SAVAGE
JUDGE

On this 26th day of April, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting at 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

entered, to-wit:

Public proclamation having been duly made, the following proceedings were had and

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

NEW YORK LIFE INSURANCE COMPANY, a Corporation,

Plaintiff,

vs

GRETCHEN D. PAYNE, MARIE A. DUNAWAY, and CITIZENS STATE BANK OF GALENA, Galena, Kansas, a Corporation,

Defendants.

No. 1146 - CIVIL

J U D G E M E N T

The above entitled case comes on for hearing and trial in the United States District Court for the Northern District of Oklahoma, before the Honorable Royce H. Savage, Judge, on the 26th day of April, 1944; plaintiff, New York Life Insurance Company, a corporation, appearing by its attorneys, Tucker & Martin, and the defendants, Gretchen D. Payne, and Marie A. Dunaway, appearing by their attorney, Horce D. Payne, and the defendant, Citizens State Bank of Galena, Galena, Kansas, a corporation, appearing by its attorney, Frank W. Nesbitt; thereupon, a jury trial is waived all parties having consented to trial and hearing by the Court without a jury.

And the Court having examined the pleadings and records in this case and having heard the evidence offered, and being fully advised in the premises, finds that the plaintiff, New York Life Insurance Company, has, concurrently with the filing of its petition of interpleader herein, paid into the registry of this court the sum of Two Thousand, Eight Hundred Thirty-seven and 48/100 Dollars (\$2,837.48), which amount the Court finds was due from the plaintiff on a certificate of deposit, No. 22,466, issued by the plaintiff, dated November 13, 1933 and payable on November 13, 1943, and that at the time of filing its petition in interpleader herein the defendants were separately and adversely claiming that they were entitled to receive the sum of money accruing under certificate of deposit.

The Court further finds that said petition of interpleader was properly filed herein by the plaintiff pursuant to the provisions of Subdivision 28 of Section 41 of Title 28, United States Code Annotated and the aforesaid fund of Two Thousand, Eight Hundred Thirty-seven and 48/100 Dollars (\$2,837.48) paid into the registry of this Court to abide the judgment and determination of this Court with respect to the rightful claimant to said fund, and that the plaintiff, New York Life Insurance Company, is entitled to be discharged from all further liability under said certificate of deposit and to a judgment enjoining the defendants herein from instituting or prosecuting any suit or proceeding against plaintiff in any state court, or in any United States Court on account of, or involving said certificate of deposit, or on account of any sum claimed to be due thereunder, and that said plaintiff, is entitled to a judgment herein fixing and allowing a reasonable attorneys' fee to be paid to its attorneys, Tucker & Martin, the Court finding the one Hundred Fifty Dollars (\$150) is a reasonable attorneys' fee for the services of said attorneys in this action and that the plaintiff is entitled to a further judgment allowing to it the costs expended by it in this action, which attorneys' fees and costs should be paid and disbursed out of the aforesaid fund deposited in the registry of this Court.

The Court further finds that the defendants herein have entered into a written stipulation and agreement with respect to a settlement of their claims to the aforesaid fund and distribution thereof, which stipulation and agreement has this day been filed herein and under the terms of which the defendants have agreed that the plaintiff should receive payment out of the aforesaid fund of its costs herein expended, which the Court finds amounts to the sum of Thirty-eight and 70/100 Dollars (\$38.70) and to the payment out of said fund of an attorneys' fee of One Hundred Fifty Dollars (\$150) to plaintiff's attorneys, Tucker & Martin, and to payment out of said fund to the defendant, Citizens State Bank of Galena, Galena, Kansas, a Corporation of the sum of Eighteen Hundred Dollars (\$1800) and to payment of the balance of said fund to the defendant, Marie A. Dunaway, which balance amounts to the sum of Eight Hundred Forty-eight and 78/100 Dollars (\$848.78), and said stipulation and agreement further providing that the defendant, Gretchen D. Payne disclaims any and all right, title and interest in and to the aforesaid fund and she agreeing that judgment should be entered against her herein accordingly, and all of said defendants agreeing that judgment should be entered in this cause in accordance with the terms of said stipulation and agreement with respect to the distribution of said funds:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, New York Life Insurance Company, a Corporation, be and it is hereby discharged from any and all liability under the aforesaid certificate of deposit, No. 22,466, and that said certificate of deposit be surrendered to the plaintiff forthwith, and that the defendants herein be and they are hereby enjoined from instituting or prosecuting any suit or proceeding in any state or United States Court against the plaintiff, New York Life Insurance Company, a Corporation, involving or on account of said certificate of deposit, or on account of any sum of money claimed to be due thereunder.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the aforesaid stipulation and agreement made and entered into between the defendants herein respecting the distribution of the aforesaid fund of Two Thousand, Eight Hundred Thirty-seven and 48/100 Dollars (\$2,837.48) be and the same is hereby approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said fund of Two Thousand, Eight Hundred Thirty-seven and 48/100 Dollars (\$2,837.48) heretofore deposited in the registry of this Court be disbursed and distributed as follows:

To the plaintiff, New York Life Insurance Company, a Corporation, as its costs herein, expended,	\$ 38.70
To Tucker & Martin, as attorneys' fee	150.00
To defendant, Citizens State Bank of Galena, Galena, Kansas, a corporation,	1800.00
To defendant, Marie A. Dunaway,	848.78

and the Clerk of this Court is hereby directed to forthwith issue vouchers to the parties above named for the respective sums awarded to them.

IT IS FURTHER ORDERED that the defendant, Gretchen D. Payne take nothing herein.

IT IS FURTHER ORDERED that any balance of the cost deposit remaining in the hands of the Clerk at the closing of this case be paid to the defendant, Marie A. Dunaway.

DATED at Tulsa, Oklahoma, this 26th day of April, 1944.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Apr 28 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

REGULAR JANUARY TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 27, 1944

In this 27th day of April, 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. Lacey, 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

ELLA SAWNEY, Plaintiff,
vs. J. M. DOWNING, et al., Defendants.
NO. 562 CIVIL
UNITED STATES OF AMERICA, Intervener.

SUBSTITUTION OF PARTIES DEFENDANT

Now on this 27 day of April, 1944, this matter coming on for hearing upon motion for substitution of parties defendant, and upon suggestion of the death of Evans Backward, a defendant, herein, who died intestate May, 1943, and where as there has been filed in said cause a consent of substitution of parties defendant signed by Nancy Backward, widow of Evans Backward, deceased, and Leonard, Tommie and Rock Backward, all issue of the decedent, Evans Backward, consenting and waiving the service of summons.

IT IS THEREFORE ORDERED that said individuals, Nancy Backward, Leonard Backward, Tommie Backward and Rock Backward, he and the same are hereby substituted as parties defendant for the decedent Evans Backward, and said cause of action is revived as if originally commenced against said parties.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Apr 27 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. CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA, and Willis Thompson, et al., Defendants.
CIVIL NO. 1032

JUDGMENT AS TO TRACT NO. 10 (S F W 12-A)

NOW, on this the 27th day of April, 1944, there coming on for consideration the stipulation entered into between the United States of America, and the defendant, the City of Tulsa, a municipal corporation filed in this cause as to the real estate hereinafter particularly

REGULAR JANUARY 1944 TERM

VINETA, OKLAHOMA

THURSDAY, APRIL 27, 1944

described.

WHEREUPON, the Court proceeded to hear and pass upon said stipulation, petition for condemnation 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.

(6) The Court find 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, filed their report herein on October 5, 1943, wherein they fixed the fair cash market value of the estate taken and all damages to the remainder, if any, as to the lands particularly described and designated as follows, to-wit:

TRACT NO. 10 (2 FW13-A) Flowage Easement
(See Journal 6, Page 433)

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$20.00

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

(7) That the defendant, City of Vinita, a municipal corporation, on October 23, 1943, filed a demand for jury trial, thereby excepting to the report of said commissioners; that the petitioner, United States of America, and the defendant, City of Vinita, a municipal corporation, entered into a stipulation dated April 24, 1944, whereby it was stipulated and agreed that the sum of \$520.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of a perpetual easement to inundate, submerge and flow, and to enter upon said tract of land from time to time in the performance of said acts; that said sum of \$520.00 shall be subject to all liens, encumbrances and charges and all awards of just compensation, ascertained and awarded in this proceeding to any and all other parties, shall be payable and deductible from the same; that the demand for jury trial filed by the defendant, City of Vinita, a municipal corporation, shall be withdrawn and dismissed.

The Court further finds that said stipulation should be confirmed and approved in all respects and that the just compensation for the estate taken in said tract is the sum of \$520.00.

(8) That the United States of America, Ltd, on July 2, 1943, file its Declaration of Taking therein and pay to the Clerk of this Court for the use and benefit of the owners and persons entitled thereto, the sum of \$20.00.

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 3944, dated November 13, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the stipulation entered into by and between the petitioner, United States of America, and the defendant, City of Vinita, a municipal corporation, dated April 24, 1944, and filed in this cause, be, and the same is hereby confirmed and approved in all respects; that the sum of \$520.00, inclusive of interest, is full and just compensation for the taking by the United States of a perpetual easement to inundate, submerge and flow, and to enter upon said tract of land from time to time in the performance of said acts; that said sum of \$520.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing on the 22nd day of July, 1943, the time of the taking of said tract of land by the petitioner, and that any and all awards of just compensation asserted and awarded in this proceeding to any and all parties other than the defendant, City of Vinita, a municipal corporation, shall be payable and deductible from said sum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the demand for jury trial filed by the defendant, City of Vinita, Oklahoma, a municipal corporation, be, and it is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement to inundate, submerge and flow, and to enter upon said tract of 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 (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a perpetual easement to inundate, submerge and flow, and to enter upon said tract of land from time to time in the performance of said acts, was vested in the United States of America on the 2nd day of July, 1943, upon the filing of the Declaration of Taking and depositing the sum of \$20.00 in the registry of this court, and the right to recover just compensation for the taking of said tract of land was vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the use and benefit of the United States of America, and that the just compensation as determined and fixed herein for the taking of a perpetual easement to inundate, submerge and flow, and to enter upon said tract of land from time to time in the performance of said acts, is vested in the persons lawfully entitled thereto as the owners of said tract of land, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, pay into the registry of this Court the sum of \$500.00, said sum being the difference between the sum of \$520.00, the just compensation herein fixed and determined and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said estate in said tract in the sum of \$20.00.

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

WALTER T. HAYES
CLERK OF THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Witness: Filed Apr 27 1944
H. W. Vanfield, Clerk
U. S. District Court

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

JACOB ARNEECHER, Plaintiff,
vs
Wm. Arnecher, et al., Defendants.
United States of America, Intervener.
No. 1078 CIVIL

ORDER APPOINTING COMMISSIONERS

Now on this 27th day of April, 1944, the above styled and numbered cause came on for hearing upon the application of the plaintiff for appointment of commissioners to appraise the following described land:

Northeast Quarter of the Southeast Quarter of Section 23, Township 21 North, Range 19 East, Mayes County, Oklahoma.

The plaintiff appearing by his attorney of record and the United States of America appearing by W. H. Y. Mazzy, United States Attorney, and Joe Arnecher, appearing by his guardian ad litem, Frank Settle, and the other parties appearing by their attorneys and after hearing said application and being fully advised in the premises, the court finds that said application should be granted.

IT IS THEREFORE THE ORDER, JUDGMENT AND DECREE of the court, that Walter Gumma, J. C. Wilkerson and Thos. Harrison, are hereby appointed as commissioners to view and appraise said land and make partition to the same in kind if the same can be equitable done, otherwise, to make an appraisal and return the same under oath to this court without any unnecessary delay.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

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

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

DOWELL, INC., Plaintiff,
vs
JOHN M. WHEELER, TRUSTEE, et al., Defendants.
No. 1116 CIVIL

J U D G M E N T

NOW upon this 7th day of April, 1944, comes on for hearing motion to dismiss for lack of jurisdiction filed by defendant, John M. Wheeler, Trustee, and John M. Wheeler, and the defendant appearing by his attorney, Robert W. Reynolds, and the plaintiff appearing not, and the court having examined the brief of the defendant filed herein and being advised in the premises finds that said motion should be sustained.

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 27, 1944

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion to dismiss filed by the defendant, John A. Wheeler, Trustee, and John A. Wheeler, is sustained and said motion is hereby dismissed at the cost of the plaintiff.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to April 28, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, APRIL 28, 1944

On this 28th day of April, 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 V. Mauzy, United States Attorney
John P. Logan, United States Marshal

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

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

STEVE DOWNING, Plaintiff,
vs
Maggie Joyce, nee Downing, Lila Howe, nee Downing, and Clyde Wilson, Defendants.
United States of America, Intervener.

NO. 782 CIVIL

JOURNAL ENTRY

The above case coming on for hearing this the 28th day of April, 1944, upon the motion and order directing the defendant Clyde Wilson to show cause why he has not vacated the premises in accordance with the Order of this Court, entered June 14, 1943.

The plaintiff, Steve Downing, appearing by his attorney, John S. Severson, the defendants, Maggie Joyce and Lila Howe, appearing by their attorneys Zed I. G. Holt and George F. Waggoner, and the defendant, Clyde Wilson, appearing personally and by his attorney, Henry C. Harris; and the Court having heard said matter and statement of counsel, and being fully advised in the premises finds:

That an agreement has been made by and between the plaintiff Steve Downing, the defendants Maggie Joyce and Lila Howe, and the defendant Clyde Wilson, as follows:

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

REGULAR JANUARY 1944 TERM FRIDAY, APRIL 28, 1944

The said Clyde Wilson has paid to said plaintiff and said defendants the sum of \$75.00 as rental on said premises for the year 1944, up to and until the 1st day of December, 1944, and that, therefore, he is entitled to remain in the undisturbed possession of said premises until said date, to-wit: December 1, 1944; at which time he shall surrender said premises to the plaintiff and defendants aforesaid.

IT IS THEREFORE ordered, adjudged and decreed by the Court that the said defendant, Clyde Wilson, be and he is hereby entitled to possession of said premises to and until the 1st day of December, 1944, at which time he shall vacate the same and deliver possession to the plaintiff and said defendants.

IT IS FURTHER ORDERED that the defendant Clyde Wilson pay the costs of this proceeding to show cause.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

EXPENSED: Filed May 1 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 1, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 1, 1944

On this 1st day of May, 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 V. Mauzy, United States Attorney
John P. Logen, United States Marshal

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

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

IN THE MATTER OF THE APPOINTMENT OF
PROBATION STENOGRAPHER,

O R D E R

I, Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma, do hereby appoint Eileen Ferguson of Tulsa, Oklahoma, Stenographer-Clerk in the Probation Office for the Northern District of Oklahoma, to serve until further order of Court, beginning May 1, 1944.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

EXPENSED: Filed May 1 1944
H. P. Warfield, Clerk
U. S. District Court