

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

UNITED STATES OF AMERICA, Petitioner,)

-vs-

CIVIL NO. 1071

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 78.80 acres, more or less; and Grace H. Settle, et al., Defendants.

ORDER DENYING APPLICATION FOR APPOINTMENT OF COMMISSIONERS AS TO TRACT NO. 28 (28 FW 568)

NOW, on this 1st day of May, 1944, there coming on for hearing the application of the defendant, Joe Buchanan, for an order of the court appointing commissioners to inspect the premises designated and described in this proceeding as Tract No. 28 (28 FW 568), and to assess the damages caused by the taking of a perpetual easement for flowage purposes upon and over said tract of land by the petitioner, United States of America, and it appearing to the Court that the petitioner filed a Declaration of Taking in this cause on the 31st day of August, 1943, and deposited in the registry of this court the sum of \$1234.00 as the estimated just compensation for the taking of a perpetual flowage easement on said Tract No. 28; that title to said easement vested in the petitioner on said 31st day of August, 1943, and this Court entered an order directing the owners of said tract to surrender possession of said land to the petitioner for the purpose of exercising said flowage easement on or before the 8th day of September, 1943.

It further appearing to the Court that in this proceeding the petitioner took a flowage easement on twenty-seven (27) other tracts of land, and the petitioner has requested that commissioners be appointed to assess the damages to all of the tracts involved in this proceeding and that there is no necessity for appointing commissioners at this time to assess the damages as to Tract No. 28.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the application of the defendant, Joe Buchanan, for the appointment of commissioners as to Tract No. 28 (28 FW 568) be, and the same is hereby denied.

ROYCE H. SAVAGE
JUDGE

RECORDED: Filed May 3 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 122.43 acres, more or less; and Van S. Chesler, et al., Defendants.

ORDER DENYING APPLICATION FOR APPOINTMENT OF COMMISSIONERS AS TO TRACT NO. 28 (28 FW 568)

NOW, on this 1st day of May, 1944, it appearing to the Court that the petitioner, United States of America, has filed a Declaration of Taking in this cause on the 31st day of August, 1943, and deposited in the registry of this court the sum of \$1234.00 as the estimated just compensation for the taking of a perpetual flowage easement on said Tract No. 28; that title to said easement vested in the petitioner on said 31st day of August, 1943, and this Court entered an order directing the owners of said tract to surrender possession of said land to the petitioner for the purpose of exercising said flowage easement on or before the 8th day of September, 1943.

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 defendats, to-wit:

Marie T. Whipple;
 Marie T. Whipple, Guardian of Jerry Charles Whipple, a minor;
 Jerry Charles Whipple, a minor;
 Mrs. W. E. Halsell;
 Mabel L. Gunter, now Brown, Cherokee Roll No. 24004;
 Elmer Buzzard, Cherokee Roll No. 4275;
 Rose Buzzard;
 C. W. Chapman;
 Isabel Chapman;
 Colbert A. Williams;
 Iva Williams;
 Ray Wiley;
 George Wiley;
 Lester Wiley;
 John Wiley;
 Walter Wiley;
 Ruth Wiley;
 Elva Atkison;
 Aimie Wright;
 Ralph Wiley;
 Gillie Beaver;
 Hazel Pharr;
 Aubrey Ferguson;
 Lillie Moss;
 Evelyn Ferguson;
 Orvel Ferguson;
 Maurine Ferguson;
 Jessie Fedran;
 Alta Thompson;
 Wynona Rembert, also known as Wynona Rembert;
 A. W. McDonald, Jr;
 Hazel Sparks;
 David E. Shartel;
 Norman B. Blake;
 Lee Langley;
 Floyd Langley;
 Oma Fenton;
 James B. Lacey and Tom T. Steele, doing business as Lacey & Steele,
 a partnership;
 Georgia Clifford;
 Cleo W. Clifford;
 Frank W. Wilkerson;
 Gertrude B. Wilkerson;
 The Shartel Mortgage Company, a corpoation;
 The Prospect Company, a corpoation;
 The State Life Insurance Company, a corpration;
 Leroy C. Morrism;
 Mrs. Lewis Sexton, Dennis Sexton, same as Jeff D. Sexton, Jr;
 H. G. Smith; R. D. Sheldon, R. E. Overton; M. F. Steele, F. E.
 Carlstrom; Charlie Martin, Cherokee Roll No. 32668, if living,
 or if deceased, their known and unknown heirs, administrators, creditors,
 executors, devisees, legatees, trustees, or assigns, immediate
 and remote, and their spouses, if any; and the known and unknown heirs,
 executors, administrators, devisees, legatees, trustees, creditors and

deliver up and surrender possession of said property on or before the 3rd day of May, 1944;

It further appearing that the petitioner has requested that this Court appoint commissioners to assess the damages sustained to said tracts of land and the other tracts involved in this proceeding and that there is no necessity for the appointment of commissioners at this time to assess the damages as to said Tracts 6 and 7; and it further appearing that it will be beneficial to the petitioner, and to the owners of said Tracts No. 6 and 7, for the defendants, Paul Holmes and Ercel Holmes, to retain possession of said tracts of land until the commissioners appointed by this Court have viewed said property and filed their report.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the application of the defendants, Paul Holmes and Ercel Holmes, for the appointment of Commissioners as to Tract No. 6 (50 FW 1338) and Tract No. 7 (50 FW 1339) be, and it is hereby denied.

IT IS THE FURTHER ORDER of this court that the defendant, Paul Holmes and Ercel Holmes be, and they are hereby allowed to retain possession of said Tract No. 6 (50 FW 1338) and Tract No. 7 (50 FW 1339), subject to all of the rights acquired by the petitioner under its Declaration of Taking and at the risk of the defendants, Paul Holmes and Ercel Holmes, until the commissioners have made and filed their report assessing the damages in this cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 3 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. 1199
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)	
OKLAHOMA, containing approx mately 305.40)	
acres, more or less; and Albert Williams,)	
et al.,	Defendants.)	

JUDGMENT ON DECLARATION OF TAKING

THIS CAUSE coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 1st day of May, 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 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 \$14,926.50, 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 property, 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 1st day of May, 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-1573)
Flowage Easement

All that part of Lot 6 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 24.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 6 lying above Elev. 756.1 Sea Level Datum, containing approximately 1.8 acres.

TRACT NO. 2 (57 - FW-1576)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, all that part of the N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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 28.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level datum and Elev. 760 Sea Level Datum, and all that part of said N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of said N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying above Elec. 756.1 Sea level Datum, containing approximately 3.9 acres.

TRACT NO. 3 (57 - FW-1621)
Flowage Easement

All that part of the SW $\frac{1}{4}$ of Lot 5, less the north 30 feet thereof, 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 1.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ of Lot 5, less the north 30 feet thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.4 acres.

TRACT NO. 4 (57 - FW-1635)
Easement for Intermittent
Flowage During Flood Periods

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and West of Highway No. 66, 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 4.2 acres.

TRACT NO. 5 (47 - FW-1636)
Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 3.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 8.0 acres.

TRACT NO. 6 (57 - FW-1637)
Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 15.6 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of the $S\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 36, lying below Elev. 760 Sea Level Datum, and all that part of said N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.5 acres.

TRACT NO. 7 (57 - FW-1638)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.1 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4.0 acres.

TRACT NO. 8 (57 - FW-1646)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 36, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 3.7 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 7.6 acres.

TRACT NO. 9 (57 - FW-1647)
Easement for Intermittent
Flowage During Flood Periods

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 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 0.5 acres.

TRACT NO. 10 (57 - FW-1742)
Easement for Intermittent
Flowage During Flood Periods

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 31, T 28 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 2.3 acres.

TRACT NO. 11 (57 - FW-1790)
Easement for Intermittent
Flowage During Flood Periods

All that part of the SE $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ (otherwise described as BARNES SECOND ADDITION TO MIAMI) in Sec. 31, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 2.3 acres.

TRACT NO. 12 (57 - FW-1791)
Flowage Easement

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 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, containing approximately 2.7 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 5.6 acres.

TRACT NO. 13 (57 - FW-1792)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 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, containing approximately 7.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 5.2 acres.

TRACT NO. 14 (57 - FW-1797)
Flowage Easement

All that part of the NE 10.0 acres of Lot 4 and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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, containing approximately 1.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NE 10.0 acres of Lot 4 and all that part of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum, and Elev. 760.0 Sea Level Datum, containing approximately 2.0 acres.

TRACT NO. 15 (57 - FW-1802)
Flowage Easement

All that part of Block 163, and all that part of Block 164,

and all that part of Block 170, and all that part of Block 175, and all that part of Block 168, and all that part of Block 176, lying below Elevation 756.1 Sea Level Datum and all of Block 171, and all of Block 174, as shown on the dedication plat of the original townsite of Miami in Ottawa County, Oklahoma, including that part of the streets, avenues, and alleys adjacent to and incident to the ownership of said Blocks 163, 164, 168, 170, 171, 174, 175, and 176 lying below Elev. 756.1 Sea Level Datum, except those portions on which the Grand River Dam Authority has the right of flowage.

**Easement for Intermittent
Flowage During Flood Periods**

All that part of Block 163, and all that part of Block 164, and all that part of Block 165, and all that part of Block 170, and all that part of Block 169, and all that part of Block 168, and all that part of Block 175, and all that part of Block 176, all as shown on said dedication plat, lying between Elev. 756.1 Sea Level Datum and Elevation 760.0 Sea Level Datum, including all that part of the streets, avenues, and alleys adjacent to said Blocks 163, 164, 165, 170, 169, 168, 175, and 176, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

**TRACT NO. 16 (57 - FW-1812)
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 149 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 3 and 4 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 all that part of said Lot 2, and 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. 760.0 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.

**TRACT NO. 17 (57 - FW-1813)
Flowage Easement**

All that part of Lot 4, and all that part of Lot 6, and all that part of Lot 7, and all that part of Lot 8, in Block 147 as shown on the dedication plat of the original townsite of Miami, in Ottawa County, Oklahoma, 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 7 and 8, lying below Elev. 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, and all that part of Lot 7, and all that part of Lot 8 in said Block 147 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 said Lots 4, 5, 6, and 8, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 18 (57 - FW-1814)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 12 in Block 147 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 all that part of the street and alley adjacent thereto, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 19 (57 - FW-1815)
Flowage Easement

All that part of Lot 11 in Block 147 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 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 11 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum and all of the $S\frac{1}{2}$ of Lot 10 in said Block 147, including all that part of the street and alley adjacent thereto and incident to the ownership thereof.

TRACT NO. 20 (57 - FW-1816)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $E\frac{1}{2}$ of Lot 9 lying below Elev. 760.0 Sea Level Datum and all the $E\frac{1}{2}$ of the $N\frac{1}{2}$ of Lot 10 all in Block 147 as shown on the dedication plat of the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and avenue and adjacent thereto and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 21 (57 - FW-1817)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $W\frac{1}{2}$ of Lot 9 lying below Elev. 760.0 Sea Level Datum and all the $W\frac{1}{2}$ of the $N\frac{1}{2}$ of Lot 10, all in Block 147 as shown on the dedication plat of the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the alley adjacent thereto and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 22 (57 - FW-1818)
 Flowage Easement

All that part of Lot 2 in Block 147 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 ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street 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. 23 (57 - FW-1819)
 Easement for Intermittent
 Flowage During Flood Periods

All that part of Lot 1 in Block 147 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 all that part of the street and alley adjacent thereto and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 24 (57 - FW-1820)
 Flowage Easement

All that part of Lot 1 and all that part of Lot 2 in Block 148 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 thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 25 (62 - FW-1562)
 Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, 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, containing approximately 0.8 acre.

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 6.8 acres.

TRACT NO. 26 (62 - FW-1563 Rev.)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 33, 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, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 9.3 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 W $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 13.6 acres.

TRACT NO. 27 (62 - FW-1563 A)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, 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, containing approximately 1.8 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 4.0 acres.

TRACT NO. 28 (62 - FW-1564)
Flowage Easement

All that part of the S $\frac{1}{2}$ S $\frac{1}{2}$ of Sec. 32, 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 53.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ S $\frac{1}{2}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 27.1 acres.

TRACT NO. 29 (62 - FW-1565)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T 28 N, R 23 E

of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $SE\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ lying between Elev. 756.1 Sea level datum and Elev. 760 Sea Level datum, containing approximately 1.7 acres.

TRACT NO. 30 (62 - FW-1566)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $S\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 28, T 28 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. 31 (62 - FW-1567)
Flowage Easement

All that part of the north 10.0 acres of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 32, 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, containing approximately 1.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said north 10.0 acres of the $SE\frac{1}{4}$ $NE\frac{1}{4}$, and all that part of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ of said Sec. 32, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.1 acres.

TRACT NO. 32 (62 - FW-1568)
Flowage Easement

All that part of the $S\frac{1}{2}$ $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, all that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, and all that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $SW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 32, T 28 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 12.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $S\frac{1}{2}$ $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$, all that part of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$, all that part of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of said $SW\frac{1}{4}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 7.3 acres.

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

REGULAR JANUARY 1944 TERM

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MONDAY, MAY 1, 1944

TRACT NO. 33 (62 - FW-1569)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, 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, containing approximately 3.9 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 $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 10.7 acres.

TRACT NO. 34 (62 - FW-1574)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, 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, containing approximately 1.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 5.3 acres.

TRACT NO. 35 (62 - FW-1578 Rev.)
Easement for Intermittent
Flowage During Flood Periods

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, T 28 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 36 (62 - FW-1712)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 8 in Sec. 29, T 28 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing less than 0.1 acre.

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

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

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 1, 1944

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those 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 8th day of May, 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 May 11, 1944
H. P. Warfield, Clerk
U. S. District Court

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

United States of America, Plaintiff,)
)
-vs-)
)
Sinclair Refining Company, a corporation, Defendant.)

J U D G M E N T

Now on this 24th day of April, 1944, this cause coming on regularly for trial, the plaintiff appearing by Honorable Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, Honorable Charles O. Butler, Special Assistant to the Attorney General, Macdonald & Files, and Byron Boone, its attorneys of record, and the defendant appearing by Edward H. Chandler, Summers Hardy, Paul B. Mason and Villard Martin, its attorneys of record, and both sides having waived trial by jury herein and having announced ready for trial, plaintiff offered its evidence and rested.

Thereupon defendant moved for a dismissal on the ground that upon the facts and law plaintiff had shown no right to relief, which motion was by the Court taken under advisement.

Thereupon the defendant offered its evidence and rested.

Thereupon plaintiff submitted argument and after hearing plaintiff's argument the Court deemed it unnecessary to hear argument on behalf of defendant.

Upon consideration of evidence introduced in this cause and the argument of plaintiff, the Court made and filed herein findings of fact and conclusions of law.

IT IS THEREFORE, CONSIDERED, ADJUDGED AND DECREED that the plaintiff take nothing herein as against the defendant and that this action be and the same is hereby dismissed with prejudice.

Dated this 1st day of May, 1944.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed In Open Court
May 1 1944
H. P. Warfield, Clerk
U. S. District Court LN

On this 2nd 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 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

ORDER FOR PETIT JURY

On this 2nd day of May, A.D. 1944, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Sixty (60) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1944 Term of this Court, to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, the 15th day of May, A. D. 1944, at 9:00 O'clock A.M. (WAR TIME) then and there to serve as Petit Jurors of the United States in and for said District at the Regular January 1944 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed May 2 1944
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
)
)
vs.) No. 1009 Civil)
)
94.35 acres of land, more or less,)
situated in Tulsa County, State of)
Oklahoma, and A. E. Duran, et al., Defendants.)

ORDER DIRECTING REFUND BY MAUDE E. LANGENKAMP

NOW on this 24th day of January, 1944, the above entitled cause came on regularly for hearing upon the application of the petitioner for refund by Maude E. Langenkamp of sufficient funds to pay the claims of Water Improvement District No. 5 of Tulsa County, Oklahoma; petitioner appearing by its counsel, Curtis P. Harris, Special Attorney for the Department of Justice, Maude E. Langenkamp appearing by W. B. Westhafer, her counsel, and Water Improvement District No. 5 of Tulsa County, Oklahoma, appearing by Geo. B. Schwabe, its counsel; and after a full hearing on the same and being fully advised in the premises, the Court finds:

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, MAY 2, 1944

That Water Improvement District No. 5 of Tulsa County, Oklahoma, a municipal corporation, had a valid and subsisting lien, as set forth in its response and claim heretofore filed in this cause, against the lands described as Tract No. 1 in plaintiff's petition, as set forth in the response and claim filed by and on behalf of said Water Improvement District No. 5 of Tulsa County, Oklahoma; and that said claim and lien should be satisfied out of the condemnation money paid to Maude E. Langenkamp in this case.

IT IS THEREFORE ordered that Maude E. Langenkamp pay into the Clerk of this Court the sum of \$21.71 to be distributed by the Clerk to and for the benefit of Water Improvement District No. 5 of Tulsa County, Oklahoma, in satisfaction of its claim and lien against said land and fund heretofore ordered distributed to the said Maude E. Langenkamp.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed May 2 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,

Plaintiff,

vs.

NO. 1194 - CIVIL

NINETEEN (19) CARTONS each containing 24
Cellophane Bags of CUT SPAGHETTI, Labeled
in part: (Bags) "Net Weight 1 lb. 100%
No. 1 Semolina American Highest Quality
Macaroni Products,"

Defendants.

JOURNAL ENTRY

This matter coming on for hearing this 2nd day of May, 1944, in its regular order; the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, the court being fully advised in the premises, finds:

That no answer or other pleading has been filed in this cause.

That the Nineteen Cartons each containing 24 Cellophane Bags of Cut Spaghetti, labeled in part: "Net weight 1 lb., 100% No. 1 Semolina American Beauty Highest Quality Macaroni Products", was shipped in interstate commerce by the Keystone Freight Line Company, on the 26th day of February, 1944, same having been shipped by American Beauty Macaroni Company from Wichita, Kansas, to Tulsa, Oklahoma, and were delivered to the Orville Griffin Grocery Company, Tulsa, Oklahoma, which nineteen cartons of Cut Spaghetti were manufactured by the Macaroni Manufacturers, Inc., Wichita, Kansas.

The Court further finds that said article is adulterated within the meaning of 21 U.S.C., as follows: 342 ((a) (3), in that it contains in whole or in part of a filthy substance by reason of the presence therein of rodent hairs and fragments, and in violation of 342 (a) (4), in that it has been prepared under insanitary conditions.

The Court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of April 20, 1944, to seize and arrest said merchandise, seized only four (4) cartons, each containing 24 Cellophane Bags of Cut Spaghetti, labeled in part: (Bags) "Net Weight 1 Lb., 100% No. 1 Semolina American Beauty Highest Quality Macaroni Products", fifteen (15) cartons of said article having been dispensed in the regular course of business.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the said Four (4) Cartons of Cut Spaghetti be and the same hereby are condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the said Four (4) Cartons of Cut Spaghetti be destroyed and John P. Logan, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to destroy said Four (4) Cartons of Cut Spaghetti and to report his acts under this order to this court within thirty (30) days from this date.

IT IS THE FURTHER ORDER AND JUDGMENT OF THE COURT that the plaintiff, United States of America, recover the costs of this action from the Orville Griffin Grocery Company of Tulsa, Oklahoma.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 12 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 3, 1944

On this 3rd 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 Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 3rd day of May, A. D. 1944, it being made satisfactorily to appear that Robert W. Thomas is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

W. Eugene Kay, Plaintiff,)
vs) No. 924 Civil
James Sherman Starr, et al., Defendants.)

ORDER CONFIRMING COMMISSIONER'S REPORT

AND NOW, on this the 3rd day of May, 1944, the above entitled and numbered cause comes on for hearing in its regular order, upon the motion of the plaintiff for an order confirming the Commissioners' Report filed herein on the 3rd day of April, 1944, and from an examination thereof, it appears to the satisfaction of the Court that the valuation fixed upon said premises by the Commissioners is not disproportionate to the actual value thereof, and that plaintiff's motion should be sustained; and being fully advised in the premises;

IT IS ORDERED that the Report of the Commissioners filed herein on the 3rd day of April, 1944, be, and the same is hereby, confirmed; that the parties, or either of them, are hereby given ten days from this date within which to elect to take said premises at its appraised value; and in the event neither of the parties elect to take said premises within said period, or if more than one of the parties elect to take the premises at its appraised value, then the Clerk of this court is directed to deliver a certified copy of this Order, together with a certificate stating that the premises cannot be disposed of except through public sale, and the United States Marshal is then authorized to proceed to advertise and sell said lands in the manner and form provided by the statutes of the State of Oklahoma, the United States of America, and the previous orders of this Court.

ROYCE H. SAVAGE
United States Judge

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

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

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

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION
AS TO TRACT NO. 36 (25 FW 904)

NOW on this 3rd day of May, 1944, there coming on for hearing the application of the defendant, Frank W. Wilkerson, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 36 (25 FW 904), and the Court being fully advised in the premises, finds:

That the defendant, Frank W. Wilkerson, was the owner of the lands described and designated as Tract No. 36 (25 FW 904) when this proceeding was commenced; that the petitioner

filed a Declaration of Taking and deposited in the registry of this Court the sum of \$1,016.40 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 tract of land, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said premises.

The Court further finds that the defendant, Frank W. Wilkerson, agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$1,016.50 which was accepted by the petitioner.

The Court further finds that the sum of \$1,016.50 is just compensation for the injuries and damages sustained by said defendant.

The Court further finds that the County of Delaware, State of Oklahoma, has a lien for ad valorem taxes due on said tract for the year of 1943, in the amount of \$11.73; that the defendant, G. P. Van Hoose was a tenant upon said tract during the year of 1943 and owned certain growing crops thereon, which were damaged by the May, 1943, flood, and that there is due said tenant the sum of \$50.00 as full and just compensation for the damages sustained to said growing crops; and that no other person, firm, corporation or taxing subdivision of the State 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, Frank W. Wilkerson, was the owner of the lands designated and described as Tract No. 36 (25 FW 904) when this proceeding was commenced and that the sum of \$1,016.50 is full and just compensation for the taking of the entire fee simple title and each and every interest in and to said tract of land, and that the only persons entitled to share in said just compensation are the defendants, Frank W. Wilkerson, fee owner, G. P. Van Hoose, tenant, and John Curtis, County Treasurer of Delaware County, Oklahoma.

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

TO: Frank W. Wilkerson Tract No. 36 (25 FW 904)	fee owner of	\$954.77
G. P. Van Hoose (25 FW 904)	tenant on Tract No. 36	50.00
John Curtis, County Treasurer of Delaware County, Oklahoma - taxes due on Tract No. 36 (25 FW 904)		11.73

ROYCE H. SAVAGE
 J U D G E

ENDORSED: filed May 3 1944
 H. P. Warfield, Clerk
 U. S. District Court ME

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 3, 1944

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

W. A. COX, Plaintiff,)
vs) No. 1127 - Civil
Jennie Tolen, now Christie, Watt)
Tolen, et al., Defendants.)

ORDER APPOINTING ATTORNEY TO REPRESENT DEFAULTING DEFENDANTS
IN MILITARY SERVICE

On this 3rd day of May, 1944, this cause comes on to be heard and the plaintiff appears in person and by his attorney, and the defendants come not, nor appear, plead or answer but wholly make default. And it having been made to appear from the affidavit of the plaintiff that he is unable to ascertain and determine whether or not any of the defendants comprehended within the designation of heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, known and unknown, of Jack Tolen, deceased, are in the military or naval service of the United States of America, and not represented by any adult authorized attorney.

It is therefore ordered and decreed by the court that Maurice F. Ellison be, and he is hereby appointed to represent all such defendants in the trial of this cause and to protect their interests in the subject matters of this action.

ROYCE H. SAVAGE
Judge, United States Court

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

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

W. A. COX, Plaintiff,)
vs.)
Jennie Tolen, now Jennie Christie,) No. 1127 - Civil
Watt Tolen, and the Heirs, Executors,)
Administrators, Devisees, Trustees,)
and Assigns, immediate and remote,)
known and unknown of Jack Tolen,)
deceased, Defendants.)
UNITED STATES OF AMERICA, Intervener.)

DECREE DETERMINING HEIRS, QUIETING TITLE AND
ORDERING PARTITION

Now on this 3rd day of May, 1944, the same being one of the regular judicial days of the regular term of this court, this cause comes on for hearing in this court, upon removal from the district court of Craig County, Oklahoma, under the provisions of Section 3 of the Act of Congress of April 12, 1926, and the plaintiff appears in person and by his attorney and the defendant, Watt Tolen and the Intervener, United States of America, appear by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma. And it appearing to the court that the defendant, Jennie Tolen now Jennie Christie, enrolled as Jennie Buck, full-blood Cherokee Indian, Roll No. 19969, has been duly

served with summons in this action by the sheriff of Mayes County, Oklahoma, in the manner and for the period of time provided by law for answer herein, and has failed to answer, plead or appear; that the defendants Watt Tolen, full-blood Cherokee Indian Roll No. 18077, and the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Jack Tolen, deceased, have been duly served with summons and notice of the pendency of this action, by publication, in the manner and for the period of time provided by law in such cases made and provided, proofs of such service by publication is by the court examined and approved; that notice of the pendency of this action was duly and legally served upon the Superintendent of the Five Civilized Tribes of Oklahoma, by the United States Marshal for the Eastern District of Oklahoma, under the provisions of the Act of Congress of April 12, 1926.

The court finds upon a full examination and consideration of the proofs and returns herein that all the defendants herein have been duly and legally served with summons and notice of the pendency of this action for more than the time provided by law; that plaintiff has filed all necessary affidavits relative to the military and naval service of the defendants; that a qualified attorney has been appointed for such defendants and has failed his answer herein; that the plaintiff has complied with all the terms and provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, and amendment thereto, and this cause should proceed to final hearing and determination. The court finds that the defendants, Jennie Tolen, now Jennie Christie and those comprehended within the designation of unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Jack Tolen, deceased, are in default herein and by the court so adjudged.

The court having heard and considered the testimony of the witnesses, sworn and examined in open court, and being fully advised in the premises, finds and decrees that the averments and allegations of plaintiff's petition are true; that Jack Tolen, a full-blood Cherokee Indian, Roll No. 18078, died intestate, unmarried and without issue in the year 1927; that he left surviving him as his sole and only heirs at law, a sister Jennie Tolen, now Jennie Christie, a full-blood Cherokee Indian, Roll No. 19969, enrolled as Jennie Buck, and a brother, the defendant Watt Tolen, a full-blood Cherokee Indian, Roll No. 18077; that the said Jack Tolen, deceased, left surviving him no other heirs, descendants or kin, who are or were entitled to share in the inheritance or succession of the estate of the said Jack Tolen, deceased.

The court finds and decrees that the said Jack Tolen, at the time of his death was a resident of Mayes County, Oklahoma, and died seized and possessed of the following described real estate and premises situated in Craig County, Oklahoma, to-wit:

The Southwest Quarter of Northwest Quarter and Southwest Quarter of Northeast Quarter of Northwest Quarter of Section Seventeen (17), Township Twenty-seven (27) North, Range Eighteen (18) East, of the Indian Base and Meridian, containing Fifty acres, more or less, according to the United States survey thereof;

that the said Jack Tolen at the time of his death left surviving him no father, no mother and no issue of any deceased brother or sister; that the said Jennie Tolen, now Jennie Christie and the said Watt Tolen are the sole and only heirs at law of the said Jack Tolen, deceased, and that each inherited and succeeded to an one-half undivided interest in and to said real estate and premises above described; that each and every person comprehended within the designation of unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Jack Tolen, deceased, have no right, title interest or estate in or to said real estate or any part thereof, and each and all such persons so comprehended are hereby forever barred, enjoined and prohibited from claiming or asserting any right, title, interest or estate in or to said real estate or any part thereof.

The court finds and decrees that the above described land was a part of the restricted lands of the said Jack Tolen, deceased, a full-blood Cherokee Indian, Roll No. 18078; that said lands did not and do not stand charged for the payment of the debts of said decedent, and there are no outstanding debts against the estate of said decedent; that more than three years has elapsed since the death of the said Jack Tolen, deceased, and no court of competent jurisdiction has ever judicially

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 3, 1944

determined who by name, are, or were, the particular persons entitled to participate in the distribution of said real estate under the law of succession of the state of Oklahoma, and the proportion or part which each takes or was entitled to take under such law of succession has never been judicially determined by any court heretofore.

The court finds and decrees that on the 25th day of May, 1937, the plaintiff, W. A. Cox, acquired the one-half undivided interest of the said Jennie Tolen, now Jennie Christie, full-blood Cherokee Indian, enrolled as Jennie Buck, Roll No. 19969, and that said plaintiff is now the owner of said one-half undivided interest of the said Jennie Tolen, now Jennie Christie, and that defendant, Watt Tolen, full-blood Cherokee Indian Roll No. 18077, is the owner of the other one-half undivided interest in and to said real estate above described, and no other person or persons have any right, title, interest, equity or estate in or to said real estate or any part thereof.

It is therefore, ordered, adjudged and decreed by the court that the heirs of the said Jack Tolen, deceased, at the time of his death were and are as herein above found and decreed and the interest of each heir respectively is as herein decreed to be an undivided one-half interest; that the plaintiff W. A. Cox is now the owner of the one-half undivided interest of the said heir, Jennie Tolen, now Jennie Christie and the defendant Watt Tolen is the owner of the other one-half undivided interest; that the shares of the respective parties, and their respective interests in the aforesaid lands, be and the same is hereby confirmed; and it is further ordered, adjudged and decreed that partition of said lands be made accordingly, and that Walter Gumm, Page Crahan and Craig Goodpaster, be and are hereby appointed commissioners, and upon taking the oath prescribed by law, shall proceed to make said partition, and report the same to this court.

Done this May 3, 1944.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed May 12 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-) CIVIL NO. 1140
CERTAIN PARCELS OF LAND IN CRAIG, DELAWARE AND)
OTTAWA COUNTIES, OKLAHOMA; and Robert Owens,)
et al., Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACTS NO. 38 (305 - 16.2) and 39 (305 - 16.3)

NOW on this 3rd day of May, 1944, there coming on for hearing the application of the defendant, W. B. Smith, for an order fixing title, decreeing just compensation and making distribution as to Tracts No. 38 (305 - 16.2) and 39 (305 - 16.3, and the Court being fully advised in the premises, finds:

That the defendant, W. B. Smith, was the owner of the land designated as Tracts No. 38 (305 - 16.2) and 39 (305 - 16.3) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sums of \$32.25 and \$27.78 for the taking of a perpetual easement for transmission line purposes, upon, over and across said tracts of land; and 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 transmission line 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, W. B. Smith, in writing, agreed to grant and sell to the petitioner a perpetual right, privilege and authority to erect, operate and maintain a line or lines of poles, towers, or other structures, wires, cables and fixtures for the transmission of electric current, for the sum of \$32.25 and \$27.75, which was accepted by the petitioner.

The Court further finds that the sum of \$32.25 and \$27.75 are just compensation for the injuries and damages sustained by said defendant, W. B. Smith.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, W. B. Smith, was the owner of the land designated as Tracts No. 38 (305 - 16.2) and 39 (305 - 16.3), when this proceeding was commenced, and that the sum of \$32.25 and \$27.75 are just compensation for the damages sustained by the defendant, W. B. Smith, and that said defendant is the only person having any right, title or interest in and to said just compensation.

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

TO: W. B. Smith Owner	
TRACT NO. 38 (305 - 16.2)	\$32.25
TRACT NO. 39 (305 - 16.3)	27.75

ROYCE H. SAVAGE
J U D G E

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

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

OLLIE SACK, NEE LEVI,	Plaintiff,)	
)	
vs.)	
)	
Frank Levi, and the Unknown Heirs, ;executors, administrators, devisees, trustees and assigns, both immediate and remote of Charley Levi, deceased,	Defendants.	)	No. 1184 CIVIL
)	
United States of America,	Intervener.)	

DECREE DETERMINING HEIRSHIP, QUIETING TITLE AND AWARDDING
PARTITION

The above case coming on for hearing in its regular order this the 3rd day of May, 1944, the plaintiff, Ollie Sack, nee Levi, appearing personally and by her attorney, John S. Severson; the Intervener, 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 or restricted Indians parties to this action; the defendants, the Unknown heirs, executors, administrators, devisees, trustees and assigns, both immediate and remote, of Charley Levi, deceased, appearing no and no one appearing for them; and it being first shown to the Court that said unknown defendants were properly served by publication; said publication being made in the Claremore Progress, a newspaper of general circulation, published in Claremore, Rogers County, State of Oklahoma, on the following dates: March 1, 8, 15 and 22, 1944; that the Answer date fixed in said publication, to-wit: the 25th day of April, 1944, was more than forty-one days after the date of said first publication; that proper affidavit was filed and made a part of the petition in said action in order to secure such publication, and that proper affidavit of the publication of said notice has been filed and said notice and proof thereof having been examined by the Court is by the Court approved, and no one appearing for said unknown defendants, the are adjudged in default and the allegations of the petition are taken as confessed as to them and each of them; and it being further shown that proper notice was served on the Superintendent of the Five Civilized Tribes, as contemplated by the Act of Congress of April 12, 1926, proof of service being examined by the Court, is by the Court approved; and it being further shown that the defendant, Frank Levi has filed herein his verified Waiver of Summons, and has entered his appearance herein, agreeing that the Court may hear said Action at any time convenient to the Court, and the said Waiver; having been examined by the Court, is in all things approved; and the Court having examined the pleadings and having heard the evidence adduced in support of said petition, and being fully advised in the premises finds:

That this action was properly filed in the District Court of Rogers County, Oklahoma, on February 29, 1944, under case No. 11777, and that the said Court had jurisdiction of the persons and the subject matter thereof; that upon petition of the United States of America, under the pertinent Acts of Congress in like cases made and provided, and the said action was by said District Court of Rogers County, Oklahoma, by proper order, removed to this Court, and said action was thereupon properly filed herein, under No. 1184 Civil, and that this Court thereupon acquired jurisdiction of said case, as well as of the persons and the subject matter thereof.

The Court further finds that the allegations of said petition as to the material averments therein are true; that the lands involved in this action and hereinafter described were duly allotted to Charley Levi, a full blood Cherokee Indian, Roll No. 25589; that he died, intestate, on or about the 1st day of December, 1934, seized and possessed of said land at the time of his said death, and that he left surviving him no wife, nor issue of deceased issue, but left as his sole and only heirs his two children, Ollie Sack, nee Levi, plaintiff herein, and Frank Levi, son, defendant herein, both of whom are of legal age, and immediately upon the death of said Charley Levi, the lands involved herein and described as follows, to-wit:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 1, (otherwise described as
NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, Township 23 North, Range 15 East,
Rogers County, Oklahoma, containing 80.71 acres, more or less,

passed to and became vested in said plaintiff, Ollie Sack, nee Levi, and said defendant, Frank Levi, in equal one-half portions, and that they are now in the peaceable possession of the same and they are entitled to have the same partitioned in kind so that they might each have and hold their said interests in severalty, if the same can be done without manifest injury to said estate, otherwise said land should be appraised and a sale thereof should be had and the proceeds thereof divided equally.

The Court further finds from the evidence that the said plaintiff, Ollie Sack, nee Levi, and the said defendant, Frank Levi, are the sole and only heirs of said Charley Levi, deceased, and that their title thereto is a valid and perfect and should be quieted in them against the adverse claims of the unknown defendants herein named.

The Court further finds that the adverse claims of the defendants, the Unknown Heirs, Executors, Administrators, Devisees, Trustees and Assigns, both immediate and remote, of Charley Levi deceased, Cherokee Indian, Roll No. 25589, constitute clouds on the title to said land and as such should be cancelled, set aside and held for naught, and said defendants, and each of them, should be forever barred and enjoined from claiming or asserting any interest in and to said lands adverse to the title of the said plaintiff and the said defendant Frank Levi.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the findings heretofore made be and the same are made the judgment of this Court, and that the title to the land involved herein be quieted in the plaintiff, Ollie Sack, nee Levi, and the defendant, Frank Levi, and that said title be declared valid and perfect and quieted in them and each of them, and that the adverse claims of said unknown defendants, as named in the caption thereof, and each of them, are hereby cancelled, set aside and held for naught, and said unknown defendants, and each of them, are hereby forever barred and enjoined from claiming or asserting any interest in said land adverse to the title to the plaintiff and the defendant as heretofore named.

IT IS FURTHER ORDERED that the said plaintiff be excused from filing an affidavit showing the mailing of said publication notice, together with copy of petition, to said unknown defendant as named in the caption thereof, it having been shown that plaintiff has been unable to ascertain the name or names of any of the said unknown defendants since the filing of this action and the issuance of the first publication order herein.

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

To Plaintiff, Ollie Sack, nee Levi,	1/2
To Defendant, Frank Levi,	1/2.

in severalty, if the same can be done without manifest injury to said estate; otherwise said commissioner shall make appraisement and valuation of the same, and make a report to the Clerk of this Court without unnecessary delay. The Clerk of this Court shall issue a Writ of Partition to the commissioners above named, in accordance with this decree.

ROYCE H. SAVAGE
United States District Judge

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

Court adjourned to May 4, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA THURSDAY, MAY 4, 1944

On this 4th 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 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

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

At Tulsa, in said District, on this 14th day of April, 1944, it is Ordered by the Court that the Marshal in and for the Northern District of Oklahoma, be and he is hereby directed to open the Regular May 1944 Term of the United States District Court for the Northern District of Oklahoma at Pawhuska, on the 1st day of May, A. D. 1944, at 9:30 o'clock A.M., by proclamation in the manner and form provided by law and the said Marshal adjourn said Court Sine Die.

Said Marshal shall make due return hereof how he has executed this order.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

Court adjourned to May 5, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, MAY 5, 1944

On this 5th 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 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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, MAY 6, 1944

On this 6th 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 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

PRENTISS M. BROWN, Administrator, Office of Price Administration, Plaintiff, vs SAPULPA MOTORS, INC., an Oklahoma Corporation, Defendant. CIVIL NO. 1030

ORDER SUBSTITUTING PARTY PLAINTIFF

On this the 6th day of May, 1944, came on to be heard the Motion of Chester Bowles to maintain this suit and for substitution of himself in his official capacity as party plaintiff, and the Court is of the opinion that said Motion should be granted;

IT IS, THEREFORE, ORDERED that Chester Bowles, in his official capacity as Price Administrator, be, and he is hereby substituted as party plaintiff herein.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 6 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 55.89 acres, more or less, and Zelda Gray, et al., Defendants. CIVIL NO. 1124

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION FOR CONDEMNATION

NOW, on this 6th day of May, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to file the amendment to its petition herein, and the Court being fully advised in the premises, finds that said application should be granted, and the petitioner granted leave to file an amendment to the petition herein, making additional parties defendant.

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

DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, MAY 6, 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: Harry Stekoll Owner
TRACT NO. 26 (27 FW 468 (Rev.)) \$1,000.00.

ROYCE H. SAVAGE
J U D G E

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

Court adjourned to May 8, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1944

On this 8th 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. F. E. Kennamer and Hon. Royce H. Savage, Judges, present and presiding.

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

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

MISCELLANEOUS - BOND OF FOURTH NATIONAL BANK OF TULSA, A DEPOSITORY OF BANKRUPTCY FUNDS.

B O N D

KNOW ALL MEN BY THESE PRESENTS:

That THE FOURTH NATIONAL BANK OF TULSA, a national banking association with its banking house in Tulsa, Oklahoma, is held and firmly bound unto the UNITED STATES OF AMERICA, in the sum of Twenty-five Thousand Dollars (\$25,000.00) lawful money of the United States, for the payment of this it hereby binds itself, its successors and assigns, firmly by these presents.

SEALED with its Seal this the 8th day of May, 1944.

WHEREAS, The Fourth National Bank of Tulsa has been designated by the District Court of the United States for the Northern District of Oklahoma sitting as a Court of Bankruptcy, as a depository for the money of bankrupt estates, including United States Referee's expense account, pursuant to the provisions of an Act of Congress entitled "An Act to Establish a Uniform System of Bankruptcy Throughout the United States" approved July 1, 1898, as amended.

NOW, THEREFORE, the condition of this obligation is such that if said The Fourth National Bank of Tulsa shall well and truly act for and pay over all moneys now on deposit with it as such depository and all moneys hereafter deposited with it as such depository and shall pay out the same only as now or hereafter provided by the Acts of Congress in such cases made and provided and the Rules of Court (including the Rules and General orders of the Supreme Court of the United States) now or hereafter

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1944

applicable thereto and shall abide by all lawful orders and decrees of the Court in and by the premises, then this obligation to be void; otherwise to remain in full force and virtue.

PROVIDED, HOWEVER, this bond is executed and accepted upon the following express conditions;

That the deposit liability hereunder shall be limited to such part of the deposits as may not be insured or paid or caused to be paid by the Federal Deposit Insurance Corporation;

That this bond may be terminated at any time prior to default hereunder on the part of said Bank upon the giving by said Bank of Sixty (60) days notice in writing to the Clerk of the aforesaid District Court or by the giving by the said District Court of a similar notice of termination to said bank at its banking house in Tulsa, Oklahoma, and after the expiration of said Sixty (60) days period, all liability under this bond shall cease and terminate, except for default occurring prior to the end of said period.

In lieu of a surety or sureties on this bond, The Fourth National Bank of Tulsa has pursuant to the provisions of 11 U.S.C.A., Section 101 and 6 U.S.C.A., Section 15, and to the Order of the District Court dated the 8th day of May, 1944, deposited certain securities with the Federal Reserve Bank of Kansas City and as to such securities or any securities that may be hereafter substituted therefor, by executing this bond The Fourth National Bank of Tulsa hereby agrees that the Judge of the said District Court is hereby irrevocably authorized as the Agent and Attorney in Fact of and for The Fourth National Bank of Tulsa to collect or sell such securities so deposited in case of any default in the performance of any of the conditions of stipulations of the bond.

IN WITNESS WHEREOF, The Fourth National Bank of Tulsa has caused these presents to be executed by its duly elected officers and its corporate seal to be hereunto affixed the day and year first above written.

THE FOURTH NATIONAL BANK OF TULSA

By E. FRED JOHNSON Vice-President.

ATTEST: I. M. WYNN Cashier

(SEAL)

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

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

IN THE MATTER OF THE FOURTH NATIONAL BANK OF TULSA, A NATIONAL BANKING ASSOCIATION, AS DEPOSITORY OF BANKRUPTCY FUNDS, INCLUDING UNITED STATES REFEREE'S EXPENSE ACCOUNT.

O R D E R

NOW on this 8th day of May, 1944, on oral application of The Fourth National Bank of Tulsa, the Court finds that The Fourth National Bank of Tulsa, is a national banking association with its principal place of business in the City of Tulsa, Oklahoma and in this District; that said Bank is an officially designated depository of bankruptcy funds under Section 61 of the Bankruptcy Act; that said Bank is a national member bank of the Federal Deposit Insurance Corporation and that its deposits are insured

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

under the provisions of Title 12, U.S.C.A., Section 264 and that said Bank now has on deposit bankruptcy funds not insured under the provisions of said Title 12, U.S.C.A., Section 264 in an amount not exceeding Twenty-five thousand Dollars (\$25,000.00);

That said Bank has presented its depository bond signed by it without sureties, dated of even date herewith in the sum of Twenty-five Thousand Dollars (\$25,000.00), conditioned substantially as required by General Order in Bankruptcy No. LIII and has offered, pursuant to the provisions of 11 U.S.C.A., Section 101 and 6 U.S.C.A., Section 15, to deposit certain securities in lieu of surety, which bond it has requested the Court to approve.

IT IS THEREFORE ORDERED that said bond of The Fourth National Bank of Tulsa in the amount of Twenty-five Thousand Dollars (\$25,000.00) dated of even date herewith is hereby approved and accepted as the official depository bond of said Bank under said General Order of Bankruptcy.

IT IS FURTHER ORDERED that said security so offered by said The Fourth National Bank of Tulsa, to-wit: Twenty-six Thousand Dollar (\$26,000.00) par value United States Treasury Two and one-half Percent (2½%) Bonds, 1956-58, due March 15, 1958, being Bonds Nos. #9885 in the amount of \$1,000.00, #1709 in the amount of \$5,000.00, #3528 in the amount of \$10,000.00, and #3529 in the amount of \$10,000.00, is hereby accepted and approved pursuant to the provisions of Title 11, U.S.C.A., Section 101 and Title 6 U.S.C.A., Section 15, in lieu of a surety upon the said bond.

IT IS FURTHER ORDERED that The Fourth National Bank of Tulsa direct the Federal Reserve Bank of Kansas City, Missouri, which now holds said security in safekeeping for said Bank, to hold the same as security on said bond in lieu of a surety pursuant to the provisions of Title 11 U.S.C.A., Section 101, Title 6 U.S.C.A., Section 15, and General Order in Bankruptcy No. LIII, and that said Federal Reserve Bank of Kansas City shall issue its customary receipt therefor and same shall be filed with the Clerk of this Court.

IT IS FURTHER ORDERED that The Fourth National Bank of Tulsa, by and through its proper officers and employees, be permitted from time to time as they severally mature, to detach from said bonds, or to cause the Federal Reserve Bank of Kansas City to detach from said bonds, the interest coupons annexed thereto and to collect and retain for the use of The Fourth National Bank of Tulsa, the interest represented thereby.

IT IS FURTHER ORDERED that said bonds shall be withdrawn, or other bonds or securities substituted in lieu thereof, only on order of this Court.

ROYCE H. SAVAGE
J U D G E

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

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

FRED E. COOPER,

Plaintiff,

vs.

JUDGE BENDABOUT Cherokee Roll No. 20199;
JENSIE HUMMINGBIRD, nee Bendabout,
Cherokee Roll No. 20198;
SALLIE MANKILLER, CHARLIE MANKILLER;
and the Unknown Heirs, Executors, Adminis-
trators, Devisees, Trustees and Assigns of
Blunt Bendabout, Deceased, the same person
as BLOUNT BENDABOUT, Deceased, Cherokee
Roll No. 20203;
ANNIE BENDABOUT formerly Annie Duncan;
RUFUS BENDABOUT, Cherokee Roll No. 18939;
QUATIE ELK, nee Quatie Bendabout,
Cherokee Roll No. 32032;
JOHN BENDABOUT Cherokee Minor Roll No. 3993;
ESIAH BENDABOUT: ANNIE BENDABOUT now Annie
Hooper, and the unknown heirs, executors,
administrators, devisees, trustees and
assigns of James Bendabout, Cherokee
Roll No. 18937, deceased;
NANCY HOGNER, Cherokee Roll No. 19696;
LYDIA BENDABOUT, or Lydia Leach, Cherokee
Roll No. 25841;
WARLICE BOLYN, the same person as Warlicie
Bolyn, or Warlice Mankiller, or Warlice
Leach, Cherokee Roll No. 29861;
ROBERT McLEMORE, Cherokee Roll No. 20216;
JESS McLEMORE, Cherokee Minor Roll No. 4800;
STEVE McLEMORE, BILL McLEMORE, JOHN McLEMORE;
GEORGE BUSH, LENA SMITH, nee Lena Bush;
Isaac Bush, MARCIE BUSH; GEWAN (or Lizzie) BUSH;
and the Unknown heirs, executors, administrators,
devisees, trustees and assigns of Charlie Benda-
bout, or Charles Bendabout, Cherokee Roll No.
20594, deceased;
LYDIA HOOPER, nee Swimmer, Cherokee Roll No. 20640;
ALEX SQIMMER, Cherokee Roll No. 20643; and the
Unknown heirs, executors, administrators, devisees,
Trustees and Assigns, of William Swimmer, Cherokee
Roll No. 20638, Deceased; and the Unknown heirs,
executors, administrators, devisees, trustees and
assigns of Susie Swimmer, Cherokee Roll No. 20639,
deceased;
BESSIE MATTHEWS; OWEN WILLIAM MATTHEWS; Junior;
ARTHUR RENFRO, Junior; and the Unknown heirs,
Executors, Administrators, Devisees, Trustees
and Assigns of O. W. Matthews, the same person
as Owen William Matthews, deceased; and the Un-
known heirs, executors, administrators, devisees,
trustees and assigns of Josephine Renfro, deceased;

NO. 930 - CIVIL

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1944

and if any of said named defendants be not now living,)
 then the unknown heirs, executors, administrators, devisees,)
 trustees and assigns, immediate and remote, of such de-)
 ceased person or persons,)
 Defendants.)
 UNITED STATES OF AMERICA, Intervener.)

D E C R E E

On the 8th day of May, 1944, this cause came on for final determination and judgment.

The Plaintiff Fred E. Cooper, appeared by his attorney of record in this cause, John R. Woodard.

The United States of America appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, on behalf of all defendants named in plaintiff's second amended petition who are restricted Indian allottees, or restricted claimants by descent or devise through or from any such restricted allottee under any applicable statutes of Congress pertaining to restrictions against alienation of allotted lands of the members of the Five Civilized Tribes of Indians, and particularly on behalf of the defendant Jense Bendabout, now Hummingbird, Full Blood Cherokee, Roll No. 20198, for whom said United States Attorney has heretofore filed a Complaint of Intervention in this cause.

The defendant Arthur Renfro, Jr., a minor, appeared by the guardian ad litem heretofore appointed in this cause, Eugene Rust.

The defendant George Bush, now in the military service of the United States, appeared by his guardian ad litem, Eugene Rust.

The defendant Isaac Bush, a minor, and who is also in the military service of the United States, appeared by his guardian ad litem, Eugene Rust.

The defendat, Gewan, or Lizzie, Bush, a minor, appeared by her guardian ad litem, Eugene Rust.

That Eugene Rust appeared as guardian ad litem for any of the Unknown heirs, devisees, trustees or assigns of the following deceased persons, to-wit: Blunt Bendabout, deceased, the same person as Blount Bendabout, deceased, Cherokee Roll No. 20203; James Bendabout, Cherokee Roll No. 18937, deceased; Charlie Bendabout, or Charles Bendabout, Cherokee Roll No. 20594; deceased; William Swimmer, Cherokee Roll No. 20638, deceased; Susie Swimmer, Cherokee Roll No. 20639, deceased; and O. W. Matthews, deceased.

Said Guardian ad litem also appeared on behalf of such unknown defendants who may be in the military or naval service of the United States.

It was further made to appear to the Court that the said Eugne Rust as guardian ad litem had filed separate answers in this cause on behalf of said Arthur Renfro, Jr., a minor, and on behalf of the said George Bush, and on behalf of the said Isaac Bush, and on behalf of Fewan or Lizzie Bush, a minor, and on behalf of the said unknown persons, and on behalf of such unknown persons who may be in the military or naval services of the United States.

It was further made to appear to the Court, and the Court so finds from the records herein, that service of summons has heretofore been had upon the respective defendants, as follows:

On Judge Bendabout, Cherokee Roll No. 20199, by summons issued out of the Washington County, Oklahoma, District Court, to the Sheriff of Adair County, Oklahoma, and that service was made by such Sheriff on October 11, 1942;

On Jensie Hummingbird, nee Bendabout, Cherokee Roll No. 20198, by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Adair County, Oklahoma, and served October 21, 1942;

On Nancy Hogner, Cherokee Roll No. 19616, by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Adair County, Oklahoma, and served October 21, 1942;

On Salie Mankiller, by summons issued out of the said Washington County, Oklahoma, District Court, to the Sheriff of Adair County, Oklahoma, and served October 21, 1942;

On Charlie Mankiller by summons issued out of said Washington County, Oklahoma, District Court, to th Sheriff of Adair County, Oklahoma, and served October 21, 1942;

On Annie Bendabout, now Annie Hooper, by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Cherokee County, Oklahoma, served Octo er 20, 1942;

On Lydia Bendabout, or Lydia Leach, by summons issued out of said Washington County District Court to the Sheriff of Cherokee County, Oklahoma, and served October 20, 1942;

On Warlice Boly, the same person was Warlicie Boly, or Warlicie Mankiller, or Warlicie Leach, by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Cherokee County, Oklahoma, and served October 20, 1942;

On Lydia Hooper, nee Swimmer, by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Cherokee County, Oklahoma, and served October 20, 1942;

On Alex Swimmer, by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Cherokee County, Oklahoma, and served Octboer 20, 1942;

On John Bendabout and Esiah Bendabout by summons issued out of said Washington County, Oklahoma, District Court, to the Sheriff of Delaware County, Oklahoma, and served October 19, 1942;

On Rufus Bendabout, Cherokee Roll No. 18939, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served June 2, 1943;

On Annie Bendabout, formerly Annie Duncan, now Annie Hair, by summons is sued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served June 2, 1943;

On John McLemore, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Northern District of Oklahoma, and served June 17, 1943;

On Jess McLemore, Cherokee Minor Roll No. 4800, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served June 3, 1943;

On quatie Bendabout, nee Quatie Elk, by summons issued out the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served September 24, 1943;

On Lena Bush, whose correct name is now Leona Smith, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served September 24, 1943;

On Marcie Bush, whose correct name is now Jennie Bush, or Jennie Belyn, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served September 24, 1943;

On Gewan, or Lizzie Bush, a minor of the age of twelve years, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served on October 9, 1943, by delivering a copy of said summons to her, and also a copy of same to her grand-father, Dave Bush, who at that time had the care and custody of said minor child, and which minor child has no general guardian appointed and acting for her.

On Robert McLemore, by summons issued out of the United States District Court for the Northern District of Oklahoma, to the United States Marshal for the Eastern District of Oklahoma, and served on October 21, 1943.

The Court further finds from the record in this cause, and as has heretofore been determined by the Court, that service by publication has been duly and properly had in accordance with law upon the unknown heirs, executors, administrators, devisees, trustees and assigns of Blunt Bendabout, the same person as Blount Bendabout, deceased, Cherokee Roll No. 20203, and of James Bendabout, Cherokee Roll No. 19937; deceased, and of Charlie Bendabout or Charles Bendabout, Cherokee Roll No. 20594, deceased, and of William Swimmer, Cherokee Roll No. 20638, deceased, and of Susie Swimmer, Cherokee Roll No. 20639, deceased, and of O. W. Matthews, the same person as Owen William Matthews, deceased, and of Josephine Renfro, deceased; and

The Court further finds from the record herein, and as heretofore determined by the court, that proper and legal service by publication has been had upon the following named living persons who could not be and were not served personally with summons in the State of Oklahoma, to-wit: Steve McLemore, Bill McLemore, George Bush, Isaac Bush, Bessie Matthews, Owen William Matthews, Jr., and Arthur Renfro, Jr.

The Court further finds from the evidence that Blunt or Blount Bendabout, Cherokee Roll No. 20203, died on or about the 19th day of June, 1907, and that at the time of his death he was a resident of Cherokee County, Oklahoma, and that he left as his sole surviving heirs at the time of his death, two children, to-wit: Judge Bendabout, Cherokee Full Blood Roll No. 20199, and Jense Bendabout, now Hummingbird, Full Blood Cherokee, Roll No. 20198, a daughter, and that neither of said children were born after March 4th, 1906, and each of whom inherited a one-half interest in and to the lands of Blunt or Blount Bendabout, described in plaintiff's petition as follows, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-four (34), Township Twenty-three (23) North, Range Thirteen (13) East, Indian Base and Meridian, in Washington County, Oklahoma.

That said facts pertaining to the death and the heirs of said Blunt or Blount Bendabout, deceased, have heretofore been determined on the 30th day of June, 1935, and entered in a decree in this Court in Case No. 345 Equity.

That said Blunt or Blount Bendabout, said allottee, died in the month of June, 1907, while a resident of Cherokee County, Oklahoma, but no administration proceedings have ever been had on his estate in any court in the State of Oklahoma, although more than three years have elapsed since his death, and the heirs of said allottee or his devisees have not been determined in any judicial proceeding.

The Court further finds that said Judge Bendabout did, on or about the 31st day of December, 1926, convey his undivided one-half interest in and to said lands, with the approval of the County Court of Cherokee County, Oklahoma, but that the said Jense Bendabout, (now Jense Hummingbird) has never conveyed her one-half interest in and to said lands, and that she is still the owner and in possession thereof insofar as here said one-half interest is concerned, and that the plaintiff is the owner and in possession of an undivided one-half interest asserted through an approved deed given by the said Judge Bendabout.

The Court further finds from the evidence that all persons other than the said Jensie Bendabout, now Jensie Hummingbird, Cherokee Roll No. 20198, and other than the plaintiff herein, should be precluded and enjoined from asserting any right, title or interest in and to the lands above described.

The Court further finds that all persons claiming through the said O. W. Matthews, deceased, should be precluded and enjoined from asserting any right, title, or interest in and to the land above described. That the said O. W. Matthews, or O. W. Matthews, Sr., died testate in Spokane County, State of Washington, on or about the 24th day of November, 1937, and that his Will was admitted to probate in the Superior Court of Spokane County, Washington, in Cause No. 31285. That the beneficiaries under said Will were Bessie Matthews, his widow, and Owen William Matthews, Jr., a son, and Arthur Renfro, Jr., a son of Josephine Renfro who was a beneficiary named in the Will of said O. W. Matthews, and that the said Owen William Matthews, Jr., and the said Arthur Renfro, Jr., have received the bequests set forth in said Will of the said O. W. Matthews, deceased, and should be precluded, estopped and enjoined from asserting any right in and to the land herein described, and that by reason of a certain conveyance made by the said Bessie Matthews she should also be precluded, estopped, and enjoined from asserting any right, claim, or interest in or to said land hereinabove described.

The Court further finds from the evidence that -

The South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-four (34) Township Twenty-three (23) North, Range Thirteen (13) East, Indian Base and Meridian, in Washington County, Oklahoma, -

allotted to Gracie B. Twist, Cherokee Roll No. 16385, was at one time owned by the said O. W. Matthews, or the said O. W. Matthews, Sr., and that the said O. W. Matthews died testate as hereinabove stated, and that for the reasons stated all persons claiming any right, title, or interest in and to said lands through the said O. W. Matthews, or O. W. Matthews, Sr., should be precluded, estopped, and enjoined from asserting any such claim, right, title, or interest.

The Court further finds that the following described real estate involved in this action:

The East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) and the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), of Section Thirty-four (34), Township Twenty-three (23) North, Range Thirteen (13) East, Indian Base and Meridian, in Washington County, Oklahoma, -

was allotted to William Swimmer, Cherokee Allottee, Roll No. 20638. That said William Swimmer, said allottee, died on the month of April, 1915, while a resident of Cherokee County, Oklahoma, but no administration proceedings have ever been had on his estate in any Court in the State of Oklahoma, although more than three years have elapsed since his death, and the heirs of said allottee or his devisees have not been determined by any judicial proceeding. That the heirs of the said William Swimmer, deceased, to-wit: Susie Swimmer, widow, Lydia Hooper, nee Swimmer, Nannie Swimmer, Ollie Swimmer, and Alex Swimmer, children were the only heirs of said deceased William Swimmer, none of whom were born after March 4, 1906, and who conveyed all of their right, title, and interest in and to said property, or the fee simple title, by deed dated April 17, 1917, approved by the County Court of Cherokee County, Oklahoma, under date of April 27, 1917, and that all persons claiming through the said William Swimmer, deceased, as heirs or otherwise, should be enjoined from asserting any right, title or interest in and to said property, and that for the reasons hereinabove stated all persons claiming through the said O. W. Matthews, or O. W. Matthews, Sr., except the plaintiff herein, should also be precluded, estopped, and enjoined from asserting any right, title, or interest in and to said property.

The Court further finds that after the execution and approval of the deed dated April 17, 1917, mentioned in the above paragraph, and prior to the filing of this action, the said Nannie Swimmer and the said Ollie Swimmer died, and for such reasons service could not be had on them in this action, but that due to the fact that said two deceased persons were estopped by their deeds from claiming any interest in the lands allotted to William Swimmer, involved in this action, all persons claiming through them adversely to the plaintiff herein would also be estopped.

The Court further finds from the evidence that the lands described in this proceeding as -

The Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Thirty-four (34), Township Twenty-three (23) North, Range Thirteen (13) East of the Indian Base and Meridian, in Washington County, Oklahoma, -

were allotted to Susie Swimmer, Cherokee Citizen by blood, Roll No. 20639. That said allottee died on or about October 1st, 1919, while a resident of Cherokee County, Oklahoma, and that her sole and only heirs at law were Lydia Hooper, nee Swimmer, Cherokee Roll No. 20640, Nannie Swimmer, Cherokee Roll No. 20641, Ollie Swimmer, Cherokee Roll No. 20643, and Alex Swimmer, Cherokee Roll No. 20643, and that none of said heirs were born after March 4th, 1906.

That said Susie Swimmer, said allottee, died in the month of October, 1919, while a resident of Cherokee County, Oklahoma, but no administration proceedings have ever been had on her estate in any court in the State of Oklahoma, although more than three years have elapsed since her death, and the heirs of said allottee, or her devisees, have not been heretofore determined in any judicial proceeding.

That the said heirs of the said Susie Swimmer, deceased, to-wit, Lydia Hooper, nee Swimmer, Nannie Swimmer, Ollie Swimmer, and Alex Swimmer, none of whom were born after March 4th, 1906, conveyed all of their right, title, and interest in and to said property, or entire fee simple title, by deed dated March 3, 1920, and approved by the County Court of Cherokee County, Oklahoma, on the 17th day of April, 1920, and that all persons claiming through the said Susie Swimmer, deceased, as heirs or otherwise should be enjoined from asserting any right, title or interest in and to said property, except the plaintiff herein; that prior to the filing of this action the said Nannie Swimmer and the said Ollie Swimmer died, and for such reasons service could not be had on them in this action, but that due to the fact that said two deceased persons were estopped by their deeds from claiming any interest in the lands allotted to Susie Swimmer involved in this action, all persons claiming through them adversely to the plaintiff herein, would also be estopped.

That the said O. W. Matthews, or O. W. Matthews, Sr., acquired title to the property herein last above described, under and by virtue of certain mesne conveyances, and for the reasons hereinabove stated no person claiming through the said O. W. Matthews, or O. W. Matthews, Sr., other than the plaintiff herein, has any right, claim, or demand, in and to said premises.

The Court further finds from the evidence that the plaintiff, Fred E. Cooper, is the owner of the fee simple title of, in, and to the lands and premises and each and every portion thereof hereinabove described, except as herein stated. That said plaintiff is in the actual and open and exclusive possession of such real property, and that he and his predecessors in the title thereto have been in such open, notorious, and peaceful possession of such property for more than fifteen years prior to the filing of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the title of the plaintiff,

Fred E. Cooper, be and the same is hereby declared to be a fee simple title free and clear from any and all persons claiming through any person named in this petition as deceased allottee or prior owner; that the heirs, executors, administrators, legatees, devisees, trustees and assigns, of all those persons alleged herein to have previously died be and the same are hereby judicially determined and identified by name as follows, to-wit:

Of Blunt or Blount Bendabout, deceased, Cherokee Roll No. 20203,
Judge Bendabout, Cherokee Roll No. 20199, and Jensie Hummingbird,
nee Bendabout, Cherokee Roll No. 20198.

Of William Swimmer, Cherokee Roll No. 20638; Susie Swimmer, Cherokee
Roll No. 20639, Lydia Hooper, nee Swimmer, Cherokee Roll No. 20640,
Nannie Swimmer, Cherokee Roll No. 20641, Ollie Swimmer, Cherokee Roll
No. 20642, and Alex Swimmer, Cherokee Roll No. 20643.

Of Susie Swimmer, Cherokee Roll No. 20639, Lydia Hooper, nee Swimmer,
Cherokee Roll No. 20640, Nannie Swimmer, Cherokee Roll No. 20641,
Ollie Swimmer, Cherokee Roll No. 20642, and Alex Swimmer, Cherokee
Roll No. 20643.

And that the devisees of O. W. Matthews, or O. W. Matthews, Sr., deceased, are
determined to be Bessie Matthews, his widow, and Owen William Matthews, Jr., a son, and the defendant
Arthur Renfro, Jr., a son of Josephine Renfro, deceased, and that said Arthur Renfro, Jr., is the sole and
only heir of said Josephine Renfro, deceased.

It is further ordered, adjudged and decreed that all persons claiming through each
and all of said deceased persons be, and the same are hereby permanently enjoined from asserting any
right, title, interest or claim in and to any portion of the lands involved in this action, described as
follows, to-wit:

The Northwest Quarter of the Northeast Quarter
 $NW\frac{1}{4} NE\frac{1}{4}$) and the South Half of the Northwest
Quarter ($S\frac{1}{2} NW\frac{1}{4}$), and the East Half of the South
west Quarter ($E\frac{1}{2} SW\frac{1}{4}$), and the Northwest Quarter
of the Northwest Quarter of the Southeast Quarter
($NW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$), and the Southwest Quarter of the
Northwest Quarter of the Southeast Quarter ($SW\frac{1}{4}$
 $NW\frac{1}{4} SE\frac{1}{4}$) and the East Half of the Northwest
Quarter of the Southeast Quarter ($E\frac{1}{2} NW\frac{1}{4} SE\frac{1}{4}$)
and the West Half of the Northeast Quarter of the
Southeast Quarter ($W\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$), and the Northwest
Quarter of the Southeast Quarter of the Southeast
Quarter ($NW\frac{1}{4} SE\frac{1}{4} SE\frac{1}{4}$), all in Section Thirty-four
(34), Township Twenty-three (23) North, Range
Thirteen (13) East of the Indian Base and Meridian,
in Washington County, Oklahoma,

except, that the said Jensie Hummingbird, nee Bendabout, Cherokee Roll No. 20198, is hereby adjudged and
decreed to be the owner in fee simple in and to an undivided one-half interest in and to the following
described tract of land, to-wit:

The Northwest Quarter of the Northeast Quarter
($NW\frac{1}{4} NE\frac{1}{4}$) of Section Thirty-four (34), Township
Twenty-three (23) North, Range Thirteen (13)
East, Indian Base and Meridian -

and that the plaintiff is the owner of the other one-half undivided interest in and to the last above des-
cribed tract.

Paul B. Levy, Guardian of Zella Rose Levy, a minor;
 Marie L. Bergan;
 Ina Elene Mitchell;
 Mabel L. Gunter, now Brown;
 Carrie E. Ward, now Porter;
 W. E. Porter;
 Security Trust Company of Freeport, Illinois, a corporation;
 Land Bank Commissioner
 Federal Farm Mortgage Corporation, a corporation;
 The Federal Land Bank of Wichita, a Corporation, agent and
 attorney-in-fact for Land Bank Commissioner and Federal Farm
 Mortgage Corporation, a corporation;
 The Walton Trust Company of Butler, Missouri, a corporation;
 The Cornerstone State Bank of Southwest City, Missouri, a
 corporation;
 Board of Trustees of Beloit College, a corporation;
 Bennett A. Armstrong; Rheva Armstrong; Mary Ordell Cox; Elsie
 Smith; G.A. Brown; M. C. Brown; Harry Esftaft, Trustee; M. F.
 Steele; H. G. Smith, E.D. Sheldon; R.E. Overton; and First
 State Bank of Hockerville, a corporation, if living, or in
 existence, or if deceased, and not in existence, their known and
 unknown heirs, executors, administrators, devisees, legatees,
 trustees, creditors, successors and assigns, immediate and re-
 more 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
 Aggie Scuggin, Cherokee Roll No. 25827, deceased; of E. R. Scherf,
 same as Edward R. Schref, deceased; Charles G. Scherf, deceased;
 Emmett Cecil Brown, Cherokee Roll No. 28745, deceased; George
 Sipe, deceased; Charles Henry Moorhead, deceased; William E.
 Smith, deceased; Ollie Fields, Cherokee Roll No. 9754, 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 designed 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 3rd day of July, 1944, the petitioner, United States of America, will, on said 3rd day of July, 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, may be present, if they so desire.

ROMCE H. SAVAGE
 J U D G E

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

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1944

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1201
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)	
OKLAHOMA, containing approximately 220.30)	
acres, more or less; and T. L. Robinson,)	
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 8th day of May, 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, and 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 \$2,470.50, 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 8th day of May, 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 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 and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (58 - FW-1639)
Flowage Easement

All of the South 20.0 acres of the West 24.60 acres of Lot 14, and all of the East 18.7. acres of Lot 14, in Sec. 25, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except the portion owned by the Grand River Dam Authority, containing approximately 34.7 acres.

TRACT NO. 2 (58 - FW-1640)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 25, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 22.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 7.2 acres.

TRACT NO. 3 (58 - FW-1641)
Flowage Easement

All that part of the South 20.0 acres of Lot 13 in Sec. 25, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, containing approximately 20.0 acres.

TRACT NO. 4 (58- FW-1642)
Flowage Easement

All of the north 14.3. acres of Lot 13, and all of the north 4.60 acres of Lot 14 of Sec. 25, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 15.60 acres, including the bed and banks of Neosho River adjacent to said North 14.30 acres of Lot 13 and said North 4.60 acres of Lot 14.

TRACT NO. 5 (58 - FW-1643)
Flowage Easement

All that part of the SW 10.0 acres of the south 40.0 acres of Lot 12, and all that part of the east half of the south 40.0 acres of Lot 12, in Sec. 25, T 28 N, R 22 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 26.8 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW 10.0 acres of the south 40.0 acres of Lot 12, and all that part of said east half of the south 40.0 acres of Lot 12 lying above Elev. 756.1 Sea Level Datum, containing approximately 0.2 acres.

TRACT NO. 6 (58 - FW-1644)
Flowage Easement

All of the north 3.5 acres of Lot 12 in Sec. 25, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 3.3 acres, including the bed and banks of Neosho River and any and all accretion thereto, except that portion on which the Grand River Dam Authority has acquired the right of flowage.

TRACT NO. 7 (58 - FW-1645)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 25, T 28 N, R 22 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 17.8 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 30.8 acres.

TRACT NO. 8 (58 - FW-1708)
Flowage Easement

All that part of the S $\frac{1}{2}$ of Lot C in Block 11 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ of Lot C, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 9 (58 - FW-1709)
Flowage Easement

All that part of the S $\frac{1}{2}$ of Lot B and all that part of the N $\frac{1}{2}$ of Lot C in Block 11 as shown on the dedication plat of

Central Addition to the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $S\frac{1}{2}$ of Lot B and all that part of said $N\frac{1}{2}$ of Lot C lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing 0.4 acre.

TRACT NO. 10 (58 - FW-1710)
Flowage Easement

All that part of Lot A and all that part of the $N\frac{1}{2}$ of Lot B in Block 11 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot A and all that part of said $N\frac{1}{2}$ of Lot B lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 0.7 acre,

TRACT NO. 11 (58 - FW-1711)
Flowage Easement

All that part of the East 60 rods of Lot 6 and all that part of the $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 30, 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 6.0 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said East 60 rods of Lot 6 and all that part of said $NE\frac{1}{4}$ $SE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 25.6 acres.

TRACT NO. 12 (58 - FW-1714)
Flowage Easement

All that part of the unplatted portion of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ (lying south of Rockdale Boulevard and McKinley Boulevard as shown on the dedication plat of Rockdale Country Club District of Miami), in Sec. 30, 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, containing approximately 0.3 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. 760.0 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 13 (58 - FW-1715)
Flowage Easement

All that part of Rockdale Boulevard as shown on the dedication plat of Rockdale Country Club District of Miami, situated in the NE $\frac{1}{4}$ of Sec. 30, 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.

Easement for Intermittent
Flowage During Flood Periods

All that part of the parkway in said Rockdale Boulevard lying west of Elm Street as shown on the dedication plat of Rockdale country club District lying below Elev. 760.0 Sea Level Datum, containing approximately 0.1 acre, together with all that part of said Rockdale Boulevard lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 14 (58 - FW-1716)
Flowage Easement

All that part of the NE $\frac{1}{4}$ of sec. 30, T 28 N, R 23 E, of the Indian Base and Meridian, in Ottawa County, Oklahoma, particularly described as follows:

"Beginning at a point 868.5 feet west of the Northwest corner of said Section and on the North boundary line of said Section; thence West 1045.5 feet to a point on North boundary line of said Section, 116 rods West of said Northeast corner of said Section; thence South 900 feet to the intersection with the North side of Brookside Drive and on the center line of Bay Street, as same is shown by the recorded plat of "Brookside Place", an Addition to the City of Miami; thence due East 125 feet; thence along a 6 degree and 45 minute curve to the right for 292.1 feet; thence along a 9 degree and 23 minute curve to the right for 464 feet to a point of tangent; thence Southeast 127.7 feet to an iron pin, being the intersection of the East side of Brookside Drive and the North line of Rockdale Boulevard, as shown by the recorded plat of Rockdale Country Club District; thence at an angle of 90 degrees to the left for 558.6 feet; thence on a 100 feet radius curve to the left for 151.1 feet; thence Northwest along the West side of Washington Drive 710.5 feet to a point of curve; thence to the right on a 12 degree and 20 minute curve 326.54 feet to the place of beginning, containing 28.78 acres, more or less, and being that part of Rockdale Country Club District platted as aforesaid and bounded on the North by the North side of said Northeast Quarter, on the West by the West line of said Addition, and on the south and east by Brookside Drive, Rockdale Boulevard and Washington Drive."

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lying below Elev. 756.1 Sea Level Datum, containing approximately 1.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NE $\frac{1}{4}$ of described above lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 2.8 acres.

TRACT NO. 15 (58 - FW-1717)
Easement for Intermittent
Flowage During Flood Periods

All that part of the West 726 feet (44 rods) of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 30, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 16 (58 - FW-1718)
Easement for Intermittent
Flowage During Flood Periods

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying south and east of the K. O. & G. Railroad right-of-way in Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 17 (58 - FW-1719)
Easement for Intermittent
Flowage During Flood Periods

All those parts of the Parks lying in Block 7 and 8 as shown on the dedication plat of Edgewood-Plade Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, including the avenue adjacent to said Parks and incident to the ownership thereof and including the bed and banks of Tar Creek adjacent to said Parks and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 18 (58 - FW-1719 A)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 5 in Block 7 as shown on the dedication plat of Edgewood-Place Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, including the avenue adjacent to said Lot 5 and incident to the ownership thereof and including the bed and banks of Tar Creek adjacent thereto and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 19 (58 - FW-1719 B)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 24 in Block 8 as shown on the dedication plat of Edgewood-Place Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including the avenue

adjacent to said Lot 24 and incident to the ownership thereof and including the bed and banks of Tar Creek adjacent to said Lot 24 and incident to the ownership thereof, lying below Elev. 760 Sea Level Datum.

TRACT NO. 20 (58 - FW-1719 C)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 30 in Block 8 as shown on the dedication plat of Edgewood-Place Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, including the bed and banks of Tar Creek adjacent to said Lot 30 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 21 (58 - FW-1719 D)
Easement for Intermittent
Flowage During Flood Periods

All that part of an unnamed and unnumbered tract of land situated between Lot 25 and Tar Creek in Block 8 as shown on the dedication plat of Edgewood-Place Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum including the bed and banks of Tar Creek adjacent to said unnamed and unnumbered tract of land and incident to the ownership thereof.

TRACT NO. 22 (58 - FW-1720)
Easement for Intermittent
Flowage During Flood Periods

All that part of the West 20 rods of Lot 6 in Sec. 30, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 1.2 acres.

TRACT NO. 23 (58 - FW-1721)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 4 in Block 12 as shown on the dedication plat of Artesian Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the public way adjacent to Lot 3 and Lot 4 in said Block 12 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 24 (58 - FW-1722)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 5, and all that part of Lot 6, and all that part of Lot 9, and all that part of Lot 10 in Block 12 as shown on the dedication plat of Artesian Addition to the original Townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the alley and public way adjacent to Lots 5 and 10, inclusive, in said Block 12, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 25 (58 - FW-1723)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 12 in Block 12 as shown on the dedication plat of Artesian Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the public way adjacent to said Lot 12 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 26 (58 - FW-1724)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 11 in Block 12 as shown on the dedication plat of Artesian Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the public way adjacent to said Lot 11 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 27 (58 - FW-1726)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 13 in Block 12 as shown on the dedication plat of Artesian Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, including all that part of the public way adjacent to said Lot 13 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 28 (58 - FW-1727)
Easement for Intermittent
Flowage During Flood Periods

All those parts of Lots 3 to 9, inclusive, in Block 1, as shown on the dedication plat of Central Addition to 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 3 to 9, inclusive, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 29 (58 - FW-1728)
Easement for Intermittent
Flowage During Flood Periods

All those parts of Lots 10 to 17, inclusive, in Block 1 as shown on the dedication plat of Central Addition to 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 10 to 17, inclusive, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

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TRACT NO. 30 (58 - FW-1729)
Flowage Easement

All that part of Lot 8, and all that part of Lot 9, and all that part of Lot 23, and all that part of Lot 24, and all that part of Lot 25, and all that part of Lot 26 lying below Elev. 756.1 Sea Level Datum, and all of Lot 10 in Block 2, as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and avenue adjacent to Lots 4, 5, 6, 7, 8, 9, 10, 23, 24, 25, 26, 27 and 28 in Block 2, and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All those parts of said Lots 8, and 9 in all those parts of said Lots 23 to 26, inclusive, lying above Elev. 756.1 Sea Level Datum, all of Lots 1 to 7, inclusive, all of Lots 11 to 22, inclusive, and all of Lots 27 to 34, inclusive, in said Block 2, including all those parts of the streets and avenues adjacent to said Lots 1 to 8, inclusive, 11 to 22 inclusive, and 26 to 34 inclusive, and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 31 (58 - FW-1730)
Flowage Easement

All those parts of Lots 8 to 13, inclusive, lying below Elev. 756.1 Sea Level Datum and all of Lots 1 to 7, inclusive, and all of Lot 13 in Block 3 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including all those parts of the street and avenue adjacent to said Lots 1 to 8, inclusive, and Lots 12 and 13 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All those parts of said Lots 8 to 12, inclusive, lying above Elev. 756.1 Sea Level Datum including all those parts of the street and avenue adjacent to Lots 7 to 12, inclusive, in said Block 3 and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 32 (58 - FW-1731)
Flowage Easement

All those parts of Lots 1 to 16, inclusive, lying below Elev. 756.1 Sea Level Datum, and all of Lots 17 to 32, inclusive, in Block 4 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and avenues adjacent to said Lots 1 to 16 and 17 to 32, inclusive, and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All those parts of said Lots 1 to 16, inclusive, lying above Elev. 756.1 Sea Level Datum, and all that part of the street and avenues adjacent to said Lots 1 to 16, inclusive, and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 33 (58 - FW-1731-A)
Flowage Easement

All of Lot F in Block 11 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and avenue adjacent thereto and incident to the ownership thereof.

TRACT NO. 34 (58 - FW-1732 Rev.)
Easement for Intermittent
Flowage During Flood Periods

All of Block 5 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of streets and avenues adjacent thereto and incident to the ownership thereof.

TRACT NO. 35 (58 - FW-1733)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 1 and all that part of Lot 2 in Block 6 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, and all that part of the street and avenue adjacent to said Lots 1 and 2 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 36 (58 - FW-1736)
Easement for Intermittent
Flowage During Flood Periods

All those parts of Lots 1 to 8, inclusive, in Block 7 as shown on the dedication plat of Central Addition to 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 1 to 8, inclusive, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 37 (58 - FW-1737)
Easement for Intermittent
Flowage During Flood Periods

All those parts of Lots 9 to 12, inclusive, in Block 7 as shown on the dedication plat of Central Addition to 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 Lot 9 to 12, inclusive, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

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TRACT NO. 33 (58- FW-1738)
Easement for Intermittent
flowage during flood periods

All of Block 8 as shown on the dedication plat of Central Addition to the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the streets and avenues adjacent thereto and incident to the ownership thereof.

TRACT NO. 39 (58 - FW-1739)
Flowage Easement

All that part of Lot 13, and all that part of Lot 14, and all that part of Lot 15, and all that part of Lot 24, and in Block 9 as shown on the dedication plat of Central Addition to 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 avenues adjacent to Lots 13, 14, 15, 12 and 24 in said Block 9 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All those parts of said Lots 13 to 15, inclusive, all that part of said Lot 24 lying above Elev. 756.1 Sea Level Datum, and all of Lots 1 to 12, inclusive, and all of Lots 16 to 23, inclusive, in said Block 9 including all that part of the streets and avenues adjacent to said Lots 1 to 13, inclusive, and 15 to 24, inclusive, and incident to the ownership thereof, lying above Elev. 756.1 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 thereto 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 easement 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 15th day of May, 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 May 8 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 9, 1944

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

REGULAR JANUARY 1944 TERM

TUESDAY, MAY 9, 1944

On this 9th 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 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

SALLIE BURGESS,	PLAINTIFF,)	
)	
VS.		)	No. 1179 CIVIL
)	
JOHN EDWARD BURGESS, et al.,	DEFENDANTS.)	
)	
UNITED STATES OF AMERICA,	INTERVENER.)	

ORDER, GRANTING PERMISSION TO ALICE BOSEN, NOW MORRISON TO INTERVENE AND FILE ANSWER AND CROSS PETITION

On this 9th day of May, 1944, this matter coming on for hearing upon the application of Alice Bosen, now Morrison to intervene in this action and file her answer and cross petition to Plaintiff's petition;

And it being shown to the Court that said applicant claims an interest in the land involved, and that she is a proper party, and that she should be permitted to file in this action her answer and cross petition; and the Court being well and sufficiently informed in the premises finds that such application to intervene should be granted.

IT IS THEREFORE THE ORDER OF THIS COURT that Alice Bosen, now Morrison be, and she is hereby permitted to file herein her intervention in the form of an answer and cross petition, and that said applicant shall furnish to all attorneys of record in this cause copy of her said answer and cross-petition.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 9 1944
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to May 10, 1944

On this 10th 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 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

NOAH SEWELL,)
) Plaintiff,)
))
vs.) No. 1099 Civil)
))
H. L. PAYNE, County Treasurer of)
Creek County, Oklahoma,) Defendant.)

O R D E R

NOW, on this 10 day of May, 1944, this matter coming on before the court on the application of the United States of America for additional time to plead in this cause of action, and for good cause shown,

IT IS THE ORDER OF THE COURT that the United States of America, be, and it hereby is granted thirty (30) days additional time from May 9, 1944, in which to file its complaint in intervention in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed May 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. 1126)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA containing approximately 240.20 acres,)
more or less; and Lula Huggins, et al.,)
) Defendants.)

ORDER FIXING TITLE, DECREEMING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 25 (25 FW 903) Rev.

NOW on this 10th day of May, 1944, there coming on for hearing the application of the defendant Olive Blanche Eddins, sometimes known as Clive B. Eddins, for an order fixing title,

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

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decreasing just compensation and making distribution as to Tract No. 25 (25 FW 903 (Rev.)), and the Court being fully advised in the premises, finds:

That the defendant, Olive Blanche Eddins, sometimes known as Olive B. Eddins, was, the owner of the land designated as Tract No. 25 (25 FW 903 (Rev.)) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$257.00 for the taking of a perpetual flowage easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Olive Blanche Eddins, sometimes known as Olive B. Eddins, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$257.00, which was accepted by the petitioner.

The Court further finds that the sum of \$257.00 is just compensation for the injuries and damages sustained by said defendant, Olive Blanche Eddins, sometimes known as Olive B. Eddins,

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Olive Blanche Eddins, sometimes known as Olive B. Eddins, the owner of the land designated as Tract No. 25 (25 FW 903 (Rev.)) when this proceeding was commenced, and that the sum of \$257.00 is just compensation for the damages sustained by the defendant, Olive Blanche Eddins, sometimes known as Olive B. Eddins and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: Olive Blanche Eddins - Owner
TRACT NO. 25 (25 FW 903 (Rev.)) \$257.00

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed May 10 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. 1126

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

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 26
(26 FW 905)

NOW, on this 10th day of May, 1944, there coming on for hearing the application of the defendant, Rex R. Runyan, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 26 (26 FW 905) and the Court being fully advised in the premises, finds:

That the defendant, Rex R. Runyan, was the owner of the land designated as Tract No. 26 (26 FW 905) 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 \$200.00 for the taking of a perpetual flowage easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual flowage easement, 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, Rex R. Runyan, in writing, agreed to grant and sell to the petitioner, a perpetual flowage easement upon and over said tract of land for the sum of \$200.00, which was accepted by the petitioner.

The Court further finds that the sum of \$200.00 is just compensation for the injuries and damages sustained by said defendant, Rex R. Runyan,

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, Rex R. Runyan, was the owner of the land designated as Tract No. 26 (26 FW 905), when this proceeding was commenced, and that the sum of \$200.00 is just compensation for the damages sustained by the defendant, Rex R. Runyan, 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: Rex R. Runyan, Owner
TRACT NO. 26 (26 FW 905) \$200.00

ROYCE H. SAVAGE
JUDGE

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

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

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MULSA, OKLAHOMA

WEDNESDAY, MAY 10, 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, 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. 27 (25 FW 906)

NOW, on this 10th day of May, 1944, there coming on for hearing the application of the defendants, R. L. Carpenter and Della M. Carpenter, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 27 (25 FW 906) and the Court being fully advised in the premises, finds:

That the defendants, R. L. Carpenter and Della M. Carpenter, were the owners of the land designated as Tract No. 27 (25 FW 906) 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 \$302.50 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.

The Court further finds that the defendant, R. L. Carpenter and Della M. Carpenter 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 \$302.50, which was accepted by the petitioner.

The Court further finds that the sum of \$302.50 is just compensation for the injuries and damages sustained by said defendant, R. L. Carpenter and Della M. Carpenter.

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 defendants, R. L. Carpenter and Della M. Carpenter, were the owners of the land designated as Tract No. 27 (25 FW 906), when this proceeding was commenced, and that the sum of \$302.50 is just compensation for the damages sustained by the defendants, R. L. Carpenter and Della M. Carpenter, and that said defendants were 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: R. L. Carpenter and Della M. Carpenter
Owners Tract No. 27 (25 FW 906) \$302.50

ROYCE H. SAVAGE
JUDGE

ENTERED: Filed May 10 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to May 11, 1944

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 \$1,137.50, 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 12th day of May, 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 (58 - FW-1740)
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 10 as shown on the dedication plat of Central Addition to 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 avenues adjacent to said Lots 1 and 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 said Lot 1 and all that part of said Lot 2, and all that part of said Lot 3, and all that part of said Lot 4, lying above Elev. 756.1 Sea Level Datum including all that part of the street adjacent to said Lots 1, 2, 3, and 4, and incident to the ownership thereof, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 2 (58 - FW-1741)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 12 and all that part of Lot 13 in Block 15 as shown on the dedication plat of FAIRHOME ADDITION to the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and avenue adjacent thereto and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 3 (58 - FW-1829)
Flowage Easement

All that part of Lot 7 and all that part of Lot 8, in Block 112 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 to Lots 6, 7 and 8 in said Block 122 and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 7 and 8, 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 Lot 6, all that part of Lot 7, and all that part of Lot 8, in said Block 122, 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 6, 7 and 8 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 4 (58 - FW-1830)
Flowage Easement

All that part of Lot 2, all that part of Lot 3, and all that part of Lot 4 in Block 111 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, avenue, and alley adjacent to Lots 1, 2, 3, and 4 in said Block 111, and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 3 and 4, 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 that part of Lot 1, all that part of Lot 2, all that part of Lot 3, and all that part of Lot 4 in said Block 111 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 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. 5 (58 - FW-1831)
 Flowage Easement

All that part of the east one-half of Lot 8 in Block 109 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 to said east one-half of Lot 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 east one-half of Lot 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the avenue and alley adjacent to said east one-half of Lot 8 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 6 (58 - FW-1832)
 Flowage Easement

All that part of Lot 16 in Block 109 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 alley adjacent to said Lot 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 16 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 16 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 7 (58 - FW-1833)
 Easement for Intermittent
 Flowage During Flood Periods

All that part of Lot 7 in Block 108 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 all that part of the street adjacent to said Lot 7, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 8 (58 - FW-1834)
 Flowage Easement

All that part of Lot 6 in Block 108 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 adjacent to said Lot 6 and incident to the ownership thereof, 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 that part of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street and alley adjacent to said Lot 6 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 9 (58 - FW-1835)
Flowage Easement

All that part of Lot 13 and all that part of Lot 14 in Block 108 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 alley adjacent to said Lots 13 and 14, 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 Lots 13 and 14 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street and alley adjacent to said Lots 13 and 14 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 10 (58 - FW-1836)
Flowage Easement

All that part of Lot 5 in Block 108 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 adjacent to said Lot 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 5 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the street and alley adjacent to said Lot 5, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 11 (58 - FW-1837)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 4 in Block 108 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 all that part of the street adjacent to said Lot 4 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 12 (58 FW-1838)
 Flowage Easement

All that part of Lot 13 in Block 109 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 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 Lot 12 and all that part of Lot 13 in said Block 109 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street and alley adjacent to said Lots 12 and 13, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 13 (58- FW-1839)
 Flowage Easement

All that part of Lot 6 in Block 109 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 alley adjacent to said Lot 6, 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 5 and all that part of Lot 6 in said Block 109 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of 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. 14 (58 - FW-1840)
 Flowage Easement

All that part of Lot 1, all that part of Lot 4, and all that part of Lot 5, and all that part of Lot 6 in Block 110 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, avenue, and alley adjacent to said Lots 1, 4, 5, and 6, and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 1, 5 and 6, 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 4, 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 all that part of the street, avenue, and alley adjacent to Lots 1, 3, 4, 5 and 6 in said Block

110, and incident to the ownership thereof, lying between
Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 15 (58 - FW-1842)
Flowage Easement

All that part of Lot 5 and all that part of Lot 8 in Block 87
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 to Lots 5, 6 and 8 in said Block 87, 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 5 and all that part of said Lot 8
lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea
Level Datum, including all that part of the street and alley
adjacent to said Lots 5, 6 and 8 and incident to the ownership
thereof, lying between Elev. 756.1 Sea Level Datum and
Elev. 760.0 Sea Level Datum.

TRACT NO. 16 (58 - FW-1843)
Flowage Easement

All that part of Lot 4 in Block 87 as shown on the dedication
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 4 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 Lot 4, and incident
to the ownership thereof, lying between Elev. 756.1 Sea Level
Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 17 (58 - FW-1844)
Flowage Easement

All of that part of Lot 5 and all of that part of Lot 6 in
Block 88 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 adjacent thereto and incident to the ownership
thereof, together with the bed and banks of the Neosho River
adjacent to said Lots 5 and 6, 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 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 all that part of 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. 18 (58 - FW-1846)

Flowage Easement

All that part of Lot 1 in Block 86 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 1, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the avenue and alley adjacent to said Lot 1 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 19 (58 - FW-1846)

Flowage Easement

All that part of Lot 12 and all that part of Lot 14 in Block 84 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, avenue and alley adjacent to Lots 12, 13, and 14 in said Block 84 and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 13 and 14, 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 that part of Lot 12, all that part of Lot 13, and all that part of Lot 14 in said Block 84, 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 said Lots 12, 13, and 14 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 20 (58 - FW-1847)

Flowage Easement

All that part of Lot 5 in Block 84 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 adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 5 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 that part of Lot 4 and all that part of Lot 5 in said Block 84 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0

Sea Level Datum, including all that part of the street and alley adjacent to said Lots 4 and 5, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 21 (58 - FW-1848)
Flowage Easement

All that part of Lot 1, all that part of Lot 2, and all that part of Lot 3 in Block 85 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 avenues adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 2 and 3, 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 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 to said Lots 1, 2, and 3, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 22 (58 - FW-1850)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 19 in Block 44 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 all that part of the alley adjacent to said Lot 19 and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum

TRACT NO. 23 (58 - FW-1851)
Flowage Easement

All that part of Lot 16, and all that part of Lot 17, and all that part of Lot 18 in Block 44 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 the street and alley adjacent to said Lots 16, 17 and 18 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, except that part of on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lots 16, 17 and 18 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the street and alley adjacent to said Lots 16, 17, and 18, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 24 (58 - FW-1852)
Flowage Easement

All that part of Lot 15 in Block 44 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 to said Lot 15 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 said Lot 15 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 Lot 15, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 25 (58 - FW-1853)
Flowage Easement

All that part of Lot 7 and Block 44 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 alley adjacent to said Lot 7 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 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 7 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 26 (58 - FW-1854)
Flowage Easement

All that part of Lot 9, all that part of Lot 10, and all that part of Lot 11 in Block 43 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 adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lots 10 and 11, and incident to the ownership thereof, 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 that part of said Lot 9, all that part of said Lot 10, and all that part of said Lot 11, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the street and alley adjacent to said Lots 9, 10 and 11 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 27. (58 - FW-1855)
Flowage Easement

All that part of Lot 3 in Block 43 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 adjacent thereto and incident to the ownership thereof, together with the bed and banks of the Neosho River adjacent to said Lot 3 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 Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the street and alley adjacent to said Lot 3 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 28 (58 - FW-1856)
Flowage Easement

All that part of the east one-half of Lot 2 in Block 42 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 to said east half of Lot 2 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 east one-half of Lot 2 lying between Elev. 756.1 Sea Level Datum, and Elev. 760.0 Sea Level Datum, including all that part of the avenue adjacent to said east one-half of Lot 2 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 29 (58 - FW-1857)
Flowage Easement

All that part of Lot 15 and all that part of Lot 16 in Block 39 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 to said Lots 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 Lot 13, all that part of Lot 14, all that part of Lot 15, and all that part of Lot 16 in said Block 39 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including the street and avenue adjacent to said Lots 13, 14, 15 and 16 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

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TRACT NO. 30 (58 - FW-1858)
Flowage Easement

All that part of Lot 7 in Block 39 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 to said Lot 7 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 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 31 (58 - FW-1859)
Flowage Easement

All that part of Lot 6 in Block 39 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 to said Lot 6 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 6 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 Lot 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 (58 - FW-1860)
Flowage Easement

All that part of Lot 11 and all that part of Lot 12 in Block 40 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 alley adjacent to Lots 10, 11, and 12 in said Block 40 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 11 and all that part of said Lot 12 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 Lots 10 and 11 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 33 (58 - FW-1861)
Flowage Easement

All that part of Lot 1 in Block 40 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

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that part of the street adjacent to said Lot 1 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 1 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 said Lot 1 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 34 (58 - FW-1862)
Flowage Easement

All that part of Lot 2, all that part of Lot 3, 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 5 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 to said Lots 5, 6, and 7 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, all that part of Lot 2, all that part of Lot 3, 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 said Block 5 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the streets, avenues, and alleys adjacent to said Lots 1, 2, 3, 4, 5, 6 and 7 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 35 (58 - FW-1863)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 8 and all that part of Lot 9 in Block 5 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 all that part of the alley adjacent to said Lots 8 and 9, together with all that part of an unnamed strip of land situated between the north boundary of said Lot 8 and the north boundary of the Ottawa Reservation and incident to the ownership of said Lot 8, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 36 (58 - FW-1866)
Flowage Easement

All that part of Lot 3, all that part of Lot 4, all that part of Lot 5, all that part of Lot 6, all that part of Lot 13, and all that part of Lot 14 in Block 4 lying below Elev. 756.1 Sea Level Datum, and all of Lot 7 in said Block 4, as shown on the dedication plat of the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the streets, avenues and alleys adjacent to Lots 2, 3, 4, 5, 6, 7, 13, and 14, in said Block 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 said Lot 3, all that part of said Lot 4, all that part of said Lot 5, all that part of said Lot 6, all that part of said Lot 13, and all that part of said Lot 14 and said Block 4, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, including all that part of the streets,

TRACT NO. 37 (58) - FW-1867
Flowage Easement

All that part of Lot 5 and all that part of Lot 6 in Block 3 lying below Elev. 756.1 Sea Level Datum, and all of Lot 7 and all of Lot 8 in said Block 3, as shown on the dedication plat of the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and alley adjacent to said Lots 5, 6, 7 and 8 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, together with that portion of an unnamed strip of land situated between the north boundary of said Lot 5 and the north boundary of the Ottawa Reservation and incident to the ownership of said Lot 5, 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 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, together with that portion of the aforementioned unnamed strip of land adjacent and incident to the ownership thereof of said Lot 5, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 38 (58 - FW-1868)
Flowage Easement

All of Lot 1 and all of Lot 2 in Block 3 as shown on the dedication plat of the original townsite of Miami, in Ottawa County, Oklahoma, including all that part of the street and alley adjacent to said Lots 1 and 2 and incident to the ownership thereof, together with an unnamed strip of land situated between north boundary of said Lot 1 and the north boundary of the Ottawa Reservation and incident to the ownership of said Lot 1, lying below Elev. 756.1 Sea Level Datum.

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

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Libelant,)

v)

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 taxpaid whiskey seized therein; Samuel W. McReynolds, James J. Marshall, and the Central National Bank of Carthage, Missouri, Claimants. No. 1139 CIVIL

MODIFICATION OF JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of May, 1944, it appearing to the Court that on April 13, 1944, a judgment was entered in this cause forfeiting the above described two automobiles and directing their delivery 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, and it further appearing to the Court that the Director of Procurement did not file an application with the Clerk for delivery of the said 1931 Ford Coupe automobile, Motor No. A-4,246,826, and that said judgment should be modified insofar as it directs the delivery of said Ford Coupe automobile to the Bureau for official use.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the order entered herein on April 13, 1944, directing that delivery of said 1931 Ford Coupe automobile, motor No. A-4,246,826, to the Treasury Department for official use be, and the same is hereby set aside, and the United States Marshal for the Northern District of Oklahoma is hereby directed to sell said described Ford automobile in the manner provided by law and apply the proceeds as follows, to-wit:

- First - to the cost of sale.
Second - all expenses to be paid as provided by Section 205 (c) Liquor Law Repeal and Enforcement Act,
Third - the balance, if any, to be paid into the United States Treasury and credited in the manner provided by law.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to May 15, 1944

On this 15th 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
Wit V. Mauzy, United States Attorney
John P. Logan, United States Marshal

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 15, 1944

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

On this 15th day of May, A. D. 1944, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular January 1944 Term of Court at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Willie Davis Barger
John F. Cronin
Sherman C. Albertson
Hollis H. Hodges
B. F. Barnett
Orval S. Boyles
Leslie Brooks
George Crane
Charles F. Rippy
A. F. Newman
W. S. Flanagan
E. P. Newcum
R. N. Webb
William Alva Jones
Fred Lamm
Frank Miller Small
Clarence Lipe
Jesse L. Baker
Charles W. Capehart
Joe Willis Marshall
Hiram Alexander
Talmage W. Boone
Charles Demo
Russell W. Davis
William E. Fent
J. S. Foster
Alfred R. Abbott
William F. Bedingfield
Jesse Cole Evans
J. H. Eghert

George F. Bush
Robert W. Duden
Page S. Bates
Guy G. Batsler
Bernard C. Baker
Harold H. Balcom
Steve Robert Fields
George A. Loper
James E. Pennington
Ivan Earthon
R. R. (Ralph) Vandogriff
Ed D. Ligon
Austin Larry Wilkerson
Bernie Bayles
George A. Breckenridge
Ross Baze
Leonard E. Bowlin
Greene Stacy
Harold Bergman
Robert B. Kay
Fenton A. Bixel
Louis Grimes
Clifford Grover
Carl C. Craddock
Lloyd E. Briggs
Carl R. Wands
Vern N. Vandever
Leo M. Prokasky
Earl E. Stamper
Ave Marshall

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

Willie Davis Barger
John F. Cronin
Hollis H. Hodges
B. F. Barnett
Leslie Brooks
George Crane
W. S. Flanagan
E. P. Newcum
William Alva Jones
Fred Lamm
Jesse L. Baker
Joe Willis Marshall

J. H. Eghert
Robert W. Duden
Page S. Bates
George A. Loper
R. R. (Ralph) Vandogriff
Bernie Bayless
George A. Breckenridge
Leonard E. Bowlin
Greene Stacy
Louis Grimes
Carl C. Craddock
Vern N. Vandever
Leo M. Prokasky

are excused from service as Jurors for the term.

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

REGULAR JANUARY 1944 TERM

OKLAHOMA

MONDAY, MAY 15, 1944

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

Ross Baze

and of those not served

Sherman C. Albertson
Orval S. Boyles
A. F. Newman
Steve Robert Fields

Hiram Alexander
Alfred R. Abbott
Bernard C. Baker
Ivan Earham

Robert B. Kay

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular January 1944 Term of Court.

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

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

JACKSON MATERIALS COMPANY,
a Corporation,

Plaintiff,

-vs-

THE MASSMAN CONSTRUCTION COMPANY,
a Corporation, et al.,

Defendants.

No. 1097 Civil

ORDER EXTENDING TIME FOR PLAINTIFF TO PLEAD TO COUNTERCLAIM

NOW, on this 15th day of May, 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 from this date in which to plead or file answer to the counterclaim filed herein by the defendants, The Massman Construction Company.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 15 1944
H. P. Warfield, Clerk
U. S. District Court AC

RECEIVED MAY 15 1944

MAY 15, 1944

MAY 15, 1944

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court, that T. G. Grant, of Tulsa County, Oklahoma, T. B. Harp of Craig County, Oklahoma, and Page Crohan of Craig County, Oklahoma, each, a disinterested freeholder of 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 in this Court, and are appointed as commissioners to inspect said tracts of land as hereinafter described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation of a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures, for the transmission of electric current, together with the perpetual easement and right to cut down, remove and trim any trees that may interfere with or endanger said transmission line or lines, or the maintenance and operation thereof, together with the perpetual easement to set the necessary guy and brace poles and anchors and to attach all of the necessary guy wires thereto, upon, over and across said tracts of land by the petitioner, together with the perpetual right, privilege and authority to erect, maintain and operate said line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures, upon, over and across any street, alley, highway or other right-of-way now existing or hereafter established on or across said lands or adjoining the same or adjacent thereto, irrespective of any benefits from any improvements proposed, and said commissioners shall forthwith report in writing to the Clerk of this Court, setting forth the quantity and boundaries of said tracts, and assessing the injury and damages to the owners thereof.

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 Vinita Hotel, in Vinita, Oklahoma, in the Northern District of Oklahoma, on the 22 day of May, 1944, at 9:30 o'clock A.M., for the purpose of taking the oath of office and for the performance of their duties.

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

ENCLOSED: Filed May 15 1944
H. P. Farfield, Clerk
U. S. District Court H

Court adjourned to May 16, 1944

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

REGULAR JANUARY 1944 TERM.

TULSA, OKLAHOMA

TUESDAY, MAY 16, 1944

On this 16th 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 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

ORDER RELATING TO BONDS

NOW, on this 16th day of May, 1944, the same being a regular day of the Regular January A. D. 1944 Term of this court, there comes on for hearing before the court the proposition of the approval of bail bonds in criminal cases and the court, upon due consideration, finds that Honorable F. E. Kennamer, United States District Judge for the Northern District of Oklahoma, on the 2nd day of February, 1931, entered an order relating to bonds under which order Commissioners of this District have been carrying on their duties and the court further finds AND ORDERS that after an information has been filed in a criminal cause with the Clerk of the United States District Court for the Northern District of Oklahoma, or after an indictment has been returned by a grand jury sitting in and for the Northern District of Oklahoma, that the bail or bond for the appearance of the defendant charged either in said information or indictment may be approved by the Clerk of the United States District Court or his duly authorized deputy, or by any United States Commissioners in and for the Northern District of Oklahoma, upon the written approval of the United States Attorney for the Northern District of Oklahoma or one of his Assistants.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 16 1944
H. P. Warfield, Clerk
U. S. District Court D E

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

JACKSON MATERIALS COMPANY,
a corporation, Plaintiff

VS

THE HASSMAN CONSTRUCTION COMPANY,
a corporation, Defendant
and THIRD PARTY PLAINTIFF

CASE NO. 1097 CIVIL

and

L. B. JACKSON, HARLEY T. PRICE and
GRAND RIVER DAM AUTHORITY, a public
corporation, THIRD PARTY DEFENDANTS.

ORDER FOR THE SERVICE OF THE PLEADINGS TO ANSWER REQUEST
FOR ADMISSION OF FACT BY THIRD PARTY DEFENDANT, GRAND
RIVER DAM AUTHORITY

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 16, 1944

Upon application, the Third Party Plaintiff, The Massman Construction Company, is hereby given twenty (20) days from May 19, 1944, in which to file answer to request for admissions of fact by Third Party Defendant, Grand River Dam Authority.

ROYCE H. SAVAGE
JUDGE, U. S. District Court

ENDORSED: Filed May 16 1944
H. P. Warfield, Clerk
U. S. District Court H

MISCELLANEOUS - order discharging petit jurors.

On this 15th day of May, A. D. 1944, it is ordered by the Court that all Petit Jurors be, and are, hereby discharged for this Regular January 1944 Term of this Court, at Tulsa, Oklahoma, sine die.

MISCELLANEOUS - ORDER TO PAY WITNESSES AND JURORS PER DIEM IN LIEU OF SUBSISTENCE.

Now on this 15th day of May, A. D. 1944, it is ordered by the Court that the Marshal be directed to pay witnesses in all cases a per diem in lieu of subsistence where witnesses attend at a point so far removed from their residence as to prohibit return thereto from day to day and the Clerk to so certify to the Marshal.

Court adjourned to May 17, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 17, 1944

On this 17th 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 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

Jacob Arneecheer,	Plaintiff,)
)
vs.		) NO. 1078 CIVIL
)
Ned Arneecheer, et al.,	Defendant.)
)
United States of America,	Intervener.)

ORDER APPROVING COMMISSIONER'S REPORT ON REAPPRAISEMENT AND FIXING
TILE WITHIN WHICH INTERESTED PARTIES MAY ELECT.

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 17, 1944

Now on this 17 day of May, 1944, the above styled and numbered cause came on for hearing upon the motion of the Plaintiff to approve the report of commissioners on reappraisalment and to fix the time within which interested parties may elect to take the property at its appraised value. The Court examines the report of the commissioners and finds that the same should be approved by the court, and that the time within which interested parties may elect to take the property at its appraised value be fixed by the court.

IT IS THEREFORE ORDERED AND ADJUDGED that the report of the commissioners heretofore appointed by the court on reappraisalment, be and the same is hereby approved and confirmed by the court.

IT IS FURTHER ORDERED AND ADJUDGED that the parties having an interest in the real property as determined by the court, are given 10 days from the date hereof within which to elect to take the property therein appraised by the commissioners at its appraised value.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if none of the parties interested in the real property elect to take the same at its reappraised value within 10 days from the date hereof and file such written election in this court within 10 days from the date hereof, to take said property at its appraised value, or if two or more of such interested parties file a written election with this court within 10 days from the date hereof, to take said property at its reappraised value, said property is ordered sold by the United States Marshal for the Northern District of Oklahoma, at public auction, for cash, to the highest and best bidder, after having given 30 days notice by publication in a newspaper published in the County of Mayes, State of Oklahoma, and that said sale shall be made at the west front door of the County Court House in Pryor, Mayes County, Oklahoma, and after making said sale said United States Marshal make his return to this court for approval. That if no election is filed within the 10 days, or if two or more interested parties elect to take the property within the 10 days, the Clerk of this Court shall furnish a certified or attested copy of this order to the said United States Marshal, which shall be authority of the said United States Marshal to make said sale.

Done in open court this the 17 day of May, 1944.

ROYCE H. SAVAGE
United States District Judge

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

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 APPROVING SALE BY UNITED STATES MARSHAL

Now, on this 17th day of May, 1944, there coming on for hearing the action of the plaintiff, Ben Pickup, for an order approving the sale of real estate made in the above action on the 15th day of May, 1944, by the United States Marshal for the Northern District of Oklahoma, a return and report of said sale being heretofore filed in the above Court, plaintiff appearing by his attorneys, John S. Severson; the United States of America appearing by the Honorable Whit Y. Hauzy, United States District Attorney for the Northern District of Oklahoma, who appeared as well for all the restricted Indians, parties to said action;

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

REG. MAR. JANUARY 1944 WERA

THISA, OKLAHOMA

WEDNESDAY, MAY 17, 1944

And the Court having heard said motion, and having examined said return, and being fully advised finds that said Marshal, after advertising the same in all particulars as required by law and as provided by the orders of this Court, sold the same for the sum of \$3100.00 the same being within the appraised price as fixed by the commissioners appointed by this court to appraise the same, and that said sale was in all particulars made in accordance with the orders of this Court and the statute, both State and Federal, in like cases made and provided; and that said report of sale should in all things be confirmed and approved and that distribution of said funds should be made by the said United States marshal:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the said United States Marshal's sale of the lands described and involved in this action, 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,

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal make, execute and deliver to said purchaser a proper conveyance, conveying the said land to him in accordance with this order and with the orders of this Court heretofore made in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said United States Marshal, Jno. P. Logan, pay to the Registry of this Court the entire sum received from said sale and heretofore reported by him, to-wit: the sum of \$3,058.00.

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

That he retain the sum of \$98.40, being the costs incurred in this action, including \$12.75, publication fees;

That he pay to the Court Clerk of Mayes, Oklahoma, the sum of \$31.85, being the accrued costs in said Court, including the costs of transferring to this Court;

That he pay to the order of John S. Severson the sum of \$250.00, as reasonable attorney's fee in this action.

IT IS FURTHER ORDERED by the Court that the balance remaining in his hands be distributed by check payable to the Treasurer of the United States and sent to F. W. Sunderwood, Distributing Agent for the Five Civilized Tribes, Muskogee, Oklahoma, for the use and benefit of the parties to this action, their interests in said sum of money being as follows, to-wit:

Ben Pickup,	2/9ths interest,	\$595.05
Smith Pickup,	2/9ths interest,	595.06
Billie Pickup,	2/9ths interest,	595.06
John Pickup,	3/9ths interest,	892.58

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal make, execute and deliver to said purchaser a proper conveyance, conveying the said land to him, in accordance with this order and with the orders of this Court heretofore made in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that said United States Marshal, Jno. P. Logan, pay to the Registry of this Court the entire sum received from said sale and heretofore reported by him, to-wit: the sum of \$3058.00.

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

That he retain the sum of \$98.40, being the costs incurred in this action, including \$12.75, publication fees;

That he pay to the Court Clerk of Mayes County, Oklahoma, the sum of \$31.85, being the accrued costs in said Court, including the costs on transferring to this Court;

That he pay to the order of John S. Severson the sum of \$250.00, as reasonable attorney's fee in this action.

IT IS FURTHER ORDERED by the Court that the balance remaining in his hands be distributed by check payable to the Treasurer of the United States and sent to F. W. Sunderwood, Distributing Agent for the Five Civilized Tribes, Muskogee, Oklahoma, for the use and benefit of the parties to this action, their interests in said sum of money being as follows, to-wit:

Ben Pickup,	2/9ths interest	\$595.05
Spith Pickup,	2/9ths interest	595.06
Billie Pickup,	2/9ths interest,	595.06
John Pickup	3/9ths interest,	892.58

IT IS FURTHER ORDERED by the Court that the respective sums above set out for Marshal's cost, Court costs and Attorney's fees shall be first paid before distribution is made as above set forth.

IT IS FURTHER ORDERED that the United States Marshal file a report of all disbursements, made under this order, with the Clerk of this Court.

ROYCE H. SAVAGE
 JUDGE

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

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

Mary Smoke, nee Dreadfulwater,	Plaintiff,)
)
vs.		) NO. 1142 CIVIL
)
Goldie Smoke, nee Dreadfulwater, et al,	Defendants.)
)
United States of America,	Intervener.)

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now, on this 17th day of May, 1944, there coming on for hearing the motion of the plaintiff, Mary Smoke, nee Dreadfulwater, for an order approving the sale of real estate made in the

above action on the 15th day of May, 1944, by the United States Marshal for the Northern District of Oklahoma, a return and report of said sale being heretofore filed in the above court, plaintiff a certain by her attorney, John S. Severson; the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who appeared as well for all the restricted Indians, parties to said action; the defendant Cora Dreadfulwater, a minor, appearing by her guardian ad litem, H. S. Robertson, United States Probate Attorney; the defendant Martin England appearing in person;

And the Court having heard said motion, and having examined said return, and being fully advised, finds that said Marshal, after advertising the same in all particulars as required by law and as provided by the orders of this Court, sold the same for the sum of \$240.00, the same being within the appraised price as fixed by the commissioners appointed by this Court to appraise the same, and that said sale was in all particulars made in accordance with the orders of this Court and the statutes, both State and Federal, in like cases made and provided; and that said report of sale should in all things be confirmed and approved and that distribution of said funds should be made by the said United States Marshal;

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

The Sale of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 25 North, Range 14 East, Nowata County, Oklahoma, appraised in the sum of \$120.00, and sold for \$80.00 to H. C. Killion; and

The sale of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 26 North, Range 14 East, Nowata County, Oklahoma, appraised in the sum of \$240.00, and sold for \$160.00 to W. F. Pierce,

and the same are hereby in all things approved and confirmed and made firm and effectual forever, and that said respective purchasers be subrogated to the rights of all of the parties to said action for the protection of their respective titles.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal make, execute and deliver to said purchasers proper conveyances, conveying the said land to them, 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, Jno. P. Logan, pay to the registry of this Court the entire sum received from said sales and heretofore reported by him, to-wit: the sum of \$240.00, less his fees and expenses in the sum of \$15.70.

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

That he retain the sum of \$100.50, being the costs incurred in this action, including \$12.25 publication fees;

That he pay to the Court Clerk of Mayes County, Oklahoma, the sum of \$32.97 being the accrued costs in said Court, including the costs of transferring to this Court;

That he pay to the order of John S. Severson the sum of \$25.00, as reasonable attorney's fee in this action.

IT IS FURTHER ORDERED BY THE COURT that the balance remaining in his hands be distributed by check 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, their interests in said sum of money being as follows, to-wit:

REGULAR JANUARY 1944 TERM

WEDNESDAY, MAY 17, 1944

Mary Smoke, nee Dreadfulwater,	1/5th interest,	\$13.17
Goldie Smoke, nee Dreadfulwater	1/5th interest,	13.17
Ella Squirrel, nee Dreadfulwater	1/5th interest,	13.17
Cora Dreadfulwater,	1/5th interest,	13.16
Betsy Herriod,	1/5th interest,	13.16

IT IS FURTHER ORDERED by the Court that the respective sums above set out for court costs and attorney's fees shall be first paid before distribution is made as above set forth.

IT IS FURTHER ORDERED that the United States Marshal file a report of all disbursements, made under this order, with the Clerk of this Court.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to May 18, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, MAY 18, 1944

On this 18th 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
Walt Y. Manzy, 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

B. A. BAKER,	Plaintiff,)
vs.		) No. 818 Civil
A. H. KASISHKE, ET AL.,	Defendants.)

JOURNAL ENTRY OF ORDER OVERRULING MOTION TO REOPEN CAUSE

On the 10th day of May, 1944, after the Court had filed in this cause, its findings of fact and conclusions of law, the defendants filed a motion to reopen their cause with certain affidavits offered in support thereof, and the Court having considered the said affidavits, and having considered the affidavits offered by the plaintiff, is of the opinion that the cause should not be reopened upon the showing made,

IT IS, THEREFORE, ORDERED that the motion to reopen said cause be, and the same is hereby denied, and the matter is set for further hearing on Saturday, May 18, 1944 upon the form of journal entry to be drawn herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 18 1944
H. P. Warfield, Clerk
U. S. District Court ME

11990, deceased; W. C. Sellers, deceased; Jno. T. Oakley,
deceased; Everett L. Meek, deceased; James A. Nichols,
deceased; and S. L. Ingram, deceased;

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

John Rogers Hastings, Jr;
Charles A. Cox;

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

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

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

John Rogers Hastings, Jr.;
Charles A. Cox;
Della Robinson,
H. C. Morgan,
David T. Bivings,
Louisa Horseshin;
Nora Ella Graham;
Jim Owens,
Dora Wallace,
John Arnold;
Harry Ray,
Robert W. Strange,
Charles E. Tenney,
B. F. McBride,
Paul P. Pugh,
Pius Maddock,
H. W. Greene,
Mrs. Pearl Green,
Henry West, Cherokee Freedman, Roll No. 4079, if living, or if
deceased, their known and unknown heirs, executors, ad-
ministrators, 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 Lemuel W. Marks, deceased; John Horseshin, deceased;
Ailly Toolate, Cherokee Roll No. 19745, deceased; Martha
Bou don, deceased; J. E. Crosbie, deceased; Sam Summerfield,
Cherokee Citizen, Roll No. 19799, deceased; Davis Toolate,
Cherokee Citizen, Roll No. 19746, deceased; Sarah Toolate,
deceased; George A. Ralph, deceased; Robert A. Cox, Cherokee
Citizen, Roll No. 16851, deceased; W. L. Rush, deceased;
Sequoyah B. Thomas, Cherokee Citizen, Roll No. 1881, deceased;
H. H. Parker, deceased; William Barbee, deceased; W. H.
Campbell, deceased; John Barbee, Cherokee Citizen, Roll No.
9094, deceased; David Chambers, Cherokee Citizen, Roll No.
12600, deceased; Catherine Chambers, Cherokee Citizen, Roll
No. 11990, deceased; W. C. Sellers, deceased; Jno. T. Oakley,

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

REGULAR JANUARY 1944 TERM

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THURSDAY, MAY 18, 1944

deceased; Everett L. Meek, deceased; James A. Nichols, deceased; and S. L. Ingram, deceased.

AND it is FURTHER ORDERED AND ADJUDGED that a judgment be entered in this cause confirming the report of Commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed May 18 1944
H. P. Wanfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA, Petitioner,
- vs -
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 64.4 acres, more or less; and George Hogan, Jr., et al., Defendants.

CIVIL NO. 1007

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 18th day of May, 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 hereafter named, and the owners and those having any right, title or interest in and to said lands as hereinafter 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 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 claimant 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 corporation, as hereinafter set forth -- all as follows, to-wit:

TRACT NO. 1 (8 - FW-218)
Easement

GEORGE HOGAN, JR. fee owner \$2.10
(Commissioners' award)

TRACT NO. 2 (8 - FW-221)

Flowage Easement

JOHN ROGERS HASTINGS, JR. fee owner \$1.00
(Commissioners' award)

TRACT NO. 3 (8 - FW-223)

Flowage Easement

JOE RAINEY, fee owner \$3.00
(Commissioners' award)

TRACT NO. 4 (8 - FW-223)

Flowage Easement

J. J. Nichols,
E. S. Nichols,
Donald Lee Nichols fee owners \$0.55
(Commissioners' award)

TRACT NO. 5 (8 - FW-230)

Flowage Easement

Maurice P. Becker fee owner \$4.40
(Commissioners' award)

TRACT NO. 6 (8 - FW-231)

Flowage Easement

S. R. Koch fee owner \$1.20
(Commissioners' award)

TRACT NO. 7 (8 - FW-232)

Flowage Easement

W. R. Holway fee owner \$1.00
(Commissioners' award)

TRACT NO. 8 (8 - FW-233)

Flowage Easement

Margaret Crosbie Sweet,
Ethel Crosbie Porter,
Catherine Crosbie Moran, Trustees,
fee owners \$4.50
(Commissioners' award)

TRACT NO. 9 (8 - FW-234)

Flowage Easement

W. R. Holway fee owner \$1.00
(Commissioners' award)

TRACT NO. 10 (8 - FW-235 Rev)

Flowage Easement

Rose Crow,
H. W. Dunham fee owners \$3.85
(Commissioners' award)

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA THURSDAY, MAY 18, 1944

TRACT NO. 11 (8 - FW-236)
Flowage Easement

Wm. Flock fee owner \$2.40
(Commissioners' award)

TRACT NO. 12 (8 - FW-237)
Flowage Easement

Walter M. McCormick fee owner \$4.20
(Commissioners' award)

TRACT NO. 13 (8 - FW-238)
Flowage Easement

Sam Summerfield, Cherokee Citizen, Roll No. 19799,
(deceased) (restricted) fee owner \$8.40
(Make check payable to Treasurer of the United
States, for heirs of Sam Summerfield, deceased)
(Commissioners' award)

TRACT NO. 14 (8 - FW-274)
Flowage Easement

Lizzie D. Walker, now Buffington
fee owner \$5.50
(Commissioners' award)

TRACT NO. 15 (8 - FW-275)
Flowage Easement

L. F. Mayfield fee owner AND
Bank of Grove, a corporation, holder of
mortgage \$6.00
(Commissioners' award)

TRACT NO. 16 (8 - FW-276)
Flowage Easement

Davis Toolate, Cherokee Citizen, Roll No. 19746
(Deceased), (restricted) fee owner \$3.50
(Make check payable to Treasurer of the United States
for the heirs of Davis Toolate, Cherokee Citizen,
Roll No. 19746)
(Commissioners' award)

TRACT NO. 17 (8 - FW-277)
Flowage Easement

C. D. Armstrong fee owner \$1.00
(Commissioners' award)

TRACT NO. 18 (8 - FW-278)
Flowage Easement

Littleton Daniel fee owner \$1.05
(Commissioners' award)

TRACT NO. 19 (8 - FW-279)
Flowage Easement

Norman B. Blake fee owner \$0.60
(Commissioners' award)

TRACT NO. 20 (8 - FW-280)
Flowage Easement

Opal Flint, now May, Cherokee Citizen, Roll No.
8315 fee owner \$1.30
(Commissioners' award)

TRACT NO. 21 (8 - FW-281)
Flowage Easement

Geo. B. Schwabe fee owner \$0.30
(Commissioners' award)

TRACT NO. 22 (8 - FW-282)
Flowage Easement

Vernon E. Hill fee owner \$0.40
(Commissioners' award)

TRACT NO. 23 (8 - FW-283)
Flowage Easement

E. L. Cox fee owner \$5.50
(Commissioners' award)

TRACT NO. 24 (8 - FW-284)
Flowage Easement

Lizzie D. Walker, now Buffington, fee owner
(Commissioners' award) \$17.00

TRACT NO. 25 (8 - FW-285)
Flowage Easement

Dora Ingram fee owner \$10.50
(Commissioners' award)

TRACT NO. 26 (8 - FW-286)
Flowage Easement

Audrey L. Carroll fee owner \$12.65
(Commissioners' award)

TRACT NO. 27 (8 - FW-286 A)
Flowage Easement

DORA INGRAM fee owner \$1.30
(Commissioners' award)

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA THURSDAY, MAY 18, 1944

TRACT NO. 28 (8 - FW-287)
Flowage Easement

I. W. Ingram fee owner \$0.55
(Commissioners' award)

TRACT NO. 29 (8 - FW-288)
Flowage Easement

C. A. Ramming fee owner \$0.55
(Commissioners' award)

TRACT NO. 30 (8 - FW-289)
Flowage Easement

Buck Toolate, Cherokee Roll No. 25785 (restricted)
fee owner \$4.20
(Make check payable to Treasurer of the United States
for Buck Toolate, Cherokee Roll No. 25785)
(Commissioners' award)

TRACT NO. 31 (8 - FW-290)
Flowage Easement

H. D. Buzzard fee owner \$8.50
(Commissioners' award)

TRACT NO. 32 (8 - FW-291)
Flowage Easement

Malcolm Cullen fee owner \$1.60
(Commissioners' award)

TRACT NO. 33 (8 - FW-292)
Flowage Easement

Cleo Updike,
Dorothy Updike fee owners \$16.50
(Commissioners' award)

TRACT NO. 34 (8 - FW-293)
Flowage Easement

Harold R. Carey,
John F. Carey claimants to fee \$10.50
(Commissioners' award)

TRACT NO. 35 (8 - FW-294)
Flowage Easement

Ad V. Coppedge fee owner \$2.75
(Commissioners' award)

TRACT NO. 36 (8 - FW-295)
Flowage Easement

Norran B. Blake fee owner \$2.20
(Commissioners' award)

TRACT NO. 37 (8 - FW-296)
Flowage Easement

Everett C. House fee owner \$4.95
(Commissioners' award)

TRACT NO. 38 (8 - FW-297 Rev)
Flowage Easement

Marlee Callaway, now Wallace, fee owner \$7.45
(Commissioners' award)

TRACT NO. 39 (8 - FW-298)
Flowage Easement

Everett C. House fee owner \$6.75
(Commissioners' award)

TRACT NO. 40 (8 - FW-299 Rev)
Flowage Easement

W. M. Campbell (deceased) fee owner \$2.15
(Make check payable to EDNA D. CAMPBELL)
(Commissioners' award)

TRACT NO. 41 (8 - FW-300)
Flowage Easement

John Barbee, Cherokee Citizen, Roll No. 9094 (deceased) fee owner.
MAKE CHECK PAYABLE TO:

Claud Barbee,
Otho Barbee,
Fleeta Tate,
Maude Barbee,
Madelene Martin,
Norma Jeanne Allen,
John Wesley Barbee \$5.70
(Commissioners' award)

TRACT NO. 42 (8 - FW-301)
Flowage Easement

Everett C. House fee owner \$1.80
(Commissioners' award)

TRACT NO. 43 (8 - FW-301 A)
Flowage Easement

Peter Barehead, Cherokee Citizen, Roll No. 19797
(restricted) fee owner \$1.80
(Make check payable to Treasurer of the United States
for Peter Barehead, Cherokee Citizen, Roll No. 19797)
(Commissioners' award)

TRACT NO. 44 (8 - FW-302)
Flowage Easement

J. J. Nichols.

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

REGULAR JANUARY 1944 TERM AT TULSA, OKLAHOMA THURSDAY, MAY 18, 1944

E. S. Nichols,
Donald Lee Nichols fee owners \$1.10
(Commissioners' award)

TRACT NO. 45 (8 - FW-303)
Flowage Easement

Ad V. Coppedge fee owner \$42.00
(Commissioners' award)

TRACT NO. 46 (8 - FW-304)
Flowage Easement

John J. Nichols fee owner \$1.54
(Commissioners' award)

TRACT NO. 47 (8 - FW-305)
Flowage Easement

Norman B. Blake fee owner \$1.10
(Commissioners' award)

TRACT NO. 48 (8 - FW-306)
Flowage Easement

J. J. Nichols, also known as John J. Nichols,
E. S. Nichols,
Donald Lee Nichols fee owners \$61.00
(Commissioners' award)

TRACT NO. 49 (8 - FW-325)
Flowage Easement

William Marshall Finley fee owner \$1.10
(Commissioners' award)

TRACT NO. 50 (8X-FW-272)
Flowage Easement

Joe Shelbey Maupin fee owner \$7.50
(Commissioners' award)

TRACT NO. 51 (8X-FW-273)
Flowage Easement

F. M. Brewster fee owner \$1.00
(Commissioners' award)

TOTAL \$243.49

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 18 1944
H. P. Farfield, Clerk
U. S. District Court

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

849

REGULAR JANUARY 1944 TERM

THURSDAY, MAY 18, 1944

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

VICTORY INVESTMENT CORPORATION,
et al.,
vs.
ORIE JOHNSON, et al.,

Plaintiffs,
Defendants.

)
)
) No. 1090 Civil
)
)
)

ORDER EXTENDING TIME TO ANSWER

On this 18 day of May, 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 HELTON, 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 15 days from this date in which to answer.

ROYCE H. SAVAGE
JUDGE

EMDORSED: Filed May 18 1944
H. P. Warfield, Clerk
U. S. District Court H

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

VICTORY INVESTMENT CORPORATION,
et al.,
vs.
A. H. FRIEDMAN, et al.,

Plaintiffs,
Defendants.

)
)
) No. 1091 - Civil
)
)
)

ORDER EXTENDING TIME TO ANSWER

On this 18 day of May, 1944, upon their application in open court, it appearing that the time heretofore allowed the defendants, A. H. FRIEDMAN, PEARL LAMB, CELIA COX, GIRARD BLACKBIRD, W. C. BARNES, GEORGE D. BUNCH, W. B. PHILLIPS; BOB HALE, J. B. McNEW, GEO. E. CHAMBERS, PERCY W. KUHN, DAISY BALLARD, E. J. WALLETT, VENE D. FRY, LOUISE HELTON, FIRST METHODIST EPISCOPAL CHURCH OF FAIRFAX, FIRST PRESBYTERIAN CHURCH OF FAIRFAX, DONALD JACKSON, ORIE JOHNSON, MYRTLE COLOMBE, MINNIE M. COOK, L. 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 15 days from this date in which to answer.

ROYCE H. SAVAGE
JUDGE

EMDORSED: Filed May 18 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, MAY 18, 1944

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 1173
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA,)
containing approxiately 21.90 acres, more or less;)
and R. L. Hill, et al.,	Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 12 (28 FW 948)

NOW, on this 18th day of May, 1944, there coming on for hearing the application of the de endant, Glenn L. Jenkins, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 12 (28 FW 948) and the Court being fully advised in the premises, finds:

That the defendant, Glenn L. Jenkins, was the owner of the land designated as Tract No. 12 (28 FW 948) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court thestiated just compensation in the sum of \$715.00 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 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, Glenn L. Jenkins, 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 \$715.00., which was accepted by the petitioner.

The Court further finds that the sum of \$715.00 is just compensation for the injuries and damages sustained by said de endant, Glenn L. Jenkins.

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 just compensation, except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant Glenn L. Jenkins, was the owner of the land designated as Tract No. 12 (28 FW 948), when this proceeding was commenced, and that the sum of \$715.00 is just compensation for the damages sustained by the defendant Glenn L. Jenkins 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: Glenn L. Jenkins	Owner	
TRACT NO. 12 (28 FW 948)		\$715.00

ROYCE H. SAVAGE
JUDGE

ENTERED: Filed May 18 1944
H. P. Warfield, Clerk
U. S. District Court H

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

Ollie Sack, nee Levi,	Plaintiff,)
)
vs.		) NO. 1184 CIVIL
)
Frank Levi, et al.,	Defendants.)
)
United States of America,	Intervener.)

ORDER APPROVING COMMISSIONERS' REPORT

Now, on this the 18th day of May, 1944, the above case coming on for hearing upon the motion of the plaintiff, Ollie Sack, nee Levi, for an order confirming the Commissioners' Report filed herein on May 6, 1944, and for an Order directing the sale of the premises by the United States Marshal;

And the Court having examined said report and motion filed herein, finds that the same was in all things made pursuant to decree of this Court, entered on May 3, 1944, and the writ of partition issued pursuant thereto, and that neither of the parties to said action have elected to take the same at the appraised price, and that it is therefore necessary that an Order be made approving the said report, making the same firm and effectual forever, and that the Honorable Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be directed to advertise and sell the said land pursuant to the statutes, state and federal, in like cases made and provided; the United States of America to have ten days from this date to elect to take said land at the appraised price of \$1200.00 and that the claim of said commissioners is reasonable and should be allowed.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED by the Court that said Commissioner's report be and the same is in all things approved and made firm and effectual forever, and that the said commissioners, Elmer Vick and C. C. Weber, be each allowed the sum of \$10.00 as their reasonable fee, together with the further sum of \$4.50, their reasonable expenses incurred in making said appraisal.

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

NE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 1, (otherwise described as NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, Township 23 North, Range 15 East, containing 80.71 acres, more or less, in Rogers County, Oklahoma,

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

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 18 1944
H. P. Warfield, Clerk
U. S. District Court LM

Court adjourned to May 19, 1944

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, MAY 19, 1944

On this 19th 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 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

John R. Boling, Plaintiff,
vs. No. 984 - Civil
R. J. Allison Company, Inc. and R. J. Allison, Defendants.

J U D G M E N T

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff John R. Boling have and recover judgment against the defendants, R. J. Allison and R. J. Allison Company, Inc., and each of them, the sum of \$135 and court costs, together with the sum of \$200 attorney's fee to be paid to Harry L. Dyer, counsel for plaintiff.

DATED this the 19th day of May, 1944.

ROYCE H. SAVAGE
United States District Judge

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

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

UNITED STATES OF AMERICA, Petitioner,
-vs- CIVIL NO. 1045
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 97.5 acres, more or less; and John Chapman, et al., Defendants.

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION FOR CONDEMNATION

NOW, on this 19th day of May, 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 hbeing fully advised in the premises, finds that said application should be granted, and the petitioner given leave to file an amendment to the petition herein, making additional parties defendant.

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

ROYCE H. SAVAGE
JUDGE

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

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

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

JUDGMENT CONFIRMING STIPULATIONS AS TO VARIOUS TRACTS

Now on this 19th day of May, 1944, there comes on for hearing, pursuant to regular assignment, the matter of confirming stipulations, contracts and agreements as to a part of the tracts of land involved herein, and more particularly hereinafter designated and described, entered into between the petitioner and respondents determined to be therightful owners of said lands.

Thereupon, the Court proceeded to hear and pass upon said petition for condemnation stipulations,, contracts and agreements, and all other matters herein, and finds that:

- (1) Each and all of the allegations in 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 Secretary of War, the person duly authorized by law to acquire 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 is set forth a statement of the authority under which, and the public use for which, said lands were taken.
- (4) A proper description of the lands sought to be taken, 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 and notice of determining rightful owners and claimants was served upon each and all of the respondents named in said P_ettition for Condemnation, as required by law and the 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 same are in accordance with law.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, MAY 19, 1944

The Court further finds that the publication notices and the affidavits of the publishers, as filed herein, are in all respects in accordance with the law in such case made and provided, and the same are hereby approved by this Court.

(6) The Court finds that it is unnecessary to appoint commissioners as to the following described tracts of land, because the stipulations, contracts and agreements which the government has are with the rightful owners and claimants who are parties respondent to this proceeding, and that the same are binding upon the United States of America and said parties respondents.

(7) The Court finds that the owners of the real estate hereinafter described and estates therein taken, and involved in this proceeding, all as determined by the Order Fixing Title entered herein, and, therefore, the persons entitled to just compensation to be paid for said real estate hereinafter described, have signed binding written contracts, filed stipulations, or agreed in open court that the fair, cash, market value of the various tracts of land hereinafter described is all as hereinafter specifically set forth.

(8) The Court, having fully considered the Petition for Condemnation, and all proceedings had herein, and the provisions of the Act of Congress approved June 28, 1938, (52 Stat. 12 15) and an Act of Congress approved August 18, 1941 (33 U.S.C.A. 701b et sez.), and their amendment and other Acts of Congress of which said Acts are declaratory or amendatory, the Act of Congress approved December 17, 1941, designated "Flood Control, General", contained in the Third Supplemental National Defense Appropriation Act, 1942, the Acts of Congress approved August 1, 1888 (25 Stat. 357), and April 24, 1888 (25 Stat. 94), is of the opinion that the United States of America, was and is entitled to take said property and have the title ther to vested in it, and that the alleged public purposes and uses, as set out in said Petition for Condemnation, are hereby adjudged to be in truth and in fact public purposes and uses within the meaning and purport of the above designated Acts of Congress.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the stipulations, contracts and written pleadings herein and agreements in open court are final and that the fair, cash, market value as to each of the tracts of land hereinafter designated and described, and the estates therein taken, as set forth and described in the petition filed herein, is and shall be as follows, to-wit:

Tract No. 1697

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

a total fair, cash, market value of \$2,400.00

Tract No. 1698

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

a total fair, cash, market value of \$ 350.00

Tract No. 1701

The North 9.8 acres of the West 19.60 acres of Lot Four (4) and East 4.9 acres of the South 9.8 acres of the West 19.60 acres of Lot Four (4); and all of Lot Two (2), Section Eight

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

a total fair, cash market value of \$1,900.00

Tract No. 1769

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

a total fair cash market value of \$5,400.00

Tract No. 1770

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

a total fair, cash, market value of \$5,500.00

Tract No. 1771

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

a total, fair, cash, market value of \$ 500.00

Tract No. 1773

All that part of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$) lying South of Choteau Creek; and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$); and the West Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter ($W\frac{1}{2} SW\frac{1}{4} NW\frac{1}{4} SE\frac{1}{4}$); and the Southwest Quarter of the Southeast

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

a total fair, cash, market value of \$2,125.00

Tract No. 1773- A

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

a total fair, cash, market value of \$1.00

Tract No. 1773- B

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

a total fair, cash, market value of \$ 1.00

Tract No. 1774

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

a total fair, cash, market value of \$3,250.00

Tract No. 1775

The East Half of the Northwest Quarter of the Northwest Quarter ($E\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$); and the West Half of the Northeast Quarter of the Northwest Quarter ($W\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$); and that part North of the North Bank of Choteau Creek of the North Half of the Southeast Quarter of the Northwest Quarter ($N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$) Section Thirty-

two (32) Township Twenty (20) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 45 acres, more or less

a total fair, cash, market value of \$850.00

TRACT No. 1776

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

a total fair, cash, market value of \$1,500.00

Tract No. 1777

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

a total fair, cash, market value of \$500.00

Tract No. 1782

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

a total fair, cash, market value of \$2,400.00

Tract No. 1786

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

a total fair, cash, market value of \$1,900.00

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Tract No. 1787

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

a total fair, cash, market value of \$800.00

Tract No. 1788

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

a total fair, cash, market value of \$350.00

Tract No. 1790

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

a total fair, cash, market value of \$350.00

Tract No. 1792

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

a total fair, cash, market value of \$500.00

Tract No. 1793

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

a total fair, cash, market value of \$1,575.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the petitioner
the United States of America, deposit with the Clerk of this Court as the registrar of the Court,
the total sum of Thirty Two Thousand Two Hundred Fifty-two and No/100ths Dollars (\$32,252.00) re-
presenting the total compensation for the tracts of and hereinabove set forth and described, and that
upon depositing said sum as aforesaid with the Clerk of this Court, as aforesaid, the lands and estates

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taken will be deemed to have been condemned and taken for the uses and purposes of the United States of America, and that the right to the compensation in said amount as hereinabove set forth, will vest in the persons lawfully entitled thereto.

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

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

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs.		)	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 FIXING TITLE

Now on this 19th day of May, 1944, this cause came on to be heard pursuant to due notice given and the Court, having been fully advised in the premises, finds that the full fee simple title, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines, was, at the time of taking by the petitioner, as to the following tracts of land, vested as follows, to-wit:

Tract No. 1697

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

Title is vested in Lizzie H. Sloan Carlson.

Tract No. 1698

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

Title is vested in Hazel E. Bonecutter, Geo. C. Bonecutter, Ruth Wisdom, A. V. Wisdom, William A. Crockett, Eugenia Crockett, David M. Crockett, Maxine W. Crockett, John B. Crockett, Lillie L. Crockett, Maxine Patterson and H. J. Patterson.

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Tract No. 1701

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

Title is vested in A. S. Huggins and Mary V. Huggins, subject to mortgages in favor of Vivien Wood and T. L. Snodgrass.

Tract No. 1768

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

Tract No. 1769

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

Title is vested in DeWitt Hansen and Ruth M. Hansen.

Tract No. 1770

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

Title is vested in J. L. Wilson.

Tract No. 1771

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

Title is vested in J. L. Wilson.

Tract No. 1773

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

Title is vested in Levi R. Detweiler, Lydia Ann Detweiler, subject to mortgages of Federal Land Bank of Wichita and Land Bank Commissioner.

Tract No. 1773- A

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

Title is vested in R. B. Detweiler.

Tract No. 1773- B

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

Title is vested in R. B. Detweiler.

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DISTRICT OF OKLAHOMA

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Tract No. 1774

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

Title is vested in Will A. Crockett, subject to mortgage in favor of The Travelers Insurance Company and subject to mineral interest of The Prospect Company.

Tract No. 1775

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

title is vested in John r. Cartmill.

Tract No. 1776

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

Title is vested in O.M. Van Arsdale.

Tract No. 1777

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

Title is vested in Oleta M. Stingley, subject to life estate of Homer L. Lee.

Tract No. 1778

All that part of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-nine (29), lying South of center line of Highway #33, in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, containing 17.5 acres, more or less, subject to Highway No. 33 right-of-way.

Title is vested in C. C. Smith, Lanora E. Smith, Marion B. Smith, Marvin L. Smith, Naomi Ella Smith and C. C. Smith, Jr.

Tract No. 1780

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

Title is vested in Al Vandergrift, subject to mortgage of Land Bank Commissioner.

Tract No. 1781

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

Title is vested in School District No. 22, Mayes County, Oklahoma.

Tract No. 1782

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

Title is vested in George E. Warren and Margaret V. Warren.

Tract No. 1783

The Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); and Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$); and East Half of the Northwest Quarter of the Southeast Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$); and Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), and North Half of the Southeast

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

Title is vested in J. W. Warren, Louella Tucker, E. A. Warren, Cora Helton, Henry Warren, Basil Warren, Wayne Warren, John Harleson and Warren Haleson.

Tract No. 1784

The South Half of the Southwest Quarter of the Northeast Quarter ($S\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$); and South Half of the Northwest Quarter of the Southeast Quarter ($S\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$), and South 7.61 acres of Lot Three (3); and Lot Five (5); and East Half of the Southwest Quarter ($E\frac{1}{2}$ SW $\frac{1}{4}$); and all that part of the East Half of the West Half of the Southwest Quarter ($E\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$) lying East of Choteau Creek, Section Thirty-three (33), Township Twenty (20) North, Range Nineteen (19) East of the I.M.; and all of Lot Two (2) West of Grand River; and the North 20.8 acres of Lot Three (3); and 7/8th acre in the Northeast corner of Lot Four (4), Section Four (4), all in Township Nineteen (19) North, Range Nineteen (19) East of the I.M., situate in Mayes County, Oklahoma, containing 214.81 acres, more or less.

Title is vested in J. C. Reddin.

Tract No. 1786

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

Title is vested in Ollie McCracken Jones, J. M. Jones, Porter W. Arterberry, and Eddie McCracken Arterberry.

Tract No. 1787

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

Title is vested in Porter W. Arterberry, subject to mortgage in favor of First National Bank of Pryor Creek.

Tract No. 1788

The North Half of the Southeast Quarter of the Northwest Quarter

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

Title is vested in Frank Pistotnik and Antonio Pistotnik.

Tract No. 1789

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

Title is vested in W. T. Muldrew, subject to mortgage in favor of First National Bank of Wagoner, Oklahoma.

Tract No. 1790

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

Title is vested in J. A. Beckham.

Tract No. 1791

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

Title is vested in Clifford R. Morain, subject to mortgage in favor of the First National Bank of Pryor Creek.

Tract No. 1792

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

Title is vested in Eldiee Arterberry.

Tract No. 1793

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

Title is vested in Eldiee Arterberry.

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

REGULAR JANUARY 1944 TERM TUESDAY, OKLAHOMA FRIDAY, MAY 19, 1944

Tract No. 1794

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

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the title to the above described real estate, at the time of taking by the petitioner, was vested in the parties hereinabove set out.

ROYCE H. SAVAGE JUDGE

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

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

UNITED STATES OF AMERICA, Petitioner, vs 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 COMMISSIONERS

Now on this 19th day of May, 1944, the above cause came on for hearing upon the petition of the United States of America for an order appointing commissioners to inspect and appraise the real estate, and estate therein taken and involved in this proceeding, designated as Tracts Nos. 1768, 1778, 1780, 1781, 1783, 1784, 1789, 1791 and 1794 (Tentative), and hereinafter described. And it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the lands hereinafter described, and that the acquisition of said lands is necessary to the United States of America for use in connection with the Fort Gibson Dam and Reservoir Project on the Grand (Neosho) River in the Arkansas River Basin for flood control, and allied purposes and benefits, and for such other uses as may be designated by the proper officials of the Department of War, and as may be authorized by law or by executive order, pursuant to law, under and by reason of the Acts of Congress as set forth in the Petition for Condemnation filed herein.

The Court finds that the petitioner has been unable to acquire title to said property hereinbelow specifically designated and described by private purchase, and has heretofore instituted the above condemnation proceedings for the taking of said lands by eminent domain.

The said lands are described as follows, to-wit:

Tract No. 1768

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

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Tract No. 1778

All that part of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4} SE\frac{1}{4}$) of Section Twenty-nine (29) lying South of center line of Highway #33, in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, situate in Mayes County, Oklahoma, containing 17.5 acres, more or less, subject to Highway No. 33 right-of-way.

Tract No. 1780.

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

Tract No. 1781

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

Tract No. 1783

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

Tract No. 1784

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

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

Tract No. 1789

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

Tract No. 1791

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

Tract No. 1794

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

Tract No. 1794 (Tentative)

The South 19.98 acres of Lot One (1) and the East 13.45 acres of Lot Two (2), (Otherwise described as all of Lot Two (2), except the West 20 acres thereof), in Section Thirty-three (33), and the South 1.3 acres of Lot Two (2), (otherwise described as all of Lot Two (2) except the North 6.05 acres thereof) in Section Thirty-four (34), all in Township Twenty (20) North, Range Nineteen (19) East of the Indian Meridian, including all accretions thereto, situate in Mayes County, Oklahoma, and containing 34.73 acres, more or less.

together with all accretion, reliction, alluvium and submerged lands in front thereof, or added thereto, and all and singular the rights, privileges and appurtenances thereunto belonging.

The estate taken in and to said above described real estate, for said public uses and purposes, is the full fee simple title thereto, subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipe lines.

It further appears that all persons who are now living and claim interests in said lands adverse to the United States of America, and which said persons are respondents in this proceeding, have been duly served, according to law, with notice of the hearing of the application for the appointment of commissioners by this Court.

The Court hears evidence and specifically finds that the returns of the United States Marshals filed herein, showing service of the notice are true and correct, and that service was had as stated in said returns.

The Court further finds that publication service was had according to order and the law made and provided in such cases, and the affidavits of the publishers as filed herein are hereby accepted and approved by this Court.

It is now proper for this Court to enter its order appointing commissioners in this cause to appraise the lands hereinabove described, as prayed for by the petitioner.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that T. G. Grant, of Tulsa, County, Oklahoma, W. L. Mayes of Mayes County, Oklahoma, and Roy Deaton of Tulsa, County, Oklahoma, disinterested freeholders of said district, whose names are on the regular jury list of this Court, be, and they are hereby appointed as commissioners to inspect and view said real property hereinabove described, and to consider and fix the fair, cash, market value thereof which shall be awarded the owners as their damage and compensation for the taking and appropriation of said lands and estates therein, as hereinabove described.

Said commissioners are hereby authorized, empowered and directed to forthwith take the oath prescribed by law, to immediately inspect, view and appraise said real property, and file their report in this Court, as provided by law.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,

Petitioner,)

-vs-

) No. 1103 Civil)

8.5 acres of land, more or less,
situate in Tulsa County, Oklahoma,
and O. L. Avey, et al.,

) Respondents.)

J U D G M E N T

Now on this 19th day of May, 1944, this cause came on to be heard and the Court, having been fully advised in the premises finds that written stipulations duly signed by all interested parties have been filed in this case, whereby the fair, cash, market value of Tract No. 4, including all damages of every kind and character, is fixed at the sum of \$1,350.00 and whereby the leasehold value of Tract No. R-3 for the first year is fixed at the sum of \$400.00 with the right in the Government to renew from year to year upon the payment of \$20.00 annually thereafter. The Court finds that said stipulated values include all damages of every kind and character and that said stipulated awards are fair and should be confirmed by the Court.

The Court finds that there has been heretofore deposited as to Tract No. 4 the sum of \$1,000.00, leaving a deficiency of \$350.00 as to said tract, and that there has been heretofore deposited as to Tract No. R-3 the sum of \$200.00, leaving a deficiency of \$200.00 as to Tract No. R-3.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the fair, cash, market value of Tract No. 4 be, and the same is hereby, fixed at the sum of \$1,350.00, which amount includes all damages of every kind and character.

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DISTRICT OF OKLAHOMA

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~~REGULAR JANUARY 1944 TERM~~ TULSA, OKLAHOMA ~~FRIDAY, MAY 19, 1944~~

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the title to the above described real estate, at the time of taking by the petitioner, was vested in the party hereinabove set out.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
vs		)	No. 1166 - Civil
)	
1.79 acres of land, more or less,)	
situate in Tulsa County, State of)	
Oklahoma, and John Carr, et al.,	Respondents.)	

JUDGMENT CONFIRMING STIPULATED VALUE

Now on this 19th day of May, 1944, this cause came on to be heard and the Court, having been fully advised in the premises, finds that a written stipulation has been entered in this cause by and between the petitioner and the owner of the land involved in this proceeding, being designated as Tract No. 5, whereby the agreed value of said tract of land is fixed at \$200.00, which amount includes interest and all damages of every kind and character. The Court finds that said stipulated value should be confirmed and approved by the Court and the value of Tract No. 5 fixed at the agreed amount of \$200.00.

The Court further finds that there has heretofore been deposited in court as to said tract the sum of \$200.00 and no deficiency exists as to Tract No. 5.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the stipulation as to said Tract No. 5 be, and the same is hereby, confirmed and adopted by the Court, and the value of the fee simple title of said tract of land is fixed at the sum of \$200.00, including interest and all damages of every kind and character.

ROYCE H. SAVAGE
JUDGE

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

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, MAY 19, 1944

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 OF DISTRIBUTION

Now on this 19th day of May, 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 the tract of land involved in this proceeding, being designated as Tract No. 5.

IT IS THEREFORE ORDERED that as to said Tract No. 5 the Clerk of this Court issue checks payable as follows, to-wit:

Missouri Improvement Company and the County Treasurer of Tulsa County, Oklahoma (Full award)	\$193.31
Water Improvement District No. 5 (Full award)	\$ 6.69

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to May 20, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA SATURDAY, MAY 20, 1944

On this 20th 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 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

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

At Tulsa, in said District, on this 20th day of May, A. D. 1944, it is Ordered

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

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~~REGULAR JANUARY 1944 TERM~~ TULSA, OKLAHOMA ~~FRIDAY, MAY 19, 1944~~

BY THE Court that the Marshal in and for the Northern District of Oklahoma, be, and he is hereby directed to pen the Regular June 1944 Term of the United States District Court for the Northern District of Oklahoma at Bartlesville, Oklahoma, on the 5th day of June, A. D. 1944, at 9:30 o'clock A.M. by proclamation in the manner and form provided by law and the said Marshal adjourn said Court to June 15, 1944.

Said Marshal shall make due return hereof how he has executed this Order.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 22, 1944

On this 22nd 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, get 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

Helmerich & Payne, Inc., a
Delaware Corporation, Plaintiff,)
)
)
vs.) No.1096 - Civil
)
)
Associated Indemnity Corporation,
a California Insurance Corporation, Defendant.)

ORDER FOR TAKING DEPOSITIONS

On this 23 day of May, 1944, upon the verified application of the defendant and for good cause shown, it is ordered that said defendant be allowed to take the deposition of Dr. _____ Weden, as a witness for said defendant, to be used upon the trial of this cause, and that said deposition may be taken before I. L. Huff, Notary Public at the Weden Hospital, in Marlow, Oklahoma, upon 3 days notice in writing and said deposition to be filed with the Clerk of this Court not less than 3 days prior to the trial of said cause.

ROYCE H. SAVAGE
United States District Judge

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

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 22, 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 OTTAWA COUNTY, OKLAHOMA, containing approximately 17.53 acres, more or less; and Isarel Putnam, et al., Defendants.)

CIVIL NO. 1207

JUDGMENT ON DECLARATION OF TAKING

THIS CAUSE coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above cause on the 22nd day of May, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

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

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

FIFTH: That said Declaration of Taking contains a statement of the estate 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 \$1,413.99, 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 22nd day of May, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement for road purposes, subject to any existing rights held by the

public, the State of Oklahoma, or any subdivision thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority a public corporation, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, in, upon and over the lands, situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (31 - FW-CB-1157)
Perpetual Easement for Road Purposes

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the south boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.8 feet west of the southeast corner thereof, thence N. 55° 21' W. 143.1 feet; thence on a curve to the right of radius 477.7 feet a distance of 200.0 feet to a point 225.0 feet north and 264.9 feet west of said southeast corner, containing 0.6 acres, more or less.

TRACT NO. 2 (31 - FW-CB-1157 A)
Perpetual Easement for Road Purposes

All that part of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence northerly along the west boundary thereof a distance of 41.2 feet; thence S. 55° 21' E. 72.3 feet to a point in the south boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence westerly along said south boundary a distance of 59.6 feet to the point of beginning, containing 0.03 acre, more or less.

TRACT NO. 3 (31 - FW-CB-1221)
Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, 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 a point in the north boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 121.6 feet west of the NE corner thereof, thence westerly along the north boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 638.2 feet; thence south 15 feet, thence easterly parallel to the north boundary of said N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 85.6 feet; thence southerly perpendicular to the north boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 132.0 feet thence easterly parallel with the north boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 25.0 feet; thence northerly

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perpendicular to the north boundary of said NW 1/4 NE 1/4 SW 1/4 a distance of 132.0 feet; thence easterly parallel to the north boundary of said NW 1/4 NE 1/4 SW 1/4 a distance of 527.5 feet; thence north 15 feet to the point of beginning, less that portion owned by the Grand River Dam Authority, containing 0.3 acre, more or less.

TRACT NO. 4 (40 - FW-CR-1222) Perpetual Easement for Road Purposes

All that part of the SW 1/4 SE 1/4 NW 1/4 and all that part of the SE 1/4 SW 1/4 NW 1/4 of Sec. 31, 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 a point in the south boundary of said SW 1/4 SE 1/4 NW 1/4 121.6 feet from the SE corner thereof; thence westerly along the south boundary of said SW 1/4 SE 1/4 NW 1/4 and SE 1/4 SW 1/4 NW 1/4 a distance of 638.1 feet; thence north 3.0 feet; thence N. 89° 17' W. 0.0 feet; thence to the right on a curve of radius 158.29 feet a distance of 173.68 feet; thence N. 63° 55' E. 80.0 feet; thence S. 26° 25' E. 0.0 feet; thence to the left on a curve of radius 78.29 feet a distance of 85.9 feet; thence S. 89° 17' E. a distance of 638.1 feet; thence southerly 70.0 feet to the point of beginning, containing 2.4 acres, more or less.

TRACT NO. 5 (47 - FW-CR-1536) Perpetual Easement for Road Purposes

The south 40.0 feet of the SE 1/4 NE 1/4 and the north 40.0 feet of the NE 1/4 SE 1/4 of Sec. 22, T 27 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing 2.4 acres, more or less.

TRACT NO. 6 (47 - FW-CR 1538 A) Perpetual Easement for Road Purposes

The north 40.0 feet of the NW 1/4 SE 1/4, the south 40.0 feet of the SW 1/4 NE 1/4 and the west 80 feet of the north 931 feet of the south 971 feet of said SW 1/4 NE 1/4, all in Sec. 22, T 27 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing 4.1 acres, more or less.

TRACT NO. 7 (47 - FW-CR-1539) Perpetual Easement for Road Purposes

The south 40.0 feet of the east 157.0 feet of the SE 1/4 NW 1/4 of Sec. 22, T 27 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing 0.1 acre, more or less.

TRACT NO. 8 (47 - FW-CR-1540) Perpetual Easement for Road Purposes

All that part of the NE 1/4 SW 1/4 and all that part of the NW 1/4 SW 1/4 of Sec. 22, T 27 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

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The South 335 feet of the east 40.0 feet of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the south 335 feet of the west 40.0 feet of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the east 157.0 feet of the north 40.0 feet of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, containing 0.8 acre, more or less.

TRACT NO. 9 (47 - FW-CR-1543)
Perpetual Easement for Road Purposes

All that part of Lot 5 in Section 22, 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 N.E. corner of said Lot 5, thence westerly along the north boundary of said Lot 5 a distance of 300 feet; thence S. 0° 10' E. parallel with the east boundary of said Lot 5 a distance of 367.8 feet; thence S. 78° 46' E. 37.2 feet; thence N. 29° 05' E. 439.2 feet to the point of beginning, containing 1.6 acres, more or less.

TRACT NO. 10 (47 - FW-CR-1585)
Perpetual Easement for Road Purposes

The west 381.5 feet of the north 50 feet of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 11 (47 - FW-CR-1593)
Perpetual Easement for Road Purposes

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 15, 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 SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence northerly along the west boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 60.0 feet; thence N. 89° 22' E. 135.6 feet; thence to the left on a curve of radius 146.6 feet a distance of 70.15 feet; thence N. 61° 57' E. 128.7 feet; thence S. 19° 39' E. 143.6 feet to a point in the south boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence westerly along said south boundary a distance of 364.7 feet to the point of beginning, containing 0.6 acre, more or less.

TRACT NO. 12 (47 - FW-CR-1596)
Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 22, 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 a point in the north boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1018.0 feet west of the NE corner thereof; thence

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easterly along the north boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 525.0 feet; thence south 100.0 feet; thence westerly parallel to the north boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE of 225.0 feet; thence north 60 feet; thence westerly parallel to the north boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 300.0 feet;

TRACT NO. 13 (47 - FW-CR-1597)
Perpetual Easement for Road Purposes

The south 40.0 feet of the west 525.0 feet of the east 1018.0 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, containing 0.6 acre, more or less.

TRACT NO. 14 (49 - FW-CR-1511)
Perpetual Easement for Road Purposes

All that part of Lot 9, Ottawa Reserve, and all that part of Lot 1, Wyandotte Reserve, all in Sec. 18, 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 the SE corner of said Lot 9, thence northerly along the east boundary of said Lot 9 a distance of 181.2 feet; thence N. 32° 01' W. 59.5 feet; thence S. 7° 59' W. 0.0 feet; thence to the right on a curve of radius 533.83 feet a distance of 182.71 feet; thence S. 27° 36' W. 222.8 feet; thence to the left on a curve of radius 399.22 feet a distance of 183.81 feet; thence S. 88° 47' E. 263.46 feet to a point in the east boundary of said Lot 1, thence northerly along the east boundary of said Lot 1, a distance of 363.3 feet to the point of beginning, containing 1.8 acres, more or less.

TRACT NO. 15 (49 - FW-CR-1513)
Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, 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 in the east boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.0 feet from the SE corner thereof; thence northerly along the east boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 253.6 feet; thence N. 21° 12' W. 0.0 feet; thence to the left on a curve of radius 613.87 feet a distance of 29.99 feet; thence N. 24° 00' W. 73.3 feet; thence S. 66° 00' W. 80.0 feet; thence S. 24° 00' E. 73.3 feet; thence to the right on a curve of radius 533.87 feet a distance of 229.52 feet; thence S. 0° 38' W. 25.4 feet; thence S. 89° 22' E. 39.2 feet to the point of beginning, except that portion owned by the Grand River Dam Authority, containing 0.3 acre, more or less.

TRACT NO. 16 (51-FW-CR-1516)
Perpetual Easement for Road Purposes

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All that part of the $W\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 17, 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 the NW corner of said $W\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$, thence southerly along the west boundary of said $W\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ a distance of 302.0 feet; thence easterly parallel to the north boundary of said $W\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ a distance of 169.0 feet to the Grand River Dam Authority property line; thence N. 16° $26'$ W. 108.6 feet; thence N. 19° $46'$ W. 208.5 feet to a point in the north boundary of said $W\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$, thence westerly along said north boundary a distance of 66.6 feet to the point of beginning, containing 0.8 acre, 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 ORDERED, ADJUDGED AND DECREED that a perpetual easement for road purposes is vested in the United States of America, subject to any existing rights held by the public, the State of Oklahoma, or any subdivisions, thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority, a public corporation, in, upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired, on or before the 22nd day of May, 1944, and that this cause be held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

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

Court adjourned to May 23, 1944

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA TUESDAY, MAY 23, 1944

On this 23rd 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 Y. Maazy, 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

RE: Security of Bankruptcy Funds

O R D E R

Now on this 23 day of May, 1944, this matter came on for hearing on the oral application of The First National Bank and Trust Company of Tulsa represented by its counsel, Benjamin C. Conner, to release to it Treasury Note B-1946 ~~134~~ due 12-15-46, No. 12954, being in the principal amount of \$100,000.00, and it appearing to the court that said Bank deposited said Note with the Federal Reserve Bank of Kansas City as security for public funds and through a misunderstanding the Federal Reserve Bank of Kansas City issued its Receipt, No. X 52, to the Clerk of the United States District Court for the Northern District of Oklahoma, as security for funds under the jurisdiction of the court, whereas said receipt should have been issued to the Treasurer of the United States, Division of Securities, as security for public funds;

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Clerk of this Court be and he hereby is authorized to issue a receipt to the Federal Reserve Bank of Kansas City requesting it to release the above described securities and to deliver the same to The First National Bank and Trust Company of Tulsa for the purpose of depositing the same as security for public funds.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 23 1944
H. P. Warfield, Clerk
U. S. District Court ME 3

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLA.

ORDER DIRECTING SPECIAL JUNE 1944 TERM

It appearing that the accumulation of business in this District is of such a nature and volume as to required that a Special June Term of this Court be held at Vinita, Oklahoma, in said District beginning, Monday, June 12, 1944, at 9:30 o'clock A.M.

IT IS THEREFORE ORDERED that a Special June Term of this Court be held at Vinita, in said District, beginning on the 12th day of June A. D. 1944, at 9:30 O'clock A.M., to be designated as the Special June 1944 Term for the transaction of any business which might be transacted at a Regular Term, and to continue until adjourned by the Court.

IT IS FURTHER ORDERED that the spreading of this Order upon the records of this

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

~~REGULAR JANUARY 1944 TERM~~ TULSA, OKLAHOMA ~~TUESDAY, MAY 23, 1944~~

Court, shall be deemed sufficient notice of such Special Term.

DATED this 23rd day of May, A. D. 1944.

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

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLA.

ORDER FOR PETIT JURY

On this 23rd day of May, A. D. 1944, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Seventy (70) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Special June 1944 Term of this Court, to be held at Vinita, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Vinita, Oklahoma, in the Northern District of Oklahoma, on Monday, the 12th day of June, A. D. 1944, at 9:00 o'clock A.M. (WAR TIME) then and there to serve as Petit Jurors of the United States in and for said District at the Special June 1944 Term of said Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed May 23 1944
H. P. Warfield, Clerk
U. S. District Court M E

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

United States of America,	Plaintiff,)
vs		) No. 1069 - Civil
		) Tract No. 6
Certain parcels of land in Delaware County,		) (6 FW-619)
Oklahoma, F. L. Renard, et al.,	Defendants.)

ORDER OF DISBURSEMENT

Now on this 23 day of May, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of the defendants F. L. Renard and his wife Mabel Barnett Renard for disbursement of funds.

The parties concerned all appear by their attorneys of record, and while this matter was notice for hearing for May 31, 1944, by agreement of the parties the same is to be presented to the court and the court may make and enter an order this date.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA TUESDAY, MAY 23, 1944

hereupon the application was presented to and considered by the court, and being well and advised of the premises the Court finds that the applicants F. L. Renard and his wife Mabel Barnett Renard are the owners of these certain lands herein designated as Tract No. 6 (S FW-619) and are in the actual, open, and peaceable possession thereof; that plaintiff herein has condemned taken, and is now in the use and enjoyment of a flowage easement on and over said tract for use incident to its project; that the damages estimated by plaintiff by reason of said taken as shown in its Declaration of Taking is \$554.00 and the plaintiff has paid that amount of money into the office of the Clerk of said court for the benefit of those lawfully entitled thereto. The court finds that the taxes levied and assessed against said land for 1943 and prior years have been paid, that the Commissioners of the Land Office of the State of Oklahoma have a mortgage on and against said lands in the amount of \$1728.96, and are lawfully entitled to said moneys as a payment on said mortgage debt.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay said sum of \$554.00 to the Commissioners of the Land Office of the State of Oklahoma for the benefit of the applicants F. L. Renard and his wife Mabel Barnett Renard, for and as a payment on the mortgage debt and the mortgage held by them on and against said lands.

ROYCE H. SAVAGE
JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
v.) No. 1120 Civil
Mrs. Carl Taylor, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 22nd day of May, 1944, it appearing to the Court that the Journal Entry of Judgment entered herein on May 9, 1944, taxed the costs of this action to plaintiff, and that same should be stricken, and the Court being advised in the premises, finds the issues in favor of the defendant, without cost to the defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Journal Entry of Judgment entered in this cause on May 9, 1944, be, and the same is hereby vacated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that defendant recover judgment in this cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 23 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,)	
		)	No. 1134 - Civil
vs.		)	Tract No. 18
		)	(34 FW-1131)
Certain parcels of land in Delaware)	
County, Oklahoma, Paul Scott et al,	Defendants.)	

ORDER OF DISBURSEMENT

Now this 23 day of May, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of Paul Scott and his wife Mrs. Paul Scott, for disbursement of funds.

The parties concerned in said tract all appear by their attorneys of record, and while said matter has been noticed for hearing for May 31, 1944, by agreement of the parties said matter is presented this date for order of the court.

The said application for disbursement having been presented to and considered by the court, and being well advised in the premises the court finds that applicants, Paul Scott and his wife Mrs. Paul Scott are the lawful owners and in the actual, open and peaceable possession of those certain lands herein designated as Tract No. 18 (34 - FW-1131); that plaintiff has condemned and is now in the actual use and enjoyment of a flowage easement on and over said tract of land; that the damages caused by taking such flowage easement on said lands has been estimated by plaintiff in the sum of \$298.40, and plaintiff has paid that amount of money into the office of the Clerk of said court for those lawfully entitled thereto; that Frank P. Marlow and Mrs. Frank P. Marlow have a mortgage on said lands in the sum of \$1276.15 and they are entitled to said moneys as a payment and credit on said mortgage and mortgage debt; the court finds that the taxes levied and assessed against said lands for 1943 and prior years have been paid.

IT IS THEREFORE ORDERED that the Clerk of this Court do forthwith pay said sum of \$298.40 now in his hands to Frank P. Marlow and Mrs. Frank P. Marlow as a payment on the mortgage and mortgage debt on and against said lands of the applicants herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 23 1944
H. P. Warfield, Clerk
U. S. District Court IN

Court adjourned to May 24, 1944

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

On this 24th 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 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, OKLAHOMA, containing approximately 64.4 acres, more or less; and Geo. Hogan, Jr., et al., Defendants.
CIVIL NO. 1007

ORDER GRANTING LEAVE TO FILE AMENDMENT TO DECLARATION OF TAKING AS TO TRACT NO. 27 (8 FW 286-A); JUDGMENT UPON SAID AMENDMENT AND ORDER CORRECTING DESCRIPTION OF TRACT NO. 27 (8 FW 286-A)

This cause coming on to be heard upon the motion of the petitioner, United State of America, for leave to file an amendment to the declaration of taking as to Tract No. 27 (8 FW 286-A), and for judgment herein, and for an order correcting the description of Tract No. 27 (8 FW 286-A* as set forth in said amendment to the declaration of taking, and it appearing to the satisfaction of the Court;

- 1. That the United States of America is entitled to acquire property by eminent domain for the purposes as set forth and prayed for in the petition for condemnation.
2. That said amendment to the Declaration of Taking states the public use for which said land was taken; that the Secretary of the Interior of the United States of America is the person duly authorized and empowered by law to acquire such land as described in said amendment to the Declaration of Taking.
3. That the petitioner filed its original Declaration of Taking in this cause on the 31st day of May, 1943, describing certain lands in Delaware County, Oklahoma; that through inadvertence and mistake Tract No. 27 (8 FW 286-A) was described as being in Section 1, T 24 N, R 22 E; that said tract of land is actually located in Section 1, T 23 N, R 22 E; that said amendment to the Declaration of Taking sets out the proper description of said Tract No. 27 (8 FW 286-A); that said amendment to the Declaration of Taking contains a statement of the estate or interest in said tract of land taken for public use;
4. That a statement is contained in said amendment to the Declaration of Taking of the sum of money estimated by said acquiring authority to be just compensation for said tract in the amount of \$1.30, and that said sum was deposited in the registry of the court for the use of the persons entitled thereto.
5. That the defendant, Dora Ingram, is the owner of the entire fee simple title to said Tract No. 27 (8 FW 286-A); that said defendant has entered her appearance for all purposes

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

in this cause and has filed her written waiver and consent to the filing of said amendment to the Declaration of Taking as to said Tract No. 27 (8 FW 286-A).

It further appearing that said error in the description of said Tract No. 27 (8 FW 286-A) appears in the petitions for condemnation, pleadings, orders and report of commissioners filed in this cause; and that said error should be corrected; that the owner of said Tract No. 27 (8 FW 286-A) has filed her written consent stating that the petition, pleadings, orders and the report of commissioners be corrected to properly describe said tract of land as being located in Section 1, T 23 N, R 22 E Delaware County, Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court, as follows:

1. That the petitioner, United States of America, be, and it is hereby authorized to file its amendment to the Declaration of Taking as to Tract No. 27 (8 FW 286-A).

2. That a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom, and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said land from time to time in the performance of said acts, for use in connection with the Grand River Dam (Pensacola) Project, upon and over the land situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 27 (8 FW 286-A)
Flowage Easement

All that part of the SE 10.0 acres of Lot 2, in Sec. 1, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below elevation 757 sea level datum, containing less than 0.1 acre.

be, and the same is hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken upon the filing of the amendment to the Declaration of Taking is vested in the persons entitled thereto;

3. That the United States of America, be, and it is hereby vested with a perpetual easement upon and over said land hereinabove described for the uses and purposes herein stated;

4. That the petition for condemnation, pleadings, orders and report of commissioners filed in this cause are hereby amended and corrected as to Tract No. 27 (8 FW 286-A) by describing said tract of land as being located in Section 1, T 23 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma; that the report of commissioners filed herein is confirmed and approved as to Tract No. 27 (8 FW 286-A) as amended by this order.

This cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed May 24 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 WEDNESDAY, MAY 24, 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, OKLAHOMA, containing approximately 64.4 acres, more or less; and George Hogan, Jr., et al.,	Defendants.)

CIVIL NO. 1007

J U D G M E N T

NOW, on this 24th day of May, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioner's report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

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

- (1) Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.
- (2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.
- (3) In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands were taken, was set forth.
- (4) A proper description of the land sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.
- (5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.

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

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

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 18th day of January, 1944, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 22nd day of January, 1944, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to-wit:

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

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REGULAR JANUARY 1944 TERM

OKLAHOMA

WEDNESDAY, MAY 24, 1944

TRACT NO. 1 (8 FW-218)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 3, 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 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.10

TRACT NO. 2 (8 - FW-221)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 3, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.0 acre.

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

TRACT NO. 3 (8 FW 223)
Flowage Easement

All that part of the $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 3, 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 0.5 acre.

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

TRACT NO. 4 (8- FW-229 Rev)
Flowage Easement

All that part of the $SW\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 34, 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 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$0.55

TRACT NO. 5 (8 - FW-230)
Flowage Easement

All that part of the NW 9.61 acres of Lot 4, and all that part of the SE 10.0 acres of Lot 4 of Sec. 3, 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.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$4.40

TRACT NO. 6 (8 - FW-231) Flowage Easement

All that part of the SW 10.0 acres of Lot 4, Sec. 3, 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 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, \$1.20

TRACT NO. 7 (8 - FW-232) Flowage Easement

All that part of the N 1/2 SE 1/4 NW 1/4, and all that part of the SW 1/4 NE 1/4, and all that part of the E 1/2 of Lot 2, and all that part of the South 20.0 acres of Lot 1 in Sec. 3, and all that part of Lot 4, and all that part of the W 1/2 of Lot 3, and all that part of the SW 1/4 NW 1/4, and all that part of the W 1/2 SE 1/4 NW 1/4, and all that part of the W 1/2 NE 1/4 SW 1/4 of Sec. 2, 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 7.0 acres;

All that part of Lot 3, and all that part of the W 1/2 of Lot 2, in Sec. 3, except that portion owned by the Grand River Dam Authority, containing approximately 5.7 acres.

All in T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, containing approximately 12.7 acres.

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

TRACT NO. 8 (8 - FW-233) Flowage Easement

All that part of the SW 1/4 NW 1/4 of Sec. 3, 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 1.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$4.50

TRACT NO. 9 (8 - FW-234) Flowage Easement

All that part of the NW 1/4 SW 1/4 of Sec. 3, 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 0.2 acres.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

TRACT NO. 10 (8 - FW-235 Rev.)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$, and all that part of the $SW\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 3, 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 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.85

TRACT NO. 11 (8 - FW-236)
Flowage Easement

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 3, 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 0.8 acre.

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

TRACT NO. 12 (8 - FW-237)
Flowage Easement

All that part of the North 19.38 acres of Lot 1 in Sec. 3, 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 0.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$4.20

TRACT NO. 13 (8 - FW-238)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SW\frac{1}{4}$ of Sec. 2, 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 1.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$8.40

TRACT NO. 14 (8 - FW-274)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ 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, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage containing approximately 1.1 acres.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$5.50

TRACT NO. 15 (8 - FW-275)
Flowage Easement

All that part of the $S\frac{1}{2}$ $S\frac{1}{2}$ $SW\frac{1}{4}$ 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, 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, \$6.00

TRACT NO. 16 (8 - FW-276)
Flowage Easement

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ 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 approximately
0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$3.50

TRACT NO. 17 (8 - FW-277)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ 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, except that portion owned
by the Grand River Dam Authority, containing approximately 0.2
acre.

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

TRACT NO. 18 (8 - FW-278)
Flowage Easement

All that part of the $NW\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ 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, except that portion owned
by the Grand River Dam Authority, containing approximately 0.2
acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.05

TRACT NO. 19 (8 - FW-279)
Flowage Easement

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 2, T 23 N, R 22 E of
the Indian Base and Meridian, in Delaware County, Oklahoma,
lying below Elev. 757 Sea Level Datum, except the portion owned
by the Grand River Dam Authority, containing approximately 0.2
acres.

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 24, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$0.60

TRACT NO. 20 (8 - FW-280)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, 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 approxl 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$1.30

TRACT NO. 21 (8 - FW-281)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, 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 0.1
acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$0.30

TRACT NO. 22 (8 - FW-282)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 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, except that portion on
which the Grand River Dam Authority has the right of flowage
containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$0.40

TRACT NO. 23 (8 - FW-283)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 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, except that portion owned
by the Grand River Dam Authority, containing approximately 1.1
acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$5.50

TRACT NO. 24 (8 - FW-284)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the
W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 1, 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 3.4 acres.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$17.00

TRACT NO. 25 (8 - FW-285) Flowage Easement

All that part of the SE 10.0 acres of Lot 3, and all that part of the E 1/2 SE 1/4 NW 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, except that portion owned by the Grand River Dam Authority, containing approximately 2.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$10.50

TRACT NO. 26 (8 - FW-286) Flowage Easement

All that part of the SW 10.0 acres of Lot 2 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, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$12.65

TRACT NO. 27 (8 - FW-286A) Flowage Easement

All that part of the SE 10.0 acres of Lot 2 in 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.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$1.30

TRACT NO. 28 (8 - FW-287) Flowage Easement

All that part of the SW 10.0 acres of Lot 3 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.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$0.55

TRACT NO. 29 (89--FW-288) Flowage Easement

All that part of Lot 4 in 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.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF AN \$0.55

TRACT NO. 30 (8 - FW-289)
Flowage Easement

All that part of the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of Sec. 2, 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 2.1 acres

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$4.20

TRACT NO. 31 (8 - FW-290)
Flowage Easement

All that part of the SE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ of Sec. 2, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$8.50

TRACT NO. 32 (8 - FW-291)
Flowage Easement

All that part of the NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ of Sec. 2, 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 on which the Grand River Dam Authority has the right of flowage 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. 33 (8 - FW-292)
Flowage Easement

All that part of Lot 2 in Sec. 2, 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 3.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$16.50

TRACT NO. 34 (8 - FW-293)
Flowage Easement

All that part of the SE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 35, 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 3.5 acres.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 24, 1944

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TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$10.50

TRACT NO. 35 (8 - FW-294)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, 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.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$2.75

TRACT NO. 36 (8 - FW-295)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35, 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 0.4 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$2.20

TRACT NO. 37 (8 - FW-296)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the
SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, T 24 N, R 22 E of the Indian Base and
Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea
Level Datum, except that portion owned by the Grand River Dam
Authority, containing approximately 0.9 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$4.95

TRACT NO. 38 (8 - FW-297 Rev)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, 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
0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$7.45

TRACT NO. 39 (8 - FW- 298)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, 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
1.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$6.75

TRACT NO. 40 (8 - FW-299 Rev)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, 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 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$2.15

TRACT NO. 41 (8 - FW-300)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the
SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, 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 1.9 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$5.70

TRACT NO. 42 (8 - FW-301)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, 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
0.8 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$1.80

TRACT NO. 43 (8 - FW-301 A)
Flowage Easement

All that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 34, and all that
part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, 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 \$1.80

TRACT NO. 44 (8 - FW-302)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 34, 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 0.1 acre.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 24, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$1.10

TRACT NO. 45 (8 - FW-303) Flowage Easement

All that part of the E 1/2 E 1/2 NW 1/4, and all that part of the E 1/2 NE 1/4 SW 1/4, and all that part of the W 1/2 NW 1/4 SE 1/4, and all that part of the NW 1/4 SW 1/4 SE 1/4 of Sec. 34, 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 7.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$42.00

TRACT NO. 46 (8 - FW-304) Flowage Easement

All that part of the NE 1/4 NW 1/4 SE 1/4 of Sec. 34, 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 \$1.54

TRACT NO. 47 (8 - FW-305) Flowage Easement

All that part of the SE 1/4 SW 1/4 NE 1/4 of Sec. 34, 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 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER IF ANY \$1.10

TRACT NO. 48 (8 - FW-306) Flowage Easement

All that part of the NW 1/4 NE 1/4 and all that part of the W 1/2 SW 1/4 NE 1/4 of Sec. 34, 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 2.0 acres.

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

TRACT NO. 49 (8 - FW-325) Flowage Easement

All that part of the NE 1/4 NE 1/4 NE 1/4 of Sec. 35, 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 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$1.10

TRACT NO. 50 (8X-FW-272).
Flowage Easement

All that part of the east 30.0 acres of Lot 7, of Sec. 6,
T 23 N, R 23 E of the Indian Base and Meridian in Delaware County,
Oklahoma, lying below Elev. 757 Sea Level Datum, except that
portion owned by the Grand River Dam Authority, containing approximately
1.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL
EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$7.50

TRACT NO. 51 (8X - FW-273)
Flowage Easement

All that part of the west 17.76 acres of Lot 7 of Sec. 6,
T 23 N, R 23 E of the Indian Base and Meridian in Delaware
County, Oklahoma, lying below Elev. 757 Sea Level Datum, except
that portion owned by the Grand River Dam Authority, containing
approximately 0.2 acres.

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

TOTAL \$243.49

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

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

The Court further Finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation in the total amount of \$243.49.

(8) That the United States of America did, on the 31st 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 of and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (8 - FW-218)	\$2.10
TRACT NO. 2 (8 - FW-221)	\$3.00
TRACT NO. 3 (8 - FW-223)	\$1.50
TRACT NO. 4 (8 - FW-229 Rev)	\$0.55
TRACT NO. 5 (8 - FW-230)	\$4.40
TRACT NO. 6 (8 - FW-231)	\$1.20
TRACT NO. 7 (8 - FW-232)	\$38.10
TRACT NO. 8 (8 - FW-233)	\$4.50
TRACT NO. 9 (8 - FW-234)	\$1.00
TRACT NO. 10 (8 - FW-235 Rev)	\$3.85

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

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TRACT NO. 11 (8 - FW-236)	\$2.40
TRACT NO. 12 (8 - FW-237)	\$2.10
TRACT NO. 13 (8 - FW-238)	\$4.20
TRACT NO. 14 (8 - FW-274)	\$2.20
TRACT NO. 15 (8 - FW-275)	\$3.60
TRACT NO. 16 (8 - FW-276)	\$1.40
TRACT NO. 17 (8 - FW-277)	\$1.00
TRACT NO. 18 (8 - FW-278)	\$1.05
TRACT NO. 19 (8 - FW-279)	\$0.60
TRACT NO. 20 (8 - FW-280)	\$1.30
TRACT NO. 21 (8 - FW-281)	\$0.30
TRACT NO. 22 (8 - FW-282)	\$0.40
TRACT NO. 23 (8 - FW-283)	\$3.30
TRACT NO. 24 (8 - FW-284)	\$10.20
TRACT NO. 25 (8 - FW-285)	\$6.30
TRACT NO. 26 (8 - FW-286)	\$12.65
TRACT NO. 27 (8 - FW-286 A)	\$1.30
TRACT NO. 28 (8 - FW-287)	\$0.55
TRACT NO. 29 (8 - FW-288)	\$0.55
TRACT NO. 30 (8 - FW-289)	\$4.20
TRACT NO. 31 (8 - FW-290)	\$11.90
TRACT NO. 32 (8 - FW-291)	\$1.60
TRACT NO. 33 (8 - FW-292)	\$24.85
TRACT NO. 34 (8 - FW-293)	\$10.50
TRACT NO. 35 (8 - FW-294)	\$2.75
TRACT NO. 36 (8 - FW-295)	\$2.20
TRACT NO. 37 (8 - FW-296)	\$4.95
TRACT NO. 38 (8 - FW-297 Rev)	\$7.45
TRACT NO. 39 (8 - FW-298)	\$6.75
TRACT NO. 40 (8 - FW-299 rev)	\$2.15
TRACT NO. 41 (8 - FW-300)	\$5.70
TRACT NO. 42 (8 - FW-301)	\$1.80
TRACT NO. 43 (8 - FW-301 A)	\$1.80
TRACT NO. 44 (8 - FW-302)	\$1.10
TRACT NO. 45 (8 - FW-302)	\$21.00
TRACT NO. 46 (8 - FW-304)	\$1.54
TRACT NO. 47 (8 - FW-305)	\$1.10
TRACT NO. 48 (8 - FW-306)	\$6.00
TRACT NO. 49 (8 - FW-325)	\$1.10
TRACT NO. 50 (8 - FW-272)	\$4.50
TRACT NO. 51 (8X-FW-273)	\$1.00
TOTAL	\$241.54

(9) The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein 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:

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

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TULSA, OKLAHOMA

WEDNESDAY, MAY 24, 1944

(Description of tracts heretofore copied under 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 and 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 31st day of May, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$241.54, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the 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 court court upon the sum of \$1.95, said sum being the deficiency between the sum of \$243.49, 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 \$241.54.

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 May 24 1944
H. P. Warfield, Clerk
U. S. District Court H.

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

UNITED STATES OF AMERICA,)
Petitioner,)
-vs-)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, etc., and Alta Foust, et al., Defendants.)

CIVIL NO. 1076

ORDER FIXING TITLE, DECREEBING JUST COMPENSATION
AND MAKING DISTRIBUTION AS TO TRACT NO. 42
(13 FW 841)

NOW, on this 24th day of May, 1944, there coming on for hearing the application of the defendant, Ralph Webb, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 42 (13 FW 841) and the Court being fully advised in the premises, finds:

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 24, 1944

That the defendant, Ralph Webb, was the owner of the land designated as Tract No. 42 (13 FW 841) 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 \$321.00 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, Ralph Webb, 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 \$321.00, which was accepted by the petitioner.

The Court further finds that the sum of \$321.00 is just compensation for the injuries and damages sustained by said defendant, Ralph Webb.

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, Ralph Webb, was the owner of the land designated as Tract No. 42 (13 FW 841), when this proceeding was commenced, and that the sum of \$321.00, is just compensation for the damages sustained by the defendant, Ralph Webb, 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: Ralph Webb Owner TRACT NO. 42 (13 FW 841) \$321.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 24 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. 1129
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, etcl, and A. G. Nicks, et al.,)	
	Defendants.)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 4
(30 FW 998)

NOW, on this 24th day of May, 1944, there coming on for hearing the application of the defendant, Nellie May Snyder, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 4 (30 FW 998) and the Court being fully advised in the premises, finds:

That the defendant, Nellie May Snyder, was, the owner of the land designated as Tract No. 4 (30 FW 998) 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 \$176.40 for the taking of a perpetual flowage easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Nellie May Snyder, 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 \$176.40, which was accepted by the petitioner.

The Court further finds that the sum of \$176.40 is just compensation for the injuries and damages sustained by said defendant, Nellie May Snyder.

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, Nellie May Snyder was the owner of the land designated as Tract No. 4 (30 FW 998), when this proceeding was commenced, and that the sum of \$176.40 is just compensation for the damages sustained by the defendant, Nellie May Snyder 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: Nellie May Snyder Owner Tract No. 4 (30 FW 998) \$176.40

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 24 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 WEDNESDAY, MAY 24, 1944

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, etc., and Susanna Young Wilson Daity,)	
et al.,	Defendants.)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 2 (41 FW 1180)

NOW, on this 24th day of May, 1944, there coming on for hearing the application of the defendant, Sarah Davis, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 2 (41 FW 1180) and the Court being fully advised in the premises, finds:

That the defendant, Sarah Davis, was the owner of the land designated as Tract No. 2 (41 FW 1180) 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 \$163.00 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, Sarah Davis, 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 \$163.00, which was accepted by the petitioner.

The Court further finds that the sum of \$163.00 is just compensation for the injuries and damages sustained by said defendant, Sarah Davis.

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, Sarah Davis, was the owner of the land designated as Tract No. 2 (41 FW 1180) when this proceeding was commenced, and that the sum of \$163.00, is just compensation for the damages sustained by the defendant, Sarah Davis, 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: Sarah Davis	Owner	Tract No. 2 (41 FW 1180)	\$163.00
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ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 24 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

903

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, MAY 25, 1944

On this 25th 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 Y. Manzy, 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

METROPOLITAN LIFE INSURANCE COMPANY,
a corporation,

Plaintiff,

vs

MARIE F. BEALL and ELOISE F. DALE,

Defendants.

No. 1113 - Civil

D E C R E E

It appearing to the court that the plaintiff herein has complied with its obligations under the insurance policy herein involved insofar as the same affects insurance upon the life of William O. Beall and that said insurance company has paid into court the amount owing under Certificate rider numbered 5984-A under group insurance policy issued by the plaintiff to the Sinclair Oil Corporation and/or Consolidated Oil Corporation, and it further appearing that said plaintiff Insurance Company has tendered to Marie F. Beall, widow of William O. Beall, the sum of Ten Thousand (\$10,000.00) dollars, being the amount due and payable under Certificate 5984 under said above described group policy.

IT IS THEREFORE ORDERED AND DECREED that the plaintiff, Metropolitan Life Insurance Company, a corporation, be and it is hereby discharged from any and all liability to the heirs or beneficiaries of William O. Beall, deceased, under said group policy above described, issued to the Sinclair Oil Corporation and from any and all liability on any matters arising out of the transactions under which Certificates 5984 and Certificate rider 5984-A were issued or handled.

IT IS FURTHER ORDERED and decreed that the said plaintiff corporation is discharged from any and all liability to either of the defendants and that the injunction heretofore issued herein be made permanent and that the defendants and each of them, their heirs and assigns, be, and hereby are permanently enjoined from bringing any further litigation in this court or any other court under said group policy or either of said certificates.

IT IS FURTHER ORDERED AND DECREED that plaintiff have its costs herein and that attorneys for plaintiff be allowed a fee in the sum of Five Hundred (\$500.00) dollars to attorneys, C. A. Coakley and G. Ellis Gable out of funds now in the hands of this court.

DATED this 25 day of May, 1944.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed May 25 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA THURSDAY, MAY 25, 1944

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

Ike J. Self, Plaintiff,)
vs) No. 1153 Civil
The Connecticut General Life Insurance Company, a corporation, Defendant.)

ORDER DISMISSING CAUSE WITH PREJUDICE

Now on this the 25 day of May, 1943, it being shown to the Court that the plaintiff has filed in the above case his dismissal, dismissing said cause of action with prejudice, all matters in controversy having been settled, and that said cause should be by the court dismissed pursuant thereto.

It is therefore ordered, adjudged and decreed by the court that the above and foregoing action is hereby dismissed with prejudice at the cost of the defendant.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed May 25 1944
H. P. Warfield, Clerk
U. S. District Court AG

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

GENEVA SCULLAWL LEBSON, Plaintiff,)
vs) NO. 1200 - civil
WILLIAM SCULLAWL, et al, Defendants.)

O R D E R

NOW, on this 23rd day of May, 1944, this matter coming on before the court on the application of the United States of America for additional time to plead in this cause of action and for good cause shown,

IT IS THE ORDER OF THE COURT that the United States of America be and it hereby is granted ten (10) days additional time from this date in which to file its complaint in intervention in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 25 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to May 26, 1944

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

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TULSA, OKLAHOMA

FRIDAY, MAY 26, 1944

as to Tract No. 15 (2 FW 59), and upon consideration of said application and the amendment to the Declaration of Taking as to Tract No. 15 (2 FW 59), the Court finds:

1. That the petitioner, United States of America, upon the filing of its Declaration of Taking on July 16, 1943, took for public use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, a perpetual easement to inundate, submerge and flow the tract of land designated and described as Tract No. 15 (2 FW 59) and other lands, together with the right and authority to cut and clear all timber therefrom and to remove or require the removal therefrom of all other improvements, and to enter upon said lands from time to time in the performance of said act, and that said easement and rights vested in the petitioner, United States of America, on said date;

2. That the amendment to the Declaration of Taking as to Tract No. 15 (2 FW 59) offered by the petitioner for filing proposes to amend the original declaration of taking to exclude from said taking - "the right to cut and clear all timber, and to remove or require the removal of all obstructions, natural or artificial structures, buildings, fences and other improvements" from said Tract No. 15 (2 FW 59);

3. That the owner of said tract of land designated as Tract No. 15 (2 FW 59), objects to said amendment to the Declaration of Taking being filed and has refused to stipulate with the petitioner for the exclusion from the original taking the right to cut and clear all timber and to remove or require the removal of all obstructions, natural or artificial structures, buildings, fences and other improvements;

4. That the right of the parties to this proceeding vested upon the filing of the original declaration of taking in this cause on July 16, 1943;

5. That the petitioner's application for leave to file an amendment to its declaration of taking as to said Tract No. 15 (2 FW 59) should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the rights of the petitioner and the owner of Tract No. 15 (2 FW 59) vested upon the filing of the original declaration of taking in this cause, and that the application of the petitioner to file an amendment to the declaration of takings to said Tract No. 15 (2 FW 59) be and it is hereby denied.

Petitioner excepts to this order and exceptions are allowed.

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

ENDORSED: Filed May 26 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 281.30 acres, more or less; and William H. Kneeland, an incompetent, et al., Defendants.

CIVIL NO. 1069

JUDGMENT ON AMENDMENT NO. I to DECLARATION OF TAKING TRACT NO. 10 (6 FW 624 (Rev.))

THIS CAUSE COMING on to be heard upon the motion of the petitioner, United States of America, to enter a judgment on Amendment No. 1 to the Declaration of Taking as to Tract No. 10 (6 FW 624 (Rev)) and it appearing to the satisfaction of the Court;

- 1. That the owner of Tract No. 10 (6 FW 624 (Rev.)) has filed in this cause his consent to the filing of said amendment;
2. That the United States of America is entitled to acquire property by eminent domain for the purposes set forth in said Amendment No. I to the Declaration of Taking.
3. That the Secretary of the Interior of the United States is the authority empowered by law to acquire the land described in said Amendment No. I to the Declaration of Taking.
4. That said Amendment No. I to the Declaration of Taking states the public use for which said land is taken, and that the Secretary of the Interior is the person duly authorized to acquire said land for the completion and full utilization of the Grand River Dam (Pensacola) Project, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.
5. That a proper description of the land sought to be taken sufficient for identification thereof is set out in said Amendment No. I to the Declaration of Taking.
6. That said Amendment No. I to the Declaration of Taking contains a statement of the estate or interest in said land taken for said public use.
7. That a plan map showing the land taken is incorporated in said Amendment No. I to the Declaration of Taking.
8. That a statement is contained in said Amendment No. I to the Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for said land in the amount of \$150.00 and that said sum has been deposited in the registry of this court for the use of the persons entitled thereto.
9. That a statement is contained in said Amendment No. I to the Declaration of Taking that the amount of the ultimate award of compensation for the taking of said Tract No. 10 (6 FW 624 (Rev.)) 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 ORDERED, ADJUDGED AND DECREED that the Declaration of Taking filed in this cause on the 30th day of August, 1943, be, and it is hereby supplemented and amended by substituting under Tract No. 10 (6 FW 624 (Rev.)) the following description, to-wit:

All that part of the SE 1/4 NW 1/4 and all that part of the SW 1/4 NE 1/4 of Sec. 17, T 24 N, R 22 E of the Indian Base and Meridian in

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, MAY 26, 1944

Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.1 acres, subject to the rights of the K. O. & G. Railroad Company, if any, in and to 0.6 acre K. O. & G. R. R. Right-of-way;

in lieu of the description set forth in said original declaration of taking; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petition in condemnation, pleadings and orders heretofore filed and entered be, and they are hereby amended as to said tract No. 10 (6 FW 624 (Rev.)) to conform to the Declaration of Taking as herein amended.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that 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 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 upon and over said Tract No. 10 (6 FW 624 (Rev.)) as herein amended and as more particularly described above; and the same is hereby deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the taking of said tract upon the filing of the declaration of taking as herein amended by Amendment No. 1, is 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.

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 said tract No. 10 (6 FW 624 (Rev.)) as herein amended, for the uses and purposes herein stated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the land hereinabove described shall surrender and deliver up possession of said land to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 27 day of May, 1944, and that the cause be held open for such other and further orders, judgements and decrees as may be necessary in the premises.

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

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, MAY 26, 1944

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

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

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION FOR CONDEMNATION

NOW, on this 26 day of May, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to file an amendment to its petition herein, and the Court being fully advised in the premises, finds that said application should be granted, and the petitioner given leave to file an amendment to the petition herein, making additional parties defendant.

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

ROYCE H. SAVAGE
J u d g e

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

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

Payne Oil Corporation, a corporation,	Plaintiff,)	
)	
vs		)	No. 1087 Civil
)	
Phillips Petroleum Company, a corporation,	Defendant.)	

DE C R E E

Upon the findings of fact and conclusions of law, judgment should be entered against the defendant and in favor of plaintiff.

IT IS THEREFORE CONSIDERED, ADJUDGED, ORDERED AND DECREED that plaintiff, Payne Oil Corporation, a corporation, have judgment against defendant, Phillips Petroleum Company, a corporation, for the sum of Six Thousand, Six Hundred Twenty-one Dollars and Seventy Cents (\$6,621.70) with interest at the rate of six (6%) per annum from February 3rd, 1944.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, MAY 26, 1944

Dated this 26 day of May, 1944.

ROYCE H. SAVAGE United States District Judge

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

Court adjourned to May 29, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1944

On this 29th 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 Y. Mauzy, United States Attorney John P. Logan, United States Marshal

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

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

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

ORDER APPOINTING COMMISSIONERS

NOW, on this 29th day of May, 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 said lands is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403, as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, 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.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MAY 29, 1944

911

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 and lying and being in the County of Delaware, in the Northern District of the State of Oklahoma, within the jurisdiction of this Court, and more particularly described by courses and distances as follows, to-wit:

(For description of Tracts see J-6 - Page. 623)

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 hearings on the application and petition for the appointment of commissioners are true and correct and service was had as stated in said returns.

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

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

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the United States Post Office, in the City of Vinita, Oklahoma, on the 5th day of June, 1944, at the hour of 9:30 O'clock A.M., for the purpose of taking the oath of office and the performance of their duties.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 29 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1944

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

UNITED STATES OF AMERICA, Petitioner,)
vs)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 284.8 acres, more or less; and J. Ben Robinson, et al., Defendants.)
CIVIL NO. 1110

ORDER APPOINTING COMMISSIONERS TRACT NO. 35 (29 FW 612-Rev.)

NOW, on this 29th day of May, 1944, there coming on for hearing the application of the owner of Tract No. 35 (29 FW 612-Rev.), for the appointment of commissioners, and it appearing that the petitioner, United States of America, instituted these proceedings to acquire a perpetual easement to inundate, submerge and flow certain land in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project; that all of the persons having any right, title or interest in and to said Tract No. 35 (29 FW 612-Rev.), have entered their appearance and requested the appointment of commissioners, and the petitioner, the United States of America, consents to the appointment of commissioners at this time.

The Court finds that pursuant to the Act of 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 (40 U.S.C. 171 (a)); 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 land.

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, a perpetual easement to inundate, submerge and flow; and to enter upon said land from time to time in the performance of said acts, upon and over certain land; 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 as follows, to-wit:

TRACT NO. 35 (29 FW 612-Rev.) Flowage Easement

All that part of the West 19.70 acres of Lot 3, and all that part of the N 1/2 of Lot 4 in Sec. 31, T 25 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 9.4 acres.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that T. G. Grant, of Tulsa County, Oklahoma; W. L. Mayes of Mayes County, Oklahoma; and C. V. Hamilton of Ottawa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1944

TRACT NO. 28 (24 FW 607) Fee Title

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

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

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, that T. G. Grant of Tulsa County, Oklahoma; W. L. Mayes of Mayes County, Oklahoma; and C. V. Hamilton of Ottawa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names of this Court, and are appointed as commissioners to inspect said 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 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 U. S. Post Office Building in Vinita, Oklahoma, on the 5th day of June, 1944, at the hour of 9:30 o'clock A.M., for the purpose of taking the oath of office, and the performance of their duties.

ROYCE H. SAVAGE Judge

ENDORSED: Filed May 29 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 55.89 acres, more or less; and Zelda Gray, et al.,

Defendants.)

CIVIL NO. 1124

ORDER AUTHORIZING PUBLICATION OF NOTICE

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

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REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1944

NOW, on this 29th day of May, 1944, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following named defendants, to-wit:

Arthur Cloud;
Evelyn W. Cloud;
Charles W. Patterson, Cherokee Citizen Roll No. 13357;
H.H. Thompson;
Elmer Thompson, also known as Jack Thompson;
Mrs. Elmer Thompson;
Olive W. Killam, also known as O. W. Killam;
Jeannette Lee;
Jesse C. Calfee;
Tokio Vandagriff;
Mary Mildred Nichols;
J. E. Thompson, Denman Thompson, and M. H. Taylor, if living, or if deceased, their known and unknown heirs, administrators, executors, devisees, trustees, legatees, creditors or assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, creditors, trustees and assigns, immediate and remote, and their spouses, if any, of C. L. Thompson, deceased; Henry D. Oliver, same as H. D. Oliver, deceased; and Thos. P. Calfee, deceased;

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

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

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 29 1944
H. P. Warfield, Clerk
U. S. District Court ME

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA
MONDAY, MAY 29, 1944

REGULAR JANUARY 1944 TERM

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

Mary Smoke, nee Dreadfulwater,	Plaintiff,)
)
-vs-)
)
Goldie Smoke, nee Dreadfulwater, et al.,	Defendants,)
)
United States of America,	Intervener.)

NO. 1142 CIVIL

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now, on this 29 day of May, 1944, there coming on for hearing the motion of the plaintiff, Mary Smoke, nee Dreadfulwater, for an order approving the sale of real estate made in the above action on the 22nd day of May, 1944, by the United States Marshal for the Northern District of Oklahoma, a return and report of said sale being heretofore filed in the above court, plaintiff appearing by her attorney, John S. Severson; the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who appeared as well for all the restricted Indians, parties to said action; the defendant Cora Dreadfulwater, a minor appearing by her guardian ad litem, M. S. Robertson, United States Probate Attorney;

And the Court having heard said motion, and having examined said return, and being fully advised, finds that said Marshal, after advertising the same in all particulars as required by law and as provided by the orders of this Court, sold the same for the sum of \$55.00, the same being within the appraised price as fixed by the commissioners appointed by this Court to appraise the same, and that said sale was in all particulars made in accordance with the orders of this Court and the statutes, both state and federal, in like cases made and provided; and that said report of sale should in all things be confirmed and approved and that distribution of said funds should be made by the said United States Marshal;

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

NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, Township 23 North, Range 14 East, Washington County, Oklahoma,

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said United States Marshal make, execute and deliver to said purchaser a proper conveyance, conveying the said land to her, 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 the said United States Marshal, Jno. P. Logan, pay into the registry of this Court the entire sum received from said sale and heretofore reported by him, less the sum of \$7.15 being his fees and expenses in conducting and making said sale.

IT IS FURTHER ORDERED by the Court that the Clerk of this Court, H. P. Warfield distribute said funds, as follows, to-wit: That he pay to the Morning Examiner, a publication fees incurred herein, in the sum of \$13.00.

IT IS FURTHER ORDERED, BY THE COURT that the balance remaining in his hands be distributed by check payable to the Treasurer of the United States and sent to E. W. Sunderwirth,

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1944

disbursing agent for the Five Civilized Tribes, Muskogee, Oklahoma, for the use and benefit of the parties to this action, their interests in said sum of money being as follows, to-wit:

Mary Smoke, nee Dreadfulwater,	1/5th interest	\$6.97
Goldie Smoke, nee Dreadfulwater,	1/5th interest,	\$6.97
Ella Squirrel, nee Dreadfulater,	1/5th interest,	\$6.97
Cora Dreadfulwater,	1/5th interest,	\$6.97
Betsy Herriod,	1/5th interest,	\$6.97

IT IS FURTHER ORDERED by the Court that the respective sums above set out for Marshal's fees and publication fees be first paid before distribution is made; and that the United States Marshal file a report of all disbursements, made under this order, with the Clerk of this Court.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed May 29 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. 1220
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA, containing approximately 6.30 acres, more or less; and Harold Jones, et al.,	Defendants.)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United State of America, to enter judgment on the Declaration of Taking filed in the above entitled cause on the 29th day of May, 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.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 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 \$179.00, 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 29th day of May, 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 Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (52 FW 1483)
Flowage Easement

All that part of the west seven rods, less the south 40 feet thereof, of the $E\frac{1}{2}$ NW $\frac{1}{4}$ 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 0.1 acre.

TRACT NO. 2 (52 - FW-1490)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E, of the Indian Base and Meridian in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning 80 rods east of the NW corner of Section 5, thence south 165 feet; thence east 230 feet; thence north 165 feet; thence west 230 feet to the point of beginning"

lying below Elev. 760.0 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 3 (52 - FW-1491)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E, of the Indian Base and Meridian in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning 1,600 feet east of the NW corner of Sec. 5, thence south 165 feet; thence west 40 feet; thence north 165 feet; thence east 50 feet to the point of beginning"

lying below Elev. 760.0 Sea Level Datum, containing less than
0.1 acre.

TRACT NO. 4 (52 - FW-1492)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E,
of the Indian Base and Meridian, in Ottawa County, Oklahoma,
particularly described as follows, to-wit:

"8,250 sq. ft. of land beginning at a point 100
rods east of the NW corner of Sec. 5; thence 165
feet south; thence 50 feet west; thence 165 feet
north; thence 50 feet east to the point of beginning"

lying below Elev. 760.0 Sea Level Datum, containing less than
0.1 acre.

TRACT NO. 5 (52 - FW-1493)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E of
the Indian Base and Meridian in Ottawa County, Oklahoma,
particularly described as follows, to-wit:

"A tract of land beginning 1,700.0 feet east of the
NW corner of Section 5; thence south 230 feet;
thence west 50 feet; thence north 230 feet; thence
east 50 feet to the point of beginning"

lying below Elev. 760.0 Sea Level Datum, containing approximately
0.1 acre.

TRACT NO. 6 (52 - FW-1494)
Flowage Easement

All the part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E, of
the Indian Base and Meridian in Ottawa County, Oklahoma,
particularly described as follows, to-wit:

Beginning at a point 1717.5 feet east of the N W
corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5; thence south
250 feet; thence west 70 feet; thence south 60 feet;
thence east 312.5 feet; thence north 60 feet; thence
west 110 feet; thence north 250 feet to the north
line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence west 132.5 feet to the
point of beginning,

lying below Elev. 760.0 Sea level Datum, containing approximately
0.3 acre, and also that part of the following described
roadway easement:

A strip of land 17 $\frac{1}{2}$ feet wide being 8- $\frac{3}{4}$ feet
wide on each side of a line described as beginning
1,708.75 feet east of the NW corner of said NW $\frac{1}{4}$
thence south 241.25 feet; thence west 58.75 feet,
lying below Elev. 760.0 Sea Level Datum.

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA MONDAY, MAY 29, 1944

TRACT NO. 7 (52 - FW-1495)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E, of the Indian Base and Meridian in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"32,500 square feet of land beginning at a point 120 rods east of the NW corner of Section 5, thence 250 feet south, thence 130 feet west; thence 250 feet north, thence 130 feet east to the point of beginning, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.4 acre."

TRACT NO. 8 (52 - FW-1495 A)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TRACT NO. 9 (52 - FW-1495 B)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 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 2.5 acres.

TRACT NO. 10 (53 - FW-1482)
(53 - FW-1485)
Flowage Easement

All that part of the west 810 feet of Lot 8, Sec. 32, T 28 N, R 24 E, of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elevation 760.0 Sea Level Datum, containing approximately 1.4 acres, together with all that part of the bed and banks of Spring River adjacent and incident to the ownership of said west 810 feet of Lot 8 lying below Elevation 760.0 Sea Level Datum.

TRACT NO. 11 (53 - FW-1484)
Flowage Easement

All that part of Lot 8, Sec. 32, 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 SE corner of the west 5.25 acres of said Lot 8; thence north along the east boundary of said west 5.25 acres, a distance of 33 feet; thence east parallel to the south boundary of said Lot 8 a distance of 311.5 feet; thence north along the east boundary of the west 1,036 feet of said Lot 8 to the meander line along the right bank of Spring River;

thence southeaste ly along said meanderline to the west boundary of the east 240 feet of said Lot 8; thence south along the west boundary of said east 240 feet of said Lot 8 to a point 10 feet north of the SE corner of said Lot 8; thence east 20 feet; thence north, along the west boundary of the east 220 feet of said Lot 8 to the meander line along the right bank of Spring River, thence southeasterly along said meander line to the west boundary of the east 165 feet of said Lot 8; thence south along the west boundary of said east 165 feet; of said Lot 8 to the south boundary of said Lot 8; thence westerly along the south boundary of said Lot 8 to the point of beginning, lying below Elev. 760.0 Sea Level Datum, containing less than 0.1 acre, and including that part of the bed and banks of Spring River adjacent to the above described lands and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

Tract No. 12 (53 - FW-1486)
Flowage Easement

All that part of the bed and banks of Spring River adjacent and incident to the ownership of the east 156 feet of the west 966 feet (58 rods and 9 feet) of Lot 8, in Sec. 32, T 28 N, R 24 E, of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea level datum.

TRACT NO. 13 (53 - FW-1487)
Flowage Easement

All that part of the east 70 feet of the west 1,036 feet of Lot 8, less the south two rods thereof, in Sec. 32, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing less than 0.1 acre, together with all that part of the bed and banks of Spring River adjacent and incident to the ownership of said east 70 feet of the west 1,036 feet of Lot 8, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 14 (53 - FW-1488)
Flowage Easement

All that part of the west 20 feet of the east 240 feet of Lot 8 less the south 10 feet thereof, in Sec. 32, T 28 N, R 24 E, of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing less than 0.1 acre, together with all that part of the bed and banks of Spring River adjacent and incident to the ownership of said west 20 feet of the east 240 feet of Lot 8, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 15 (53 - FW-1489)
Flowage Easement

All that part of the east 165 feet of Lot 8, in Sec. 32, T 28 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, together with that part of the bed and banks of Spring River adjacent and incident

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

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to the ownership of said east 165 feet of Lot 8 lying below 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, be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the right, and privileges herein acquired on or before the 5th day of June, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed May 29 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to May 31, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 31, 1944

On this 31st 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 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 OTTAWA COUNTY, OKLAHOMA, containing approximately 524.60 acres, more or less; and Frances Quapaw, et al., Defendants.)

CIVIL NO. 1222

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 31 day of May, 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 \$8,380.00, 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 31 day of May, 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

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DISTRICT OF OKLAHOMA

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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 (54X-FW-1436 Rev.)
Flowage Easement

All that part of Lot 3 lying south of Spring River in Sec. 4, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 4.6 acres.

TRACT NO. 2 (54X-FW-1437 Rev.)
Flowage Easement

All that part of Lot 2 of Sec. 4, T 28 N, R 24 E, of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 5.5 acres.

TRACT NO. 3 (54X - FW-1450 Rev.)
Flowage Easement

All that part of Lot 3 lying north of Spring River, in Sec. 4, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 4.7 acres.

TRACT NO. 4 (56 - FW-1611 Rev.)
Flowage Easement

All that part of the $E\frac{1}{2}$ $SE\frac{1}{4}$ of 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 on which the Grand River Dam Authority has the right of flowage, containing approximately 5.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $E\frac{1}{2}$ $SE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 6.5 acres.

TRACT NO. 5 (59 - FW-1649)
Flowage Easement

All that part of the $E\frac{1}{2}$ $NE\frac{1}{4}$, and all that part of the $NE\frac{1}{4}$ $SE\frac{1}{4}$, all that part of the $W\frac{1}{2}$ $SE\frac{1}{4}$, all that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ and all that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ in Sec. 35, T 28 N, R 22 E, and all that part of Lot 3 in Sec. 2, T 27 N, R 22 E all described with reference to the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 105.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $E\frac{1}{2}$ $NE\frac{1}{4}$, all that part of said $NE\frac{1}{4}$ $SE\frac{1}{4}$,

all that part of said $W\frac{1}{2}$ $SE\frac{1}{4}$, all that part of said $SE\frac{1}{4}$ $SW\frac{1}{4}$,
and all that part of said $SE\frac{1}{4}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ in said Sec. 35,
T 28 N, R 22 E, and all that part of said Lot 3 in said Sec.
2, lying between Elev. 756.1 Sea Level Datum and Elev. 760
Sea Level Datum, containing approximately 60.3 acres.

TRACT NO. 6 (59 - FW-1650)
Flowage Easement

All of the $SW\frac{1}{4}$ $NE\frac{1}{4}$, and all of Lot 1 in Sec. 35, T 28 N,
R 22 E of the Indian Base and Meridian, Cherokee Survey,
in Ottawa County, Oklahoma, containing approximately 79.8
acres.

TRACT NO. 7 (59 - FW-1651)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 35, 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 3.4 acres.

TRACT NO. 8 (59 - FW-1652)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 2, T 27 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 0.2 acre.

TRACT NO. 9 (59 - FW-1653)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $W\frac{1}{2}$ $NW\frac{1}{4}$ of Sec. 2, T 27 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 4.5 acres.

TRACT NO. 10 (59 - FW-1654)
Flowage Easement

All that part of the $SW\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35, T 28 N, R 22 E
of the Indian Base and Meridian, Cherokee Survey, in Ottawa
County, Oklahoma, lying below Elev. 756.1 Sea Level Datum,
containing approximately 0.13 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $SW\frac{1}{4}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ lying between Elev. 756.1
Sea Level Datum and Elev. 760 Sea Level Datum, containing
approximately 3.1 acres.

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TRACT NO. 11 (59- FW-1655)

Flowage Easement

All of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, containing approximately 20.0 acres.

TRACT NO. 12 (59 - FW-1656)

Flowage Easement

All of the $SE\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 35, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, containing approximately 10.0 acres.

TRACT NO. 13 (59 - FW-1659)

Flowage Easement

All that part of the $N\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 13.0 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $N\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 6.8 acres.

TRACT NO. 14 (59 - FW-1660)

Flowage Easement

All that part of $SE\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.2 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $SE\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.5 acres.

TRACT NO. 15 (59 - FW-1661)

Easement for Intermittent
Flowage During Flood Periods

All that part of the $SW\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 35, 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 0.7 acre.

TRACT NO. 16 (59 - FW-1662)

Flowage Easement

All that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 34, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $NE\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ of said Sec. 34, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 8.7 acres.

TRACT NO. 17 (59 - FW-1666)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $N\frac{1}{2}$ $NW\frac{1}{4}$ of Sec. 34, 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 4.5 acres.

TRACT NO. 18 (59 - FW-1674)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $N\frac{1}{2}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 33, 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 0.9 acre.

TRACT NO. 19 (59 - FW-1675)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $SW\frac{1}{4}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 33, 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 0.9 acre.

TRACT NO. 20 (59 - FW-1676)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $N\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 33, 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 0.2 acre.

TRACT NO. 21 (60 - FW-1648)
Flowage Easement

All of Lot 9 in Sec. 26, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion on which the Grand River Dam Authority, has the right of flowage, containing approximately 8.9 acres.

TRACT NO. 22 (60 - FW-1664)
Flowage Easement

All that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 10.7 acres.

Easement for Intermittent Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 750.0 Sea Level Datum, containing approximately 29.6 acres.

TRACT NO. 23 (59 - FW-1669 A) Easement for Intermittent Flowage During Flood Periods

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 7.4 acres.

TRACT NO. 24 (60 - FW-1671) Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 746.1 Sea Level Datum, containing approximately 1.6 acres.

Easement for Intermittent Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 28.6 acres.

TRACT NO. 25 (60 - FW-1672) Flowage Easement

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 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 9.7 acres.

Easement for Intermittent Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 27, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 50.3 acres.

TRACT NO. 26 (60 - FW-1673) Easement for Intermittent Flowage During Flood Periods

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, 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 3.7 acres.

TRACT NO. 27 (60 - FW-1677)
Flowage Easement

All that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$, and all that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 28, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 2.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $N\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$, and all that part of said $SE\frac{1}{4}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 16.9 acres.

TRACT NO. 28 (60 - FW-1678)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 28, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum containing approximately 0.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $NE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 29 (60 - FW-1679)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 28, T 28 N, R 22 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 $SE\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 30 (60 - FW-1680)
Flowage Easement

All that part of the $SW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 28, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee 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 $SW\frac{1}{4}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

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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 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 described hereinabove, 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 6th day of June, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed May 31 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 3.30 acres, more or less; and F. A. Raddis, et al., Defendants.
CIVIL NO. 1223

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 31 day of May, 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 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 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 lands ought 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 \$747.50, 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 31 day of May, 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 (35 - FW-1084)
Flowage Easement

All that prt of the $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence north along the east boundary of said $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 144.5 feet; thence westerly along the south boundary of Lot 11 in Pollan Heights, a distance of 150.0 feet to the SW corner of said Lot 11; thence northerly along the west boundaries of Lots 10 and 11 in Pollan Heights, a distance of 100.0 feet to the NW corner of Lot 10; thence westerly along the north boundary of Lot 10 extended, to the right bank of Elk River, thence southeasterly along said river bank to a point in the south boundary of said $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence easterly along the south boundary of said $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, to the point of beginning, lying below Elev. 758.0 Sea Level Datum, except that portion which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acre.

TRACT NO. 2 (35 - FW-1084 A)
Flowage Easement

All that part of the $E\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18, 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 Lot 13, as shown on the recorded plat of Pollan Heights, thence westerly along an extension of the north boundary of said Lot 13 to the right bank of Elk River; thence southeasterly along said river bank to a

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point of intersection with the south boundary of Lot 9 of Pollan Heights extended; thence easterly along said extension of the south boundary of said Lot 9 to a point 50.0 feet south of the SE corner of said Lot 13; thence north 50.0 feet to the said SE corner of said Lot 13; thence westerly along the south boundary of said Lot 13 a distance of 125.0 feet to the SW corner thereof; thence northerly along the west boundary of said Lot 13 a distance of 5010 feet to the point of beginning, lying below Elev. 758.0 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

TRACT NO. 3 (35 - FW-1084 B)
Flowage Easement

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

A strip of land 50.0 feet in width lying between Lot 14 and shown on the recorded plat of Pollan Heights and the right bank of Elk River being bounded on the north by the north boundary of Lot 14 extended and bounded on the south by the south boundary of Lot 14 extended, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

TRACT NO. 4 (35 - FW-1084 C)
Flowage Easement

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

Beginning at the SW corner of Lot 15 as shown on the recorded plat of Pollan Heights in said E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence northerly along the west boundary of said Lot 15, a distance of 25 feet; thence west to the right bank of Elk River, thence southeasterly along said river bank to an intersection with the south line of Lot 15 extended, thence easterly along the south boundary of Lot 15 extended to the point of beginning lying below Elev. 758.0 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

TRACT NO. 5 (35 - FW-1084 D)
Flowage Easement

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

A strip of land 25.0 feet in width lying between the north one-half of Lot 15, as shown on the recorded plat of Pollan Heights, and the right bank of Elk River, said strip of land being bounded on the north by the north line of Lot 15

extended and on the south by the south boundary of the $N\frac{1}{2}$ of said Lot 15 extended, lying below Elev. 758.0 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 6 (35 - FW-1084 E)
Flowage Easement

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

A strip of land 25.0 feet in width lying between the south one-half of Lot 16, as shown on the recorded plat of Pollan Heights, and the right bank of Elk River, said strip being bounded on the south by the south line of Lot 16 extended, and on the north by the north line of the $S\frac{1}{2}$ of Lot 16 extended, lying below Elev. 758.0 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

TRACT NO. 7 (35 - FW-1084 F)
Flowage Easement

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

A strip of land 25.0 feet in width lying between the $N\frac{1}{2}$ of Lot 16, as shown on the recorded plat of Pollan Heights, and the right bank of Elk River, said strip being bounded on the north by the north line of Lot 16 extended, and on the south by the south line of said $N\frac{1}{2}$ of Lot 16 extended, lying below Elev. 758.0 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

TRACT NO. 8 (35 - FW-1084 G)
Flowage Easement

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

Beginning at the NW corner of Lot 17 as shown on the recorded plat of Pollan Heights, thence westerly along the north boundary of said Lot 17, extended, a distance of 10.0 feet to a point on the east boundary of the Ralph E. Gaines property; thence southerly along said east boundary a distance of 23.75 feet to the SE corner of said Gaines property; thence westerly along the south boundary of said Gaines property a distance of 150.0 feet to the SW corner thereof; thence northerly along the west boundary of said Gaines tract a distance of 23.75 feet to a point of intersection with said north boundary of Lot 17, extended; thence westerly along said north boundary, extended, to a point on the right bank of Elk River, thence southeasterly along said river bank to a point of intersection with the south

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

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boundary of said Lot 17, extended, thence easterly along said south boundary of Lot 17, extended, to the SW corner of said Lot 17; thence northerly along the west boundary of said Lot 17, a distance of 50.0 feet to the point of beginning, lying below Elev. 758.0 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

TRACT NO. 9 (35 - FW-1084 H) Flowage Easement

All that part of the E 1/2 SW 1/4 NE 1/4 of Sec. 18, T 25 N, R 25 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point 800.0 feet south and 315.0 feet west of the NE corner of said E 1/2 SW 1/4 NE 1/4; thence westerly 150.0 feet; thence northerly 125.0 feet; thence easterly parallel to the south boundary as described a distance of 125.0 feet; thence southerly 125.0 feet to the point of beginning, lying below Elev. 758.0 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.2 acre.

TRACT NO. 10 (35 - FW-1084 K) Flowage Easement

All that part of the E 1/2 SW 1/4 NE 1/4 of Sec. 18, T 25 N, R 25 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of Lot 21 as shown on the recorded plat of Pollan Heights, thence westerly along the south boundary of said Lot 21, a distance of 10.0 feet to a point in the east boundary of the Ralph E. Gaines property; thence northerly along said east boundary of the Gaines property to the NE corner thereof; thence westerly along the north boundary of said Gaines property a distance of 150.0 feet to the NW corner thereof; thence southerly along the west boundary of said Gaines property to a point of intersection with the south boundary of Lot 18, as shown on said plat, extended; thence westerly along said south boundary of Lot 18, extended, to a point of intersection with the Grand River Dam Authority property line; thence northwesterly along said Grand River Dam Authority property line to a point of intersection with the north boundary of the south 25.0 feet of outlet 4, as shown on said plat, extended; thence easterly along said north boundary of the south 25.0 feet of outlet 4 to the east boundary of said outlet 4; thence southerly along said east boundary a distance of 25.0 feet to the north boundary of aforementioned Lot 21, thence easterly along said north boundary of Lot 21 to the northeast corner thereof; thence southerly along the east boundary of said Lot 21, a distance of 100.0 feet to the point of beginning, lying below Elev. 758.0 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. 11 (35 - FW-1084 L)
Flowage Easement

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

Beginning at a point on the west line of outlet 3 as shown on the recorded plat of Pollan Heights and 25 feet west of the SW corner thereof thence northerly along the west boundary of outlet 3 a distance of 73.75 feet; thence west 150 feet, thence south 73.75 feet; thence east 150 feet to the point of beginning, lying below Elev. 758.0 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 12 (35 - FW-1084 M)
Flowage Easement

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

Beginning at a point in the west boundary of outlet 3, as shown on the recorded plat of Pollan Heights and 60.0 feet south of the NW corner thereof thence southerly along said west boundary a distance of 50.0 feet; thence west to a point of the Grand River Dam Authority taking line, thence northwesterly along said Grand River Dam Authority taking line to a point which is due west of the point of beginning, thence east to said point of beginning, lying below Elev. 758.0 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 13 (35 - FW-1084 N)
Flowage Easement

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

All that part of Lot 1 as shown on the recorded plat of Pollan Heights except the north 50 feet of the west 100 feet thereof; all that part of the north 327.45 feet of outlet 4 as shown on said plat, and all that part of a parcel of land bounded on the north and west by the Grand River Dam Authority taking line, on the south by the south boundary of the north 327.45 feet of outlet 4, extended, and on the east by the west boundary of the north 327.45 feet of outlet 4, lying below Elev. 758.0 sea level datum, containing approximately 1.9 acres.

TRACT NO. 14 (35 - FW-1084 O)
Flowage Easement

All that part of the north 50 feet of the west 100 feet of outlet 1 as shown on the recorded plat of Pollan Heights in

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 31, 1944

the E 1/2 SW 1/4 NE 1/4, Sec. 18, T 35 N, R 25 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758.0 sea level datum, containing approximately 0.1 acre.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and 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 6th day of June, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

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

Court adjourned to June 24 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, JUNE 2, 1944

On this 2nd day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA: FRIDAY, JUNE 3, 1944

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

VICTORY INVESTMENT CORPORATION,
et al.,

Plaintiffs,

vs

ORIE JOHNSON, et al,

Defendants.

No. 1090 - Civil

ORDER EXTENDING TIME TO ANSWER

On this 2nd day of June, 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 HELTON and ADELIA ADAMS to answer in the above entitled cause has been insufficient, it is ordered that said defendants have, and they are hereby given 20 days from this date in which to answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 2 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

VICTORY INVESTMENT CORPORATION,
et al.,

Plaintiffs,

vs.

A. H. FRIEDMAN, et al,

Defendants.

No. 1091 - Civil

ORDER EXTENDING TIME TO ANSWER

On this 2nd day of June, 1944, upon their application in open court, it appearing that the time heretofore allowed the defendants A. H. FRIEDMAN, PEARL LAMB, CELIA COX, GIRARD BLACKBIRD, W. C. BARNES, GEORGE D. BUNCH, W. B. PHILLIPS, BOB HALE, J. B. McNEW, GEO. E. CHAMBERS, PERCY W. KUHN, DAISY BALLARD, E. J. WALLETT, VENE D. FRY, LOUISE HELTON, FIRST METHODIST EPISCOPAL CHURCH OF FAIRFAX, FIRST PRESBYTERIAN CHURCH OF FAIRFAX, DONALD JACKSON, ORIE JOHNSON, MYRTLE COLOMBE, MINNIE M. COOK, L. 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 20 days from this date in which to answer.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 2 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

FRIDAY, JUNE 2, 1944

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
vs		) No. 1151 Civil
)
Mamie Y. Long and Cecil L. Long,	Defendants.)

ORDER APPROVING MARSHAL'S SALE

Now on this 2 day of June, 1944, comes the plaintiff, United States of America, appearing by its attorney, Wm. Knight Powers, Assistant United States Attorney in and for the Northern District of Oklahoma, and moves this court to confirm the sale made by the United States Marshal for the Northern District of Oklahoma, on the 22nd day of May, 1944, to John C. Worley under an order of sale and execution issued out of the office of the Court Clerk of the United States District for the Northern District of Oklahoma dated the 11th day of April, 1944, of the following described real property, to-wit:

Southwest Quarter of Northeast Quarter of Section 2, Township 26 North, Range 24 East, Ottawa County, State of Oklahoma,

and the court having examined the proceedings of said United States Marshal under said order of sale and execution being satisfied the same has been performed in all respects in conformity with the laws, and that due and legal notice of said sale was published for thirty days in the Miami News Record, a newspaper printed in Ottawa County, State of Oklahoma, and within the Northern Judicial District of Oklahoma, as shown by the proof of publication on file herein, and that on the date fixed herein, to-wit, on the 22nd day of May, 1944, said property was sold to John C. Worley, he 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 of the legality of said sale, and no exceptions being filed and no objections made,

IT IS ORDERED BY THE COURT that said sale under the proceedings herein, be and the same is hereby approved and confirmed, and

IT IS FURTHER ORDERED that John P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the said purchaser of said sale, John C. Worley, a good and sufficient deed for the premises so sold.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 2 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to June 3, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 3, 1944

On this 3rd day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, JUNE 3, 1944

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

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

South Penn Oil Company, et al.,	Plaintiffs,)	
vs.		)	No. 671 Civil
Phillips Petroleum Corporation, et al,	Defendants.)	
Kathleen C. Wilson, et al.,	Plaintiffs,)	
vs.		)	No. 856 Civil
Sinclair Prairie Oil Company, et al.,	Defendants.)	
Alfred J. Diescher, et al.,	Plaintiffs,)	
vs.		)	No. 857 Civil
Sinclair Prairie Oil Company, et al,	Defendants.)	

O R D E R

For good cause shown, defendants are granted an extension of time until July 1, 1944, to file briefs herein.

Dated this 3rd day of June, 1944.

ROYCE H. SAVAGE
JUDGE

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 6, 1944

On this 6th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage 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 IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES for the use and benefit of)	
TOM W. KELLY,	Plaintiff,)
vs.)
		No. 722 C

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, JUNE 6, 1944

CENTRAL CONSTRUCTION COMPANY, a Corporation, and Continental Casualty Company, a Corporation, Defendants.

O R D E R

Now, on this 5th day of June, 1944, the court, having been advised of the application filed by Donald F. McMahon, as custodian of certain records, the property of Central Construction Company, Defendant named herein, and the court, having heard the application of said Petitioner, finds that petitioner, on or about May 16th, 1944, wrote L. B. Fuggitt, President for said Defendant, a letter, in which a copy of said application was enclosed, advising that on or about June 1st, 1944, this petitioner would apply to the court for an order releasing him as custodian of said records; that neither said L. B. Fuggitt or any other representative of said Defendant has made any appearance or filed any pleadings in response to said application.

THEREFORE, it is hereby ordered, adjudged and decreed that said petitioner is hereby released as custodian of said records as set out in the order of this court on May 25th, 1942, and that said petitioner is hereby authorized to destroy said records.

ROYCE H. SAVAGE JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff, v. A. G. Buzzard, Defendant. No. 1136 CIVIL

O R D E R

NOW on this 6th day of June, 1944, on the application of the plaintiff for dismissal of this action, it appearing to the Court that this action was filed on January 25, 1944, and that the defendant died on January 28, 1944, before service in this cause could be had, and it further appearing that plaintiff does not desire to revive this action against a representative of defendant's estate, and the Court being fully advised in the premises, finds that this order should issue.

IT IS, THEREFORE, ORDERED by the Court that this action be, and the same is hereby dismissed.

ROYCE H. SAVAGE JUDGE

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

TUESDAY, JUNE 6, 1944

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

United States of America,

Plaintiff,)

vs.)

CIVIL NO. 1205)

E. E. Lohman,

Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 6th day of June, 1944 this matter coming on for hearing upon application of the United States of America herein, for a restraining order to be issued against the said defendant restraining and enjoining the said E. E. Lohman from interfering with the possession, management and control of the Secretary of the Interior, of the property described in said complaint, and the United States of America appearing by Wm. Knight Powers, Assistant United States Attorney in and for the Northern District of Oklahoma, and the defendant herein appearing by T. F. Dukes, Attorney at Law, the court after hearing sworn testimony and being fully advised in the premises, finds that Violet Oberly Pitts is the owner of the

Northeast Quarter and the East Half of
the Northwest Quarter of Section 27,
Township 22 North, Range 8 East, Osage
County, State of Oklahoma,

and that the said Violet Oberly Pitts, same being Osage Allottee No. 2134, is a restricted Osage Indian, and that the above described real estate is restricted property and under the supervision and management of the Secretary of the Interior, and his agents and employees, and that the said defendant E. E. Lodman, is in possession of the above described premises and is interfering with the possession and management of said real estate by the Secretary of the Interior.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the said E. E. Lodman, is enjoined and restrained from further interfering with the possession, management and control of the premises described herein, and he, and those acting by and through him, are perpetually restrained and enjoined from such interference in the management and control of said premises by the Secretary of the Interior, and his lawfully authorized agents.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that whatever lawful rights the said defendant E. E. Lodman, may have upon such premises as to egress and ingress to the premises occupied, owned or leased by the said E. E. Lodman, be not disturbed by this order.

IT IS FURTHER ORDERED that the said E. E. Lodman pay all costs accrued herein.

RO E. KENNAMER
JUDGE

ENDORSED: Filed Jun 12 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to June 8, 1944

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

On this 8th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ASSIGNMENT OF JUDGES.

ASSIGNMENT OF A DISTRICT JUDGE TO HOLD A DISTRICT COURT OF THE UNITED STATES IN THE DISTRICT OF COLORADO

In my judgment the public interest requires the designation, appointment, and assignment of a District Judge to hold a District Court of the United States in the District of Colorado.

I do, therefore, by these presents designate, appoint, and assign Honorable Royce H. Savage, a United States District Judge for the Northern District of Oklahoma, to hold a District Court in the District of Colorado, and to act as a District Judge in such District of Colorado, and to discharge all the judicial duties of a Judge in such District from the 1st day of July, A. D. 1944, until the 31st day of December, A. D. 1944.

Witness my hand this 5th day of June, A. D. 1944.

ORIE L. PHILLIPS
Senior Circuit Judge
Tenth Judicial Circuit

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

In The United States District Court for the Northern District of Oklahoma

UNITED STATES OF AMERICA, Plaintiff,)
vs) NO. 991 - CIVIL
BOARD OF COUNTY COMMISSIONERS OF OSAGE)
COUNTY, STATE OF OKLAHOMA, et al., Defendants.)

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 8th day of June, 1944, the court having heretofore filed its findings of fact and conclusions of law, and the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Sim T. Carman, County Attorney of Osage County, Oklahoma, and R. E. Havens, Assistant County Attorney of Osage County, Oklahoma, the court finds that pursuant to said findings of fact and conclusions of law, judgment should be entered in favor of the plaintiff.

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

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TULSA, OKLAHOMA

THURSDAY, JUNE 8, 1944

IT IS THEREFORE ORDERED, ADJUDGED and decreed that the plaintiff have and recover judgment against the defendants in its first cause of action.

IT IS FURTHER ORDERED, ADJUDGED and decreed that Lot 6, Block 37, Original Town of Fairfax, Osage County, State of Oklahoma, belonging to Rose Mason, Osage Allottee No. 327, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and the said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff have and recover judgment on its second cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 1, Block 38, Original Town of Fairfax, Osage County, Oklahoma, belonging to Frank Hickey, unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff have and recover judgment on its third cause of action.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Lot 4, Block 15, Original Town of Pawhuska, Osage County, Oklahoma, belonging to James F. Conway, unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they are hereby restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the plaintiff have and recover judgment against the defendants on its fourth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED an undivided two-thirds interest in Lots 3 and 4, Block 65, Original Town of Pawhuska, Osage County, Oklahoma, belonging to Minnie Smith, Osage Allottee No. 151, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against the defendants on its fifth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 13, Block 64, Original Town of Pawhuska, Osage County, Oklahoma, belonging to Joseph Bighorse, Osage Allottee No. 546, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against the defendants on its sixth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lots 15 and 16, Block 4, Palmer Highland Addition to Pawhuska, Osage County, Oklahoma, belonging to Pearl Bigheart, Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect any or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against the defendants on its seventh cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lots 1 and 2, Block 28, Palmer Highland Addition to Pawhuska, Osage County, Oklahoma, belonging to Augustine Black, Osage Allottee, No. 474, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against the defendants on its eighth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 4, or Northwest Quarter of Northwest Quarter of Section 4, and Northeast Quarter of Northeast Quarter of Section 5, Township 25, Range 3, and East Half of Southeast Quarter of Section 32, Township 26, Range 3, Osage County, Oklahoma, belonging to Orel Hardy, Osage Allottee No. 1294, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the plaintiff have and recover judgment against the defendants on its ninth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 4 and South Half of Northwest Quarter of Section 4, Township 23, Range 4, Osage County, Oklahoma, belonging to James Bigheart, Osage Allottee No. 199, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property by taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its tenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Southwest Quarter of Northeast Quarter and Northwest Quarter of Southeast Quarter of Section 12, Township 24, Range 5, Osage County, Oklahoma, belonging to Rose Mary Daniels, Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the years 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its eleventh cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that North Half of Northeast Quarter and East Half of Northwest Quarter of Section 21, Township 25, Range 5, Osage County, Oklahoma, belonging to Joe Osage, Osage Allottee No. 37, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twelfth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the East Half of Southeast Quarter of Section 28, and East Half of Northeast Quarter of Section 33, Township 27, Range 12, Osage County, Oklahoma, belonging to Esther Daniels, Osage Allottee No. 68, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its thirteenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 1, and West Half of Northeast Quarter and Southeast Quarter of Northwest Quarter of Section 18, Township 23, Range 6, Osage County, Oklahoma, belonging to Fannie Lasley, Osage Allottee No. 164, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they are hereby restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its fourteenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the West Half of Northwest Quarter of Southwest Quarter of Northeast Quarter of Section 7, Township 24, Range 6, Osage County, Oklahoma, belonging to Maggie Goode, Osage Allottee No. 90, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said real estate be stricken from the tax tolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment on its fifteenth cause of action, against the defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Southwest Quarter of Southeast Quarter of Section 7, and Northeast Quarter of Northwest Quarter and Northwest Quarter of Northeast Quarter and Southeast Quarter of Northwest Quarter of Section 18, Township 25, Range 6, Osage County, Oklahoma, belonging to Mary Kenworthy, Osage Allottee No. 235, was not subject to taxation for the years 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection or any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its sixteenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the South Half of Northeast Quarter and North Half of Southeast Quarter of Section 18, Township 26, Range 7, Osage County, Oklahoma, belonging to Herbert Brokey, Jr., Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

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IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff have and recover judgment against the defendants on its seventeenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Southwest Quarter of Section 16, Township 28, Range 6, Osage County, Oklahoma, belonging to George Dunlap, Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff have and recover judgment against the defendants on its eighteenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Northeast Quarter of Northeast Quarter of Section 9, and Southeast Quarter of Southeast Quarter of Section 4, and South Half of Southwest Quarter of Section 3, Township 22, Range 8, Osage County, Oklahoma, belonging to Delos Pettit, Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its nineteenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lots 3 and 4, and East Half of Southwest Quarter of Section 31, Township 26, Range 8, Osage County, Oklahoma, belonging to Edgar Maker, Osage Allottee No. 817, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff have and recover judgment against the defendants on the twentieth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Southeast Quarter of Southwest Quarter of Section 5, Township 25, Range 9, Osage County, Oklahoma, belonging to Theresa M. Lynn, Osage Allottee No. 1487, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-first cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Southwest Quarter of the Northwest Quarter, less the North 10 acres, and the Southeast Quarter of Northwest Quarter of Section 14, Township 25, Range 9, Osage County, Oklahoma, belonging to Louis Pah-se-to-pah, Osage Allottee No. 619, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they are hereby restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-second cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the West Half of Northeast Quarter of Section 20, Township 25, Range 9, Osage County, Oklahoma belonging to Mary Kennedy, Osage Allottee No. 396, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-third cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Southwest Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter and Northwest Quarter of Northwest Quarter of Section 11, Township 26, Range 9, Osage County, Oklahoma, belonging to Shon-blah-scah, Osage Allottee No. 526, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-fourth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Tracts 1 and 7, of the West Half of Southwest Quarter of Section 34, Township 26, Range 9, Osage County, Oklahoma, belonging to Ida Bighorse, Osage Allottee No. 558, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for

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taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-fifth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lots 1 and 2 and the Southeast Quarter of Northeast Quarter and Northwest Quarter of Southeast Quarter of Section 4, Township 25, Range 10, Osage County, Oklahoma, was not subject to taxation for the year 1938 and subsequent years, said property belonging to Rose Wagoshe Graves, Osage Allottee No. 2214.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-sixth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Southwest Quarter of Southwest Quarter of Section 14, and South Half of Southeast Quarter of Section 15, Township 26, Range 10, Osage County, Oklahoma, belonging to Herbert St. John, Osage Allottee No. 627, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-seventh cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Northeast Quarter of Section 27, Township 26, Range 10, Osage County, belonging to Julia Lookout, Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-eighth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the South Half of Northeast Quarter and North Half of Southwest Quarter of Section 32, Township 26, Range 10, Osage County, Oklahoma, belonging to Otto Hamilton, Osage Allottee No. 2213, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from

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the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twenty-ninth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Northeast Quarter of Section 33, Township 26, Range 10, Osage County, Oklahoma, belonging to Frederick M. Lookout, Jr., Unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its thirtieth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the East Half of Southeast Quarter of Section 2, Township 26, Range 11, Osage County, Oklahoma, belonging to Addison Jump, unallotted Osage Indian, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its thirty-first cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 4, or Northwest Quarter of Northwest Quarter of Section 4, and Northeast Quarter of Northeast Quarter of Section 5, Township 25, Range 3, and East Half of Southeast Quarter of Section 32, Township 26, Range 3, Osage County, Oklahoma, belonging to Orel Hardy, Osage Allottee No. 1294, was not subject to taxation for the year 1937.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1937 and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its thirty-second cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 4, and South Half of Northwest Quarter of Section 4, Township 23, Range 4, Osage County, Oklahoma, belonging to James Bigheart, Osage Allottee No. 199, was not subject to taxation for the year 1937.

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attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover from the defendants the costs of this action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA, Plaintiff,)

-vs-

BOARD OF COUNTY COMMISSIONERS, OF)
OSAGE COUNTY, State of Oklahoma,)
et al, Defendants.)

NO. 1163 - CIVIL

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 8th day of June, 1944, the court having heretofore filed its findings of fact and conclusions of law and the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing by Sim T. Carman, County Attorney of Osage County, Oklahoma, and R. E. Havens, Assistant County Attorney of Osage County, Oklahoma, the court finds that pursuant to said findings of fact and conclusions of law, judgment should be entered in favor of the plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its first cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the East Half of the West Half of the Northeast Quarter of the Northwest Quarter and the East Half of the Northeast Quarter of the Northwest Quarter of Section 11, Township 25, Range 8, Osage County, Oklahoma, belonging to Andrews Brave, Osage Allottee No. 505, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and the said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that cause of action No. 2, in this case, be and the same hereby is dismissed for the reason that it is a duplication of cause of action No. 26, in Case No. 991 Civil.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its third cause of action.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 2, and Southwest Quarter of Northeast Quarter and Northwest Quarter of Southeast Quarter of Section 2, Township 25, Range 8, Osage County, Oklahoma, belonging to Emma Strikeaxe Burnett, Osage Allottee No. 609, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the years 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its fourth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Southwest Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter and South Half of Southwest Quarter of Section 11, Township 27, Range 8, Osage County, Oklahoma, was not subject to taxation for the year 1938 and subsequent years, said property belonging to James Strikeaxe, Osage Allottee No. 597.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against the defendants on its fifth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the South Half of Southeast Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter and South Half of Southwest Quarter of Section 36, Township 29, Range 5, Osage County, Oklahoma, belonging to Victor Connor, Osage Allottee No. 1098, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its sixth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the East Half of Southwest Quarter and West Half of Southeast Quarter of Section 34, Township 29, Range 11, Osage County, Oklahoma, belonging to Bernice M. Roberts, Osage Allottee No. 1685, was not subject to taxation for the year 1938 and subsequent years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1938 and subsequent years and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its seventh cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the East Half of the West Half of the Northeast Quarter of the Northwest Quarter and the East Half of the Northeast Quarter of the Northwest Quarter of Section 11, Township 25, Range 8, Osage County, Oklahoma, belonging to Andres Brave, Osage Allottee No. 505, was not subject to taxation for the year 1937.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1937 and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the eighth cause of action in this case be and the same hereby is dismissed for the reason it is a duplication of cause of action No. 34, in Case No. 991 Civil.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its ninth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lot 2, and Southwest Quarter of Northeast Quarter and Northwest Quarter of Southeast Quarter of Section 2, Township 25, Range 8, Osage County, Oklahoma, belonging to Emma Strikeaxe Barnett, Osage Allottee No. 609, was not subject to taxation for the year 1937.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1937 and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its tenth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Northwest Quarter and Southwest Quarter of Section 11, Township 27, Range 8, Osage County, Oklahoma, belonging to James Strikeaxe, Osage Allottee No. 597, was not subject to taxation for the year 1937.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1937 and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes against said property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its eleventh cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the South Half of Southwest Quarter of Northwest Quarter and Northwest Quarter of Southwest Quarter and South Half of Southwest Quarter of Section 36, Township 29, Range 5, Osage County, Oklahoma, belonging to Victor Connor, Osage Allottee No. 1098, was not subject to taxation for the year 1937.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said real estate be stricken from

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the tax rolls of Osage County, State of Oklahoma, for the year 1937 and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the tax rolls of Osage County, Oklahoma, or assessing said property for taxation or attempting to collect or take any steps towards collecting any taxes against said property as long as it retain its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants on its twelfth cause of action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the West Half of Southeast Quarter and Southwest Quarter of Section 34, Township 29, Range 11, Osage County, Oklahoma, belonging to Bernice M. Roberts, Osage Allottee No. 1685, was not subject to taxation for the year 1937.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said realstate be stricken from the tax rolls of Osage County, State of Oklahoma, for the year 1937 and that said defendants and their successors in office be and they hereby are restrained and enjoined from placing said property upon the taxrolls of Osage County, or assessing said property for taxation or attempting to collect or take any steps towards collection of any taxes againstsaid property as long as it retains its present status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover from the defendants the costs of this action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
JUDGE

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

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

UNITED STATES OF AMERICA, Plaintiff,)
vs)
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY,)
State of Oklahoma, W. G. STREETMAN County)
Treasurer of Osage County, State of Oklahoma,)
and L. D. SDUTER, County Assessor of Osage)
County, State of Oklahoma, Defendants.)

NO. 1164 - CIVIL

ORDER OF DISMISSAL

THIS matter coming on for hearing this 8th day of June, 1944, the plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants appearing by Sim T. Carman, County Attorney of Osage County, State of Oklahoma, and R. E. Havens, Assistant County Attorney of Osage County, State of Oklahoma, and it appearing that this action is a duplication of causes of action Nos. 3 and 31, of Civil Action No. 991 Civil, the court finds that

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
--vs--		)	CIVIL NO. 1225
)	
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA containing approximately 7.40 acres, more or less; and S. S. Garman, 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 8th day of June, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking and the statutes in such cases made and provided, and it appearing to the satisfaction of the court;

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

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

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

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

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

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

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said land, in the amount of \$3,900.00, 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 8th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court that the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

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TRACT NO. 1 (50 - FW-1334 A)
Fee Title

All that part of the north 15 acres of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E, of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, particularly described as follow, to-wit:

Beginning at a point in the north boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 108.4 feet west of the NE corner thereof, thence S. 60° 00' W. a distance of 252.1 feet, thence westerly parallel to the north boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to a point in the west boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ 125 feet south of the NW corner thereof, thence northerly to the NW corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ thence easterly along the north boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning, containing approximately 3.2 acres.

TRACT NO. 2 (50 - FW-1334 B)
Fee Title

The west 70 feet of the south 56 feet of the east 380 feet 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, Wyandotte Reserve in Ottawa County, Oklahoma, containing approximately 0.1 acre.

TRACT NO. 3 (50 - FW-1334 C)
Fee Title

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, Wyandotte Reserve, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

The west 70 feet of the east 380 feet of the north 132 feet of the south 188 feet of said S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, containing approximately 0.2 acre.

TRACT NO. 4 (50 - FW-1334 D)
Fee Title

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, Wyandotte Reserve, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

The west 70 feet of the east 380 feet of the north 152 feet of the south 340 feet of said S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, containing approximately 0.2 acre.

TRACT NO. 5 (50 - FW-1335 Rev.)
Fee Title

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, Wyandotte Reserve, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

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Beginning at a point 710 feet west of the SE corner of said S 1/2 SE 1/4 NW 1/4, thence west 330 feet; thence north 50 feet; thence westerly parallel to the south boundary of said S 1/2 SE 1/4 NW 1/4 to the property line of the Grand River Dam Authority 162 feet east and 50 feet north of the SW corner of said S 1/2 SE 1/4 NW 1/4, thence N. 40° 21' W. 26.0 feet, thence N. 38° 42' W. 50.9 feet, thence N. 27° 44' E, 81.9 feet; thence N. 38° 04' E. 172.8 feet to a point on the west boundary of Third Street prolonged from the Town of Wyandotte, 320 feet north of the south boundary of said S 1/2 SE 1/4 NW 1/4; thence northerly along the west boundary of Third Street prolonged from the Town of Wyandotte 20.0 feet, thence easterly parallel to the south boundary of said S 1/2 SE 1/4 NW 1/4 to a point 710 feet west of the east line of said S 1/2 SE 1/4 NW 1/4, thence south 340 feet to the point of beginning, containing approximately 2.9 acres.

TRACT NO. 6 (50 - FW-1337) Fee Title

All that part of the S 1/2 SE 1/4 NW 1/4 of Sec. 28, 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 of intersection of Second Street with School District proposed, of the Townsite of Wyandotte, "195 feet South of the North line of said S 1/2 SE 1/4 NW 1/4; thence South 124 feet; thence West 275 feet; thence north 124 feet, thence east 275 feet to the point of beginning, "

containing approximately 0.8 acre.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that this Court the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America on or before the 12th day of June, 1944, and that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Jun 8 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 OTTAWA COUNTY, CIVIL NO. 1226
OKLAHOMA, containing approximately 569.0)
acres, more or less; and Lucinda Welch,)
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 8th day of June, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

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

FOURTH: That a proper description of the land sought to be taken, sufficient for the 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 \$8,054.55, 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 8th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain of the lands hereinafter described and designated as "Flowage Easement"; and a perpetual easement to inundate, submerge and flow, intermittently, during flood periods, upon and over certain of the lands hereinafter

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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 (59 - FW-1657)
Flowage Easement

All of the west 3.72 acres of Lot 2 in Sec. 35, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 1.52 acres, together with all accretions thereto, if any, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof, except that portion owned by the Grand River Dam Authority.

TRACT NO. 2 (59 - FW-1658)
Flowage Easement

All of the east 12.78 acres of Lot 2 and all of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and all of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ and all of Lot 3 in Sec. 35, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 72.68 acres, together with all accretions thereto, if any, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof.

TRACT NO. 3 (59 - FW-1663)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 34, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 38.0 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $SE\frac{1}{4}$ $NE\frac{1}{4}$ lying above Elev. 756.1 Sea Level Datum, containing approximately 2.0 acres.

TRACT NO. 4 (59 - FW-1664)
Flowage Easement

All that part of Lot 2 in Sec. 34, T 28 N, R 22 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 7.3 acres, together with all accretions thereto, if any, including the bed and banks of the Neosho River, adjacent to said Lot 2 and incident to the ownership thereof, 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 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 1.1 acres, including the bed and banks of the Neosho River adjacent to said Lot 2 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 5 (59 - FW-1665)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of Lot 3 of Sec. 34, T 28 N, R 22 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 5.5 acres, together with all accretions thereto, if any, including the bed and banks of the Neosho River adjacent to said Lot 3 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 the said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 27.9 acres, including the bed and banks of the Neosho River adjacent to said Lot 3 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 6 (60 - FW-1667)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of Lot 11 in Sec. 27, T 28 N, R 22 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 8.9 acres, together with all accre-

tions, if any, to said Lot 11 and including the bed and banks of the Neosho River adjacent to said Lot 11 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of said Lot 11, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 23.4 acres.

TRACT NO. 7 (60 - FW-1668)
Flowage Easement

All that part of Lot 9 and all that part of Lot 10 in Sec. 27, and all that part of Lot 8 in Sec. 26, all in T 28 N, R 22 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 15.2 acres, together with all accretions, if any, to said Lots 8, 9 and 10, and including the bed and banks of the Neosho River adjacent thereto 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 the S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 27, lying below Elev. 760.0 Sea Level Datum and all that part of said Lot 9 and all that part of said Lot 10, and all that part of said Lot 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 95.2 acres.

TRACT NO. 8 (60 - FW-1670 A)
Flowage Easement

All of Lot 7 in Sec. 26, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, containing approximately 23.50 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lot 7 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 9 (60 - FW-1885)
Flowage Easement

All that part of Lot 2 lying below Elev. 756.1 Sea Level Datum and all of Lot 3 and all of Lot 6 in Section 27, and all of Lot 1 in Section 34, all in T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 90.5 acres, together with all accretions, if any, and including the bed and banks of

the Neosho River adjacent to said Lots 2, 3, 6, and 1, 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 2 lying above Elev. 756.1 Sea Level Datum, containing approximately 2.0 acres, together with all accretions, if any, to said Lot 2 including the bed and banks of the Neosho River adjacent and incident to the ownership of said Lot 2 lying above Elev. 756.1 Sea Level Datum.

**TRACT NO. 10 (60 - FW-1886)
Flowage Easement**

All of Lot 4, and all of Lot 5, in Sec. 27, T 28 N, R 22 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, containing approximately 28.1 acres, together with all accretions, if any, including the bed and banks of the Neosho River adjacent to said Lots 4 and 5 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

**TRACT NO. 11 (60 - FW-1886 B)
Flowage Easement**

All of Lot 3 in Sec. 22, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 7.00 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lot 3 and incident to the ownership thereof.

**TRACT NO. 12 (60 - FW-1889)
Flowage Easement**

All that part of Lot 1 in Sec. 27, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 13.7 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lot 1, 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 1 lying above Elev. 756.1 Sea Level Datum, containing approximately 14.3 acres.

**TRACT NO. 13 (60 - FW-1883)
Flowage Easement**

All of Lot 7, and all of Lot 8, and all of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that por-

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 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 \$12,946.80, 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 8th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain of the lands hereinafter described and designated as "Flowage Easement"; and a perpetual easement to inundate, submerge and flow, intermittently, during flood periods, upon and over certain of the lands hereinafter described and designated as "Easement for Intermittent Flowage During Flood Periods"; and to enter upon all of said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (58 - FW-1880)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26 and all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, all in T 28 N, R 22 E of the Indian Base and Meridian, Mapaw 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 lowage, containing approximately 24.7 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26 and all that part of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, and all of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 23, containing approximately 73.2 acres.

TRACT NO. 2 (60 - FW-1886 C)
Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 21 and all that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 22, all in T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 51.9 acres, together with all accretions, if any, to Lots 1, 3, 4, and 5 in said Sec. 21 and including the bed and banks of the Neosho River adjacent to said Lots 1, 3, 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 those parts of Lots 1, 3, 4, and 5, and all that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 21, and all that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 22 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 431.1 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lots 1, 3, 4, and 5 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 3 (61 - FW-1886 A)
Flowage Easement

All that part of the SW $\frac{1}{4}$ of Sec. 15, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 15.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ of Sec. 15, and all that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 16 in said T 28 N, R 22 E, Quapaw Survey, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 170.9 acres.

TRACT NO. 4 (64 - FW-1682)
Flowage Easement

All that part of the NE $\frac{1}{4}$ of Sec. 29, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.4 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 5 (60 - FW-1670)
Flowage Easement

All of Sec. 23, and all that part of Sec. 22 and all that part of the N $\frac{1}{2}$ and all that part of the SE $\frac{1}{4}$ of Sec. 21 and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 27, and all that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28, all in T 28 N, R 22 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 52.5 acres, together with all accretions thereto, if any, and including the bed and banks of the Neosho River adjacent to the aforementioned lands 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 Sec. 22 and all that part of said N $\frac{1}{2}$ and all that part of said SE $\frac{1}{4}$ of Sec. 21, and all that part of said S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 27 and all that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ in said Sec. 28 lying between Elev. 756.1 Sea Level Datum and elev. 760.0 Sea Level Datum, containing approximately 141.1 acres including the bed and banks of the Neosho River adjacent to said lands and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 6 (61 - FW-1685)
Flowage Easement

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 16, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee 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 W $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 2.3 acres.

TRACT NO. 7 (65 - FW-1685 A)
Flowage Easement

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ of Sec. 17, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 10.8 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ of and said Sec. 17 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 5.0 acres.

TRACT NO. 8 (60 - FW-1891)
Flowage Easement

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 2.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 13.6 acres.

TRACT NO. 9 (60 - FW-1891 A)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of Lot 1, all that part of Lot 2, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 5.4 acres, including the bed and banks of the Neosho River adjacent and incident to the ownership thereof said Lots 1 and 2, and any and all accretions to said Lots 1 and 2, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, all that part of said Lot 2, and all that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 22, lying above Elev. 756.1 Sea Level Datum, and all that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 112.2 acres, including the bed and banks of Neosho River adjacent and incident to the ownership of said Lots 1 and 2, and any and all accretions to said Lots 1 and 2, lying above Elev. 756.1 Sea Level Datum.

TRACT NO. 10 (61 - FW-1686)
Flowage Easement

All that part of the south 2.8 acres of the east 4.30 acres of Lot 5 and accretions thereto in Sec. 16, T 28 N, R 22 E of

the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River 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 south 2.8 acres of the east 4.30 acres of Lot 5 and accretion thereto, including the bed and banks of Neosho River, adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 11 (61 - FW-1691 A)
Flowage Easement

All that part of Lot 1 in Sec. 16, and all that part of Lot 5 in Sec. 9, all in T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.6 acre, including the bed and banks of Neosho River adjacent and incident to the ownership of said Lots 1 and 5 and including any and all accretions thereto, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 in Section 16 and all that part of said Lot 5 in Section 9 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.3 acre, including the bed and bank of Neosho River adjacent and incident to the ownership of said Lots 1 and 5 and including any and all accretions thereto, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 12 (61 - FW-1898)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $S\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 16.8 acres.

TRACT NO. 13 (65 - FW-1696)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.3 acres.

Easement for Intermittent
Flowage During Flood Periods

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

REGULAR JANUARY 1944 TERM

THURSDAY, JUNE 8, 1944

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.3 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 3.6 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 easement 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 that this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purposes of exercising all of the rights and privileges herein acquired on or before the 12th day of June, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

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

Court adjourned to June 9, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, JUNE 9, 1944

On this 9th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, JUNE 9, 1944

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 interests of each of the following defendants, to-wit:

- Eugene Fluke;
- Perry V. Berry;
- George Fluke;
- Henry Fluke, if living, or if deceased, their known and unknown, heirs, executors, administrators, trustees, devisees, legatees, creditors, 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 Ollie Fields, Cherokee Citizen, Roll No. M-3543, deceased; of Andrew Fluke, Cherokee Citizen, Roll No. 9300, deceased; of Fred Fluke, deceased, of Emmit Cecil Brown, Cherokee Citizen, Roll No. 28745, deceased; of Hugh E. Smith, deceased; of Aggie Scuggins, Cherokee Roll No. 25827, deceased; of L. C. Goodwin, deceased; and of Henry Singleton, deceased.

AND IT IS FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of commissioners.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 9 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; and Coowescoowee Constitution,)
also known as Ross Leaf, Cherokee Citizen,)
Roll No. 19466, et al.,	Defendants.)

CIVIL NO. 1019

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

NOW, on this 9th day of June, 1944, it appearing to the Court that the petitioner United States of America, in the above styled cause has filed the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, and attorney for the petitioner, that none of the defendants in this cause are in the military service of the United States, except that the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to-wit:

- Nahyasah Nix, nee Thirsty,
- Charles William Hadley,
- T. C. Helm,
- Clara Helm,

Thomas R. Fields, Cherokee citizen, Roll No. 16937,

E. C. Cox,
O. E. Eggleston,
Jack Hoffman,
W. S. Gamble,
H. B. Byrum,
Laura Smith,
Grace Wood,
Stella M. Halbig,

Evelyn Fraunhoff, nee Sandison, 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 Lizzie Constitution, Cherokee Citizen, Roll No. 19467, deceased; of Mary Creekkiller, Cherokee Citizen, Roll No. 21461, deceased; of Coon Aleck, deceased; of Alice Aleck, deceased; of Katie Buzzard, nee Aleck, deceased; of George A. Ralph, deceased; of Bony Raven, Cherokee Citizen, Roll 19381, deceased; of Victoria Guess, Cherokee Citizen, Roll No. 30542, deceased; of Mary J. Shoap, Cherokee Citizen, Roll No. 23708, deceased; of Daniel Butler, deceased; of Rosie Butler, deceased; of Franklin Chouteau, Cherokee Citizen, Roll No. 11109, deceased; and of S. E. Sandison deceased;

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

William Buzzard;
James Aleck, also known as James C. Ellick;

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

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

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

William Buzzard;
James Aleck, also known as James E. Ellick;
Nahyasah Nix, nee Thirsty,
Charles William Hadley,
T. C. Helm,
Clara Helm,
Thomas R. Fields, Cherokee Citizen, Roll No. 16937,
E. C. Cox,
O. E. Eggleston,
Jack Hoffman,
W. S. Gamble,
H. B. Byrum,
Laura Smith,
Grace Wood,
Stella M. Halbig,

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, JUNE 9, 1944

Evelyn Fraunhoff, nee Sandison, 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 Lizzie Constitution, Cherokee Citizen, Roll No. 19467, deceased; of Mary Creekiller, Cherokee Citizen, Roll No. 21461, deceased; of Coon Aleck, deceased; of Alice Aleck, deceased; of Katie Buzzard, nee Aleck, deceased; of George A. Ralph, deceased; of Bony Raven, Cherokee Citizen, Roll No. 19381, deceased; of Victoria Guess, Cherokee Citizen, Roll No. 30542, deceased; of Mary J. Shoup, Cherokee Citizen, Roll No. 23708, deceased; of Daniel Butler, deceased; of Rosie Butler, deceased; of Franklin Chouteau, Cherokee Citizen, Roll No. 11109, deceased; of S. E. Sandison, deceased;

AND IT IS FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of Commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jun 9 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 OTTAWA COUNTY, OKLAHOMA, and C. J. Nicholson, et al.,
Defendants.
CIVIL NO. 1073

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

NOW, on this 9th day of June, 1944, it appearing to the Court that the petitioner, United States of America, in the above styled cause has filed the Affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, and attorney for the petitioner, that none of the defendants in this cause are in the military service of the United States, except that the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to-wit:

The known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, if John N. Oakley, deceased; of S. G. Victor, deceased; and of Octa Lucille Victor, deceased;

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

Charles Oakley,

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

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

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

Charles Oakley;
And the unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of John N. Oakley, deceased; of S. G. Victor, deceased; and Octa Lucille Victor, deceased.

AND it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of Commissioners.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 9 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

EMMA WALKER, Plaintiff,)
vs.)
IZORA ALEXANDER LEE, ET AL., Defendants.)
No. 1188 - Civil

ORDER PERMITTING PLAINTIFF TO FILE HER SECOND AMENDED PETITION
AND REQUIRING THE DEFENDANTS TO PLEAD THERETO

This cause coming on for hearing on the oral application of the plaintiff for permission to file the Second Amended Petition herein and requiring the defendants to plead thereto; and it appearing to the Court that the plaintiff should be granted permission to file the Second Amended Petition and the defendants should be required to plead or answer thereto;

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be, and she is hereby given permission to file her Second Amended Petition herein instant, and the defendants herein are hereby required to answer to plead to the Second Amended Petition within twenty (20) days from and after date hereof.

Dated this the 9th day of June, 1944.

ENDORSED: Filed Jun 9 1944
H. P. Warfield, Clerk
U. S. District Court LN

ROYCE H. SAVAGE
JUDGE

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, JUNE 9, 1944

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.		) CIVIL NO. 1228
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)
OKLAHOMA, containing approximately 299.20)
acres, more or less; and Vear Brown)
Thomason, 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 9th day of June, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

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

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

THIRD: That said petition and Declaration of Taking state the authority under which and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam 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 \$3,695.40, 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 9th day of June, 1944, ORDERED, ADJUDGED, AND DECREED by this Court that a perpetual easement to inundate submerge and flow, upon and over certain of the lands hereinafter described and designated as "Flowage Easement"; and a perpetual easement to inundate,

submerge and flow, 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 Flowing 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 (61 - FW-1687)
Flowage Easement

All that part of the east 1.5 acres of the north 11.5 acres of Lot 5 and accretion thereto in Sec. 16, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River 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 east 1.5 acres of the north 11.5 acres of Lot 5 and accretion thereto, including the bed and banks of Neosho River adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 2 (61 - FW-1688)
Flowage Easement

All that part of Lot 4 and accretion thereto in Sec. 16, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River 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 said Lot 4 and accretion thereto, including the bed and banks of Neosho River adjacent thereto, and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 3 (61 - FW-1689)
Flowage Easement

All that part of the south 9.8 acres of Lot 3 and accretion thereto in Sec. 16, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River 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 south 9.8 acres of Lot 3 and accretion thereto, including the bed and banks of Neosho River adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 4 (61 - FW-1690)
 Flowage Easement

All that part of the north 3.1 acres of Lot 3, and all that part of Lot 2 in Sec. 16, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.2 acres, including the bed and banks of the Neosho River adjacent thereto.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said north 3.1 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 0.6 acres, including the bed and banks of the Neosho River adjacent thereto.

TRACT NO. 5 (61 - FW-1701)
 Flowage Easement

All that part of Lot 3, and all that part of Lot 4, and accretions thereto, in Sec. 9, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River 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, and all that part of said Lot 4 and accretions thereto, including the bed and banks of Neosho River adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and elev. 760 Sea Level Datum.

TRACT NO. 6 (61 - FW-1702)
 Flowage Easement

All that part of Lot 1, and all that part of Lot 2, and accretions thereto, in Sec. 9, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River adjacent thereto and incident to the ownership of said Lots 1 and 2, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 1, and all that part of said Lot

2, and accretions thereto, including the bed and banks of Neosho River adjacent thereto and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 7 (61 - FW-1892)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $S\frac{1}{2}$ $N\frac{1}{2}$ $S\frac{1}{2}$ $SE\frac{1}{4}$, and all that part of the $S\frac{1}{2}$ $S\frac{1}{2}$ $SE\frac{1}{4}$ of Sec. 15, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 56.8 acres.

TRACT NO. 3 (61 - FW-1893)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$, and all that part of the $E\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 16, and all that part of the $S\frac{1}{2}$ $NE\frac{1}{4}$, and all that part of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 15, all in T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 5.0 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 said $E\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of said Section 16, and all that part of said $S\frac{1}{2}$ $NE\frac{1}{4}$. AND ALL THAT PART OF SAID $NW\frac{1}{4}$ $SE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, and all that part of the $S\frac{1}{2}$ $NW\frac{1}{4}$, and all that part of the $NW\frac{1}{4}$ $NE\frac{1}{4}$, and all that part of the $NE\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $N\frac{1}{2}$ $N\frac{1}{2}$ $S\frac{1}{2}$ $SE\frac{1}{4}$, of said Sec. 15, lying below Elev. 760 Sea Level Datum, containing approximately 61.4 acres.

TRACT NO. 9 (61 - FW-1894)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 10, T. 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.3 acres.

Tract No. 10 (61 - FW-1895)
Flowage Easement

All that part of Lot 2, all that part of Lot 3, and all that part of Lot 4 in Sec. 17, and all that part of the $SW\frac{1}{4}$, all that part of the $W\frac{1}{2}$ $SE\frac{1}{4}$, and all that part of the $W\frac{1}{2}$ $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 16, all in T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 17.9 acres, including the bed and banks of Neosho River adjacent and incident to the ownership of said Lots 2, 3 and 4, and including any and all accretions to said Lots 2, 3, and 4, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent Flowage During Flood Periods

All that part of said Lot 2, all that part of said Lot 3, all that part of said Lot 4, all that part of said SW 1/4, all that part of said W 1/2 SE 1/4, and all that part of said W 1/2 NE 1/4 SE 1/4 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 125.5 acres, including the bed and banks of Neosho River adjacent and incident to the ownership of said Lots 2, 3, and 4 and including any and all accretions to said Lots 2, 3, and 4, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 11 (61 - FW-1899) Flowage Easement

All that part of Lot 1 and any and all accretions thereto in Sec. 17, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, including the bed and banks of Neosho River adjacent to said Lot 1 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

TRACT NO. 12 (61 - FW-1900) Flowage Easement

All that part of Lot 4 and accretions thereto in Sec. 8, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, including the bed and bank of Neosho River 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 said Lot 4, and all that part of Lot 5 in said Sec. 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum containing approximately 0.5 acre, including the bed and banks of Neosho River adjacent to said Lot 4 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 13 (61 - FW-1901) Flowage Easement

All that part of the West 34.90 acres of Lot 1, and all that part of Lot 2 in Sec. 8, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 10.6 acres, including the bed and banks of Neosho River adjacent and incident to the ownership of said west 34.90 acres of Lot 1, and said Lot 2, and including any and all accretions thereto, lying below Elev. 756.1 Sea Level Datum.

FRIDAY, JUNE 9, 1944

Easement for Intermittent
Flowage During Flood Periods

All that part of said West 34.90 acres of Lot 1, and all that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.5 acres including the bed and banks of Neosho River adjacent and incident to the ownership of said Lot 2 and said West 34.90 acres of Lot 1 and including any and all accretions thereto, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 14 (64 - FW-1681)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ of Sec. 29, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.4 acres.

TRACT NO. 15 (64 - FW-1683)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 29, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 0.8 acres.

TRACT NO. 16 (64 - FW-1684)
Easement for Intermittent
Flowage During Flood Periods

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ of Sec. 20, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing 1.0 acres, more or less.

TRACT NO. 17 (65 - FW-1691)
Flowage Easement

All that part of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 17, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 2.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said $SW\frac{1}{4}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 18 (65 - FW-1692)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $NW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 17, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum containing approximately 1.1 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 19 (65 - FW-1693)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 20 (65 - FW-1694)
Flowage Easement

All that part of any and all accretions to Lots 7 and 8 in Sec. 8, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum and including the bed and banks of the Neosho River 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 any and all accretions to said Lots 7 and 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum and including the bed and banks of the Neosho River adjacent to said Lots 7 and 8 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 21 (65 - FW-1695)
Flowage Easement

All that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 8, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 5.5 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said W $\frac{1}{2}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level datum and Elev. 760 Sea Level Datum.

TRACT NO. 22 (65 - FW-1697)
Easement for Intermittent
Flowage During Flood Periods

All that part of $E\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, 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 0.1 acre.

TRACT NO. 23 (65 - FW-1698)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 8, T 28 N, R 22 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 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.6 acres.

TRACT NO. 24 (65 - FW-1699)
Easement for Intermittent
Flowage During Flood Periods

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, 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 1.1 acres.

TRACT NO. 25 (65 - FW-1700)
Easement for Intermittent
Flowage During Flood Periods

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 18, 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 0.8 acre.

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

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

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purposes of exercising all of the rights and privileges herein acquired on or before the 15th day of June, 1944, and this

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA FRIDAY, JUNE 9, 1944

cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

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

ENDORSED: Filed Jun 9 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to June 10, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA SATURDAY, JUNE 10, 1944

On this 10th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

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 FOR PAYMENT TO COMMISSIONERS

Now on this 10th day of June, 1944, it appearing to the Court that on the 19th day of May, 1944, T. G. Grant, W. L. Mayes and Roy Deaton were appointed by the Court as appraisers in the above entitled and numbered cause, and pursuant to said appointment did serve as appraisers and fix the value of the real estate being taken by eminent domain and filed their report herein on the 5th day of June, 1944.

It further appears to this Court that the above named are entitled to compensation for such services rendered, in the following amounts set opposite each of their names, respectively:

Table with 2 columns: Name and Amount. T. G. Grant \$50.00, W. L. Mayes \$50.00, Roy Deaton \$50.00

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said T. G. Grant, W. L.

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

REGULAR JANUARY 1944 TERM

SATURDAY, JUNE 10, 1944

985

Mares and Roy Deaton received for their services rendered in the above entitled and numbered cause, as appraisers, the sums and amounts set opposite each of their names hereinabove.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jun 13 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 284.8
acres, more or less; and J. Ben Robinson,
et al.,

Defendants.)

CIVIL NO. 1110

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO
PETITION FOR CONDEMNATION

NOW, on this 10th day of June, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to file an amendment to its petition herein, and the Court being fully advised in the premises, finds that said application should be granted, and the petitioner given leave to file an amendment to the petition herein, making additional parties defendant.

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

ROYCE H. SAVAGE
J U D G E

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

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

Ella Mae Canoe, nee Vann, Plaintiff,)
vs) No. 1143 CIVIL
Arch Vann, et al., Defendants.)
United States of America, Intervener.)

ORDER REAPPOINTING COMMISSIONERS

The above case coming on for hearing this the 10th day of June, 1944, upon the motion of the plaintiff for an order reappointing commissioners to appraise the land involved in this action; plaintiff appearing by her attorney, John S. Severson; the United States of America appearing by Hon. Whit Y. Mauzy, U. S. District Attorney, who also appears for the restricted Indians, parties to said action; and the court having examined said motion and the files in this action, and being fully advised in the premises, finds that heretofore on the 11th day of March, 1944, J. F. Pickens, Elmer Vick, and C. C. Weber were appointed commissioners by this court, to partition or appraise the lands involed in this action; that pursuant thereto, said commissioners, after qualifying as required by law, did, on the 23rd day of March, 1944, file their report in which they found that land could not be partitioned in kind, owing to the number of the parties to said action and the small and irregular interests allotted to the parties thereto, and appraised said land in a total sum of \$3,240.00. Said tracts are described as foðllows:

S½ NW¼ Section 29, Township 24 North, Range 13 East, Washington County, Oklahoma;

W½ NW¼ SE¼ and SE¼ NW¼ SE¼ and W½ SW¼ NE¼ and SW¼ SE¼ SE¼ and SW¼ SE¼ of Section 29, Township 24 North, Range 13 East, Washington County, Oklahoma.

The court further finds from the said record and statements of the U. S. Marshall that the said appraisement is disproportionate to the true value of said land, and that he was unable to secure a purchaser thereof at two-thirds (2/3) of said appraisement value. The court further finds that said U. S. Marshall properly advertised the said land for sale in the Examiner, a newspaper published in Bartlesville, Washington County, Oklahoma, as required by law, and that no one offered to buy said and when said sale was called on May 22, 1944, 10 O'clock A.M.; and by reason thereof, the said land should be reappraised and commissioners should be appointed to reappraise said land; and that the order heretofore made appointing the above-named commissioners, as well as the order heretofore made approving their said reports, should in all things be setting aside and held for naught; and that the action of the new commissioners should in all things supercede the appraisement and other acts performed by the original appraisers theretofore appointed.

It is therefore ordered, adjudged and decreed by the court that Emmett Brown, Elmer Vick and C. C. Weber, be, and they are hereby appointed commissioners to view the lands before described, and to appraise the same, and to file their report with this court without unnecessary delay.

It is further ordered that the Clerk of this court issue to said commissioners a writ of partition pursuant with this order, and that said commissioners qualify as required by law, by taking the usual oath of office, prior to make their said appraisement.

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

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

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

SPECIAL JUNE 1944 TERM

MONDAY, JUNE 12, 1944

987

On this 12th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Special June 1944 Term at Vinita, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ORDER EMPANELING PETIT JURY

On this 12th day of June, 1944, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Special June 1944 Term of Court, at Vinita, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Harry B. Pearson	Kenneth E. Beall
W. E. Goodson	Lon R. Stansbery
Clyde Fraley	J. Chas. Smith
F. L. Murdock	Chas. L. Burnett
Kenneth Campbell	Francis A. Lorenz
Zeb King	Earl Gordon Sellers
Donald A. Beger	Joseph Elbert Bowling
Charley Young	Ralph B. Pringle
Arthur Blanchard	Clyde Emmett Vaxter
Troy Allen	Davis R. Clegg
O. C. Keegan	Warren C. Barnes
Obed Ross Mount	J. Herndon McCrary
W. D. Headlee	C. H. Boatright
Paul Randall	Harry B. Burt
William Gooldy	Guido M. Piggott, Sr.
Harry R. Jones	James Wilton Cunningham
Marvin A. Wilson	John Frank McGill
Leroy C. Winans	Lee Brady
S. C. Fanning	C. W. Tront
Keith J. Guenther	Willis J. Blue Jacket
Melvin E. Acott	Van H. Bland
W. T. Harp	Ellis H. Wiet
Rahe L. Oldham	Frank Cason
John Haggengos	Charles C. Coonrad
Jim Joseph O'Holloran	Virgil L. Johnson
Clarence E. Byron	Henry Powers
Harvey C. Bombarger	Lee F. Britton
Earl A. Edgerly	John S. Hubbell
Hiram Walter Evans, Jr.	Z. D. Howard
Harold W. Field	J. A. Montgomery
Daniel Leon Bloomheart	Boyd Guihrie
Ray Neal Armstrong	M. O. Shotwell
Harris B. Pettit	Burnie Mann
Charles H. Bloom	George Edward Arnett
Walter Dobbs Ringo	Thomas P. McIntosh

Thereupon, said court examines said jurors as to their qualifications and for good cause shown

F. L. Murdock
Donald A. Beger
Arthur Blanchard

Zeb King
Charley Young
Troy Allen

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

SPECIAL JUNE 1944 TERM VINITA, OKLAHOMA MONDAY, JUNE 13, 1944

O. C. Keegan
Leroy C. Winans
Rahe L. Oldham
Earl A. Edgerly
Charles H. Bloom
Lon R. Stansberry
Clyde Emmett Vawter
Warren C. Barnes
C. H. Boatright
Lee Brady
Willis J. Blue Jacket
Ellis H. Wiet
John S. Hubbell
J.A. Montgomery
George Edward Arnett

Paul Randall
W. T. Harp
Harvey C. Bombarger
Ray Neal Armstrong
Walter Dobbs Ringo
Ralph B. Pringle
Davis R. Clegg
J. Herndon McCrary
James Wilton Cunningham
C. W. Tront
Van H. Bland
Lee F. Britton
Z. D. Howard
M. O. Shotwell
Thomas P. McIntosh

and of those not served

Virgil L. Johnson
John Hagenjos
J. Chas. Smith

Boyd Guihrie
Hiram Walter Evans, Jr.
Francis A. Lorenz

be and theyare hereby stricken from the jury roll.

Thereupon, the balance of said array are accepted as Petit Jurors for this Special June 1944 Term at Vinita, Oklahoma.

ENDORSED: Filed In Open Court
Jun 12 1944
H. P. Warfield, Clerk
U. S. District Court

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

United States of America, Plaintiff,
-vs- Civil No. 1131
Tract No. 35
(35 FW 1062)
Certain parcels of land in Delaware County, Oklahoma, Paul Scott, et al., Defendants.

ORDER FOR DISBURSEMENT OF FUNDS AS TO TRACT NO. 35 (35 FW 1062)

Now, on this, the 12th day of June, 1944, pursuant to notice given and served, there comes on for hearing the application of B. F. Pollan for an order making disposition of funds as to Tract No. 35 (35 FW 1062), and the court being fully advised in the premises, finds that the applicant, B. F. Pollan, is now, and awa at the time this proceeding was commenced, the oner in fee, of said tract of land.

That the plaintiff filed a Declaration of Taking and deposited in the registry of this court, as estimated just compensation, the sum of Thirty-eight Hundred (\$3800.00) Dollars for the taking of a perpetual flowage easement upon and over said tract of land above described.

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

989

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JUNE 12, 1944

That this court entered a judgment upon said Declaration of Taking, filed by the plaintiff, thereby vesting in the plaintiff, United States of America, a perpetual flowage easement, and decreed that the owner or owners, and those having any right, title, or interest in or to said land, have and receive just compensation for taking of said perpetual flowage easement.

The court further finds that at the same time, there was deposited in the registry of this court, an additional sum of Seventeen Hundred (\$1700.00) dollars, as estimated just compensation for damages to crops on the premises for the year 1943.

That B. M. Buzzard and Dick Pritchard and B. F. Pollan, each, has an interest in the amount deposited for crop damages, and they have reached a mutual agreement among themselves as to the amount which each should receive as his share and portion of the amount so deposited.

That the Federal Land Bank, Wichita, Kansas, holds a mortgage on said land, on which there is due the sum of Twenty five Hundred Fifty-five Dollars and fifteen cents (\$2555.15).

That Clara Dudgeon, Southwest City, Missouri, holds a mortgage against a certain portion of said land in the sum of Five Hundred (\$500.00) dollars.

That no person, firm, corporation, or taxing sub-division of the State, other than the persons above named, have any right, title, or interest in or to any part of the money deposited in the registry of this court, and that the taxes for the year of 1943, and all prior years, have been fully paid.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that the Clerk of this court, issue and deliver checks to the interested parties in the following sums and amount,

B. F. Pollan,	Grove, Oklahoma,	\$ 1,424.85
G. M. Buzzard,	Grove, Okla. R. Route,	751.57
Dick Pritchard,	Grove, Okla. R. Route,	268.43
Federal Land Bank,	Wichita, Kansas,	2,555.15
Clara Dugeon,	Southwest City, Mo.,	500.00
	Total	5,500.00

said checks to be issued without prejudice to the legal rights of any of the parties to this action.

ROYCE H. SAVAGE
JUDGE

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

Court adjourned to June 13, 1944

SPECIAL JUNE 1944 TERM

VINITA, OKLAHOMA

TUESDAY, JUNE 13, 1944

On this 13th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Special June 1944 Term at Vinita, Oklahoma, 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,)
OKLAHOMA, containing approximately 97.5 acres,)
more or less; and John Chapman, et al.,)
Defendants.)

CIVIL NO. 1045

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 12th day of June, 1944, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following named defendants, to-wit:

- John Chapman; Mary Mildred Chapman; Gottfried Kocher; Minnie Kocher; Dollie Watkins; Hallie Genevia Creekmore; Jennie L. Wright; Robert F. Brandenburg; Leroy Lang; Gwendoline Genevia Creekmore; L. R. Moore; Elsie Moore; J. S. Huggins; Helen Gorton Mills; Wyley Huggins; Gore Huggins; J. R. Mode; Etta Mode; Loise Anderson; Mildred Haney; Annie L. Brown, now Graham; H. R. Graham; Sarah Louise Sprague; Elizabeth Duncan; Ethel J. Bourdon; William R. Bourdon; George R. Bourdon; Henry C. Bourdon; Jeanetta Cox; Hazel B. Walker; Kathleen E. Blake; Alice Thompson; Carolyn V. Ralph; Beatrice Orr; Carl H. Jensen, Administrator of the Estate of George A. Ralph, deceased; John J. Nichols; Leland Sin; Wynona Estas; O. W. Killam, also known as O. W. Killiam; Ridge P. Mayes; Hattie Mayes; T. O. Harkins; Florence Harkins; John C. Browning; Nettie Browning; Nettie M. Freeman, also known as Nettie Freeman; Mattie W. Gibson; John L. Gibson; Quinton Gibson; Mary Livingston Wiley; Obe Gibson; Paul Gibson; Nannie Gibson Petty; Mary Cowles; James R. Cowles; John Maurice Hutchins; Sadie Hutchins; Chauncey R. Ortelle; Mayme Ortelle; The Cornerstone Bank of Southwest City, Missouri, a corporation; The Federal Land Bank of Wichita, a corporation; L. D. Dammell, Saul Caudill, J. T. Hutchins, Jackson Cochran, Cherokee Citizen, Roll No. 16677, Jennie Cochran, R. T. Hanna, Eula Hanna, W. F. Schlitch, Walter Lander, Henry Wood, James W. Smith, J. W. Hoffman, Anna Toles, George Toles, C. B. Muropulas, Samuel H. Starr, Cherokee Freedman, Roll No. 3778, M. B. Pickler, Ben Frazier, Arch Carter, Sr., Daniel O. Evans, H. C. Holcamp, Alice Sango, Cherokee Freedman, Roll No. 1261, Rosie M. Gregory, Cherokee Citizen, Roll No. 7502; Luther Gregory, Cherokee Citizen, Roll 7502; Maggie J. Gregory; W. R. Gregory; Martha Sinclair; Merle Sinclair; D. B. Gregory; Marion L. Kay; R. M. Atkinson; William O. McInroy; C. M. Hatch; Sarah Hatch; Jesse Lee; W. P. Cunningham; Clay Brown; A. J. Leid; C. P. Hogan; Walter W. Shaw; William J. Gregg; Joseph H. Gingrass, Robert O'Field; Cherokee Citizen, Roll No. 17779; W. A. Bailey, Manie Blevins, Aaron Blevins, George A. Staley, Frank L. Bross, also known as F. L. Bross, William Clark, Sarah Starr, A. L. Gibbs, Sarah E. Evans, Minnie B. Clark, and The Carbide Oil and Mining Association, if living, or in existence, or if deceased, and not in existence, their known and unknown heirs, administrators, executors, devisees, legatees, trustees, and creditors,

or assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors or assigns, immediate and remote, and their spouses, if any, of Roy Darnell, deceased; J. E. Campbell, deceased; James F. Wood, Cherokee Roll No. 23669, deceased; John Harlin, Cherokee Freedman, Roll No. 476, deceased; Harvey R. Flynn, deceased; Waller W. Breedlove, deceased; Annie Ragsdale, Cherokee Freedman, Roll No. 1913, deceased; A. C. Sinclair, deceased; David C. Smith, deceased; J. H. Childers, Sr., deceased; Robert V. Anderson, deceased; Martha Starr Hogue, deceased; Jesse Riley, Cherokee N. B. Freedman, Roll No. 594, deceased; G. W. Seibold, deceased; William J. Creekmore, deceased; George A. Ralph, deceased; W. F. Killion, deceased; Myrtle Killion Sink, deceased; Joseph Blevins, Cherokee Roll No. 15677, deceased; Virgil Blevins, deceased; William Starr, Cherokee Roll No. 18852, deceased; J. W. Browning, deceased; W. A. Downing, deceased; Co-yostah Batt, also known as Co-yostah Snell, Cherokee Roll No. 17755, deceased; Aggie Bucket, Cherokee Roll No. 17679, deceased; Jennie C. Johnson, 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 successive weeks; and further that if the 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 7th day of August, 1944, the petitioner, United States of America, will, on said 7th day of August, 1944, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court for the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present, if they so desire.

ROYCE H. SAVAGE
J U D G E

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

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

SPECIAL JUNE 1944 TERM

TUESDAY, JUNE 13, 1944

VERDICT

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

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

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

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

DAVID LEON BLOOMHEART
Foreman

VERDICT

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

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

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

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

DAVID LEON BLOOMHEART
Foreman

VERDICT

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

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

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA TUESDAY, JUNE 13, 1944

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

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

HARRY G. BURT
Foreman

ENDORSED: Filed In Open Court
Jun 13 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. 1075
CERTAIN PARCELS OF LAND IN DELAWARE)	
COUNTY, OKLAHOMA; and William P. Mayes, et al.,)	
	Defendants.)	

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1115
CERTAIN PARCELS OF LAND IN DELAWARE)	
COUNTY, OKLAHOMA; and Fred Branson, et al.,)	
	Defendants.)	

ORDER CONSOLIDATING SAID CAUSES AS TO AND ONLY TO THE EXTENT OF
TRACTS NO. 9, 12, 26 and 30 in CIVIL CAUSE 1075 AND TRACT
NO. 28 IN CIVIL CAUSE NO. 1115 FOR THE PURPOSE OF TRIAL

IT IS ORDERED by the Court that Civil Cause No. 1075 and Civil Cause No. 1115, as to Tracts No. 9, 12, 26 and 30 in Civil Cause No. 1075, and Tract No. 28 in Civil Cause No. 1115, be and they are hereby consolidated as to, and only to the extent of, said tracts for the purpose of trial; and it appearing to the Court that none of the parties to said proceedings, as to said tracts, interposed any objection to the trial of said causes, as to said tracts, at the same time and before the same jury, IT IS ORDERED that the trial of said causes as to said tracts proceed at the same time, before the same jury, and that a separate verdict shall be rendered as to Tracts 9, 12 and 26 owned by the defendant William P. Mayes, and a separate verdict rendered as to Tract No. 30, owned by the defendant, Fred Branson, in Cause No. 1075, and that a separate verdict be rendered as to Tract No. 28 in Cause No. 1115.

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

ROYCE H. SAVAGE
DISTRICT JUDGE

Court adjourned to June 14, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL JUNE 1944 TERM VINITA, OKLAHOMA WEDNESDAY, JUNE 14, 1944

On this 14th day of June, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Special June 1944 Term at Vinita, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

RALPH W. WHITE, ADMR. ET AL., Plaintiff,)
-vs-) No. 836 - Civil
SINCLAIR PRAIRIE OIL CO., ET AL., Defendants.)

Now on this 14th day of June, 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 Ralph W. White, administrator of the Estate of Mary Vieux Bruno, deceased, et al., plaintiffs, and Sinclair Prairie Oil Company, a corporation, et al defendants, No. 836, Civil, the judgment of the said district court in said cause, entered on December 18, 1942, was in the following words, viz:

(See Journal 5, Page 866)

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 Ralph W. White, Administrator of the Estate, of Mary Vieux Bruno, deceased, John A. Bruno, Ethel Bruno Shopwetuck, Mary Bruno Webb, Ose Bruno DeLonais, Nora Bruno Kemohah, John A. Bruno, Jr., and Evaline Bruno Coty, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Sinclair Prairie Oil Company, a corporation, et al., appellees, have and recover of and from Ralph W. White, administrator of the Estate of Mary Vieux Bruno, deceased, et al., appellants, their costs herein.

-- November 16, 1943.

You, therefore, are hereby commanded that such proceedings be had in said cause.

as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 12th day of June, in the year of our Lord one thousand nine hundred and forty-four.

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

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

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

VERDICT

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

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

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the damage to Tract No. 15 was \$4000.00.

KENNETH E. BEALL
Foreman

ENDORSED: Filed In Open Court
Jun 14 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. 1231
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)	
OKLAHOMA, containing 781.70 acres, more or)	
less; and Nettie Cooper, et al.,	defendants.)	

JUDGMENT OR 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 14th day of June, 1944, and for an order fixing the date when possession of the property herein

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, JUNE 14, 1944

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 \$15,631.50, 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 14th day of June, 1944, ORDERED, ADJUDGED AND DECREED by this Court for 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 (48 - FW-1292 Rev.)
Flowage Easement

All of Lot 7 in Sec. 19 and all of Lot 1 in Sec. 20 and all that part of the W $\frac{1}{2}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 29, all that part of Lot 6, and all that part of Lot 7, all that part of Lot 8 and all that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 30, all in T 27 N, R 24 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 contained in the right-of-way of the St. Louis and San Francisco Railway, containing approximately 86.3 acres.

**Easement for Intermittent
Flowage During Flood Periods**

All that part of the $W\frac{1}{2}$ $NW\frac{1}{4}$ in said Sec. 29, and all that part of Lot 6, and all that part of Lot 7 and all that part of Lot 8 and all that part of the $E\frac{1}{2}$ $NE\frac{1}{4}$ and all that part of the $SW\frac{1}{4}$ $NE\frac{1}{4}$ and all that part of the $SE\frac{1}{4}$ and all that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ and all that part of the $S\frac{1}{2}$ $SW\frac{1}{4}$ of said Sec. 30, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, except that portion contained in the right-of-way of the St. Louis and San Francisco Railway, containing approximately 56.2 acres.

**TRACT NO. 2 (50 - FW-1333)
Flowage Easement**

All that part of Lot 8 in Block 8 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.

**TRACT NO. 3 (57 - FW-1793)
Flowage Easement**

All that part of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ the west 390 feet thereof and all that part of the north 948.5 feet of Lot 5 lying east of the K. O. & G. Railroad right-of-way, and all that part of Lot 5 lying west of the K. O. & G. Railroad right-of-way in Sec. 31, T 28 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 10.3 acres.

**Easement for Intermittent
Flowage During Flood Periods**

All that part of said $NW\frac{1}{4}$ $SE\frac{1}{4}$ less the west 390 feet thereof and all that part of said north 948.5 feet of Lot 5 East of the K. O. & G. Railroad Right-of-way and all that part of Lot 5 lying west of the K. O. & G. Railroad right-of-way, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 13.5 acres.

**TRACT NO. 4 (58 - FW-1707 Rev.)
Flowage Easement**

All that part of Lot D and all that part of Lot 3 in Block 11 as shown on the dedication plat of Central 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,

containing approximately 1.1 acres including all that part of the avenue and adjacent to said Lot E and incident to the ownership thereof, 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 D and all that part of said Lot E lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 0.7 acre including all that part of the avenue adjacent to said Lot # and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TRACT NO. 5 (58 - FW-1713 Rev.)
Flowage Easement

All that part of Lot 4, and all that part of Lot 5, in Sec. 30, T 28 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 414 feet west of the N E corner of Lot 7, Sec. 30, T 28 N, R 23 E, thence East along the north line of Lots 7 and 6 a distance of 1254.6 feet; thence north to the north boundary line of Lot 5, thence west to the intersection with Rockdale Boulevard, thence southwesterly along the south boundary line of Rockdale Boulevard to the point of beginning", lying below Elev. 756.1 Sea Level Datum, containing approximately 2.5 acres.

Easement for Intermittent Flowage During Flood Periods

All that part of Lots 4 and 5 described above lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 3.9 acres.

TRACT NO. 6 (58 - FW-1713 A)
Easement for Intermittent Flowage During Flood Periods

All that part of Lot 5 in Section 30, T 28 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 on the South line of Lot 5, Sec. 30, T 28 N, R 23 E, 340.6 feet East of the SW corner of said Lot 5, thence North 620 feet to the North line of Lot 5, thence east along said North line of Lot 5 a distance of approximately 180 feet to the intersection with the South line of McKinley Avenue, thence Easterly along the South side of McKinley Avenue to the East line of Sec. 30, thence South along the section line 610 feet to the SE corner of said Lot 5, thence West along the South line of Lot 5, 470.4 feet to the place of beginning."

lying below Elev. 760.0 Sea Level Datum, containing approximately 0.9 acre.

TRACT NO. 7 (58 - FW-1734 Rev.)
Easement for Intermittent
Flowage During Flood Periods

All that part of Lot 3 and all that part of Lot 4 in Block 6 as shown on the dedication plat of Central Addition to the original townsite of Miami in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum including all that part of the street adjacent to said Lots 3 and 4, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 8 (58 - FW-1735 Rev.)
Easement for Intermittent
Flowage During Flood Periods

All those parts of Lots 5 to 16, inclusive, in Block 6 as shown on the dedication plat of Central Addition to 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 5 to 16, inclusive, and incident to the ownership thereof, lying below Elev. 760.0 Sea Level Datum.

TRACT NO. 9 (58 - FW-1872)
Flowage Easement

All that part of Lot 1, Sec. 25, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.6 acres, together with that part of the bed and banks of the Neosho River, if any, adjacent and incident to the ownership of said Lot 1, lying below Elev. 756.1 Sea Level datum.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 lying between Elev. 756.1 Sea level datum and Elev. 760.0 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 10 (58 - FW-1873)
Flowage Easement

All that part of the $E\frac{1}{2} W\frac{1}{2}$, all that part of the $W\frac{1}{2} SE\frac{1}{4}$, all that part of the $N\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$, and all that part of the $SE\frac{1}{4} SE\frac{1}{4}$ less the east 276.0 feet of the south 789.0 feet thereof, in Sec. 23, and all that part of Lot 3, all that part of Lot 4, and all that part of Lot 5 in Sec. 26, all in T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 98.3 acres.

Easement for Intermittent Flowage During Flood Periods

All that part of said E 1/2 W 1/2, all that part of said W 1/2 SE 1/4, and all that part of said SE 1/4 SE 1/4 less the east 276.0 feet of the south 789.0 feet thereof, and all that part of said N 1/2 NW 1/4 SW 1/4, and all that part of said Lot 3, all that part of said Lot 4, and all that part of said Lot 5, lying between Elev. 756.1 Sea Level Datum and Elev. 760. Sea Level Datum, containing approximately 194.7 acres.

TRACT NO. 11 (58 - FW-1874)

Easement for Intermittent Flowage During Flood Periods

All that part of the SW 1/4 NE 1/4 of Sec. 23, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 33.0 acres.

TRACT NO. 12 (58 - FW-1875)

Easement for Intermittent Flowage During Flood Periods

All that part of the E 1/2 NE 1/4 of Sec. 23, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.9 acre.

TRACT NO. 13 (58 - FW-1876)

Easement for Intermittent Flowage During Flood Periods

All that part of the NW 1/4 NE 1/4 of Sec. 23, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.3 acres.

TRACT NO. 14 (58 - FW-1879)

Flowage Easement

All that part of the W 1/2 NW 1/4 of Sec. 23, T 28 N, R 22 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.5 acres.

Easement for Intermittent Flowage During Flood Periods

All that part of said W 1/2 NW 1/4 lying above Elev. 756.1 Sea Level Datum, containing approximately 78.5 acres.