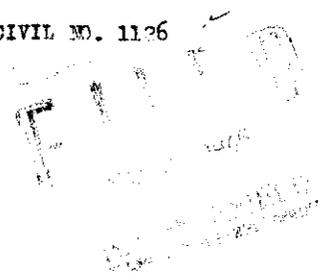


IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	
	)	
Petitioner,	)	
	)	
-vs-	)	
	)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 240.20 acres, more or less; and Lulu B. Ruggins, et al.,	)	
	)	
Defendants.	)	

CIVIL NO. 1126



ORDER FIXING COMPENSATION UPON STIPULATION  
AS TO TRACTS NO. 2 (25 FW 589); Tract No. 3  
(25 FW 590); Tract No. 6 (25 FW 593)

Now on this the 24<sup>th</sup> day of May, 1945, it appearing to the court that the petitioner, United States of America, instituted condemnation proceedings to acquire a perpetual easement upon the lands designated and described as Tracts Nos. 2, 3, and 6 to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts, and it further appearing that the petitioner, United States of America, and the owners, F. M. Hartley, Owen L. Butler, and Clay A. Babb, entered into a stipulation whereby the amount to be paid as just compensation was fixed and determined.

It further appearing to the court that said petitioner and the owners have stipulated and agreed, as follows, to-wit:

1. That the sum of \$1,901.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of a perpetual easement upon and over the lands designated and described as Tracts Nos. 2, 3, and 6 to inundate, submerge, and flow, and to enter upon said lands from time to time in the performance of said acts.

2. That the said sum of \$1,901.00 shall be in full satisfaction of and just compensation for any and all damages, if any, sustained by the defendants by reason of the May 1943 flood, or the inundating and overflowing of said tracts of land subsequent to May 1943.

3. That said just compensation in the sum of \$1,901.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature existing

at the time of the taking of said estate in and to said tracts of land and that any and all awards of just compensation ascertained and awarded in this proceeding, and established by judgment herein, to any and all other parties named as defendants herein, shall be payable out of and deductible from said sum.

4. That the owners have stipulated among themselves that the defendant, Clay A. Babb, is to receive no part of said compensation herein fixed, and that the defendants, F. M. Hartley and Owen L. Butler, are to receive all of said compensation, subject to any liens, claims or interest existing at the time of said taking.

It further appearing to this court that the petitioner had deposited in the Registry of this Court the sum of \$693.50, as the estimated just compensation to be paid for the estate taken in said tracts 2, 3, and 6, and that said amount is now on deposit in the Registry of this Court.

The court finds that the stipulation entered into by and between said parties should be approved in all respects, and that the just compensation to be paid for the taking of said estate in said tracts 2, 3, and 6, should be fixed in the amount of \$1,901.00, inclusive of interest, and that said defendants shall have and recover a deficiency judgment against the petitioner for the amount of \$1,207.50.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by this court that the stipulation entered into between the petitioner and the defendants, F. M. Hartley, Owen L. Butler, and Clay A. Babb, fixing the just compensation to be paid for the taking of a perpetual easement upon and over the lands designated as Tract No. 2 (25 FW 589); Tract No. 3 (25 FW 590); and Tract No. 6 (25 FW 593); to inundate, submerge, and flow, and to enter upon said tracts from time to time in the performance of said acts, be and is hereby approved in all respects.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sum of \$1,901.00, inclusive of interest, is in full satisfaction of and just compensation for the taking of a perpetual easement upon and over said tracts of land to inundate, submerge, and flow, and to enter upon said land from time to time in the performance of said acts, and is in full satisfaction of any and all damages, if any, that the defendants may have sustained by reason of the May 1943 flood, or the inundating and overflowing of said land subsequent to May 1943.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this court that the petitioner, United States of America, shall pay into the Registry of this court the sum of \$1,207.50, without interest, said sum being the deficiency between the sum of \$1,901.00, the amount fixed as just compensation herein, and the sum of \$693.50, the sum deposited by the petitioner with its Declaration of Taking as estimated just compensation.

IT IS FURTHER ORDERED AND DECREED that the defendant, Clay A. Babb, shall receive no part of said compensation herein fixed to be paid for said Tracts Nos. 2, 3, and 6, and that the defendants, F. M. Hartley and Owen L. Butler, shall be entitled to receive said compensation, subject to any liens, encumbrances, or interest existing at the time of the taking and held by other parties, except the interest of the defendant, Clay A. Babb.

Wm. H. Sawyer  
JUN 28

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

FILED  
MAY 29 1945  
CL. W. HARTLEY  
CLERK U. S. DISTRICT COURT  
CIVIL NO. 1126

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 240.70  
acres, more or less; and Lulu B. Huggins,  
et al.,

Defendants,

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 2 (25 FW 589); Tract No.  
3 (25 FW 590); and Tract No. 6 (25 FW 593).

NOW, on this 29th day of May, 1945, there

coming on for hearing the application of the defendants, Owen L. Butler and  
F. M. Hartley,

for an order fixing title, decreeing just compensation and making distribution  
as to Tracts No. 2 (25 FW 589); Tract No. 3 (25 FW 590); and Tract No. 6 (25 FW 593);  
and the Court being fully advised in the premises, finds:

That the defendants, Owen L. Butler and F. M. Hartley, were

the owners of the land designated as Tracts No. 2 (25 FW 589); Tract No. 3 (25 FW 590);  
Tract No. 6 (25 FW 593);

when this proceeding was commenced; that the petitioner filed a Declaration

of Taking and deposited in the registry of this Court the estimated just

compensation in the sum of \$1,901.00 for the

taking of a perpetual flowage easement upon and over

said tract of land; that this Court entered a judgment upon said Declaration

of Taking filed by the petitioner, thereby vesting in the petitioner, United

States of America, a perpetual flowage easement upon and over said lands;

and decreed that the owners and those having any right, title or interest in and

to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendants, Owen L. Butler and F.M. Hartley, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said ~~tract~~ tract s of land for the sum of \$1,901.00, which was accepted by the petitioner.

The Court further finds that the sum of \$1,901.00 is just compensation for the injuries and damages sustained by said defendant

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant s, Owen L. Butler and F. M. Hartley, ~~xxx~~ are

the owner s of the land designated as Tract No. 2 (25 FW 589); Tract No. 3 (25 FW 590); Tract No. 6 (25 FW 593); when this proceeding was commenced, and that the sum of \$1,901.00

is just compensation for the damages sustained by the defendant s; and that said defendant s are the only person s 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 s as follows, to wit.

TO: Owen L. Butler and F. M. Hartley, Owners.  
Tract No. 2 (25 FW 589);  
Tract No. 3 (25 FW 590);  
Tract No. 6 (25 FW 593); .....\$1,901.00

By Margaret Savage  
JUDGE

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF OKLAHOMA

FILED  
NOV 27 1946

William W. Benton,  
Plaintiff,

vs.

Alley Express Agency, Inc.,  
et al.,

Defendants.

WARFIELD  
CLERK OF DISTRICT COURT  
No. 1361 Civil. ✓

ORDER OF DISMISSAL

Now on this 20th day of May, 1946, there is presented in open court the receipt and stipulation of dismissal, signed by plaintiff and his attorney of record, the plaintiff appearing by said attorney, Norman Barker, and the defendant by its attorneys Kinney, Flynn, Green & Anderson by E. L. Gibbons, and Bidison & Wleam; and the court being fully advised in the premises finds that said stipulation should be sustained and the action dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this action be and the same is hereby dismissed with prejudice as to both defendants, at the cost of the defendant Alley Express Agency, Inc.

W. Royall Savage  
Judge.

Norman Barker  
Attorney for Plaintiff

Kinney, Flynn, Green & Anderson  
Bidison & Wleam  
Attorneys for Defendants.

FEDERAL DISTRICT COURT OF OKLAHOMA )  
 Office of Price Administration )  
 )  
 Plaintiff )  
 )  
 vs )  
 )  
 Mrs. J. H. Pryor )  
 )  
 Defendant )

CIVIL ACTION NO. 1537

FINAL INJUNCTION

Now on this 24<sup>th</sup> day of May, 1945, the above styled and numbered cause of action comes on for hearing before the court upon the complaint filed herein and the court finds that the parties hereto have filed herein their stipulation and agreement of facts wherein it is agreed that the defendant made excessive overcharges of rent in the amount of \$22.50, as alleged in the complaint, which said sum of money the defendant agrees to refund to the tenant, Jack Frank, and further agrees that the plaintiff take judgment for a permanent injunction as prayed for in the complaint filed herein, together with the cost of this action and the court being fully advised in the premises finds that an order should issue in accord with the said stipulation.

It is therefore ordered, adjudged and decreed that the defendant, her agents, servants, employees and representatives and each of them be and they are hereby permanently enjoined from directly or indirectly:

- (a) Charging and receiving rent in excess of the maximum legal rate of the premises known and described as 220 Bell Street, Shawnee, Oklahoma, as determined by the registration of said unit or file with the area Rent Regulation for housing.

It is further ordered that the costs of this action be taxed against the defendant.

Ol. Martin  
Dwight Malcolm  
 Attorneys for Plaintiff

Mrs. J. H. Pryor  
 DEFENDANT  
Chas. E. Webster  
 Attorney for Defendant

Royce Savage  
 of \_\_\_\_\_

FILED  
 MAY 19 1945

H. F. WARRFIELD  
 CLERK OF DISTRICT COURT

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

DOYLE BRIGGS,

PLAINTIFF,

-vs-

MANUEL S. ASAT, JR.,

DEFENDANT.

No. 1973 CIVIL ✓

ORDER OF DISMISSAL

ON THIS 31st DAY OF May, 1945, UPON THE WRITTEN MOTION OF  
THE PLAINTIFF:

IT IS ORDERED THAT THIS ACTION BE AND THE SAME IS HEREBY DISMISSED  
WITH PREJUDICE TO A NEW ACTION IN THE SAME BEHALF.

1st Royell Savage  
JUDGE

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

FILED  
MAY 29 1945  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA  
TULSA

William Littlejohn, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Dr. Pepper Tulsa Bottling Company, )  
a corporation, )  
 )  
Defendant. )

No. 1440 Civil ✓

D I S M I S S A L

Comes now the complainant, William Littlejohn, and asks the court to dismiss the above styled and numbered action pending in this court, with prejudice to the bringing of a future action, at the cost of the defendant.

Dated this 29th day of May, 1945.

William Littlejohn  
Complainant

Barbara D. Hall  
Attorney for Complainant

For good cause shown the above styled and numbered action is hereby dismissed with prejudice to the bringing of a future action, at the cost of the defendant.

Dated this 31 day of May, 1945.

W. Russell Gray  
U. S. District Judge

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.

FILED  
JUN 14 1945  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

CIVIL NO. 1045 ✓

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, On this 1st day of June, 1945, the above cause comes on for hearing pursuant to the 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 rightful claimants thereto as the owners of the real estate and the estate 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 has any right, title or interest in and to said lands other than those hereafter named; and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms and corporations having any right, title or interest in and to the

funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

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

TRACT NO. 1 ( 16 FW - 394)

Flowage Easement

L. D. Darnell, . . . . . fee owner, . . . . . \$1.50  
(Commissioners' award)

TRACT NO. 2 ( 16 FW - 395)

Flowage Easement

Edward C. Lawson, . . . fee owner, . . . . . \$2.25  
(Commissioners' award)

TRACT NO. 3 ( 21 FW - 396)

Flowage Easement

Gottfried Kocher,  
Minnie Kocher, . . . . . fee owners, . . . . . \$12.80  
(Commissioners' award)

TRACT NO. 4 ( 21 FW - 397)

Flowage Easement

Board of County Commissioners  
of Delaware County, Oklahoma, . . . fee owner, . . \$2.55  
(Commissioners' award)

TRACT NO. 5 ( 21 F. 401 )

Flowage Easement

(Title fixed and distribution made under order dated October 19, 1943.)

TRACT NO. 6 ( 21 F. 402 )

Flowage Easement

Heirs of F.C. Sinclair (deceased), . . . . . fee owners

Check to be made payable to Ruth Sinclair,  
Administratrix of the Estate of A. C. Sinclair,  
deceased, . . . . . \$ 1.50  
(Commissioners' award)

TRACT NO. 7 ( 21 F. 403 )

Flowage Easement

Thomas L. Browning, now Taliaferro, . . . fee owners, \$ 2.30  
(Commissioners' award)

TRACT NO. 8 ( 22 F. 387 )

Flowage Easement

G. B. Millett, . . . . . fee owner, . . . . . \$ 4.80  
(Commissioners' award)

TRACT NO. 9 ( 22 F. 404 )

Flowage Easement

Robert F. Brandenburg,  
Mrs. A. C. Sinclair, . . . . . fee owners, . . . . . \$ 8.25  
(Commissioners' award)

TRACT NO. 10 ( 22 F. 406 )

Flowage Easement

V. Lamb, . . . . . fee owner, . . . . . \$ 3.25  
(Commissioners' award)

TRACT NO. 11 ( 22 F. 407 )

Flowage Easement

Charles Downing, . . . . . fee owner, . . . . . \$ 8.80  
(Commissioners' award)

TRACT NO. 12 ( 22 F. 408 )

Flowage Easement

Annie L. Brown, now Graham, . . . fee owner, . . . . . \$ 1.30  
(Commissioners' award)

Libbie B. Starr,  
Charles J. Starr,  
James Clarence Starr,  
Jessie B. Dameron and the heirs of  
Martha Starr Hogue (deceased),

TRACT NO. 13 ( 22 P. 409)

Flowage Easement

Libbie B. Starr,  
Charles J. Starr,  
James Clarence Starr,  
Jessie B. Dameron and the Heirs of Martha Starr Hogue,  
(deceased), . . . . . fee owners,

Check to be made payable to Libbie B. Starr  
for Charles J. Starr,  
James Clarence Starr,  
Jessie B. Dameron and the Heirs of  
Martha Starr Hogue (deceased), . . . . . \$ 3.90  
(Commissioners' award).

TRACT NO. 14 ( 22 P. 410)

Flowage Easement

Chas. Downing, . . . . . fee owner, . . . . . \$ 2.60  
(Commissioners' award)

TRACT NO. 15 ( 22 P. 411)

Flowage Easement

George A. Wilson, . . . . . fee owner of an undivided  
1/2 interest, . . . . . \$ 6.80

Libbie B. Starr,  
Charles J. Starr,  
James Clarence Starr,  
Jessie B. Dameron and the Heirs of  
Martha Starr Hogue (deceased), fee owners of an undivided  
1/2 interest,

Check to be made payable to Libbie B. Starr  
for Charles J. Starr,  
James Clarence Starr,  
Jessie B. Dameron and the Heirs  
of Martha Starr Hogue (deceased), . . . . . \$ 6.80  
(Commissioners' award)

TRACT NO. 16 ( 22 P. 412)

Flowage Easement

Chas. Downing, . . . . . fee owner, . . . . . \$ 1.70  
(Commissioners' award)

TRACT NO. 17 ( 22 P. 413)

Flowage Easement

Bessie Seibold,  
Charles W. Seibold,  
George W. Seibold, Jr.,  
Ted Seibold, . . . . . fee owners, . . . . . \$ 3.80  
(Commissioners' award)

TRACT NO. 18 ( 22 FW 414)

Flowage Easement

Mrs. A. C. Sinclair,  
Robert F. Brandenburg, . . . . fee owners, . . . \$ 1.10  
(Commissioners' award)

TRACT NO. 19 ( 22 FW 415)

Flowage Easement

Robert F. Brandenburg,  
Mrs. A. C. Sinclair, . . . . . fee owners, . . \$ 2.20  
(Commissioners' award)

TRACT NO. 20 ( 22 FW 416)

Flowage Easement

John J. Nichols, . . . . . fee owner, . . . \$ 33.00  
(Commissioners' award)

TRACT NO. 21 ( 22 FW 417)

Flowage Easement

Heirs of W. F. Killion, (deceased), . . fee owners of the NE $\frac{1}{4}$ ; E $\frac{1}{2}$  E $\frac{1}{2}$   
NW $\frac{1}{4}$ , 23-24N-23E,

Check to be made payable to Henry Killion for the heirs of  
W. F. Killion, deceased, . . . . . \$ 56.00

C. M. Copeland, . . fee owner of the NE NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 23-24-  
23E, . . . . . \$ 16.00

TRACT NO. 22 ( 22 FW 418)

Flowage Easement

C. M. Copeland, . . . . . fee owner, . . . . . \$ 3.30  
(Commissioners' award)

TRACT NO. 23 ( 22 FW 419)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 24 ( 22 FW 420)

Flowage Easement

(Title fixed and distribution made under order dated  
January 6, 1944.)

TRACT NO. 25 ( 22 FW 421)

Flowage Easement

Clay M. Roper, . . . . . fee owner, . . . . . \$ 12.80  
(Commissioners' award)

TRACT NO. 26 ( 22 FW 422)

Flowage Easement

G. Weathers, . . . . . fee owner, . . . . . \$ 7.20  
(Commissioners' award)

TRACT NO. 27 ( 22 FW 423)

Flowage Easement

Clay M. Roper,  
Hester A. Roper, . . . . . fee owners, . . . . . \$ 5.50  
(Commissioners' award)

TRACT NO. 28 (22 FW 424)

Flowage Easement

Wm. Boydston, . . . . . fee owner, . . . . . \$ 92.00  
(Commissioners' award)

TRACT NO. 29 ( 22 FW 425)

Flowage Easement

John C. Browning,  
Nettie Browning, . . . . . fee owners, . . . . . \$ 5.50  
(Commissioners' award)

TRACT NO. 30 ( 22 FW 426)

Flowage Easement

Otis Mercer, . . . . . fee owner, . . . . . \$ 2.77  
(Commissioners' award)

TRACT NO. 31 ( 22 FW 427)

Flowage Easement

Laurel J. Buck,  
Edna Edith Buck, . . . . . fee owners, . . . . . \$ 60.00  
(Commissioners' award)

TRACT NO. 32 ( 22 FW 428)

Flowage Easement

Jesse O. Layman, . . . . . fee owner, . . . . . \$ 2.02  
(Commissioners' award)

TRACT NO. 33 ( 22 FW 429)

Flowage Easement

Johnson D. Hill, . . . . . fee owner, . . . . \$ 7.20  
(Commissioners' award)

TRACT NO. 34 ( 22 FW 430)

Flowage Easement

Heirs of W. A. Downing, deceased, . . . . . fee owners

Check to be made payable to Sebrina Downing,  
for the heirs of W. A. Downing, deceased, . . . . . \$15.20  
(Commissioners' award)

TRACT NO. 35 ( 22 FW 431)

Flowage Easement

Nettie M. Freeman, . . . fee owner, . . . . . \$18.00  
(Commissioners' award)

TRACT NO. 36 (22 FW 432)

Flowage Easement

Heirs of William Starr, Cherokee Citizen, Roll No. 18852,  
(deceased) (restricted, . . . . . fee owners

Check to be made payable to E. C. McMichael, Guardian of  
Mary Starr, an Incompetent and for the Heirs of  
William Starr, deceased, . . . . . \$ 4.00  
(Commissioners' award)

TRACT NO. 37 ( 22 FW 435)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 38 ( 22 FW 436)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 39 ( 22 FW 523)

Flowage Easement

Mattie E. Gibson, . . . fee owner of an undivided 1/12 interest, . . . . .	\$ 2.40
John L. Gibson, . . . . fee owner of an undivided 1/12 interest, . . . . .	.60
Quinton Gibson, . . . . fee owner of an undivided 1/12 interest, . . . . .	.60
Mary Livingston Wiley, . fee owner of an undivided 1/12 interest, . . . . .	.60

TRACT NO. 39 (22 FW 523 - Continued)

Mary Brown, . . . . . fee owner of an undivided 1/12  
interest, . . . . . \$ .60

Jennie C. Johnson, . . . . . fee owner of an undivided  
1/12 interest, . . . . . \$ .60

Obe Gibson, . . . . . fee owner of an undivided  
1/12 interest, . . . . . \$ .60

Paul Gibson, . . . . . fee owner of an undivided  
1/12 interest, . . . . . \$ .60

Nannie Gibson Petty, . . . . . fee owner of an undivided  
1/12 interest, . . . . . \$ .60  
(Commissioners' award)

TRACT NO. 40 ( 22 FW 525)

Flowage Easement

James W. Cowles,  
James R. Cowles, . . . . . fee owners, . . . . . \$ 12.80  
(Commissioners' award)

TRACT NO. 41 ( 22 FW 527)

Flowage Easement

G. D. Needham, . . . . . fee owner, . . . . . \$ 5.60  
(Commissioners' award)

TRACT NO. 42 ( 22 FW 749)

Flowage Easement

John Maurice Hutchins, . . . fee owner, . . . . . \$ 150.00  
(Commissioners' award)

TRACT NO. 43 ( 22 FW 750 Rev.)

Flowage Easement

Don R. Gray,  
Sarah A. Gray, . . . . . fee owners, . . . . . 5.00  
(Commissioners' award)

TRACT NO. 44 ( 22 FW 751)

Flowage Easement

Chauncey R. Ortelle,  
Mayme Ortelle, . . . . . fee owners, . . . . . \$ 129.00  
(Commissioners' award)

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 FIXING TITLE AND MAKING DISTRIBUTION

NOW, On this 12 day of June, 1945, the above cause comes on for hearing pursuant to the 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 rightful claimants thereto as the owners of the real estate and the estate 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 has any right, title or interest in and to said lands other than those hereafter named; and that the owners and those having any right, title or interest in and to said lands hereafter named and set forth are the only persons, firms and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

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

TRACT NO. 1 (18 FW 719)

Flowage Easement

(Title fixed and distribution made under order dated July 20, 1944)

TRACT NO. 2 (18 FW 720)

Flowage Easement

J. Ben Robinson,  
C. E. Mellette,  
C. W. Newburn, . . . fee owners, . . . . \$24.50  
(Commissioners' award)

TRACT NO. 3 (18 FW 721)

Flowage Easement

(Title fixed and distribution made under order dated January 22, 1945)

TRACT NO. 4 (18 FW 722)

Flowage Easement

Sam Hardesty, . . . fee owner, . . . . \$3.00  
(Commissioners' award)

TRACT NO. 5 (18 FW 723)

Flowage Easement

(Title fixed and distribution made under order dated January 22, 1945)

TRACT NO. 6 (18 FW 724)

FLOWAGE EASEMENT

A. C. McQuigg,  
Anna F. McQuigg, . . fee owners, . . \$673.50  
(Commissioners' award)

TRACT NO. 7 (18 FW 725A)

Flowage Easement

T. H. Cartrell, . . . fee owner, . . . \$58.50  
(Commissioners' award)

TRACT NO. 8 (18 FW 726)

Flowage Easement

(Title fixed and distribution made under  
order dated January 2, 1945)

TRACT NO. 9 (18 FW 727)

Flowage Easement

John Rolston, . . fee owner, . . . \$3.20  
Lou Rolston Lee, . fee owner, . . . 3.20  
Belle Chanley, . . fee owner, . . . .64  
Olive Harris, . . fee owner, . . . .64  
Cora L. Williams, fee owner, . . . .64  
Maude Parks, . . .fee owner, . . . .64  
Eliza Smith, . . . fee owner, . . . .64  
Kenneth Lunday, . fee owner, . . . 3.20  
Thelma Lee, . . . fee owner, . . . 3.20  
(Commissioners' award)

TRACT NO. 10 (18 FW 728)

Flowage Easement

John Rolston, . . owner 1/5 interest, . \$9.20  
Lou Rolston Lee, owner 2/5 interest, . 18.40  
Belle Chanley, . . owner 1/25 interest . 1.84  
Olive Harris, . . owner 1/25 interest . 1.84  
Cora L. Williams, owner 1/25 interest. 1.84  
Maude Parks, . . owner 1/25 interest . 1.84  
Eliza Smith, . . owner 1/25 interest . 1.84  
Kenneth Lunday, owner 1/5 interest . 9.20  
(Commissioners' award)

TRACT NO. 11 (18 FW 729)

Flowage Easement

Hettie A. Kapell, . owner, . . . . \$69.60  
(Commissioners' award)

TRACT NO. 12 (18 FW 730)

Flowage Easement

Vera B. Rolston, now Lewis, owner, . \$30.00  
(Commissioners' award)

TRACT NO. 13 (18 FW 831)

Flowage Easement

Heirs of M. A. Baird (deceased); and  
Alice Baird, . . . fee owners, . . \$30.00

(Check to be made payable to Alice Baird and  
Alice Baird for the heirs of M. A. Baird,  
deceased)  
(Commissioners' award)

TRACT NO. 14 (13 FW 732)

Flowage Easement

fee  
C. M. Lee, . . . owner, . . . . \$276.00  
(Commissioners' award)

TRACT NO. 15 (18 FW 733)

Flowage Easement

fee  
Everett Lee, . . . owner, . . . . \$10.00  
(Commissioners' award)

TRACT NO. 16 (13 FW 734)

Flowage Easement

E. B. Wensell, also known  
as E. B. Wensel, . . fee owner, . \$100.00  
(Commissioners' award)

TRACT NO. 17 (18 FW 735)

Flowage Easement

(Title fixed and distribution made under  
order dated January 12, 1945)

TRACT NO. 18 (13 FW 736)

Flowage Easement

Frank Nesbitt,  
Richard Wills, . . . fee owners, . . \$7.50  
(Commissioners' award)

TRACT NO. 19 (18 FW 737)

Flowage Easement

William Bloomer, . . . fee owner, . . \$268.50  
(Commissioners' award)

TRACT NO. 20 (18 FW 738)

Flowage Easement

Loretta Dubois, now Bain, , fee owner, . \$18.00  
(Commissioners' award)

TRACT NO. 21 (18 FW 740)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 22 (18 FW 741)

Flowage Easement

C. F. Jarrett, . . . fee owner, . . . \$65.00  
(Commissioners' award)

TRACT NO. 23 (18 FW 742)

Flowage Easement

Johnson D. Hill, . . . fee owner, . . . ~~\$65.00~~<sup>6.00</sup>  
(Commissioners' award)

TRACT NO. 24 (18 FW 743)

Flowage Easement

Paul F. Lewis,  
Theodore J. Mitchell,  
William E. Danley, . . . fee owners, . . . \$18.00  
(Commissioners' award)

TRACT NO. 25 (18 FW 744)  
(18 FW 745)

Flowage Easement

Guy Fay,  
J. H. Fay,  
Mary Evelyn Fay, . . . fee owners, . . . \$8.00  
(Commissioners' award)

TRACT NO. 26 (18 FW 754)

Flowage Easement

D. L. Mercer,  
Jerry Mercer, . . . fee owners, . . . \$12.00  
(Commissioners' award)

TRACT NO. 27 (18 FW 755)

Flowage Easement

John J. Nichols, . . . fee owner, . . . \$2.00  
(Commissioners' award)

TRACT NO. 28 (18 FW 756)

Flowage Easement

Otis E. Nidiffer, . . . fee owner, . . . \$22.00  
(Commissioners' award)

TRACT NO. 29 (18 FW 757)

Flowage Easement

Lydia Edna Orendorff MacPherson, .  
Fee owner, . . . \$76.50  
(Commissioners' award)

TRACT NO. 30 (18 FW 758)

Flowage Easement

Heirs of S. J. Sager, also known  
as Sarah J. Sager (Deceased), fee owners, \$10.00

(Check to be made payable to S. L. Sager  
for the heirs of S. J. Sager, deceased)  
(Commissioners' award)

TRACT NO. 31 (18 FW 759)

Flowage Easement

Harold R. Carey, . . . fee owners, . . . \$2.40  
(Commissioners' award)

TRACT NO. 32 (18 FW 760)

Flowage Easement

(Pending jury trial)

TRACT NO. 33 (18 FW 762)

Flowage Easement

Lou Lee,  
Everet R. Lee, also known as  
Everett Lee, . . . . . fee owners, . \$108.00

Land Bank Commissioner,  
The Federal Farm Mortgage Corporation, .  
Holder of mortgage

(Check to be made payable to owners and  
Federal Land Bank of Wichita for Land  
Bank Commissioner and The Federal Farm  
Mortgage Corporation)  
(Commissioners' award)

TRACT NO. 34 (18 FW 763)

Flowage Easement

(Pending jury trial)

TRACT NO. 35 (29 FE 613 Rev.)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 36 (29 FW 968)

Flowage Easement

(Title fixed and distribution made under  
order dated July 19, 1944)

TRACT NO. 37 (29 FW 969)

Flowage Easement

Mary Mildred Nichols, . . . fee owner, . \$84.00  
(Commissioners' award)

TRACT NO. 38 (29 FW 970)

Flowage Easement

Amanda C. Newburn,  
J. A. Newburn, . . . fee owners, . . . \$135.00  
(Commissioners' award)

TRACT NO. 39 (29 FW 971)

Flowage Easement

Clara Dicken, . . . fee owner, . . . \$45.00  
(Commissioners' award)

TRACT NO. 40 (29 FW 973)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 41 (29 FW 974 Rev.)

Flowage Easement

L. F. Mayfield, . . . fee owner, . . . \$1,000.00  
(Commissioners' award)

TRACT NO. 42 (29 FW 975)

Flowage Easement

(Title fixed and distribution made under  
order dated February 4, 1944)

TRACT NO. 43 (29 FW 976)

Flowage Easement

(Jury trial had - separate judgment entered)

TRACT NO. 44 (29 FW 977)

Flowage Easement

H. D. Woolley,  
Evelyn Woolley, . . . fee owners, . . . \$113.50  
(Commissioners' award)

TRACT NO. 45 (29 FW 972 Rev.)

Flowage Easement

C. E. Witty, . . . fee owner, . . . \$770.00

W. T. Killam, . holder of unreleased mortgage

(Check to be made payable to owner and mortgagee)  
(Commissioners' award)

TRACT NO. 46 (29 FW 979)

Flowage Easement

Walter L. Honska, . . fee owner, . . . \$6.00  
(Commissioners' award)

TRACT NO. 47 (29 FW 980)

Flowage Easement

Heirs of Mary C. Parkhurst  
(deceased), . fee owners, . . \$425.00

(Check to be made payable to Mattie Jane  
Jones, Administratrix of the estate of  
Mary C. Parkhurst, deceased)  
(Commissioners' award)

TRACT NO. 48 (29 FW 983)

Flowage Easement

R. W. Tuck, . . . . . fee owner, . . . \$117.00  
(Commissioners' award)

(Partial distribution in the amount of \$865.00  
made under order dated February 12, 1945)

TRACT NO. 49 (29 FW 984)

Flowage Easement

R. R. Holt,  
Rachel Holt, . . . . . fee owners, . . \$4.00  
(Commissioners' award)

TRACT NO. 50 (29 FW 985)

Flowage Easement

(Title fixed and distribution made under order  
dated March 13, 1944)

TRACT NO. 51 (29X FW 972)

Flowage Easement

R. W. Ferguson, . . . fee owner, . . \$2.00  
(Commissioners' award)

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

*W. Royce Savage*  
\_\_\_\_\_  
J U D G E

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 192.43  
acres, more or less; and CERTAIN PERSONAL  
PROPERTY LOCATED THEREON AND USED IN  
CONNECTION THEREWITH, and Van S. Chandler,  
et al.,

Defendants.

CIVIL NO. 1115 ✓

JUDGMENT VESTING TITLE AND FIXING JUST  
COMPENSATION FOR PERSONAL PROPERTY  
TRACT NO. 36 (25 FW 904)

NOW, On this 1st day of June, 1945, there coming  
on for hearing the application of the petitioner for judgment on  
stipulation as to personal property located upon and used in  
connection with the lands described in and designated as Tract No. 36  
(25 FW 904), and for an order fixing and determining the damages  
sustained, if any, to said personal property, occasioned by the  
temporary use of same from the 18th day of May, 1943, to the 22nd  
day of May, 1943, inclusive, by the United States of America, in  
connection with the Grand River Dam (Pensacola) Project, and upon  
consideration thereof and the copy of said stipulation thereto  
attached, and of the condemnation petition and amendment thereto,  
and the statutes in such cases made and provided, and Executive  
Order of the President of the United States, No. 8944, dated  
November 19, 1941; Executive Order No. 9366, dated July 30, 1943;  
Executive Order No. 9373, dated August 30, 1943, and the Second  
War Power Act of March 27, 1942, (50 U. S. C. Sec. 171-A), and it  
appearing to the satisfaction of the Court:

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

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

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

FOURTH: That a proper description of the personal property temporarily used sufficient for the identification thereof is set out in said petition for condemnation, as amended, and designated as personal property located upon and used in connection with the lands described as Tract No. 36 (25 FW 904);

FIFTH: That the Secretary of the Interior, through his duly authorized representative has entered into an agreement and stipulation with the defendant, F. S. Worthington, the owner of all of the personal property described in Tract No. 36 (25 FW 904) in the amendment to the petition in condemnation, thereby fixing and determining the full and just compensation to be paid said defendant, in the sum of \$25.00.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of \$25.00 is full and just compensation for the loss of and damage to all personal property located upon and used in connection with the lands described in and designated in these proceedings as Tract No. 36 (25 PW 904) sustained by the owners, or those having any right, title or interest in and to said personal property, inclusive of every interest therein as the result of the flooding of said lands in May, 1943, by the petitioner in connection with the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America deposit in the registry of this court the said sum of \$25.00 for the use and benefit of the owner and those having any right, title or interest in and to the personal property described under Tract No. 36 (25 PW 904) in the amended petition filed herein on the 1st day of June, 1945.

IT IS FURTHER ORDERED, That upon the petitioner paying into the registry of this Court the said sum of \$25.00 the same shall be in full settlement of all damages or claims for damages, against the United States of America, occasioned by the temporary use of said personal property from the 18th day of May, 1943, until the 22nd day of May, 1943, inclusive, by the petitioner in connection with the Grand River Dam (Pensacola) Project, and this judgment shall be fully satisfied.

Raymond H. Lavy  
Judge of the United States District Court,  
Northern District of Oklahoma.

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 650.30  
acres, more or less; and CERTAIN PERSONAL  
PROPERTY LOCATED THEREON AND USED IN  
CONNECTION THEREWITH, and M. P. Garman,  
et al.,

Defendants.

CIVIL NO. 1108

JUDGMENT VESTING TITLE AND FIXING JUST  
COMPENSATION FOR PERSONAL PROPERTY  
TRACT NO. 24 (51 FW 1376)

NOW, On this 12<sup>th</sup> day of June, 1945, there  
coming on for hearing the application of the petitioner for judg-  
ment on stipulation as to personal property located upon and used  
in connection with the lands described in and designated as Tract  
No. 24 (51 FW 1376), and for an order fixing and determining the  
damages sustained, if any, to said personal property, occasioned  
by the temporary use of same from the 16th day of May, 1943, to  
the 22nd day of May, 1943, inclusive, by the United States of  
America, in connection with the Grand River Dam (Pensacola)  
Project, and upon consideration thereof and the copy of said stipula-  
tion thereto attached, and of the condemnation petition and amend-  
ment thereto, and the statutes in such cases made and provided,  
and Executive Order of the President of the United States, No. 8944,  
dated November 19, 1941; Executive Order No. 9366, dated July 30,  
1943; Executive Order No. 9373, dated August 30, 1943, and the  
Second War Powers Act of March 27, 1942, (50 U. S. C. Sec. 171-A),  
and it appearing to the satisfaction of the Court:

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

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

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

FOURTH: That a proper description of the personal property temporarily used sufficient for the identification thereof is set out in said petition for condemnation, as amended, and designated as personal property located upon and used in connection with the lands described as Tract No. 24 (51 FW 1376);

FIFTH: That the Secretary of the Interior, through his duly authorized representative has entered into an agreement and stipulation with the defendant, Natis Petillo, the owner of all of the personal property described in Tract No. 24 (51 FW 1376) in the amendment to the petition in condemnation, thereby fixing and determining the full and just compensation to be paid said defendant, in the sum of \$45.00.

SIXTH: That the Secretary of the Interior of the United States, through his duly authorized representative, is duly authorized

and empowered to enter into agreements and stipulations such as the one referred to herein, fixing and determining the full and just compensation for the taking of lands and the temporary use of personal property located upon and used in connection with said lands; that the defendant, Watie Patillo, was the owner of said personal property at all times when the same was temporarily used by the petitioner;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of \$45.00 is full and just compensation for the loss of and damage to all personal property located upon and used in connection with the lands described in and designated in these proceedings as Tract No. 24 (51 FW 1376) sustained by the owner, or those having any right, title or interest in and to said personal property, inclusive of every interest therein as the result of the flooding of said lands in May, 1943, by the petitioner in connection with the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America deposit in the registry of this court the said sum of \$45.00 for the use and benefit of the owner and those having any right, title or interest in and to the personal property described under Tract No. 24 (51 FW 1376) in the amended petition filed herein on the 1st day of June, 1945.

IT IS FURTHER ORDERED, That upon petition being paid into the registry of this Court the said sum of \$45.00 the same shall be in full settlement of all damages or claims for damages, against the United States of America, occasioned by the temporary use of said personal property from the 16th day of May, 1943, until the 22nd day of May, 1943, inclusive, by the petitioner in connection with the Grand River Dam (Pensacola) Project, and this judgment shall be fully satisfied.

  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE NORTHEAST JUDICIAL DISTRICT OF OREGON

CHARLES BOHLEN, Administrator  
Office of Price Administration  
Plaintiff  
vs.  
SHIRLEY S. Taylor, an individual  
Defendant

CIVIL NO. 1340

J U D G E M E N T

On this 31st day of May, 1945, this matter came on for trial in its regular order before a jury of twelve good men, who were duly empanelled and sworn, well and truly to try the issues joined between plaintiff and defendant as to render a true verdict according to the law and the evidence. The plaintiff was represented by his attorneys, John A. B. Cobb and Thomas H. Vance, the defendant appeared in person and was represented by his attorney, J. C. Spillars.

The jury heard the evidence, the charge of the Court and the argument of counsel and upon their oath, find in answer to interrogatories propounded to them by the Court that:

(1) The ceiling price of a new machine, equivalent to the machine sold, f.o.b. factory, on the date of sale of such secondhand machine was \$3,500.00;

(2) That the machine sold was not rebuilt and guaranteed machine; and

(3) That the overcharges made by the defendant resulted from the failure of the defendant to exercise practical precaution.

*Enclaved:*

*Filed Jun 1, 1945  
H. P. Warfield, Clerk.  
U. S. District Court.*

The Court determined that the ceiling price of the machine sold by the defendant was \$1,075.00 and that the selling price charged and received by the defendant was \$1,075.00 in excess thereof.

It is ordered, therefore, that judgment be entered for the plaintiff on behalf of the United States and against the defendant for \$1,075.00, the exact amount of the overcharge made and received by the defendant, together with the costs of this action.

It is further ordered that judgment be entered for the plaintiff on behalf of the United States and against the defendant for \$50.00 as penalty for his failure to take practical precautions.

To all of which the defendant objects and excepts.

Frederic H. Savage  
United States District Judge

Approved as to form:

John F. M. Cobb  
John F. M. Cobb  
District Enforcement Attorney  
424 Mayo Building  
Tulsa, Oklahoma

Thomas K. Nance  
Thomas K. Nance, Assistant  
Enforcement Attorney  
Apparel and Industrial Materials Section  
Attorneys for Plaintiff

G. C. Spillers  
G. C. Spillers  
Attorney for Defendant.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

D. E. McAnally, doing business  
as Peoples Cab & Baggage Company,  
M. D. McAnally and John E. Cowart,

Defendants.

No. 1435 Civil ✓

JOURNAL ENTRY OF JUDGMENT

NOW on this 28th day of May, 1945, this matter having come on for hearing and trial before the Honorable Royce H. Savage, United States District Judge for the Northern District of Oklahoma, United States of America appearing by Mr. Knight Powers, Assistant United States Attorney, and the defendants D. E. McAnally, doing business as Peoples Cab & Baggage Company, and M. D. McAnally, appearing by Karl Jones, Attorney at Law, Tulsa, Oklahoma, and the defendant, John E. Cowart appearing not, but being wholly in default, the Court finds that service was had upon said John E. Cowart on the 15th day of February, 1945, and that said defendant has failed to answer or otherwise move in respect to this complaint filed herein against him and that the said John E. Cowart is wholly in default; the Court further finds the allegations of plaintiff's complaint as to the negligence of John E. Cowart are true and correct and proved by competent evidence to the satisfaction of this Court,

and that plaintiff's vehicle was injured and damaged to the extent of One Hundred Thirty-seven Dollars and Eighty Cents (\$137.80) as the result of the negligence of John E. Cowart.

The Court further finds that the defendants, D. E. McAnally, doing business as Peoples Cab & Baggage Company, and H. D. McAnally, are wholly without fault or negligence in the premises and are not liable in law for the damages occasioned to plaintiff's vehicle herein and the Court finds generally for these defendants in said cause.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover One Hundred Thirty-seven Dollars and Eighty Cents (\$137.80) and his costs herein expended against the defendant, John E. Cowart, and judgment is had in favor of D. E. McAnally, doing business as Peoples Cab & Baggage Company, and H. D. McAnally.

121 Dayrell Savage  
JUDGE

O. K. AS TO THEM,  
SERVICE OF COPY ACKNOWLEDGED:

by Whit Y. Maury  
Whit Y. Maury,  
United States Attorney.

1 of Wm. Knight Powers  
Wm. Knight Powers, Assistant  
United States Attorney.

Karl Jones,  
Attorney for Defendants  
D.E. McAnally, doing business  
as Peoples Cab & Baggage  
Company, and H.D. McAnally.

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

WILLIAM SYDNEY LESTER,

Plaintiff,

vs.

No. 2312-Civil.

WILLIAM SYDNEY LESTER,

Defendant.

ORDER ON SALE.

Now on this 2nd day of June, 1945, come on for hearing the motion of the plaintiff for an order of sale of the hereinafter described premises, and the Court finds that heretofore this Court approved the report and appraisement by the landman named, and none of the parties has claimed to take at the appraised value within the time allowed by previous orders of this Court; that an order of sale should now be made.

It is therefore considered, ordered, adjudged, and decreed by the Court that the United States Marshal for the Northern District of Oklahoma be and he is hereby directed so well to the highest bidder for not less than two-thirds of the appraised value, as filed by the landman named at \$1575.00, the following described premises situated in Washington County, Oklahoma, to wit:

Tract No. 1.

The Northeast quarter of the Northwest quarter of the Northeast quarter; and the Northwest quarter of the Northeast quarter of the Northeast quarter of Section 7, Township 27, Range 14 East.

Tract No. 2.

Southwest quarter of Southwest quarter; and Northeast quarter of Southwest quarter; and West Half of Northeast quarter of Southwest quarter of Section 9, Township 27, Range 14 East.

That said sale be made at public auction after giving notice according to law of the time and place of said sale.

Approved:

Raymond H. Sawyer  
Judge.

Chas. W. Pennel  
Attorney for Plaintiff.

Whit G. Manzy  
United States Marshal Attorney.

Endorsed:  
Filed June 2, 1945  
H. P. Warfield, Clerk  
U. S. District Court

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

CHESTER BOWLES, Administrator,  
Office of Price Administration,  
  
Plaintiff,  
  
vs  
  
CROWN DRUG COMPANY, an Corporation,  
  
Defendant.

Civil No. 1298 ✓

ORDER

This matter came on for hearing on May 2, 1945 pursuant to regular assignment on the pre-trial docket. Plaintiff was represented by his counsel of record, James T. Steil, and the defendant was represented by its counsel of record, Crouch, Rhodes and Crowe, by Philip N. Landa, and after all evidence to be presented in the trial of this case was presented at this pre-trial conference, counsel for the plaintiff moved for dismissal of this action.

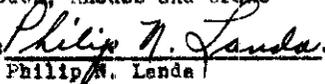
The Court being well and fully advised in the premises finds upon motion by counsel of the plaintiff that this action should be dismissed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the above entitled cause be, and is hereby, dismissed.

  
\_\_\_\_\_  
Royce H. Savage  
United States District Judge for the  
Northern District of Oklahoma

Approved as to Form:

Crouch, Rhodes and Crowe

By:   
Philip N. Landa

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

CHESTER BOWLES, Administrator,  
Office of Price Administration,

Plaintiff,

vs

ARTILIO ODORIFERO and ROSE ODORIFERO,  
d/b/a AMERICAN SPAGHETTI HOUSE,

Defendants.

Civil No. 1401

D E C R E E

This matter came on for hearing on this 2nd day of May, 1945, in its regular order pursuant to assignment on the pre-trial docket. Plaintiff was represented by his counsel of record, James T. Steil, and the defendants appeared by their counsel of record, Gerald W. O'Brien. All evidence to be presented upon trial of this case was submitted at this pre-trial conference. The defendants stated by their counsel of record that they had committed the violations as set forth in the complaint and had no defense other than that the violations were unintentional and non-wilful. Thereupon the Court inquired of counsels for plaintiff and defendants if they would agree to submit the case to the Court upon the facts stated at this pre-trial conference and abide by the decision of the Court. Both sides stipulated that the Court should pass upon this matter upon facts presented.

The Court, being well and fully advised in the premises, finds that the violations as charged in the complaint did occur and that the violations were wilful having occurred after warning and that the plaintiff should have and recover a money judgment against the defendants in the amount of \$26 on the violation set forth in (a) of Count IV and \$26 on violation set forth in (b) of Count IV.

The Court further finds that although the violations charged in this complaint were wilful that there is no reason to believe at this time that the defendants will continue to violate and, therefore, that a permanent injunction should not issue at this time but a temporary injunction for a period of 60 days should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff have and recover of and from the defendants a money judgment in the sum of \$26 on each of the two violations set forth in Count IV under Paragraphs (a) and (b), or a total money judgment of \$52.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that a temporary injunction issue against the defendants herein, restraining said defendants, their agents, servants, employees, and representatives, and each of them and any and all persons in active concert or participation with them from further violations of Section 1 (Section 1499.1) of General Maximum Price Regulation and the amendments thereto for a period of sixty days from the date hereof and at the expiration of said sixty days if no further violations are brought to the Court's attention, the Court will then dismiss the injunction action upon its own motion or upon motion of the plaintiff or defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendants pay all costs of this action.

Approved as to Form:

(S) Gerald F. O'Brien  
Gerald F. O'Brien  
Attorney for Defendants

(S) Royce H. Savage  
Royce H. Savage  
United States District Judge for the  
Northern District of Oklahoma

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

William Robinson, et al.,

Plaintiffs,

vs.

No. 1472-Civil

Albert Robinson, et al.,

Defendants .

ORDER OF SALE.

Now on this 2nd day of June, 1945, come on for hearing the Motion of the plaintiff for an order of sale of the hereinafter described premises, and the Court finds that heretofore this Court approved the report and appraisement by the Commissioners, the same of the parties has been closed, so take at the appraised value within the time fixed by previous order of this Court; that an order of sale should now be issued,

That it is hereby Considered, ordered, adjudged, and decreed by the Court that the United States Marshal for the Northern District of Oklahoma is and he is hereby directed to sell to the highest bidder for no less than two-thirds of the appraised value, as fixed by the Commissioners at \$1040.00, the following described premises situated in Washington County, Oklahoma, to wit:

Northeast quarter of Northwest quarter; and North half of Southeast quarter of Orchard's quarter of Section 13, and Southeast quarter of Northwest quarter of Southeast Quarter; and Southeast quarter of Southeast quarter of Southwest quarter of Section 18, all in Township 24 North, Range 13 West.

That said sale be held on public auction after giving notice according to law of the time and place of said sale.

Approved:

Royce H. Savage  
Judge.

Chas. W. Penn

Attorney for Plaintiffs.

W. G. Manzy

Attorney for Defendants.

Enclosed: Filed Jun 2, 1945  
H. P. Warfield, Clerk,  
U. S. District Court.

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

Pearl Rhodes Sitterly, et al, )  
 )  
 ) Plaintiffs, )  
 vs. ) No. 1049 Civil )  
 ) )  
 ) United States of America, )  
 ) )  
 ) Defendants. )

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 23rd day of May, 1945, upon the motion of the United States, defendant, for judgment on the pleadings or summary judgment and on the plaintiff's motion for judgment on the pleadings or summary judgment and the plaintiff appearing by its attorneys, Settle, Monnet & Clammer and John S. Severson, and the defendant, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and the court, after the submission of briefs and after being fully advised in the premises, finds that the assessment of taxes by the United States of America involved herein was made by the Commissioner of Internal Revenue on July 8, 1933; that the assessment list was received by the Collector of Internal Revenue on July 12, 1933; that notice and demand for payment of the taxes were served on the taxpayer on July 13, 1933 and July 25, 1933 and that on November 5, 1934, a notice of lien with respect to said taxes was, pursuant to Section 3672 of the Internal Revenue Code, filed with the County Clerk of Tulsa County, Oklahoma, in which county the real estate involved herein is situated and there was also filed on said date a like notice with the Clerk of the United States District Court for the Northern District of Oklahoma. That the plaintiff claims title to the real estate

involved by virtue of the sale of the real estate involved by virtue of assessment of ad valorem taxes for the year 1935 and subsequent years. That any lien which the State of Oklahoma or County of Tulsa may have had by virtue of ad valorem taxes for the year 1935 and subsequent years are subsequent to the lien of the United States of America. That the plaintiff does not possess a lien upon or any interest in the real estate involved herein, notice of which had been filed prior to the filing of the notice of the lien of the United States on November 5, 1934, nor is the plaintiff a person who has purchased the real estate at a sale to satisfy any prior lien or interest. That this action was instituted pursuant to Section 3679 of the Internal Revenue Code and that since the United States is possessed of a prior lien to that claimed by the plaintiff, the court is without jurisdiction to hear and determine this cause and that the plaintiffs' motion for judgment on the pleadings and for summary judgment should be overruled and that the motion of the United States to dismiss for lack of jurisdiction should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that this action be and the same hereby is dismissed without prejudice and without prejudice to the plaintiffs maintaining another action, all at the cost of the plaintiffs.

AND IT IS SO ORDERED.

Royce A. Savage  
JUDGE.

O.K. as to form:

\_\_\_\_\_  
Attorneys for Plaintiffs.

\_\_\_\_\_  
United States Attorney.



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 A. N. Roberts, et al.,

Defendants.

No. 1112

7/16/45

ORDER FOR DISBURSEMENT  
OF FUNDS

This matter coming on for hearing this 4th day of  
June, 1945, upon the application of the petitioner, A. N.  
Roberts, for the disbursement of funds in this cause.

After the said matter presented in open court  
the court finds that the petitioner has condemned land  
belonging to this defendant for flowage easement being  
described in the petition as Tract No. 39 (2048878),  
all that part of the east 38 rods of the  $\frac{1}{2}$  of the NE $\frac{1}{4}$   
of the NE $\frac{1}{4}$  and all that part of the East Half of the  
NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, T 25 N 23 E, lying  
below elevation 757, Sea Level Datum, except that por-  
tion owned by the Grand River Dam Authority, containing  
approximately 9.5 acres; and that on May 8th, 1945 a  
jury in this court fixed the amount of damages at \$600.00;  
that there is now due the sum of \$19.40 interest on the  
judgment.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED  
BY THE COURT that the said defendant, A. N. Roberts,  
be paid the sum of \$619.40, the said A. N. Roberts being  
the party entitled to said funds.

  
United States District Judge

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

UNITED STATES OF AMERICA, )  
 )  
 ) Plaintiff, )  
 )  
 Vs. ) Civil No. 1112  
 )  
 E. R. WILLIAMS, ET AL, ) Tract No. 29  
 )  
 ) Defendants. )

ORDER TO DISBURSE FUNDS

Now on this 4th day of June, 1945, this matter coming on for hearing upon the application of defendants to withdraw money on deposit in the hands of the Clerk of this court and said application having been heard and considered, the Court finds that the same should be granted and that an order of distribution of said funds on deposit should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that defendants, E. R. Williams and Colbert Williams, are the owners in fee simple of the real estate described in this action as Tract No. 29, Plat No. \_\_\_\_\_, and that all of the ad valorem taxes are paid and that said land is so owned subject only to the easement heretofore taken by the Government upon said land and that said sum of money constitutes full payment for all flowage, easement rights in perpetuum, crop damage and damage to adjacent property owned by said defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this court be, and he is hereby ordered and directed to immediately issue his check payable jointly to E. R. Williams and Colbert Williams in the amount of \$600.00 principal and \$12.90 interest, or a total sum of \$612.90, payable to said defendants jointly.

Done in open court the day and year first above written.

O. K.  
R. J. Lovison.

Royce H. Savage.  
United States District Judge  
For the Northern District

IN SENATE, FEBRUARY 11, 1948.

REPORT OF THE COMMISSIONERS OF THE LAND OFFICE.

State of Michigan - - - - - Plaintiff,  
vs  
Persons in parcels of land in Del-  
aware County, Mich. et al - - - - - Defendants.

No. 1112-Civil,  
Tract No. 33,  
(20 71-871)

STATE OF MICHIGAN, BY J. W. H. H. H. H.

On this 4th day of June, 1948, some being a judicial day of said court, this cause came on for hearing on the application of . . . their claim that the sum of \$1088.94 now on deposit in the office of the clerk of this court be disbursed to the persons entitled thereto.

Plaintiff and defendant appear by their attorneys and there being no claims to said fund other than those stated in the application and no objection filed to the application, it was then shown to the court that notice of hearing on said application has been given by United States mail postage prepaid, to all persons appearing to have an interest in said tract, and the court examined the notice and service thereof and finding same to be legal did approve same.

Whereupon it is shown to the court that . . . and sons their are the lawful owners and in actual possession of the above described tract of land, and the same is clear of mortgages, taxes and liens except a mortgage to the State Life Insurance Company of Indianapolis, Ind. in excess of \$5000.00; that plaintiff has advanced and appropriated a flow age assessment on and over said lands and has on account thereof had been fixed by the first judgment of the court herein at \$1000.00, which amount with accrued interest in the sum of \$35.94 has been paid into the office of the clerk of this court. The court finds that according to the agreement between the parties \$700.00 should be paid to the State Life Insurance Company on the mortgage debt secured by a contract on said lands, the sum of \$108.94 should be paid in addition with for attorneys fees and \$80.00 paid to plaintiff with accrued interest thereon, and the balance in the sum of \$118.94 should be paid to . . . for the purpose of

making receipt and settlements on the improvements on the lands of  
said ...

It is the order of the court that the clerk of this court do forthwith  
disburse and pay the sum of \$1038.94, to the following named persons  
in the following amounts, to wit:

Lebitt & Smith, attorneys fee - - - - -	168.62,
Lebitt & Smith, witness fees - - - - -	50.00
State Life Insurance Company, Indianapolis, Ind. as payment on mortgage debt - - - - -	702.50
J. Blair and son Blair, for improvements on premises - - - - -	118.82

*[Signature]*  
 by \_\_\_\_\_  
 Judge

Approved:

*P. D. Savason*  
 \_\_\_\_\_  
 Attorney for Plaintiff

*Frank Resnik*  
 \_\_\_\_\_  
 Attorney for Applicant

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

E. R. WILLIAMS, ET AL,

Defendants.)

Civil No. 1115

Tract No. 19

ORDER TO DISBURSE FUNDS

Now on this 4th day of June, 1945, this matter coming on for hearing upon the application of defendants to withdraw money on deposit in the hands of the Clerk of this court and said application having been heard and considered and evidence adduced in support thereof, the Court finds that the same should be granted and that an order of distribution of said funds on deposit should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that defendants, E. R. Williams and Colbert Williams at the time of taking were the owners in fee simple of Tract No. 19, Plat No. \_\_\_\_\_, involved in the above entitled action; that there were no liens or mortgages thereon; that said defendants are the only persons interested in said property or entitled to share in the distribution of the funds and that the ad valorem taxes have been paid and that the sum of money represented by said disbursement is in full payment of the value of said land taken, crop damage and damage to adjacent lands.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this court be, and he is hereby ordered and directed to immediately issue his check payable jointly to E. R. Williams and Colbert Williams in the amount of \$125.00 principal and 9% interest, or a total sum of \$125.09, payable to said defendants jointly.

Done in open court the day and year first above written.

OK. R. J. Hamilton

*Ray H. Lavy*  
United States District Judge  
for the Northern District

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 FELLE RAKE CREEK, OKLAHOMA;  
and A. N. Roberts, et al.,

Defendants.

Civil No. 1126

WRIT FOR DISBURSEMENT  
OF FUNDS

This matter coming on for hearing this 4th day of  
June, 1945, upon the application of the defendant, A. N.  
Roberts, for the disbursement of funds in this cause.

After having said matter presented in open court  
the court finds that the petitioner has condemned land  
belonging to this defendant for flowage easement being  
described in the petition as Tract No. 48 (26-FW-915)  
all that part of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 12 & 25  
R 23, lying below elevation 757, Sea Level Datum, except  
that portion owned by the Grand River Dam Authority,  
containing 2.6 acres; and that on May 8th, 1945 a jury  
in this court fixed the amount of damages at \$85.00;  
that there is now due the sum of \$2.88 interest on the  
judgment.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED

BY THE COURT that the said defendant, A. N. Roberts,  
and the funds of the said A. N. Roberts, be paid the sum of \$87.88, the said A. N. Roberts  
being the party entitled to said funds.

*[Signature]*  
United States District Judge

*CH*  
*R. L. [Signature]*

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

United States of America - - - - - Plaintiff, )  
vs ) No. 1139-civil,  
Certain parcels of land in Delaware )  
County, Oklahoma et al - - - - - Defendants. ) (30 TH-1300)

ORDER DISBURSING FUNDS TO W. ARTHUR CLARK

Now this 1st day of June, 1945, same being a judicial day of said court, this matter comes on for hearing on the application of W. Arthur Clark asking that the Clerk of this court be ordered to disburse and pay to him the sum of \$1438.93, now on deposit in that office.

Plaintiff and applicant each appear by their respective attorneys of record, and there being no adverse claim made or protests or objections filed, it was shown to the court that notice of hearing on said application has been given to all persons concerning to have an interest in said moneys, by United States mails, postage prepaid, and the court finding said notice has been properly and legally given directed the hearing to proceed.

Whereupon it was shown to the court that applicant is the lawful owner and in possession of said lands, and the same is clear of mortgages, taxes, liens and incumbrances of every character; that plaintiff has condemned and appropriated a flowage easement on said land, and damages for such appropriation has been fixed by the final judgment of this court in the sum of \$1350.00, which money with accrued interest thereon has been determined to be \$68.93 and paid into the office of the Clerk of this court; that nothing has been paid on said judgment and applicant is lawfully entitled to the whole of said money.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith disburse and pay the sum of \$1438.93 to W. Arthur Clark.

Approved

*[Signature]*  
Judge

Attorney for plaintiff  
*[Signature]*  
Attorney for applicant

IN SENATE  
COMMISSIONERS OF THE LAND OFFICE

United States of America - - - - - Plaintiff,  
vs  
Eert L. de Cler of Land in Del-  
aware County, Delaware et al - - - Defendants.

No. 1102-Civil,  
Term No. 3,  
(35 St-1089, Rev.)

ORDER OF COURT, COUNTY OF DELAWARE.  
1948

For this 1st day of June, 1948, came before the full and duly  
of said court, this matter comes on for hearing on the application of  
Howard S. Thomas, asking that certain moneys in the hands of the Clerk  
of this court be ordered to be disbursed to him.

Applicant appears by his attorney of record; Plaintiff  
appears by its attorney of record, and there being no protest, objection  
adverse claim or lien filed or asserted against said application and the  
fund therein sought, it was then shown to the court that notice of hear-  
ing on said application has been duly given by United States mails, post-  
age prepaid, to all persons appearing to have any right, title or in-  
terest in said fund.

The court being well advised of the premises finds that  
Howard S. Thomas is the lawful owner of the above described tract of  
land, in possession thereof, and the same is clear of mortgages, taxes,  
and liens of every character; that the sum of \$300.00 plus interest  
thereon in the sum of \$317.83 has been deposited in the office of the  
Clerk of this court as full payment and satisfaction of the judgment  
herein rendered as just compensation for the appropriation of a floorage  
assessment on said land; that said Howard S. Thomas is the lawful owner  
of said money.

It is the court's ORDER that the clerk of this court do  
forthwith disburse and pay the sum of \$317.83 to Howard S. Thomas.

Approved  
B. J. Harrison  
Clerk for Plaintiff  
Frank M. ...  
Attorney for Defendant

George ...  
Judge

IN THE DISTRICT COURT OF THE STATE OF OKLAHOMA  
IN AND FOR THE COUNTY OF DELAWARE

United States of America - - - - - Plaintiff, }  
vs. } No. 1131-Civil,  
} District No. 19,  
} (33 S.-1043),  
Certain parcels of land in Delaware } District No. 20,  
County, Oklahoma et al - - - - - Defendants. } (33 S.-1043)

ORDER OF THE COURT IN CASE NO. 1131-CIVIL AND  
33 S.-1043

For this 4th day of June, 1943, same being a judicial day of said court, this matter came on for hearing on the application of J. W. Miller and C. J. Anderson, asking the order of this court directing the clerk to disburse and pay out the sum of \$1471.39 now on deposit in that office.

Plaintiff and defendant appear by their attorneys, and there being no adverse claim to said money nor objections to said application, it was then shown to the court that notice of hearing has been given on said application by United States mails, postage prepaid, to all persons appearing to have an interest in said matter. The court did then examine the notice and service thereof and finding same legally approved same.

Thereupon it is shown to the court that J. W. Miller and C. J. Anderson are the lawful owners of the above described tracts of land and in actual possession thereof, that same is clear of mortgages, taxes and liens of every character; that plaintiff has consigned and appropriated to flow the easement on and over said land, and damages on account thereof have been fixed by the final judgment of the court herein as \$1400.00, which amount with general interest in the sum of \$71.39 has been paid into the office of the clerk of this court; that no part of said money has been heretofore paid out or disbursed and the full amount of said judgment is past due and owing said J. W. Miller and C. J. Anderson.

It is therefore ordered that the clerk of this court forthwith disburse and pay out the sum of \$1471.39 to J. W. Miller and C. J. Anderson.

WITNESSED my hand and the seal of this court this 4th day of June, 1943.  
R. L. Davidson Clerk of the Court  
Frank Heibel Attorney for Plaintiff  
Harold J. Anderson Attorney for Defendant

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

The United States of America, - - - - - Plaintiff, }  
vs }  
Certain parcels of land in Delaware }  
County, Oklahoma, et al, - - - - - Defendants. }  
No. 1181 Civil  
District No. 38  
(85 FW-1065)  
District No. 39  
(85 FW-1066)

ORDER DISBURSING FUNDS FROM DEPOSIT

On this 14th day of June, 1948, upon a judicial day of said court, the cause comes on for hearing on the application of Orvel Roberts, owner and possessor of this land herein; the Clerk to disburse to the defendant of \$2,700.00, now on deposit in said office.

Plaintiff and defendant appear in their respective attorneys and there being no caveat or objection to said application, filed to said application, and as there were no other parties to said application heretofore advised by United States Marshal, court be proceed, to said disbursement to be a reasonable and just order. The court exceeded into said matter and finding that said application be the same.

Thereupon it is shown to the court that Orvel Roberts is the lawful owner and possessor in said land herein of the lands herein, and that there is certain mortgages, liens and claims of other character; that the plaintiff has acknowledged and executed a deed of conveyance over said lands and undivided therefor has been taken by the final judgment of this court in amount of \$2,700.00, the further sum of \$41.38 crop damages with accrued interest in the sum of \$19.21, which a total in the sum of \$2993.29, which amount has been paid and was order of the Clerk of said court; that the said balance of said amount has been disbursed or paid out, and the whole of said amount is paid to the said defendant.

It is the order of the court that the Clerk of this court forthwith disburse and pay said sum of \$2993.29 to Orvel Roberts.

ALL COPY TO:  
R. L. Davidson  
Attorney for Plaintiff  
Frank Roberts  
Attorney for Defendant

[Signature]  
Clerk

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

United States of America - - - - - Plaintiff, }  
vs } No. 1131-Civil,  
Certain parcels of land in Delaware }  
County, Oklahoma et al - - - - - Defendants. } (SS 84-1070-A)

ORDER DISBURSING FUNDS TO MARY S. CARSON

Now this ~~11th~~ day of June, 1946, same being a judicial day of said court, this cause comes on for hearing on the application of Mary S. Carson, asking that the clerk of this court be ordered to disburse and pay to her the sum of \$821.75 now on deposit in that office.

Plaintiff and defendant each appear by their respective attorneys of record, and no adverse claim being made or objection filed, it was then shown to the court that notice of hearing on said application has been given by United States mails, postage prepaid, to all persons appearing to have an interest in said money, and having heard proofs as to the manner of service, the court approved the notice and directed the hearing to proceed.

Thereupon it was shown to the court that applicant is the lawful owner and in actual possession of said land, and same is clear of mortgages, tax and liens of every character; that plaintiff has condemned and appropriated a floodage easement on said lands, and damages on account thereof has been fixed by the final judgment of this court in the sum of \$400.00, which amount with interest thereon in the sum of \$17.25 has been paid into the office of the clerk of this court; that \$195.50 has heretofore been paid on said judgment, leaving a balance due of \$821.75, to which amount the applicant is entitled.

IT IS THEREFORE ORDERED that the clerk of this court do forthwith disburse the sum of \$821.75 to Mary S. Carson.

PROVED

M. L. Davidson  
Attorney for plaintiff  
Frank H. H. H. H.  
Attorney for applicant

[Signature]  
Judge



IN THE UNITED STATES DISTRICT COURT FOR THE NORTH-  
WEST DISTRICT OF OKLAHOMA

United States of America - - - - - Plaintiff,	}	No. 1134-Civil,
vs	}	Tract 10,
Certain parcels of land in Del- aware County, Okla. et al - - - - - Defendants.	}	(34 PW-1106)

ORDER OF DISBURSEMENT

Now this 4th day of June, 1945, same being a judicial day of said court, this matter comes on for hearing on the application of Susie Howard Tuerstine et al for disbursement of funds.

Plaintiff and applicants appear by their respective attorneys of record and there being no adverse claims made to said fund and no objections filed to said application, it was then shown to the court that notice of said hearing has been given by United States mails, postage prepaid, addressed and mailed to all persons appearing to have any interest in said tract of land, and the court did examine into and approve said notice and the service thereof, and the rights of the parties being fully agreed upon the court directs the hearing to now proceed.

Thereupon it was shown to the court that the parties alleged in the application are the owners of the above described tract of land in the amount or interests therein stated; that plaintiff has condemned and appropriated a flowage easement thereon and is now in the use and enjoyment thereof; that damages resulting from such appropriation have been finally determined in the sum of \$82.80 and that amount of money has been paid into court; that applicants are entitled to the whole of said fund in the proportion of their ownership in said land.

IT IS HEREBY ORDERED that the Clerk of this court do forthwith disburse and pay the said sum of \$82.80 to the following named persons in the following amounts to-wit:

Susie Howard Tuerstine (17/21 interest) - -	\$67.02,
Ellis Howard (5/21 interest) - - - - -	7.89,
Geraldine Bearskin Howard for herself and as natural guardian of her children, Ger- aldine Bearskin Howard, Jr, Kerol Jean	
Howard and Edith Irene Howard - - - - -	7.89.

Approved

R. L. Davidson  
Attorney for plaintiff

Frank Newby  
Attorney for applicants

600 Harper  
Judge

IN THE DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

United States of America - - - - - Plaintiff, }  
vs } No. 1184-Civil,  
 } Tract No. 18,  
Certain parcels of land in Delaware }  
County, Oklahoma et al - - - - - Defendants. } (34 77-1131)

ORDER RE TAKING FUNDS TO PAUL SCOTT

Now this ~~4th~~ day of June, 1945, said being a judicial day of said court, this matter comes on for hearing on the application of Paul Scott asking that the clerk of this court be ordered to disburse and pay to him the sum of \$1082.89, now on deposit in that office.

Plaintiff and applicant each appear by their respective attorneys of record and there being no adverse claim made or protest or objection filed, it was shown to the court that notice of hearing on said application has been given to all persons appearing to have a claim against said moneys by United States title, and finding notice has been properly and legally given the court ordered the hearing to proceed.

Thereupon it was shown to the court that applicant is the lawful owner and in possession of said tract of land ; that there are no liens, mortgages or taxes against said land ; that plaintiff has condemned and is now in the use and enjoyment of a floorage assessment on said land, and the damages for such appropriation has been fixed by the final judgment of this court in the sum of \$1300.00 which with interest thereon in the sum of \$81.39 has been paid into court ; that the sum of \$298.40 has been paid applicant on said judgment and there is a balance due him of \$1082.89.

IT IS THEREFORE ORDERED that the clerk of this court do forthwith disburse and pay said sum of \$1082.89 to said Paul Scott.

Approved  
W. L. Davidson  
Attorney for Plaintiff  
Frank Clewitt  
Attorney for Applicant

[Signature]  
Clerk



W. C. BROWN, Clerk of Court.

Order of the Court, in and to the effect following, do hereby certify that the same is a true and correct copy of the original as the same appears in the records of the Court.	W. C. BROWN, Clerk of Court.
Subscribed and sworn to before me this 10th day of June, 1909, at St. Louis, Missouri.	J. H. H. - Civil No. 10, 40 (100-10000)

ORDER OF THE COURT

400  
The Court do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

And the Court do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

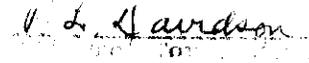
The Court do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

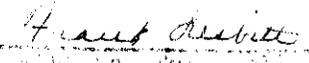
The Court do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

Witness my hand and seal of office this 10th day of June, 1909.

W. C. Brown  
 Clerk of Court
 

  
 J. H. H.

  
 V. L. Davidson  
 Attorney for Plaintiff
 

  
 Frank Aschitt  
 Attorney for Defendant







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

UNITED STATES OF AMERICA,

Petitioner

vs.

Certain parcels of land in  
Ottawa County, Oklahoma, con-  
taining approximately 77.90  
acres, more or less, and  
located 13330, et al.,

Defendants

CIVIL NO. 1147

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

Jr # 21.

ORDER DIRECTING HEAR HEARD

The application of John and Emma Heeson Hear heard, from which it appears that they are the owners of the tract of land involved in this action designated as Tract No. 21 (41-1-1951) and so such are entitled to the award of the jury in the amount of \$450.00 with accrued interest thereon to June 1, 1945 in the amount of \$24.64.

It is ordered that the Clerk disburse said funds and pay the same to the said John and Emma Heeson.

Done in open court this 4<sup>th</sup> day of June, 1945.

Roger H. Savage  
Judge

O.K.  
R.J. Hamilton

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

United States of America - - - - - Plaintiff, }  
vs } No. 1157-Civil,  
 } Tract No. 6,  
Certain parcels of land in Ottawa } (48 Civ-1991)  
County, Oklahoma - - - - - Defendants. }

ORDER DISPENSING FUNDS TO FRED VICTOR

Now this 23rd day of April, 1945, case being a judicial day of said court, this matter comes on for hearing on the application of Fred Victor asking the order of the court directing the Clerk to disburse and pay to him the sum of \$91.75 on deposit in the Clerk's office.

Plaintiff and applicant each appear by their attorneys and no adverse claim being made to said money and no objections filed to said application it was then shown to the court that notice of hearing on said application had been given by United States mail, postage prepaid to all persons appearing to have an interest in said matter. The court examined the notice, heard proof of the service thereof and finds the notice and the service thereof legal, and approved same.

Thereupon it was shown to the court that Fred Victor is the lawful owner and person in actual possession of said tract of land, and there are no mortgages, taxes or liens of any character against same; that plaintiff has condemned and appropriated a flowage easement on and over said tract of land and damages occasioned thereby has been fixed by the final judgment of this court in the sum of \$91.75 which amount has been paid into the office of the Clerk; that no part of said fund has been disbursed or paid on said judgment and the whole amount is justly due and owing said Fred Victor.

IT IS THEREFORE ORDERED that the Clerk of this court forthwith disburse and pay said sum of \$91.75 to said Fred Victor.

APPROVED

R. L. Davidson  
Attorney for Plaintiff  
Frank McBeth  
Attorney for Applicant

[Signature]  
Judge

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

United States of America - - - - Plaintiff, )  
vs ) No. 1157-Civil  
Certain parcels of land in )  
Ottawa County, Oklahoma et al - Defendants. ) (48 P-1296)  
) Trest No. 10

ORDER DISBURSING FUNDS TO W.J. NOEGEL

Now this 4th day of June, 1945, same being a judicial day of said court, this matter comes on for hearing on the application of W.J. Noegel, asking that certain funds and moneys now on deposit in the office of the Clerk of this court, be disbursed and paid to him.

Plaintiff and applicant each appear by their attorneys of record, and there being no adverse claim made to said money and no objections filed to said application, it was then shown to the court that notice of hearing on this application has been given by United States mail, postage prepaid, addressed and mailed to every person that appears to have an interest therein, at their respective postoffice address. The court examined said notice, heard evidence of the manner of giving the same, and finding the same to be legal approved said notice and service.

It was thereupon shown to the court that applicant was the tenant in May, 1943 on the above described tract of land; that certain flood damages caused by plaintiff's operation of the Grand River Dam project was suffered by applicant to growing crops owned by him on said land; that the damages caused thereby has been fixed and adjudged in the sum of \$50.00 and that said award is final and no demand for jury trial has been filed and applicant announces none will be filed. The court finds that applicant is the owner of one entitled to said sum of \$50.00 so awarded as crop damages. The court finds that the application as to all funds in excess of \$50.00 should be denied.

IT IS THEREFORE ORDERED that the clerk of this court do forthwith disburse and pay the sum of \$50.00 to W.J. Noegel.

Approved

*W. J. Noegel*  
Judge

*R. L. Davidson*  
Attorney for plaintiff

*Shaw*  
Attorney for applicant

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF CALIFORNIA

United States of America - - - - Plaintiff, }  
vs } No. 1190-civil, }  
 } Tract No. 7, }  
Certain parcels of land in }  
Ottawa County, Okla. et al - - - Defendants. } (50 P-1055-A)

ORDER DISPENSING FUNDS TO FRED VICTOR

Now this 23rd day of April, 1945, there being a judicial day of said court, this matter comes on for hearing on the application of Fred Victor asking an order of the court directing the Clerk to disburse \$50.00 to him which money is on deposit in the office of the Clerk.

Plaintiff and defendant each appear by their attorneys, and no adverse claim being made to said money or objection filed to said application, it was then shown to the court that notice of hearing on said application had been given by United States mails, postage prepaid, to all persons appearing to have an interest in said matter. The court examined said notice and heard proof on the service and finds that said notice is legal, the service valid, and approves same.

Thereupon it was shown to the court that Fred Victor is the lawful owner and person in actual possession of said tract of land, and there are no mortgages, taxes, or liens of any character against same; that plaintiff has condemned and appropriated flowage easement on said land and damages occasioned by such taking has been fixed by the final judgment of this court in the sum of \$50.00, which amount has been paid into the office of the Clerk of this court; that no part of said money has been disbursed or paid on said judgment and the whole amount thereof in the sum of \$50.00 is due to said Fred Victor.

IT IS THEREFORE ORDERED that the clerk of this court do forthwith disburse and pay the sum of \$50.00 to Fred Victor.

APPROVED

R. L. Davidson  
Attorney for Plaintiff

George H. ...  
Judge

Frank Nesbitt  
Attorney for Defendant

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

United States of America - - - - - Plaintiff, )  
vs )  
Certain parcels of land in Ottawa )  
County, Oklahoma et al - - - - - Defendants. )

No. 1190

ORDER DISTRIBUTING FUNDS TO LENA ROBITAILLE  
AND AZILDA SCHIFFBAUER

Now this 4th day of June, 1945, same being a judicial day of said court, this matter comes on for hearing on the application of Lena Robitaille and Azilda Schiffbauer for the disbursement of certain funds and moneys now on deposit in the office of the Clerk of this court.

Plaintiff and applicants each appear by their respective attorneys of record, and there being no adverse claims made to said moneys and no objections filed to the application, it was then shown to the court that notice of hearing has been given on said application to all persons appearing to have an interest in said matter, by United States mails, postage prepaid, addressed and mailed to such persons at their post office address. The Court having examined the notice and having heard proof of the manner of service, approves said notice and service.

Thereupon it was shown to the court that Lena Robitaille is the lawful owner and in actual possession of the tract of land herein described as Tract 11 (50 FM-1357), that plaintiff has condemned and appropriated a flowage easement on same, and that damages on account of said appropriation has been finally determined in the sum of \$410.00, which money has been paid into the office of the Clerk of this court.

Thereupon it was further shown to the court that Lena Robitaille and Azilda Schiffbauer are the lawful owners and in actual possession of the tract of land herein described as Tract 13 (50 FM-1359), that the plaintiff has condemned and appropriated a flowage easement on same, and that damages on account of said appropriation has been finally deter-

mined in the sum of \$507.00, which money has been paid into the office of the Clerk of this court.

The court finds that \$418.50 awarded as damages for appropriation of a flowage easement on Tract 10 (50 PA-1355, 1356) has heretofore been disbursed and paid out so that the application for disbursement as to that tract of land is denied.

The court finds that the parties, respectively are the lawful owners of said lands, that there are no mortgages, taxes, or liens against either of said tracts of land, so that applicants are entitled to the damages awarded for appropriation of a flowage easement thereon.

IT IS HEREBY ORDERED that the Clerk of this court do forthwith disburse and pay the following accounts of money to the following parties applicant herein, to wit :

To Lena Bobitaille as to Tract 11 (50 PA-1357) the sum of \$410.00 ;

To Lena Bobitaille and Azilda Schiffbauer as to Tract 13 (50 PA-1359) the sum of \$507.00.

Approved

R. L. Davidson  
Attorney for Plaintiff

James A. Smith  
Attorney for applicants

James A. Smith  
Judge

UNITED STATES DISTRICT COURT FOR

NORTHERN DISTRICT OF OKLAHOMA

CHARLES COLLINS, Administrator,  
Office of Price Administration,

Plaintiff,

vs

CIVIL NO. 1343

Jim Collins, Art Williams,  
and Verna H. King, d/w/a  
S & S Service Station

Defendants

ORDER OF DISMISSAL

Upon motion duly filed herein by the above named plaintiff,  
the Court does hereby dismiss the above entitled cause.

DATED this 4th day of June, 1945

*Royce H. George*  
United States District Judge for the  
Northern District of Oklahoma

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

CHESTER HOWLSE, Administrator,  
Office of Price Administration,

Plaintiff

vs

MABEL NICHOLS

Defendant.

CIVIL NO. 1365

FILED  
JUN 10 1945  
U.S. MARSHAL  
CLERK OF DISTRICT COURT

ORDER OF DISMISSAL

Upon motion duly filed herein by the above named plaintiff,  
the Court does hereby dismiss the above entitled cause.

DATED this 4th day of June, 1945.

*Royce H. Swager*  
United States District Judge for the  
Northern District of Oklahoma

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

Pearl Rhodes Sitterly, et al,

Plaintiffs,

vs.

United States of America,

Defendants.

No. 1049 Civil

JOURNAL ENTRY OF JUDGMENT

H. P. WARFIELD  
CLERK OF DISTRICT COURT

This matter coming on for hearing this 23rd day of May, 1945, upon the motion of the United States, defendant, for judgment on the pleadings or summary judgment and on the plaintiffs' motion for judgment on the pleadings or summary judgment and the plaintiff appearing by its attorneys, Settle, Mallett & Clinebar and John S. Severson, and the defendant, United States of America, appearing by Whit I. Searcy, United States Attorney for the Northern District of Oklahoma and the court, after the submission of briefs and after being fully advised in the premises, finds that the assessment of taxes by the United States of America involved herein was made by the Commissioner of Internal Revenue on July 8, 1933; that the assessment list was received by the Collector of Internal Revenue on July 12, 1933; that notice and demand for payment of the taxes were served on the taxpayer on July 19, 1933 and July 25, 1933 and that on November 5, 1934, a notice of lien with respect to said taxes was, pursuant to Section 3672 of the Internal Revenue Code, filed with the County Clerk of Tulsa County, Oklahoma, in which county the real estate involved herein is situated and there was also filed on said date a like notice with the Clerk of the United States District Court for the Northern District of Oklahoma. That the plaintiff claims title to the

real estate involved by virtue of the sale of the real estate involved by virtue of assessment of ad valorem taxes for the year 1935 and subsequent years. That any lien which the State of Oklahoma or County of Tulsa may have had by virtue of ad valorem taxes for the year 1935 and subsequent years are subsequent to the lien of the United States of America. That the plaintiff does not possess a lien upon or any interest in the real estate involved herein, notice of which had been filed prior to the filing of the notice of the lien of the United States on November 3, 1934, nor is the plaintiff a person who has purchased the real estate at a sale to satisfy any prior lien or interest. That this action was instituted pursuant to Section 3679 of the Internal Revenue Code and that since the United States is possessed of a prior lien to that claimed by the plaintiff, the court is without jurisdiction to hear and determine this cause and that the plaintiffs' motion for judgment on the pleadings and for summary judgment should be overruled and that the motion of the United States to dismiss for lack of jurisdiction should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that this action be and the same hereby is dismissed without prejudice and without prejudice to the plaintiffs maintaining another action, all at the cost of the plaintiffs.

AND IT IS SO ORDERED.

(s) Payne H. Savage  
JUDGE.

O.K. as to forms

Settle Monnet + Hammer

Geo. S. Severson  
Attorneys for Plaintiffs.

Whitney M. Mousy  
United States Attorney.

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 78.80  
acres, more or less; and Grace H. Settle,  
et al.,

Defendants.

CIVIL NO. 1071

ORDER APPROVING STIPULATION DIVESTING THE PETITIONER  
OF THE RIGHT TO CUT AND CLEAR TIMBER, AND TO REMOVE  
OR CAUSE THE REMOVAL OF IMPROVEMENTS, ETC., AND RE-  
VESTING THE SAME IN THE FORMER OWNER, AND FIXING JUST  
COMPENSATION AS TO TRACT NO. 8 (28 PW 476)

Now on this the 5<sup>th</sup> day of June, 1945, it appearing to the Court that the petitioner, United States of America, instituted condemnation proceedings to acquire a perpetual easement upon the lands designated and described as Tract No. 8 (28 PW 476) to inundate, submerge, and flow, and to cut and clear all timber therefrom, and to remove or require the removal 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; that the petitioner filed its Declaration of Taking and deposited in the Registry of this Court the sum of \$593.50, as the estimated just compensation for said taking; that said estate vested in the petitioner upon the filing of said Declaration of Taking and the depositing of said estimated just compensation; and it further appearing that the petitioner, United States of America, and the owner of said Tract No. 8, have stipulated and agreed, as follows, to-wit:

1. That 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 be excluded from said taking and that the petitioner be divested of said rights, and that the same be re-vested in the owner, N. E. Irons.

2. That the sum of \$1100.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of a perpetual easement upon and over said Tract No. 8 to inundate, submerge, and flow, and to enter upon said land from time to time in the performance of said acts.

3. That said sum of \$1100.00, inclusive of interest, shall be in full satisfaction of and just compensation for any and all damages sustained by said owner by reason of the taking of 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, and the retaining of said rights until the relinquishment of said rights and reversion of the same in the owner, and shall be in full satisfaction of and just compensation for any and all damages, if any, that the owner may have sustained by reason of the May, 1947, flood for the inundating and overflowing of said Tract subsequent to May 1947.

4. That said sum of \$1100.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature, existing at the time of said taking; that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties claiming as defendants, shall be payable out of and deductible from said sum.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED, by this court that the stipulation entered into between the petitioner, United States of America, and the defendant, N. M. Irons, as to Tract No. 8 (28 FW 476), be and is hereby approved in all respects.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the petitioner, United States of America, be and is hereby divested of 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, as to said Tract No. 8, described as follows, to-wit:

TRACT NO. 8 (28 FW 476)

All that part of the S<sup>1</sup> SW<sup>1</sup> SW<sup>1</sup> of Sec. 8, T 24 N, R 24 W of the Indian Base and Meridian in Delaware County, Oklahoma, lying below elevation 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.9 acres.

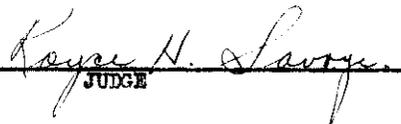
and that the owner, N. M. Irons, is reversioned with said rights.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sum of \$1100.00, inclusive of interest, is full and just compensation for the taking and retaining by the petitioner of a perpetual easement to inundate, submerge, and flow said Tract No. 8, and to enter upon the same from time to time in the performance of said act.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said sum of \$1100.00, inclusive of interest, is in full satisfaction of and just compensation for any and all damages sustained by said defendant, W. M. Irons, by reason of the taking and retaining of 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, until the relinquishment of said right by the petitioner, and shall be in full satisfaction of and just compensation for any and all damages, if any, that said defendant may have sustained by reason of the May 1943 flood, or the inundating and overflowing of said tract subsequent to May 1943.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said sum of \$1100.00, herein fixed to be just compensation, shall be subject to all liens, encumbrances, and charges of whatsoever nature existing at the time of said taking; that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties claiming as defendants, shall be payable out of and deductible from said sum.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this court that the petitioner pay into the Registry of this Court for the use and benefit of the owners of said tract No. 8 the sum of \$506.50, inclusive of interest, said amount being the difference between the just compensation herein fixed, in the sum of \$1100.00, and the estimated just compensation deposited by the petitioner with its Declaration of Taking, in the sum of \$593.50.

  
JUDGE

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 DELTA AND OTTAWA  
COUNTIES, OKLAHOMA, containing approximately 100.20  
acres, more or less; and A. G. Nicks, et al.,

Defendants,

CIVIL NO. 1129

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 41 (31 FW 1153)

NOW, on this 5<sup>th</sup> day of June, 1945, there  
coming on for hearing the application of the defendant, H. G. Harper,

for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 41 (31 FW 1153)  
and the Court being fully advised in the premises, finds:

That the defendant, H. G. Harper, was  
the owner of the land designated as Tract No. 41 (31 FW 1153)  
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 \$ 70.20 for the  
taking of a perpetual flowage easement upon and over  
said tract of land; that this Court entered a judgment upon said Declaration  
of Taking filed by the petitioner, thereby vesting in the petitioner, United  
States of America, a perpetual flowage easement upon and over said tract;  
and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendant, W. G. Harper, 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 \$ 270.20 \_\_\_\_\_, which was accepted by the petitioner.

The Court further finds that the sum of \$ 270.20 is just compensation for the injuries and damages sustained by said defendant

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

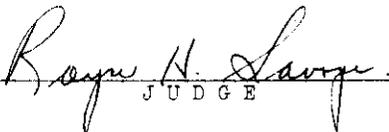
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, H. G. Harper, was

the owner of the land designated as Tract No. 01 (31 FW 1153) when this proceeding was commenced, and that the sum of \$ 270.20 is

just compensation for the damages sustained by the defendant; and that said defendant 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: H. G. Harper, Owner  
Tract No. 01 (31 FW 1153).....\$270.20

  
\_\_\_\_\_  
J U D G E

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 215.60  
acres, more or less; and Ida Guyami Rhodes,  
et al.,

Defendants.

CIVIL NO. 1134

ORDER FIXING COMPENSATION UPON STIPULATION  
AS TO TRACT NO. 44 (38 FW 1073); AND TRACT  
NO. 46 (38 FW 1075)

Now on this 5<sup>th</sup> day of June, 1945, it appearing to the court that the petitioner, United States of America, instituted condemnation proceedings to acquire a perpetual easement upon and over the lands designated and described as Tract No. 44 (38 FW 1073) and Tract No. 46 (38 FW 1075) to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts; and it further appearing that the petitioner, United States of America, and the owner, C. W. Johnson, stipulated and agreed, as follows, to-wit:

1. That the sum of \$275.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of a perpetual easement upon and over the lands designated as Tracts Nos. 44 and 46 to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts.

2. That the sum of \$275.00, inclusive of interest, shall be in full satisfaction of and just compensation for any and all damages, if any, sustained by the owner by reason of the May 1943 flood, or the inundating and overflowing of said tracts of land subsequent to May 1943.

3. That said sum of \$275.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature existing at the time of the taking of said estate in said tracts of land and that any and all awards of just compensation ascertained and awarded in this proceeding, and established by judgment herein, to any and all other parties named as defendants herein, shall be

payable out of and deductible from said sum.

It further appearing to this court that the petitioner has deposited in the Registry of this Court the sum of \$182.50, as the estimated just compensation for the taking of said estate in said Tracts Nos. 44 and 46, and that said amount is now on deposit in the Registry of this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by this court that the stipulation entered between the petitioner and the defendant, C. W. Johnson, fixing the just compensation to be paid for the taking of a perpetual easement upon and over the lands designated as Tracts Nos. 44 and 46 to inundate, submerge, and flow, and to enter upon said tracts from time to time in the performance of said acts, be and is hereby approved in all respects.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sum of \$275.00 is in full satisfaction of and just compensation for the taking of a perpetual easement upon and over said tracts to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts, and is in full satisfaction of any and all damages, if any, that the defendant may have sustained by reason of the May 1943 flood, or the inundating and overflowing of said land subsequent to May 1943.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this court that the petitioner, United States of America, shall pay into the Registry of this Court the sum of \$92.50, without interest, said sum being the deficiency between the just compensation herein fixed, in the amount of \$275.00, and the sum of \$182.50 deposited by the petitioner as estimated just compensation for the taking of said estate in said tracts.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said sum of \$275.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature, existing at the time of said taking of said tract, and that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties claiming as defendants, shall be payable out of and deductible from said sum.

  
JUDGE

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 215.60  
acres, more or less; and Ida Guyami Rhodes,  
et al.,

Defendants.

CIVIL NO. 1134

ORDER FIXING COMPENSATION UPON STIPULATION  
AS TO TRACT NO. 16 (34 FW 1128)

Now on this 5<sup>th</sup> day of June, 1945, it appearing to the court that the petitioner, United States of America, instituted condemnation proceedings to acquire a perpetual easement upon and over the land designated and described as Tract No. 16 (34 FW 1128) to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts; and it further appearing that the petitioner, United States of America, and the owner, K. S. Tunks, stipulated and agreed, as follows, to-wit:

1. That the sum of \$400.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of a perpetual easement upon and over the land designated as Tract No. 16 (34 FW 1128) to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts.

2. That the sum of \$400.00, inclusive of interest, shall be in full satisfaction of and just compensation for any and all damages, if any, sustained by the owner by reason of the May 1947 flood, or the inundating and overflowing of said tract of land subsequent to May 1943.

3. That said sum of \$400.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature existing at the time of the taking of said estate in said tract of land and that any and all awards of just compensation ascertained and awarded in this proceeding, and established by judgment herein, to any and all other parties named as defendants herein, shall be

payable out of and deductible from said sum.

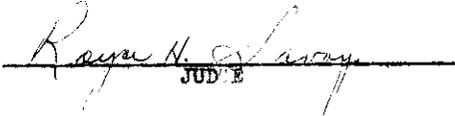
It further appearing to this court that the petitioner has deposited in the Registry of this Court the sum of \$252.70, as the estimated just compensation for the taking of said estate in said Tract No. 16, and that said amount is now on deposit in the Registry of this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by this court that the stipulation entered between the petitioner and the defendant, L. S. Tunks, fixing the just compensation to be paid for the taking of a perpetual easement upon and over the land designated as Tract No. 16 to inundate, submerge, and flow, and to enter upon said tract from time to time in the performance of said acts, be and is hereby approved in all respects.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sum of \$400.00 is in full satisfaction of and just compensation for the taking of a perpetual easement upon and over said tract to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts, and is in full satisfaction of any and all damages, if any, that the defendant may have sustained by reason of the May 1947 flood, or the inundating and overflowing of said land subsequent to May 1943.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this court that the petitioner, United States of America, shall pay into the Registry of this Court the sum of \$147.30, without interest, said sum being the deficiency between the just compensation herein fixed, in the amount of \$400.00, and the sum of \$252.70 deposited by the petitioner as estimated just compensation for the taking of said estate in said tract.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said sum of \$400.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature, existing at the time of said taking of said tract, and that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties claiming as defendants, shall be payable out of and deductible from said sum.

  
JUDGE

UNITED STATES of America,  
Petitioner,  
vs.  
CITY OF OKLAHOMA, et al.,  
Oklahoma, containing approximately 77.90 acres,  
more or less; and Oklahoma Young Men's Christian  
Lodge, et al.,  
Defendants.

CIVIL NO. 1147.

MODIFIED JUDGMENT ON VERDICT AS TO TRACT NO. 21

The Judgment on Verdict as to Tract No. 21, filed in this cause on the 18th day of May 1945, is hereby modified and amended to read as follows, to-wit:

That, on the 18th day of May 1945, the United States District Court for the Northern District of Oklahoma, Oklahoma, solemnly and duly convened and in session at Tulsa, Oklahoma, within said District and State, and it appearing that the above proceeding came on for jury trial on May 7, 1945, as to Tract No. 21 in Civil No. 1147, upon the demand of the defendant, John Beeson, and pursuant to the regular assignment, the petitioner, the United States of America, appeared by Whit E. Long, United States Attorney for the Northern District of Oklahoma, and R. L. Perkins, Special Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, John Beeson, appeared by his attorney, C. B. Holtendorff, of Claremore, Oklahoma. Whereupon all parties announced ready for trial.

The parties agreed in open court that the contention to be determined in said trial, as to that portion of Tract 21, as Case No. 1147 Civil, designated as 41 S-1251, and owned by the defendant, John Beeson, was for the taking of a perpetual easement to incrustate, submerge and flow said tract of land, and to enter upon said land from time to time in the performance of said acts in connection with the operation of the Grand River Dam (Wenatchee) Project, as of the 4th day of February 1944.

The jury was duly impaneled and sworn to try the cause according to law, and opening statements were made by the attorney for the defendant, John Beeson, and attorneys for the petitioner, United States of America; whereupon, the defendant, John Beeson, introduced evidence and rested, and the petitioner

introduced evidence and testimony; whereupon, and on the 13th day of May, 1945, the jury in charge of the verdict, returned its verdict into Court, which verdict is in words and figures as follows, to-wit:

U. S. DISTRICT COURT OF THE UNITED STATES  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. 1147 CIVIL
	)	Tract No. 21
Certain Parcels of land in Ottawa County; and John Beeson, et al.,	)	John Beeson, fee owner
	)	
Defendant.	)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find damage to Tract No. 21 on February 4, 1944 was Four Hundred Fifty Dollars \$450.00.

Luther Gregory,  
Foreman

ENDORSED:  
Filed in Open Court  
May 8, 1945  
A. P. Garfield, Clerk  
U. S. District Court "

WHEREUPON, it is by the Court ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant, John Beeson, shall receive just compensation in the sum of \$450.00 by reason of the condemnation and taking of a perpetual easement by the United States of America to inundate, submerge and flow said tract of land, and to enter upon said land from time to time in the performance of said acts in connection with the operation of the Grand River Dam (Pensacola) Project.

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

TRACT NO. 21 (41 - PR-1251)

Flowage Easement

That portion of Tract No. 21 designated upon plat filed with Declaration of Taking, as Tract No. 41 - PR-1251 and owned by John Beeson, which is included in the following described tract of land:

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

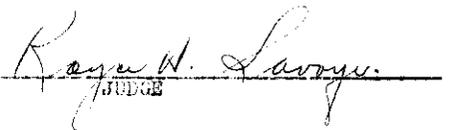
That said estate taken in said real estate is a perpetual easement to inundate, submerge and flow, and to enter upon said land from time to time in the performance of said acts in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADMITTED AND DECREED by the Court that the title to said estate and interest therein taken by these eminent domain proceedings did vest in the United States of America on the 4th day of February, 1944, upon the depositing in the registry of this Court of the sum of \$140.00 for said Tract No. 21.

IT IS FURTHER ORDERED, ADMITTED AND DECREED by the Court that the sum of \$450.00 is full and just compensation for the estate and interest taken by the petitioner, the United States of America, in and to said tract of land, and that of said sum the amount of \$310.00 shall bear interest at the rate of six per cent from the 4th day of February, 1944,--said amount of \$310.00 being the difference between the just compensation herein determined to be \$450.00 and the estimated just compensation deposited with the Declaration of Taking in the sum of \$140.00.

IT IS FURTHER ORDERED, ADMITTED AND DECREED by the Court that the petitioner pay into the registry of this Court the sum of \$210.00, said amount being the deficiency between the just compensation herein fixed and determined and the amount deposited by the petitioner with the Declaration of Taking in the sum of \$140.00, and that said deficiency bear interest at the rate of six per cent per annum from the 4th day of February, 1944, until deposited with the registry of the Court.

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

  
JUDGE

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

CHESTER BOWLES, Administrator, )  
Office of Price Administration, )  
Plaintiff, )

vs

Civil No. 1390

W. H. MCCrackin, an Individual, )  
d/b/a SAPULPA FEEL AND GROCERY, )  
Defendant. )

DECREE

Now on this 12th day of April, 1945, this matter came on to be heard in its regular order. The plaintiff appeared by his counsel of record, James T. Steil, and the defendant appeared in person and by his counsel of record, Glenn O. Young. Both sides announced ready for trial. Witnesses were sworn, testimony was heard and the witnesses examined in open Court.

The Court, having examined the pleadings filed herein, having heard the evidence submitted and being otherwise well and fully advised in the premises, finds that the defendant is properly before the Court and that judgment should be entered all as prayed for in the complaint of the plaintiff filed herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the defendant, his agents, servants, employees, and representatives and each of them, and all persons in active concert or participation with him be, and they are hereby, permanently enjoined from directly or indirectly doing any act or practice in violation of Office of Economic Stabilization Regulation No. 1, Revised General Order No. 51, Maximum Price Regulation No. 355, Maximum Regulation No. 390, and Maximum Price Regulation No. 423, and any and all amendments to said Order and Regulations issued heretofore or hereafter.

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

(s) Royce H. Savage  
Royce H. Savage  
United States District Judge for  
the Northern District of Oklahoma

Approved as to Form:

(s) Glenn O. Young  
Glenn O. Young  
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

FILED  
JUN 1 1945

UNITED STATES OF AMERICA,

Petitioner,

H. W. WARFIELD  
CLERK OF DISTRICT COURT

CIVIL NO. 1072 ✓

-vs-

CERTAIN PARCEL OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 90.70 acres,  
more or less; and Cecile F. Traband, et al.,

Defendants.

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this 6th day of June, 1945, the above cause comes on for hearing pursuant to the 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 rightful claimants thereto as the owners of the real estate and the estate 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 has any right, title or interest in and to said lands other than those hereafter named; and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

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

TRACT NO. 1 ( 23 F. - 431 )

Flowage Easement

Cecile F. Traband, . . . . . fee owner . . . \$ 16.00  
 (Commissioners' award)

TRACT NO. 2 ( 23 - F. - 501 )

Flowage Easement

Glenn S. Ross, . . . . . fee owner  
 Check to be made payable to Glenn S. Ross, and  
 Bank of Grove, Grove, Oklahoma, a corporation, . . . mortgagee, . . . \$ 13.00  
 (Commissioners' award)

TRACT NO. 3 ( 23 F. - 502 )

Flowage Easement

John H. Pierce, . . . . . fee owner . . . \$ 10.00  
 (Commissioners' award)

TRACT NO. 4 ( 23 F. - 503 )

Flowage Easement

J. E. Browning,  
 Charlotte B. Browning, . . . . . fee owners . . . \$ 16.00  
 (Commissioners' award)

TRACT NO. 5 ( 23 F. - 504 )  
 ( 23 F. - 505 )  
 ( 23 F. - 506 )

Flowage Easement

R. B. Cook, . . . . . fee owner of portion known as \$ 4.00  
 Lot 11, Block 1, Hardey Subdivision. . .  
 W. I. McGuire,  
 Mildred E. McGuire, . . . . . fee owners of portion known as \$ 4.00  
 Lot 5, Block 2, Hardey Subdivision

TRACT NO. 5 (Continued)

Ida Rose Sharp, . . . . . fee owner of portion known as  
 Lot 7, Block 2, Wards Subdivision, . . . \$ 4.00

D. T. Dailey,  
 Myrtle L. Dailey, . . . . . fee owners of that portion known  
 as Lot 6, Block 2, Wards Subdivision . \$ 4.00

Eugene W. Lacey,  
 Evelyn Lacey, . . . . . fee owners of that portion known as  
 Lot 9, block 2, Wards Subdivision . . \$ 4.00

William H. Wards  
 Grace Wards, . . . . . fee owners of remainder of this  
 (Commissioners' award) tract. . . . . \$80.00

TRACT NO. 6 ( 23 FW - 507)

Flowage Easement

Mack J. Weir, . . . . . fee owner, . . . . . \$ 3.00  
 (Commissioners' award)

TRACT NO. 7 ( 23 FW - 508)

Flowage Easement

George E. Carver,  
 Uel C. Elliott,  
 Mack J. Weir, . . . . . fee owners, . . . . . \$15.20  
 (Commissioners' award)

TRACT NO. 8 ( 23 FW - 509)

Flowage Easement

(Title fixed and distribution made under order dated  
 July 14, 1944).

TRACT NO. 9 ( 23 FW - 510)

Flowage Easement

Milo Beck,  
 George E. Carver, . . . . . fee owners, . . . . . \$18.00  
 (Commissioners' award)

TRACT NO. 10 ( 23 FW - 511)

Flowage Easement

Ad V. Coppedge, . . . . . fee owner, . . . . . \$ 7.50  
 (Commissioners' award)

TRACT NO. 11 ( 23 FW - 512)

Flowage Easement

Cora Yocum,  
 Clarence Yocum,  
 Juanita Yocum, now Wiley, sometimes known as  
 Juanita Yocum, now Wiley, . . . . . fee owners, . . . . \$ 4.80

TRACT NO. 12 ( 23 FE - 513 )

Flowage Easement

Ollie Nagy, . . . . . fee owner, . . . . \$ 3.90  
(Commissioners' award)

TRACT NO. 13 ( 23 FE - 514 )

Flowage Easement

Robert H. Drake, . . . . . fee owner, . . . . \$ 6.40  
(Commissioners' award)

TRACT NO. 14 ( 23 FE - 515 )

Flowage Easement

John Schenk, . . . . . fee owner, . . . . \$ 1.60  
(Commissioners' award)

TRACT NO. 15 ( 23 FE - 516 )

Flowage Easement

John W. Johnson, . . . . . fee owner, . . . . \$ 1.60  
(Commissioners' award)

TRACT NO. 16 ( 23 FE - 517 )

Flowage Easement

Floyd T. Boyd, . . . . . fee owner, . . . . \$ 50.00  
(Commissioners' award)

TRACT NO. 17 ( 23 FE - 518 )

Flowage Easement

Robert W. Drake, also known as  
Robert M. Drake, . . . . . fee owner, . . . . \$ 5.60  
(Commissioners' award)

TRACT NO. 18 ( 23 FE - 519 )

Flowage Easement

Mattie W. Gibson . . . . . fee owner of an undivided  
1/3rd interest, . . . . \$ 3.83  
John L. Gibson, . . . . . fee owner of an undivided  
1/12th interest, . . . . \$ .83  
Quinten Gibson, . . . . . fee owner of an undivided  
1/12th interest, . . . . \$ .83  
Mary Livingston Wiley, . . . . . fee owner of an undivided  
1/12th interest, . . . . \$ .83  
Mary Brown, . . . . . fee owner of an undivided  
1/12th interest, . . . . \$ .83  
Jennie C. Johnson, . . . . . fee owner of an undivided  
1/12th interest, . . . . \$ .83  
Obe Gibson, . . . . . fee owner of an undivided  
1/12th interest, . . . . \$ .83

TRACT NO. 18 (Continued)

Paul Gibson, . . . fee owner of an undivided 1/12th  
interest, . . . . . \$ .84

Nannie Gibson etty, . fee owner of an undivided 1/12th  
interest, . . . . . \$ .84  
(Commissioners' award)

TRACT NO. 19 ( 23 P. - 520)

Flowage Easement

Joe Capper, . . . . . fee owner, . . . . . \$11.20  
(Commissioners' award)

TRACT NO. 20 ( 23 P. - 521)

Flowage Easement

Denver Gurley,  
Elsa Gurley, . . . . . fee owners, . . . . . \$25.00  
(Commissioners' award)

TRACT NO. 21 ( 23 P. - 522)

Flowage Easement

Edward L. Stevens,  
Mary Etta Stevens, . . . . . fee owners,  
check to be made payable to Edward L. Stevens and Mary Etta Stevens,  
and Bond B. Jones, now Stephenson, mortgagee, . . . . . \$25.00  
(Commissioners' award)

TRACT NO. 22 ( 23 P. - 524)

Flowage Easement

W. F. Bailey, . . . . . fee owner, . . . . . \$ 7.20  
(Commissioners' award)

TRACT NO. 23 ( 23 P. - 526)

Flowage Easement

James M. Cowles,  
J. E. Cowles, . . . . . fee owners, . . . . . \$ 3.00  
(Commissioners' award)

TRACT NO. 24 ( 23 P. - 528)

Flowage Easement

Kattie Jane Furthurst, now Jones, Sherlock  
Citizen, Roll NO. 7273, . . . . . fee owner, . . . . . \$ 6.40  
(Commissioners' award)

TRACT NO. 25 ( 23 F - 529 )

Flowage Easement

Heirs of Louis Hagby (deceased), . . . . . fee owners

Check to be made payable to Julian Hagby, Accountor  
of the Estate of Louis Hagby, deceased, . . . . . \$ 4.50  
(Commissioners' award)

TRACT NO. 26 ( 23 F - 530 )

Flowage Easement

Heirs of E. . . Dickerson, (deceased), . . . fee owners,

check to be made payable to Witt Dickerson for the  
Heirs of E. . . Dickerson, deceased, . . . . . \$ 2.20  
(Commissioners' award)

TRACT NO. 27 ( 23 F - 531 )

Flowage Easement

E. A. Ferguson,  
Stewart J. Allee,  
C. B. Asper, . . . . . fee owners, . . . , \$11.40  
(Commissioners' award)

TRACT NO. 28 ( 23 F - 532 )

Flowage Easement

Gretchen J. Herrick, Cherokee Citizen,  
Roll No. 24884, . . . . . fee owners, . . . . . \$ 8.80  
(Commissioners' award)

TRACT NO. 29 ( 23 F - 533 )

Flowage Easement

William Tennis, . . . . . fee owner, . . . . . \$15.00  
(Commissioners' award)

TRACT NO. 30 ( 23 F - 534 )

Flowage Easement

Earl Needham, . . . . . fee owner  
Check to be made payable to:  
Earl Needham and J. . . Withpeter,  
Mortgage, . . . . . \$22.00  
(Commissioners' award)

TRACT NO. 31 ( 23 F - 535 )

Flowage Easement

John A. Lipton, . . . . . fee owner, . . . . . \$ 1.20  
(Commissioners' award)

TRACT No. 32 ( 23 F. - 536 )

Flowage Easement

Vernon H. McClure, . . . . . fee owner, . . . . . \$ 4.00  
(Commissioners' award)

TRACT No. 33 ( 23 F. - 537 )

Flowage Easement

Leota B. Platt, . . . . . fee owner, . . . . . \$14.40  
(Commissioners' award)

TRACT No. 34 ( 23 F. - 538 )

Flowage Easement

Clifford Clark, . . . . . fee owner, . . . . . \$36.80  
(Commissioners' award)

TRACT No. 35 ( 23 F. - 539 )

Flowage Easement

Arthur Cloud, . . . . . fee owner, . . . . . \$ 7.80  
(Commissioners' award)

TRACT No. 36 ( 23 F. - 540 )

Flowage Easement

Fannie Elizabeth Ballard, Cherokee N. S.,  
Roll No. 2171, . . . . . fee owner, . . . . . \$22.00  
(Commissioners' award)

TRACT No. 37 ( 23 F. - 541 )

Flowage Easement

Leota B. Platt, . . . . . fee owner, . . . . . \$ 1.80  
(Commissioners' award)

TRACT No. 38 ( 23 F. - 542 )

Flowage Easement

Nancy Inlow, Low Boyd, Cherokee Citizen,  
Roll No. 26908, . . . . . fee owner, . . . . . \$95.00  
(Commissioners' award)

TRACT No. 39 ( 23 F. - 543 )

Flowage Easement

John C. Browning, same as John Browning,  
Nettie Browning, and the heirs of Josephine A. Browning,  
deceased, Mattie Browning Mason, deceased, and Alice  
Browning, deceased, . . . . . fee owners,  
  
Check to be paid payable to John C. Browning, Nettie  
Browning and John C. Browning for the heirs of  
Josephine A. Browning, deceased, Mattie Browning Mason,  
deceased and Alice Browning, deceased, . . . . . \$58.60  
(Commissioners' award)

TRACT NO. 40 ( 23 F - 544 )

Flowage Easement

A. H. Rice, . . . . . fee owner,

Check to be made payable to A. H. Rice and  
Bank of Grove, Grove, Oklahoma, a  
corporation, mortgagee, . . . . . \$ 29.90  
(Commissioners' award)

TRACT NO. 41 ( 23 F - 545 )

Flowage Easement

C. B. Anderson, . . . . . fee owner, . . . \$ 33.00  
(Commissioners' award)

TRACT NO. 42 ( 23 F - 546 )

Flowage Easement

Roy Wood, . . . . . fee owner, . . . \$ 20.90  
(Commissioners' award)

TRACT NO. 43 ( 23 F - 547 )

Flowage Easement

Jenana Ballard, now Lamar, sometimes known as  
Janna Ballard, now Lamar, . . . . . fee owner, . . \$ 24.00  
(Commissioners' award)

TRACT NO. 44 ( 23 F - 549 )

Flowage Easement

S. B. Eaton, . . . . . fee owner, . . . \$116.00  
(Commissioners' award)

TRACT NO. 45 ( 23 F - 550 )

Flowage Easement

Guy Travis,  
Charles Travis, . . . . . fee owner, . . . \$ 8.80  
(Commissioners' award)

TRACT NO. 46 ( 23 F - 552 )

Flowage Easement

O. W. Smith et al, . . . . . fee owner, . . . \$ 52.50  
(Commissioners' award)

TRACT NO. 47 ( 23 FR - 563 )

Flowage Easement

C. W. Newton,  
Laura Ethel Newton, . . . . . fee owners,

Check to be made payable to C. W. Newton,  
Laura Ethel Newton, and David E. Shartel,  
The Shartel Mortgage Company, a corporation,  
and Zelma Nichols, now Duffield, . . . mortgagees, . . . \$ 342.50  
(Commissioners' award)

TRACT NO. 48 ( 23 FR - 564 )

Flowage Easement

J. W. Allen, . . . . . fee owner, . . . . . 1.80  
(Commissioners' award)

TRACT NO. 49 ( 23 FR - 565 )

Flowage Easement

Geo. W. Gupp, . . . . . fee owner, . . . . . \$ 12.00  
(Commissioners' award)

TRACT NO. 50 ( 23 FR - 566 )

Flowage Easement

(Title fixed and distribution made under order dated  
February 17, 1944).

TRACT NO. 51 ( 23 FR - 567 )

Flowage Easement

M. S. Richardson, . . . . . fee owner, . . . . . \$ 76.25  
(Commissioners' award)

TRACT NO. 52 ( 23 FR - 753 )

Paul F. Lewis,  
Theodore J. Mitchell,  
William E. Danley, . . . . . fee owners, . . . . . \$ 5.40  
(Commissioners' award)

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

W. J. Lynch  
J U D G E

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CIVIL NO. 1076

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 124.0 acres,  
more or less; and Alta Foust, et al.,

Defendants.

JUDGMENT CONFIRMING COMMISSIONERS' REPORT AS  
TO TRACT NO. 37 (13 FW 836)

NOW on this the 11th day of June, 1915, there comes on for hearing the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate designated and described as Tract No. 37 (13 FW 836).

Thereupon, the court proceeded to hear and pass upon said application, and the petition for condemnation, and the 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 that the United States of America is entitled to acquire the property by eminent domain for the uses and purposes therein set forth.
2. That the 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 land 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 having any right, title, or interest in and to said Tract No. 37 (13 FW 836), 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 land designated as Tract No. 37 (13 FW 836) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 20th day of November, 1944, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to said Tract No. 37 (13 FW 836), in the amount of \$170.00, and that said report and proceedings as to said tract, are in all respects regular and in accordance with the law and orders of this court.

7. That the owners of said Tract No. 37 filed a demand for jury trial, but has now withdrawn said demand and have agreed to accept the commissioners' award in the sum of \$170.00, inclusive of interest, as full and just compensation for the estate taken in said Tract No. 37; that more than sixty days have elapsed since the filing of the report of the commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to said Tract No. 37, and that said report of commissioners filed herein should be confirmed and approved in every respect as to said Tract No. 37.

The court further finds that said just compensation for the estate taken herein for said Tract No. 37, as fixed by the report of commissioners is final just compensation, in the amount of \$170.00.

8. That the United States of America did, on the 3d day of September, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, as to said Tract No. 37 (13 FW 836), the sum of \$112.50.

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, 1937, 48 Stat. 200-203 (U. S. C. Title 40, Secs. 201-203), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 U. S. C. Title 16, Sec. 809; and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners, filed herein, is final and the damages sustained as set out and fixed in said report of commissioners, in the sum of \$170.00, is full and just compensation for the taking of said estate in the land designated and described as Tract No. 37 (13 FW 836).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said land to inundate, submerge, and flow; to cut and clear all timber therefrom, and to remove or to 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 completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the land designated as Tract No. 37 (13 FW 836), and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 3d day of September, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$112.50, with the Registry of this Court for the estate taken in and to said land, and the right to recover just compensation for the estate vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that just compensation as determined and fixed herein for the taking of said estate in said Tract No. 37, is vested in the persons lawfully entitled thereto, as the owners of said tract of land, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the Registry of this Court the sum of \$57.50, said sum being the deficiency between the sum of \$170.00, the just compensation herein fixed and determined, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tract of land, in the sum of \$112.50.

This cause is held over for the purpose of entering such further orders, judgments, and decrees as may be necessary in the premises.

  
JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CIVIL NO. 1115

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 122.45 acres, more or less; and CERTAIN PERSONAL PROPERTY LOCATED THEREON AND USED IN CONNECTION THEREWITH, and Van S. Chandler, et al.,

Defendants.

ORDER FIXING TITLE, MAKING DISTRIBUTION AND SATISFYING JUDGMENT AS TO CERTAIN PROPERTY TRACT NO. 36 (25 PW 904)

NOW, on this the 11<sup>th</sup> day of June, 1948, in appearing to the court, that:

A Judgment was entered in this cause on the 1<sup>st</sup> day of June, 1948, against the petitioner, United States of America, for the sum of \$25.00 as full and just compensation for the damages sustained by the owner of the personal property located upon and used in connection with the land described and designated as Tract No. 36 (25 PW 904), due to the flooding of said property during the May, 1947 flood, by the United States in connection with the operation of the Grand River (Cossacola) Project.

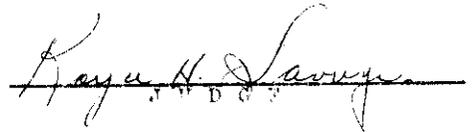
The United States has caused to be deposited in the registry of this court the sum of \$25.00 in full satisfaction of said judgment.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment entered in this case on the 1st day of January, 1945, for the sum of \$25.00 as just compensation for the damages sustained by the owners of the personal property located upon and used in connection with the land designated and described as Tract No. 30 (25 PX 904), be and the same is hereby fully satisfied.

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

IT IS FURTHER ORDERED, That the Clerk of this Court make distribution of said just compensation now on deposit in his office, to F. S. Worthington, for and in the sum of \$25.00, and show said judgment fully satisfied upon the records of this Court.

  
Roy H. Savage  
Clerk

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

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

Defendants.

CIVIL NO. 1126

JUDGMENT CONFIRMING COMMISSIONERS' REPORT AS

TO TRACT NO. 20 (25 NW 891)

NOW on this the 11<sup>th</sup> day of June, 1925, there comes on for hearing the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate designated and described as Tract No. 20 (25 NW 891).

Thereupon, the court proceeded to hear and pass upon said application, and the petition for condemnation, and the 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 that the United States of America is entitled to acquire the property by eminent domain for the uses and purposes therein set forth.

2. That the petition for condemnation was filed at the request of the Secretary of the Interior, the person duly authorized by law to acquire the estate in the land 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 having any right, title, or interest in and to said Tract No. 20 (25 NW 891), 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 land designated as Tract No. 20 (25 NW 891) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 7th day of December, 1944, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to said Tract No. 20 (25 NW 891), in the amount of \$1,165.00, and that said report and proceedings as to said tract, are in all respects regular and in accordance with the law and orders of this court.

7. That the petitioner, United States of America, filed a demand for jury trial, but has now withdrawn its demand, and the owner of said tract has stipulated to accept the commissioners' award in the sum of \$1,165.00, inclusive of interest, as full and just compensation; that more than sixty days have elapsed since the filing of the report of the commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to said Tract No. 20, and that said report of commissioners filed herein should be confirmed and approved in every respect as to said Tract No. 20.

The court further finds that said just compensation for the estate taken her in for said Tract No. 20, as fixed by the report of commissioners is final just compensation, in the amount of \$1,165.00.

8. That the United States of America did, on the 17th day of December, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, as to said Tract No. 20 (25 FW 891), the sum of \$962.50.

9. The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of June 10, 1920, 41 Stat. 1063 (16 U. S. C. Sec. 809); Executive Order No. 8940, dated November 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1888, 25 Stat. 357 (40 U. S. C. Sec. 257); and the Act of February 26, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 258 (a) to 258 (e)); Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U. S. C. 171 (a) ), is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners, filed herein, is final and the damages sustained as set out and fixed in said report of commissioners, in the sum of \$1,165.00, is full and just compensation for the taking of said estate in the land designated and described as Tract No. 20 (25 FW 891).

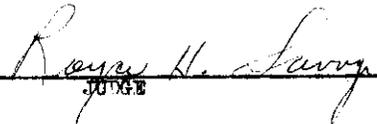
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said land to inundate, submerge, and flow; and to enter upon said land from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the land designated as Tract No. 20 (25 FW 891), and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 17th day of December, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$962.50, with the Registrar of this Court for the estate taken in and to said land, and the right to recover just compensation for the estate vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate there-  
in taken, as hereinabove specifically set forth, is hereby deemed to be con-  
demned and taken for the uses and purposes of the United States of America,  
and that just compensation as determined and fixed herein for the taking of  
said estate in said Tract No. 20, is vested in the persons lawfully entitled  
thereto, as the owners of said tract of land, or of some right, title or  
interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner  
pay into the Registry of this Court the sum of \$202.50, said sum being the  
deficiency between the sum of \$1,165.00, the just compensation herein fixed  
and determined, and the amount deposited with the Declaration of Taking as  
the estimated just compensation for the taking of said tract of land, in the  
sum of \$962.50.

This cause is held over for the purpose of entering such further  
orders, judgments, and decrees as may be necessary in the premises.

  
\_\_\_\_\_  
JUDGE

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

SEVERAL PARCELS OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 321.40  
acres, more or less; and Paul Scott, et al.,

Defendants.

CIVIL NO. 1132

JUDGMENT CONFIRMING COMMISSIONERS' REPORT

AS TO TRACT NO. 43 (35 FW 1078)

NOW on this the 11th day of June, 1946, there comes on for hearing the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate designated and described as Tract No. 43 (35 FW 1078).

Thereupon, the court proceeded to hear and pass upon said application, and the petition for condemnation, and the 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 that the United States of America is entitled to acquire the property by eminent domain for the uses and purposes therein set forth.

2. That the petition for condemnation was filed at the request of the Secretary of the Interior, the person duly authorized by law to acquire the estate in the land 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 having any right, title, or interest in and to said Tract No. 43 (35 FW 1078), 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 land designated as Tract No. 43 (35 FW 1078) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 27th day of January, 1945, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to said Tract No. 43 (35 FW 1078), in the amount of \$372.00, and that said report and proceedings as to said tract, are in all respects regular and in accordance with the law and orders of this court.

7. That the petitioner, United States of America, filed a demand for jury trial, but has now withdrawn its demand, and the owner of said tract has stipulated to accept the commissioners' award in the sum of \$372.00, inclusive of interest, as full and just compensation; that more than sixty days have elapsed since the filing of the report of the commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to said Tract No. 43, and that said report of commissioners filed herein should be confirmed and approved in every respect as to said Tract No. 43.

The court further finds that said just compensation for the estate taken herein for said Tract No. 43, as fixed by the report of commissioners is final just compensation, in the amount of \$372.00.

8. That the United States of America did, on the 5th day of January, 1944, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, as to said Tract No. 43 (35 FW 1078), the sum of \$123.00.

9. The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of June 10, 1920, 41 Stat. 1063 (16 U. S. C. Sec. 809); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1888, 25 Stat. 357 (40 U. S. C. Sec. 257); and the Act of February 26, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 258 (a) to 258 (e)); Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U. S. C. 171 (a) ), is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners, filed herein, is final and the damages sustained as set out and fixed in said report of commissioners, in the sum of \$372.00, is full and just compensation for the taking of said estate in the land designated and described as Tract No. 43 (35 FW 1078).

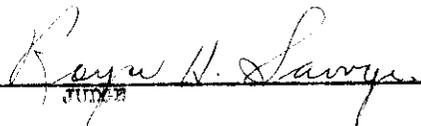
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said land to inundate, submerge, and flow; and to enter upon said land from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the land designated as Tract No. 43 (35 FW 1078), and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 5th day of January, 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$123.00, with the Registry of this Court for the estate taken in and to said land, and the right to recover just compensation for the estate vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that just compensation as determined and fixed herein for the taking of said estate in said Tract No. 47, is vested in the persons lawfully entitled thereto, as the owners of said tract of land, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the Registry of this Court the sum of \$249.00, said sum being the deficiency between the sum of \$172.00, the just compensation herein fixed and determined, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tract of land, in the sum of \$123.00.

This cause is held over for the purpose of entering such further orders, judgments, and decrees as may be necessary in the premises.

  
\_\_\_\_\_  
JUDGE

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

UNITED STATES OF AMERICA,

Petitioner,

- vs -

CERTAIN PARCELS OF LAND IN  
DELAWARE COUNTY, OKLAHOMA, containing  
approximately 301.40 acres, more or  
less; and Paul Scott, et al.,  
Defendants.

CIVIL No. 1131  
Tract No. 35  
(35-FW-1062)  
B. F. Pollan

\*\*\*\*\*  
ORDER OF DISBURSEMENT  
\*\*\*\*\*

NOW on this the 11<sup>th</sup> day of June, 1945, there comes on  
for hearing the application of B. F. Pollan, Loyd Pollan, and  
Loy Tullis, nee Pollan, heirs at law of Blanche Pollan, deceased,  
and B. F. Pollan in his own name and right, for the disbursement  
of certain funds in the sum of \$3085.42, paid into this court  
by the plaintiff in this action, representing the balance due on  
a judgment rendered herein for damages on account of the taking  
of a flowage easement upon and over a tract of land described  
as Tract No. 35 (35-FW-1062) and owned by the applicants.

WHEREUPON the court examined said application and after  
due consideration thereof, finds: That B. F. Pollan is exclusive  
owner of a portion of the premises hereinabove described and is  
one of the heirs of Blanche Pollan, deceased, and that the owners  
have agreed upon a division of the funds according to the stip-  
ulation attached to this application.

IT IS THEREFORE ORDERED that the clerk of this court forth-  
with disburse said sum of \$3085.42 as follows:

- To Loyd Pollan, the sum of \$338.96,
- To Loy Tullis, nee Pollan, the sum of \$338.96,
- To B. F. Pollan, the sum of \$1,377.50, and to  
Ad V. Compedge, in payment for certain expenses incurred  
and for professional services in this case, the sum of  
\$1,000.00,

as full and complete settlement and satisfaction of said judgment.

*Raymond H. Savage*  
\_\_\_\_\_  
Judge

\*\*\*\*\*

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CIVIL NO. 1134

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 215.60  
acres, more or less; and Ida Guyami Rhodes,  
et al.,

Defendants.

JUDGMENT CONFIRMING COMMISSIONERS' REPORT

AS TO TRACT NO. 34 (36 PM 1090)

Now on this the 11<sup>th</sup> day of June, 1913, there comes on for hearing  
the application of the petitioner herein for a judgment approving the com-  
missioners' report heretofore filed in this proceeding as to the real estate  
designated and described as Tract No. 34 (36 PM 1090).

Thereupon, the court proceeded to hear and pass upon said application,  
and the petition for condemnation, and the 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 that the United States of America is entitled to acquire the  
property by eminent domain for the uses and purposes therein set forth.
2. That the petition for condemnation was filed at the request of  
the Secretary of the Interior, the person duly authorized by law to acquire  
the estate in the land 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 having any right, title, or interest in and to said Tract No. 34 (36 FW 1090), 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 land designated as Tract No. 34 (36 FW 1090) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 15th day of February, 1945, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to said Tract No. 34 (36 FW 1090), in the amount of \$768.00, and that said report and proceedings as to said tract, are in all respects regular and in accordance with the law and orders of this court.

7. That the petitioner, United States of America, filed a demand for jury trial, but has now withdrawn its demand, and the owner of said tract has stipulated to accept the commissioners' award in the sum of \$768.00, inclusive of interest, as full and just compensation; that more than sixty days have elapsed since the filing of the report of the commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to said Tract No. 34, and that said report of commissioners filed herein should be confirmed and approved in every respect as to said Tract No. 34.

The court further finds that said just compensation for the estate taken herein for said Tract No. 34, as fixed by the report of commissioners is final just compensation, in the amount of \$768.00.

8. That the United States of America did, on the 24th day of January, 1944, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, as to said Tract No. 34 (36 FW 1090), the sum of \$488.60.

9. The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of June 10, 1920, 41 Stat. 1063 (16 U. S. C. Sec. 809); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1888, 25 Stat. 357 (40 U. S. C. Sec. 257); and the Act of February 26, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 258 (a) to 258 (e)); Title II of the act of March 27, 1942, 56 Stat. 177 (50 U. S. C. 171 (a) ), is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners, filed herein, is final and the damages sustained as set out and fixed in said report of commissioners, in the sum of \$768.00, is full and just compensation for the taking of said estate in the land designated and described as Tract No. 34 (36 FW 1090).

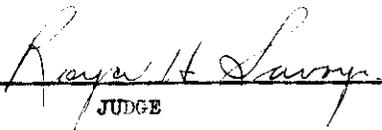
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said land to inundate, submerge, and flow; and to enter upon said land from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the land designated as Tract No. 34 (36 FW 1090), and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 24th day of January, 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$488.60, with the Registry of this Court for the estate taken in and to said land, and the right to recover just compensation for the estate vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate there-  
in taken, as hereinabove specifically set forth, is hereby deemed to be con-  
demned and taken for the uses and purposes of the United States of America,  
and that just compensation as determined and fixed herein for the taking of  
said estate in said Tract No. 34, is vested in the persons lawfully entitled  
thereto, as the owners of said tract of land, or of some right, title or  
interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner  
pay into the Registry of this Court the sum of \$279.40, said sum being the  
deficiency between the sum of \$768.00, the just compensation herein fixed  
and determined, and the amount deposited with the Declaration of Taking as  
the estimated just compensation for the taking of said tract of land, in the  
sum of \$488.60.

This cause is held over for the purpose of entering such further  
orders, judgments, and decrees as may be necessary in the premises.

  
\_\_\_\_\_  
JUDGE

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 650.30  
acres, more or less; and CERTAIN PERSONAL  
PROPERTY LOCATED THEREON AND USED IN  
CONNECTION THEREWITH, and M. F. Garman,  
et al.,

Defendants.

CIVIL NO. 1168

ORDER FIXING TITLE, MAKING DISTRIBUTION AND  
SATISFYING JUDGMENT AS TO PERSONAL PROPERTY  
TRACT NO. 24 (51 PW 1376)

NOW, On this the 11<sup>th</sup> day of June, 1945, it appearing  
to the Court, that:

A Judgment was entered in this cause on the 14 day of June,  
1945, against the petitioner, United States of America, for the sum  
of \$48.00 as full and just compensation for the damages sustained by  
the owner of the personal property located upon and used in connection  
with the land described and designated as Tract No. 24 (51 PW 1376),  
due to the flooding of said property during the May, 1943 Flood, by  
the United States in connection with the operation of the Grand River  
Dam (Pensacola) Project.

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

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the judgment entered in this cause on the 1st day of August, 1945, for the sum of \$45.00 as just compensation for the damages sustained by the owner of the personal property located upon and used in connection with the land designated and described as Tract No. 24 (51 PW 1376), be and the same is hereby fully satisfied.

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

IT IS FURTHER ORDERED, That the Clerk of this Court make distribution of said just compensation now on deposit in his office, to Watie Patillo, for and in the sum of \$45.00, and show said judgment fully satisfied upon the records of this Court.

  
\_\_\_\_\_  
JUDGE

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 3.4 acres,  
more or less; and Cleo Needham, et al.,

Defendant.

CIVIL NO. 1244

ORDER APPOINTING COMMISSIONERS

NOW, on this 11th day of June, 1945, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the land hereinafter described and the acquisition of said estate in said land is necessary for the purpose of relocating public roads and bridges which have been destroyed or materially impaired by the raising of the pool elevation of the Pensacola reservoir; providing access to and from lands, access to and from which by existing public roads has been destroyed or materially impaired by the raising of the pool elevation of the Pensacola reservoir, all incident to and in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (40 U. S. C. Sec. 257); the Act of February 26, 1931, 46 Stat. 1421, (40 U. S. C. Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (40 U. S. C. Secs. 401-403) as amended and supplemented, the Act of June 10, 1920, 41 Stat. 1063 (16 U. S. C. Sec. 809); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U. S. C. 171 (a)); Executive Order No. 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 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, in and to the land, situate, lying and being in the County of Delaware, in the Northern District of the State of Oklahoma, within the jurisdiction of this Court, as follows, to wit:

TRACT NO. 1 (30 - FW-CR-1001)

Perpetual Easement for Road Purposes

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

TRACT NO. 2 (30 - FW-CR-1002)

Perpetual Easement for Road Purposes

The east 65.0 feet of the south 23.9 feet, except that part owned by the Grand River Dam Authority, of Lot 1 in Sec. 24, T 25 N, R 23 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, containing less than 0.1 acre.

TRACT NO. 3 (30 - FW-CR-1004)

Perpetual Easement for Road Purposes

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

TRACT NO. 4 (30 - FW-CR-1005)

Perpetual Easement for Road Purposes

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

TRACT NO. 5 (35 - FW-CR-1084 N)

Perpetual Easement for Road Purposes

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

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

Beginning at a point 240.7 feet south and 424.7 feet west of the NE corner of said  $E\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , thence N.  $47^{\circ} 27'$  E. 35.6 feet, thence on a curve to the right having a radius of 359.3 feet, a distance of 64.4 feet, then being a strip of land 75 feet in width on the left and 40 feet on the right of the aforementioned line prolonged for a distance of 163.6 feet, thence N.  $83^{\circ} 56'$  E. a distance of 75.6 feet, containing approximately 0.9 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 been duly served with notice of the hearing of the application for the appointment of commissioners by this Court, according to law.

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

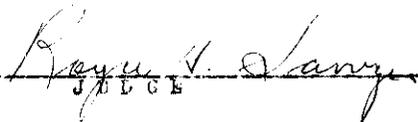
The Court further specifically finds that publication service was had according to law and the law made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that

J. G. Grant of Tulsa County, Oklahoma,  
J. B. Hays of Craig County, Oklahoma, and  
P. W. 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 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 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, in and to said land.

IT IS ORDERED THAT the United States Marshall for the Northern District of Oklahoma, O., and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the Hotel Vinita, in the City of Vinita, Oklahoma, on the 18th day of June 1945, at 9:30 a.m., for the purpose of taking the oath of office, and the performance of their duties.

  
\_\_\_\_\_  
JUL 1 1945

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

HELANDSON & PAYNE, INC.,  
PLAINTIFF,  
VS.  
ASSOCIATED LIABILITY CORPORATION,  
DEFENDANT.

NO. 1096 CIVIL

FILED  
JUN 13 1945

ORDER DISMISSING WITH PREJUDICE

H. PINARFIELD  
CLERK U.S. DISTRICT COURT

NOW ON THIS THE 12TH DAY OF JUNE, A. D. 1945, THE SAME BEING A  
REGULAR JUDICIAL DAY OF THE JANUARY TERM OF THE ABOVE INDICATED COURT, THE  
JOINT MOTION OF THE PLAINTIFF AND DEFENDANT IN THE ABOVE ENTITLED CAUSE TO  
DISMISS SAME WITH PREJUDICE COMING ON REGULARLY FOR HEARING, THE COURT FIND-  
ING THAT SAID MOTION SHOULD BE SUSTAINED;

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

IT IS HEREBY ORDERED THAT THE ABOVE ENTITLED CAUSE AS TO THE PETI-  
TION OF THE PLAINTIFF AND CROSS PETITION OF DEFENDANT BE DISMISSED WITH  
PREJUDICE TO FURTHER ACTION ON BEHALF OF EITHER PARTY THEREUNTO.

DATED, JUNE 12TH, 1945.

*(s) Bauer Broadus*  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

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

JOHN A. SHAFER, et al.,

Petitioners

- vs -

CERTAIN PARCELS OF LAND IN DISTRICT OF COLUMBIA, containing approximately 118,00 acres, more or less; and the several Rhodes, et al.,

Defendants

Civil No. 1134

FILED  
JUN 13 1945

H. P. WARFIELD  
CLERK OF THE DISTRICT COURT

ORDER OF DISBURSEMENT

Now on this 13<sup>th</sup> day of June, 1945, the same being a judicial day of said court, this matter came on for hearing on the application of C. W. Johnson for disbursement of funds. The said defendant appears by his attorney of record, J. V. Seachurn and there being no objections or exceptions filed and the plaintiff appearing in open court by its assistant chief counsel, G. B. Hoyastun, and notice of hearing received in open court by the plaintiff through its counsel and it appearing to the court that C. W. Johnson is the owner of the coal acreage which is the subject of this action and there being no other interested parties, no further notice is necessary. It was ordered that the hearing do proceed.

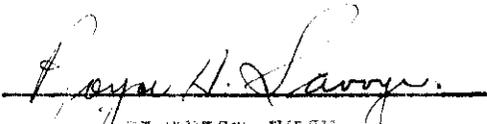
Thereupon it was shown to the court that said defendant, C. W. Johnson was the lawful owner and was in the actual possession of the lands described in the petition herein as tract no. 44 (34 Ex 1073) and tract no. 45 (34 Ex 1075). That plaintiff has taken and is to take title lands for its uses for storage purposes. That this court on the 5th day of June, 1945 authorized the disbursement by the taking of said land for the use of plaintiff in the sum of \$22,000.00 that

the commissioners heretofore appointed by this court fixed the just compensation in the following sum:

Tract Number 44 (38 FW 1077)	\$184.00
Tract Number 46 (38 FW 1075)	50.00

and that the judgment and award of the court was in excess of said original award made by the commissioners in the sum of \$41.00 and that the plaintiff has paid the whole amount of the award of the court based on the judgment and award of this court into the office of the Clerk of this court for said defendant, exclusive of interest, and that there are no liens or mortgages of any kind or character against said lands nor are there any claimants to said fund.

IT IS THEREFORE ORDERED that the Clerk of this court do pay and disburse said fund in the sum of \$275.00 to C. W. Johnson.

  
DISTRICT JUDGE

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

FILED  
JUN 11 1945  
H. P. WARFIELD  
CLERK OF DISTRICT COURT

UNITED STATES OF AMERICA,

Petitioner

- vs -

Civil No. 1134

CERTAIN PARCELS OF LAND IN DELTA-  
WARE COUNTRY, OKLAHOMA, containing  
approximately 215.60 acres, more  
or less; and Ida Guyami Rhodes, et al,

Defendants

ORDER OF DISBURSEMENT

Now on this 12<sup>th</sup> day of June, 1945, the same being  
a judicial day of said court, this matter comes on for hearing  
on the application of L. S. Tanks for disbursement of funds.  
The said defendant appears by his attorney of record, H. W. Beauchamp  
and there being no objections or exceptions filed and the plain-  
tiff appearing in open court by its assistant chief counsel, L.  
W. Boydston, and notice of hearing is served in open court by  
the plaintiff through its counsel and it appearing to the court  
that L. S. Tanks is the owner of the real premises which is  
the subject of this action and there being no other interested  
parties, no further notice is necessary. It was ordered that the  
hearing do proceed.

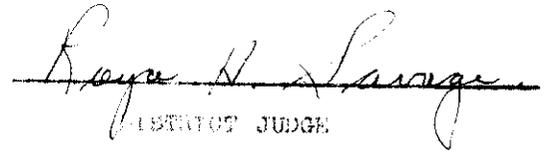
Thereupon it was shown to the court that said defendant,  
L. S. Tanks was the lawful owner and was in the actual posses-  
sion of the lands described in the petition herein as tract no.  
10 (84 FW 1198). That plaintiff had taken and appropriated said  
lands for its use for flower cement. That this court by its  
judgment heretofore on the 5th day of June, 1945 determined the  
damages occasioned by the taking of said lands for flower cement

in the sum of \$400.00 and that the commissioners heretofore appointed by this court fixed the just compensation in the following sum:

Tract Number 18 (34 W 1100)      \$300.00

and that the judgment and award of the court was in excess of said original award made by the commissioners in the sum of \$300.00 and that the plaintiff has paid the whole amount of the award of the court based on the judgment and award of this court into the office of the Clerk of this court for said defendant, exclusive of interest, and that there are no liens or mortgages of any kind or character against said lands nor are there any claimants to said fund.

IT IS THE POLICE COMMISSIONER that the Clerk of this court do pay and disburse said fund in the sum of \$400.00 to L. H. Banks.

  
DISTRICT JUDGE

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 160.70  
acres, more or less, and Clay A. Babb,  
et al.,

Defendants.

CIVIL NO. 1156 ✓

ORDER FIXING COMPENSATION UPON STIPULATION  
AS TO TRACT No. 30 (44X FW 1205)

Now on this <sup>14</sup>13 day of June, 1945, it appearing to the court that the petitioner, United States of America, instituted condemnation proceedings to acquire a perpetual easement upon and over the land designated and described as Tract No. 30 (44X FW 1205) to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts; and it further appearing that the petitioner, United States of America, and the owner, Seneca-Cayuga Tribe of Oklahoma, by its Attorney, Charles B. Wilson, Special Legal Representative, Bureau of Indian Affairs, stipulated and agreed, as follows, to-wit:

1. That the sum of \$900.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of a perpetual easement upon and over the land designated as Tract No. 30 (44X FW 1205) to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts.

2. That the sum of \$900.00, inclusive of interest, shall be in full satisfaction of and just compensation for any and all damages, if any, sustained by the owner by reason of the May 1943 flood, or the inundating and overflowing of said tract of land subsequent to May 1943.

3. That said sum of \$900.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature existing at the time of the taking of said estate in said tract of land and that any and all awards of just compensation ascertained and awarded in this proceeding, and established by judgment herein, to any and all other parties named as defendants herein, shall be

payable out of and deductible from said sum.

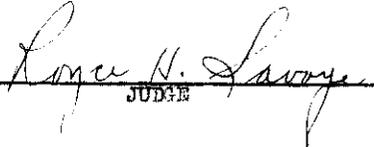
It further appearing to this court that the petitioner has deposited in the Registry of this Court the sum of \$831.50, as the estimated just compensation for the taking of said estate in said Tract No. 30, and that said amount is now on deposit in the Registry of this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that the stipulation entered between the petitioner and the defendant, Seneca-Cayuga Tribe of Oklahoma, by its Attorney, Charles B. Wilson, Special Legal Representative, Bureau of Indian Affairs, fixing the just compensation to be paid for the taking of a perpetual easement upon and over the land designated as Tract No. 30 to inundate, submerge, and flow, and to enter upon said tract from time to time in the performance of said acts, be and is hereby approved in all respects.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum of \$900.00 is in full satisfaction of and just compensation for the taking of a perpetual easement upon and over said tract to inundate, submerge, and flow, and to enter upon from time to time in the performance of said acts, and is in full satisfaction of any and all damages, if any, that the defendant may have sustained by reason of the May 1943 flood, or the inundating and overflowing of said land subsequent to May 1943.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that the petitioner, United States of America, shall pay into the Registry of this Court the sum of \$68.50, without interest, said sum being the deficiency between the just compensation herein fixed, in the amount of \$900.00, and the sum of \$831.50 deposited by the petitioner as estimated just compensation for the taking of said estate in said tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said sum of \$900.00 shall be subject to all liens, encumbrances, and charges of whatsoever nature, existing at the time of said taking of said tract, and that any and all awards of just compensation ascertained and awarded in this proceeding and established by judgment herein, to any and all other parties claiming as defendants, shall be payable out of and deductible from said sum.

  
\_\_\_\_\_  
JUDGE

FILED  
JUN 14 1945

H. P. WARFIELD  
CLERK IN CHARGE DISTRICT COURT

Plaintiff, )  
vs ) No. 1271-civil  
 )  
 ) District No. 15  
 ) (58 - 1881, 1884)  
Certain parcels of land in Ottawa  
County, Wisconsin - - - - - Defendants.

ORDER OF APPOINTMENT

On this 14<sup>th</sup> day of June, 1945, there being a judicial day of said court, this case came on for hearing on the application of Audrey Grayze as administratrix of the estate of Albe Kelly, deceased, asking that the sum of \$487.50 be disbursed and paid to her, and the dividend herein filed by Nancy Shelton nee Chapman, the sole heir at law of A. Shelton, deceased, and of T. O. Millie.

There being no objections on file or adverse claims made to said fund it was then shown to the court that notice of said application has been duly given to all persons appearing to have an interest in said matter, that the court examined the notice, the proof of service thereof and approved same. It was then shown to the court that the plaintiff has contacted and appropriated a fowage easement on and over said tract of land; that damages resulting from such appropriation has been finally determined in the sum of \$487.50 and that amount of money has been paid into the office of the clerk of said court for the benefit of the lawful owners; that the applicant, Audrey Grayze as administratrix of the estate of Albe Kelly, deceased, is lawfully entitled to said moneys.

IT IS THEREFORE ORDERED that the clerk of this do hereby forthwith disburse and pay said sum of \$487.50 to Audrey Grayze as administratrix of the estate of Albe Kelly, deceased.

Approved  
(s) R. L. Davila  
Attorney for Plaintiff

(s) Raymond H. Savage  
Clerk

Attorney for Defendant

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

MERIDIAN P. TSCHAPPA and  
WAROLD CALLAHAN,

Plaintiffs,

vs.

BETHLEHEM SUPPLY COMPANY,  
a Corporation,

Defendant.

No. 1370 Civil.

ORDER OF DISMISSAL

Now on this 13<sup>th</sup> day of June, 1945, it appearing that the parties have agreed on a settlement of this cause, and upon due consideration thereof.

IT IS ORDERED that the foregoing action and the cross-petition herein filed, be, and are hereby dismissed with prejudice at the cost of the plaintiffs.

*Ray H. Lacey*  
United States District Judge

Approved:

*Bredemeyer & Howe* by *Byron V. Boone*  
Attorneys for Plaintiffs

*E. J. Doernow & Clarence D. Kerr* by *E. J. Doernow*  
Attorneys for Defendant

*Endant.*

*Filed Jun. 14, 1945*  
*H. P. Waffler, 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 78.60  
acres, more or less; and J. B. Guffey,  
et al.,

Defendants.

CIVIL NO. 1161 ✓

ORDER AMENDING AMENDED JUDGMENT TO INCLUDE  
TRACT NO. 6 (35 FW 1070)

Now on this the 15<sup>th</sup> day of June, 1945, there coming on for hearing the application of the petitioner to amend the amended judgment entered in this cause on the 20th day of April, 1945, to include in said amended judgment Tract No. 6 (35 FW 1070).

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

1. That said amended judgment entered on the 20th day of April, 1945, fixing the just compensation to be paid for all of the tracts in this proceeding, except Tract No. 6, in the total sum of \$6,020.50; that the petitioner had deposited in the Registry of this Court with its Declaration of Taking for all of the tracts in this proceeding, except Tract No. 6, the sum of \$6,240.50, and decreed that the petitioner shall have a refund in the sum of \$221.00.

2. That the land described as Tract No. 6 (35 FW 1070) was omitted from said amended judgment for the reason that the same was pending jury trial for the determination of the just compensation to be paid, said jury trial was pending upon a demand of the landowners; that since said amended judgment was entered the owner of said Tract No. 6 has withdrawn his demand for jury trial, and that the commissioners' report is now final as to said tract and should be confirmed and approved, fixing the just compensation to be paid for said tract

No. 6, in the amount of \$160.00; that the petitioner did on the 28 day of March, 1944, file its Declaration of Taking and said to the Clerk of this Court for the use and benefit of the owner or the owners of said Tract No. 6 the sum of \$150.00.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that the report of commissioners, filed herein, is final as to Tract No. 6 (35 NW 1070), and that the sum of \$150.00 is full and just compensation for the taking of the entire fee simple title in and to said Tract No. 6.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amended judgment entered in this cause on the 20th day of April, 1945, be and is hereby modified and amended to include the land designated and described as Tract No. 6 (35 NW 1070), and that the just compensation for the estates taken in the lands, as set forth in said amended judgment and in this order, is \$6,180.50; that the United States of America shall have and receive a refund in the sum of \$213.00, said sum being the difference between the just compensation as fixed and determined in the amended judgment entered on the 20th day of April, 1945, as herein modified in the amount of \$6,180.50, and the estimated just compensation deposited in the Registry of this Court with its Declaration of Taking, in the amount of \$6,393.50.

This cause is held over for the purpose of entering such further orders, judgments, and decrees which may be necessary in the premises.

  
\_\_\_\_\_  
Judge of the United States District Court  
Northern District of Oklahoma

Emdarsul.  
Filed June 15, 1945  
H. P. Waples, Clerk,  
U. S. District Court.

IN THE DISTRICT COURT OF THE TERRITORY OF OKLAHOMA

DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,  
OKLAHOMA, containing approximately 6.30  
acres, more or less; and HAROLD JONES,  
et al.,

Defendants.

CIVIL NO. 1220

FILED  
JUN 15 1945

H. P. WARFIELD  
CLERK OF DISTRICT COURT

ORDER AUTHORIZING PUBLICATION  
OF NOTICE

NOW, on this 15<sup>th</sup> day of June, 1945, 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:

- Florence Harvey; Overton H. Lentry, Jr.; W. E. Kenney;
- Mary June Kenney; Treva June Gorden; Lucille Hastings;
- Mrs Alvin Johnson; Leon Larimore, also known as A. L. Larimore;
- Margaret Reddy, now Larimore; Marie Hilderbrand;
- Bert D. Hilderbrand, Jr.; Raymond A. Crosby, if living, or if deceased, his known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors or assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors or assigns, immediate and remote, and their spouses, if any, of Charles M. Gorden, deceased; Arch H. Saborn, deceased; Treva A. Crosby, deceased; Bert D. Hilderbrand, 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 whatsoever in the real estate herein described and involved, be served by publication.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED 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 should 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 OKLAHOMA AMERICAN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four successive weeks, notifying said defendants, and each of them, of the institution of the condemnation proceeding, and further, that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before the 13th day of August, 1945, the petitioner, United States of America, will, on said 13th day of August, 1945, 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 the Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present, if they so desire.

Royce A. Swartz

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

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

O R D E R

Now on this 15th day of June, 1945, this matter came on for hearing on the Application of Dorothy McBirney Hardy, Successor Trustee herein, for instructions concerning an offer of judgment debtor to settle the Deficiency Judgment procured by the Successor Trustee against the Abe Dritch and Ida Dritch, on September 9, 1936, in the principal amount of \$1859.93 and interest and Attorneys fees provided in said Judgment in Case No. 58392 in the District Court of Tulsa County, Oklahoma, and the Court having considered the statement of the Successor Trustee, finds that settlement of said Deficiency Judgment should be authorized for the sum of \$100.00, which settlement had been negotiated by the Successor Trustee and her Counsel.

It is, therefore, Ordered that Dorothy McBirney Hardy, the Successor Trustee herein, be and she is hereby authorized to settle the liability of said Judgment Debtors on said Judgment for the sum of \$100.00 and on the payment of that amount, she is authorized to release said judgment.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Jun 16 1945  
H. P. Warfield, Clerk  
U. S. District Court H

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CIVIL NO. 1140

CAPTAIN JOSIAS M. LADD IN CHARGE,  
DEPARTMENT OF ARMY, DISTRICT OF COLUMBIA,  
and Robert D. Owens, et al.,

Defendants.

FILED  
JUN 11 1946

ORDER FIXING TITLE AND MAKING DISTRIBUTION AS TO  
TRACT NO. 65 (305 - 25.4)

Now, on this 11 day of June, 1946, coming on for hearing  
the matter of fixing title and making distribution as to Tract No. 65  
(305 - 25.4), 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 said tract; that no person, firm, corporation or political subdivision  
of the State has any right, title or interest in and to said tract of land  
other than those hereinafter named; that the owners and those having any right,  
title or interest in and to said tract of land as hereafter named and set forth  
are the only persons, firms and corporations having any right, title or interest  
in and to the funds that are now on deposit or that may hereafter be deposited  
in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that  
the following named person is the owner of said tract and is the only person  
having any right, title or interest in and to the funds that are now on deposit  
and that may hereafter be deposited for the use and benefit of the rightful  
claimants thereto, as the owners or those having any right, title or interest  
in and to said real estate, and that the Clerk of this Court be and he is hereby  
authorized and directed to make distribution of said funds as may hereafter be

Tract No. 85 (305 - 25.4) - perpetual easement,  
S. S. Barger, - fee owner . . . . . 158.92.  
(Court Judgment)

---

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PORTIONS OF LAND IN DELAWARE COUNTY,  
OKLAHOMA, containing approximately 11,000  
acres, more or less; and C. M. Schwan, et al.,

Defendants,

CIVIL NO. 1172

FILED  
JUN 16 1945

W. W. WARFIELD

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 10 (CR. 946); Tract No.  
11 (CR. 947)

NOW, on this \_\_\_\_\_ day of June, 1945, there  
coming on for hearing the application of the defendant

for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 10 (CR. 946); Tract No. 11 (CR. 947);  
and the Court being fully advised in the premises, finds:

That the defendant C. M. Schwan, et al.,

the owner of the land designated as Tract No. 10 (CR. 946); Tract No. 11  
(CR. 947); 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 \$25,000; and \$175,000, respectively, for the  
taking of 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 title to said tract of land; and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said tract;

The Court further finds that the defendant, W. B. Long, in writing, agreed to grant and sell to the petitioner said tract of land for the sum of \$ 75.00; and \$175.00, respectively, which was accepted by the petitioner.

The Court further finds that the sum of \$ 75.00; and \$175.00; are just compensation for the injuries and damages sustained by said defendant

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, W. B. Long, was

the owner of the land designated as Tract No. 10 (CV No. 946); Tract No. 11 (CV No. 947); when this proceeding was commenced, and that the sum of \$ 75.00; and \$175.00

are just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except none

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. Long, owner,	
Tract No. 10 (CV No. 946).....	\$ 75.00
W. B. Long, owner,	
Tract No. 11 (CV No. 947).....	<u>175.00</u>
Total	\$250.00

*Rayce H. Savage*  
JUDGE

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

Rachel (Davison) Clinton,

Plaintiff,

vs.

Frank D. Lockyear, et al,

Defendants.

No. 1260 Civil

JOURNAL ENTRY OF JUDGMENT

This matter coming on for hearing this 16th day of June, 1945, the plaintiff appearing in person and by her attorneys, Miller, Lytle & Wildman, the defendants, Frank D. Lockyear and Mrs. Frank D. Lockyear, appearing by their attorney, Harry W. Worsham, the defendant, W.L. Childers, appearing by his attorney, Z.I.J. Molt, and the United States of America, intervener, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and after the introduction of evidence and after the argument of counsel, the court has entered herein his findings of fact and conclusions of law and pursuant to said findings of fact and conclusions of law, finds that judgment should be entered in favor of the plaintiff and intervener, United States of America.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Rachel May Clinton is the owner of an undivided one-half interest in and to the following described real estate, to-wit:

Northwest Quarter of Northwest Quarter of  
Section 26, Township 17 North, Range 14 East,  
containing 40 acres, more or less, situated  
in Tulsa County, State of Oklahoma,

and that her title and possession in and to said aforescribed real estate be and the same hereby is forever settled and quieted in the said Rachel May Clinton as against all claims or demands of the said defendants, Frank D. Lockyear, Mrs. Frank D. Lockyear, W.L. Childers and Mary J. Childers, and all parties claiming or to claim under said defendants or any of them and that

the sheriff's deed to W.L. Childers, recorded in Book 1109, page 424, of the records of the County Clerk of Tulsa County, Oklahoma, be and the same hereby is cancelled and removed as a cloud on the title of said Rachel Clinton in and to the above described premises.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that said defendants, Frank D. Lockyear, Mrs. Frank D. Lockyear, W.L. Childers and Mary J. Childers, and all parties claiming through, under or by them or any of them are hereby perpetually enjoined and forbidden to claim any right, title, interest or estate in and to said aforescribed premises hostile or adverse to the possession and title of Rachel Clinton and the said defendants above named and all parties claiming through, under or by them or any of them are hereby perpetually forbidden and enjoined from commencing any action to disturb the said Rachel Clinton in her possession and title to said premises and are further enjoined and restrained from setting up any claim or interest whatsoever adverse to the title of said Rachel Clinton and from disturbing her in her peaceful and quiet enjoyment of said aforescribed premises.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the costs of this action be taxed against the defendants, Frank D. Lockyear, Mrs. Frank D. Lockyear, W.L. Childers and Mary J. Childers, for which let execution issue.

AND IT IS SO ORDERED.

*Royce H. Savage*  
\_\_\_\_\_  
JUDGE.

O.K. as to form:  
*Mich. Lytle & Willman*  
*by L.O. Lytle*  
\_\_\_\_\_  
Attorney for Plaintiff.

*Harry W. Warden*  
\_\_\_\_\_  
Attorney for defendants, Frank D. Lockyear and Mrs. Frank D. Lockyear

*B. J. Hoy*  
\_\_\_\_\_  
Attorney for defendants, W.L. and Childers  
Mary J. Childers.

*W. G. Mason*  
\_\_\_\_\_  
Attorney for Intervener, United States of America.

Enclaves: *Filed June 14, 1945*  
*H. P. Wainwright, 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 41.80  
acres, more or less; and Mesa Grande Yacht  
Club, et al.,

Defendants,

CIVIL NO. 1178

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 12 (12 NW 807)

NOW, on this 18th day of June, 1945, there  
coming on for hearing the application of the defendant, J. M. Foust

for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 12 (12 NW 807)

and the Court being fully advised in the premises, finds:

That the defendant, J. M. Foust, was

the owner of the land designated as Tract No. 12 (12 NW 807)  
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 \$ 30.00 for the  
taking of a perpetual flowage easement upon and over  
said tract of land; that this Court entered a judgment upon said Declaration  
of Taking filed by the petitioner, thereby vesting in the petitioner, United  
States of America, a perpetual flowage easement upon and over said tract;  
and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendant, J. M. Foust, 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 \$ 70.00 \_\_\_\_\_, which was accepted by the petitioner.

The Court further finds that the sum of \$ 70.00 is just compensation for the injuries and damages sustained by said defendant

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, J. M. Foust, was

the owner of the land designated as Tract No. 12 (12 FW 807) when this proceeding was commenced, and that the sum of \$ 70.00, is

just compensation for the damages sustained by the defendant ; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: J. M. Foust, Owner,  
Tract No. 12 (12 FW 807).....\$70.00

  
\_\_\_\_\_  
JUDGE

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 G. M. London, et al.,

Defendants,

CIVIL NO. 1193

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 28 (57 FW 1804)

NOW, on this 18<sup>th</sup> day of June, 1945, there

coming on for hearing the application of the defendant, J. W. Faust,

for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 28 (57 FW 1804)

and the Court being fully advised in the premises, finds:

That the defendant, Barbara K. Collier, was

the owner of the land designated as Tract No. 28 (57 FW 1804)

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 \$ 300.00 for the

taking of a perpetual flowage easement upon and over

said tract of land; that this Court entered a judgment upon said Declaration  
of Taking filed by the petitioner, thereby vesting in the petitioner, United

States of America, a perpetual flowage easement upon and over

and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendant, Barbara M. Collier, 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 \$320.00, which was accepted by the petitioner.

The Court further finds that the sum of \$320.00, is just compensation for the injuries and damages sustained by said defendant.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Barbara M. Collier, was

the owner of the land designated as Tract No. 28 (57 FW 1804) when this proceeding was commenced, and that the sum of \$320.00

is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except J. M. Foust.

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

TO: J. M. Foust, Owner of compensation  
by assignment - Tract No. 28  
(57 FW 1804).....\$320.00

151 Raye H. ...  
JUDGE

IN THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF COLUMBIA  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

JAMES H. PARCEL, OF PART OF BELMONT COUNTY,  
OHIO, et al., containing approximately 214.60  
acres, more or less; and Ila Gayant Rhodes,  
et al.,

Defendants.

CIVIL NO. 1134

JUDGMENT CONFIRMING COMMISSIONERS' REPORT AS  
TO TRACT NO. 43 (38 PL-1072)

Now on this the 20th day of June, 1945, there comes on for hearing the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate designated and described as Tract No. 43 (38 PL-1072).

Whereupon, the court proceeded to hear and pass upon said application, and the petition for condemnation, and the 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 that the United States of America is entitled to acquire the property by eminent domain for the uses and purposes therein set forth.

2. That the petition for condemnation was filed at the request of the Secretary of the Interior, the person duly authorized by law to acquire the estate in the land 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. Fee, pro per, 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 having any right, title, or interest in and to said Tract No. 43 (38 FW-1072), as required by law and order of this court.

The court took evidence and finds that the returns as filed by the United States Marshal 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 land designated as Tract No. 43 (38 FW-1072) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 15th day of February 1945, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to said Tract No. 43 (38 FW-1072), in the amount of \$27.00, and that said report and proceedings as to said tract, are in all respects regular and in accordance with the law and orders of this court.

7. That the defendant Harry S. Gerson, filed a demand for jury trial, but has now withdrawn her demand, and the owner of said tract has stipulated to accept the commissioners' award in the sum of \$27.00, inclusive of interest, as full and just compensation; that more than sixty days have elapsed since the filing of the report of the commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to said Tract No. 43, and that said report of commissioners filed herein should be confirmed and approved in every respect as to said Tract No. 43.

The court further finds that said just compensation for the estate taken herein for said Tract No. 43, as fixed by the report of commissioners is final just compensation, in the amount of \$27.00.

8. That the United States of America did, on the 24th day of January 1944, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, as to said Tract No. 43 (38 FD-1072), the sum of \$21.00.

9. The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of June 10, 1933, 48 Stat. 1983 (16 U. S. C. Sec. 309); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 10, 1933, 48 Stat. 200-203 (49 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 9300, dated July 30, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1898, 30 Stat. 357 (40 U. S. C. Sec. 257); and the Act of February 26, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 258 (a) to 258 (e)); Title II of the Act of March 27, 1942, 56 Stat. 177 (50 U. S. C. 171 (a) ), is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners, filed herein, is final and the damages sustained as set out and fixed in said report of commissioners, in the sum of \$27.00, is full and just compensation for the taking of said estate in the land designated and described as Tract No. 43 (38 FD-1072).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said land to inundate, submerge, and flow; and to enter upon said land from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in the land designated as Tract No. 43 (38 FD-1072), and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 24th day of January 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$21.00, with the registry of this Court for the estate taken in and to said land, and that it is hereby recovered just compensation for the estate vested in the persons entitled thereto.

IT IS ORDERED AND DECREED that the estate therein taken, as heretofore specifically set forth, is hereby declared to be condemned and taken for the uses and purposes of the United States of America, and that just compensation as determined and fixed herein for the taking of said estate in said Tract No. 45, is vested in the persons lawfully entitled thereto, as the owners of said tract of land, or of some right, title or interest therein.

IT IS FURTHER ORDERED AND DECREED that the petitioner pay into the Registry of this Court the sum of \$6.40, said sum being the deficiency between the sum of \$27.00, the just compensation herein fixed and determined, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tract of land, in the sum of \$21.60.

This cause is held over for the purpose of entering such further orders, judgments, and decrees as may be necessary in the premises.

  
\_\_\_\_\_  
JUDGE

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN WYDAMA COUNTY, IOWA, containing approximately 77.90 acres, more or less; and Susannah Young Wilson Parity, et al.,

Defendants.

CIVIL NO. 1147 /

COMMISSIONERS' REPORT AS TO TRACT NO. 13 (41 PW-1242); TRACT NO. 21 (41 PW-1250, 41 PW-1252, 41 PW-1253 A, 41 PW-1253 B, 41 PW-1253 C); TRACT NO. 22 (41 PW-1253); TRACT NO. 36 (41 PW-1267).

NOW on this 20th day of June, 1945, there comes on for hearing the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding as to the real estate designated and described as Tract No. 13 (41 PW-1242); Tract No. 21 (41 PW-1250, 41 PW-1252, 41 PW-1253 A, 41 PW-1253 B, 41 PW-1253 C); Tract No. 22 (41 PW-1253), and Tract No. 36 (41 PW-1267).

Thereupon, the court proceeded to hear and pass upon said application, and the petition for condemnation, and the 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 that the United States of America is entitled to acquire the property by eminent domain for the uses and purposes therein set forth.
2. That the petition for condemnation was filed at the request of the Secretary of the Interior, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.
3. In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands were taken, was set forth.

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

5. Due, proper, and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as having any title, title, or interest in and to said tract No. 13 (41 PW-1242); tract No. 21 (41 PW-1250, 41 PW-1252, 41 PW-1253 A, 41 PW-1253 B, 41 PW-1253 C); Tract No. 22 (41 PW-1253), and Tract No. 36 (41 PW-1267), 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 designated as Tract No. 13 (41 PW-1242); Tract No. 21 (41 PW-1250, 41 PW-1252, 41 PW-1253 A, 41 PW-1253 B, 41 PW-1253 C); Tract No. 22 (41 PW-1253), and Tract No. 36 (41 PW-1267) in this proceeding, duly qualified by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of said premises and the consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 24th day of November 1944, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to said tracts as follows, to-wit:

Tract No. 13 (41 PW-1242) . . . . .	\$ 25.00
Tract No. 21 (41 PW-1250, 41 PW-1252, 41 PW-1253A, 41 PW-1253B, 41 PW-1253C) . . . . .	25.00
Tract No. 22 (41 PW-1253) . . . . .	135.00
Tract No. 36 (41 PW-1267) . . . . .	<u>232.00</u>
Total	\$467.00

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

7. That the defendants filed demands for jury trial, but has now withdrawn their demands, and the owners of said tracts have stipulated to accept the amounts fixed by the commissioners, inclusive of interest, as full and just compensation; that more than sixty days have elapsed since the filing of the report of the commissioners herein, and no appeal except one thereto, nor demands for jury trial are pending as to said Tract No. 13, Tract No. 21, Tract No. 22, and Tract No. 36, and that said report of commissioners filed herein should be confirmed and approved in every respect as to said tracts.

The court further finds that said just compensation for the estate taken herein for said Tract No. 13, Tract No. 21, Tract No. 22, and Tract No. 36, as fixed by the report of commissioners is that just compensation, in the total sum of \$467.00.

8. That the United States of America did, on the 24th day of February 1944, file its Declaration of Taking, herein, and said to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, as to said tracts as follows, to-wit:

Tract No. 13 (41 Pl-1242) . . . . .	\$ 13.00
Tract No. 21 (41 Pl-1251, 41 Pl-1252, 41 Pl-1253, 41 Pl-1254, 41 Pl-1255) . . . . .	33.00
Tract No. 22 (41 Pl-1256) . . . . .	21.00
Tract No. 36 (41 Pl-1287) . . . . .	<u>141.00</u>
Total	\$247.00

9. The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of the Act of June 10, 1943, 41 Stat. 1963 (16 U. S. C. Sec. 309); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 13, 1933, 48 Stat. 200-203 (40 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 7361, dated July 30, 1933; Executive Order No. 773, dated August 30, 1943; the Act of August 1, 1931, 46 Stat. 537 (5 U. S. C. Sec. 287); and the Act of February 25, 1937, 48 Stat. 1421 (40 U. S. C. Sec. 209 (a) to 209 (e)); Title II of the Act of March 27, 1942, 47 Stat. 37 (40 U. S. C. Sec. 171 (a)), is of the opinion that the United States of America has and is entitled to take said property and has done so; that the estate therein taken was so taken, and that the alleged public purpose and use, as set forth in said petition for condemnation, is hereby adjudged to be in truth etc. in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the report of commissioners, filed herein, is final and the amount as ascertained and fixed in said report of commissioners, in the sum of \$467.00, is full and just compensation for the taking of said estate in the lands designated and described as Tract No. 13, Tract No. 21, Tract No. 22 and Tract No. 36.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual and exclusive and over said lands to inundate, submerge, and flow; 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 the lands designated as Tract No. 13, Tract No. 21, Tract No. 22, and Tract No. 36, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 4th day of February 1964, upon the filing of a Declaration of Taking and the depositing of the sum of \$247.50, with the Registry of this Court for the estate taken in and to said lands, and the right to recover just compensation for the estate vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that just compensation as determined and fixed herein for the taking of said estate in said Tract No. 13, Tract No. 21, Tract No. 22, and Tract No. 36, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the Registry of this Court the sum of \$219.50, said sum being the deficiency between the sum of \$467.00, the just compensation herein fixed and determined, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tracts of land, in the sum of \$247.50.

This cause is held over for the purpose of entering such further orders, judgments, and decrees as may be necessary in the premises.

  
\_\_\_\_\_  
JUDGE



IN THE SUPREME COURT OF DELAWARE FOR THE  
SOUTHERN DISTRICT OF DELAWARE

FILED  
MAY 11 1943  
CLERK OF COURT

United States of America - - - - - Plaintiff,  
vs.  
Certain parcel of land in Delaware  
County, Oklahoma - - - - - Defendants.)

No. 1971-Civil,  
Treat No. 8,  
(28 W-476)

ORDER DISBURGING FUNDS

On this 25th day of June, 1943, same being a judicial  
day of said court, this cause comes on for hearing on the application of  
N.W. Irons asking that the Clerk of this court be ordered to disburse  
and pay the sum of \$125.00 to him.

There being no adverse claimant to said fund and there  
being no protest or objection filed against said application it was then  
shown to the court that notice of hearing on said application has been  
duly given to all persons who appear to be interested therein.

It appears it was shown to the court that applicant is  
the lawful owner and in possession of the lands herein described as Treat  
No. 8 (28 W-476), that plaintiff has appropriated and appropriated a flow-  
age easement thereon for use in connection with its operation of the  
Grand River Dam Project and is now in the use and enjoyment thereof; that  
just compensation for such appropriation has been fixed by the final judg-  
ment of this court at the sum of \$1100.00 and that amount of money has  
been paid into the office of the Clerk of this court; that applicant is  
the lawful owner and in actual possession of said lands; that said lands  
are clear of all mortgages, taxes and liens of every character, so that  
applicant is entitled to the whole of said fund.

IT IS THEREFORE ORDERED that the Clerk of this court do  
forthwith disburse and pay the sum of \$125.00 to said N.W. Irons.

Approved  
W.D. Davidson  
Attorney for plaintiff  
W. Frank ...  
Attorney for applicant

Royce H. Sawyer  
Judge

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

FILED  
JUN 18 1945  
DISTRICT COURT

United States of America - - - - - Plaintiff,  
vs  
Certain parcels of land in Delaware  
County, Oklahoma et al - - - - - Defendants.

No. 1076-civil,  
Tract No. 37,  
(15 P-336)

STATE OF OREGON

Now this 18th day of June, 1945, came before a judicial day of said court this cause came on for hearing on the application of F.H. Beatty asking the court for an order directing the Clerk thereof to pay and disburse the sum of \$170.00 to him.

There being no diverse claims made to said fund and no protests and/or objections filed thereunto, it was then shown to the court that notice of said hearing has been duly given to all persons appearing to have an interest in said matter.

Whereupon it was shown to the court that applicant is the lawful owner of the land herein described as Tract No. 37 (15 P-336); that plaintiff has condemned and appropriated a flouage easement thereon and is now in the actual enjoyment thereof; that damages for the appropriation of said easement has been fixed by the final judgment of this court in the sum of \$170.00 and that amount of money has been paid into the office of the Clerk of said court for the benefit of those lawfully entitled thereunto; that applicant is the lawful owner and in actual possession of said lands; that there are no mortgages, taxes or liens of any character against said lands so that applicant is entitled to the whole of said fund.

It is therefore ORDERED that the Clerk of this court forthwith disburse and pay the sum of \$170.00 to said F.H. Beatty.

Approved  
[Signature]  
Attorney for plaintiffs  
[Signature]  
Attorney for applicant

[Signature]  
Judge

UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

FILED  
JUN 21 1945  
CLERK'S OFFICE

United States of America - - - - - Plaintiff,  
vs  
Certain parcels of land in Ottawa  
County, Oklahoma et al - - - - - Defendants.

No. 1147-Civil,  
Tracts 21-22-36

ORDER OF DISBURSEMENT

On this 21st day of June, 1945, at the regular judicial day of said court this cause came on for hearing on the application of C.S. Black and his wife, Carl Black asking the disbursement of certain funds and moneys now on deposit with the clerk of this court.

There being no adverse claims filed and no objections or protests made to said application it was then shown to the court that notice of said hearing has been given to all persons appearing to have an interest in said matter.

Thereupon it was shown to the court that plaintiff has condemned and appropriated and is now in the use and enjoyment of a storage reservoir on the above described tracts of land; that by final judgment damages has been fixed as to Tract 21 in the sum of \$15.00 no part of which has been paid, as to Tract 22 in the sum of \$78.50 of which \$61.40 has been paid, and as to Tract 36 in the sum of \$141.00 of which \$141.00 has been paid; that applicants are entitled to the full use due on said awards of damages.

IT IS THEREFORE ORDERED that the clerk of this court do forthwith disburse and pay to C.S. Black and Carl Black the following amounts:

Tract 21 (\$15.00 TW-1253-4, 1254-3 and 2)	- - - - -	\$15.00
Tract 22 (\$78.50 TW-1253)	- - - - -	78.50
Tract 36 (\$141.00 TW-1267)	- - - - -	141.00
		<u>\$234.50</u>

Approved  
*[Signature]*  
Attorney for plaintiffs  
*[Signature]*  
Attorney for defendants

*[Signature]*  
Judge



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

United States of America, Plaintiff,  
vs  
Certain parcels of land situated in  
Ottawa County, Oklahoma, et al., Defendants.

No. 1156 Civil.  
Tract No. 4

ORDER

W. C. ...  
Judge

There comes on for hearing the application of C. B. Mitchell, Pryor, Oklahoma, for disbursement to him the deposited fund of \$500.00, by virtue of appropriation by plaintiff of a portion of the tract number four involved herein, and, the application of J. L. ... and J. P. ... for disbursement to them of the deposited fund of \$100.00, by virtue of appropriation by plaintiff of the remainder of the tract number four involved herein, and, the court from review of the proceedings, statement of counsel, and the evidence adduced, finds and adjudges:

That said C. B. Mitchell is entitled to be paid, to the exclusion of the other defendants herein, and there is ordered disbursed and paid to him the said \$500.00, in full compensation to him for the appropriation herein.

That said J. L. ... and J. P. ... are entitled to be paid, to the exclusion of the other defendants herein, and there is ordered disbursed and paid to them the said \$100.00, in full compensation to them for the appropriation herein.

That the remaining defendants in this action are adjudged to have no right or interest in either of said funds.

Went on this 15th day of ... A.D. 1915.

W. C. ...  
Counsel for applicants  
J. C. ...  
Counsel for plaintiff

W. C. ...  
Judge

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 140.00  
acres, more or less; and James Y. Victor,  
Executor of Estate of S. G. Victor, deceased,  
et al.,

Defendants,

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

CIVIL NO. 1157

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 8 (48 FW 1294)

NOW, on this 25<sup>th</sup> day of June, 1945, there  
coming on for hearing the application of the defendant, W. W. Kay,

for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 8 (48 FW 1294)  
and the Court being fully advised in the premises, finds:

That the defendant, W. W. Kay, was

the owner of the land designated as Tract No. 8 (48 FW 1294)  
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 \$ 101.00 for the  
taking of a perpetual flowage easement upon and over  
said tract of land; that this Court entered a judgment upon said Declaration  
of Taking filed by the petitioner, thereby vesting in the petitioner, United  
States of America, a perpetual flowage easement upon and over said tract;  
and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendant, W. E. Kay, 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 \$ 124.00, which was accepted by the petitioner.

The Court further finds that the sum of \$ 124.00, is just compensation for the injuries and damages sustained by said defendant

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

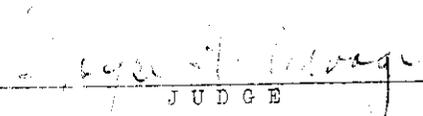
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, W. E. Kay, was

the owner of the land designated as Tract No. 8 (48 FW 1294) when this proceeding was commenced, and that the sum of \$124.00, is

just compensation for the damages sustained by the defendant ; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: W. E. Kay, Owner,  
Tract No. 8 (48 FW 1294).....\$124.00

  
\_\_\_\_\_  
J U D G E

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

UNITED STATES OF AMERICA,

Petitioner,

vs.

CIVIL NO. 1178

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 41.82 acres, more or less; and Mesa Grande Yacht Club, et al.,

Defendants.

ORDER GRANTING LEAVE TO FILE AMENDMENT TO PETITION FOR CONDEMNATION

NOW, On this 22nd day of June, 1945, 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 HEREBY ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, do, and it is hereby granted leave and permission of this Court to file an amendment to its petition herein, making additional parties defendant.

*Raymond A. Savage*  
J U D G E

IN THE THIRD DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF OKLAHOMA

JUN 25 1945  
U.S. DEPT. OF JUSTICE  
RECEIVED

United States of America - - - - - Plaintiff,  
vs  
Certain parcels of land in Ottawa  
County, Oklahoma et al - - - - - Defendants.

No. 1182 Civil  
Tract No. 25  
(53 FW-1476)

ORDER OF DISBURSEMENT

Now this 25th day of June, 1945, same being a judicial day of said court, this matter comes on for hearing on the application of "Camp Miami" asking the order of the court directing the Clerk thereof to disburse and pay to it the sum of \$7.80.

There being no adverse claim made to said fund and no objection filed to said application, it was then shown to the court that notice of hearing on said application has been given by United States mails, postage prepaid, addressed and mailed to all persons appearing to have any interest in said matter, at their postoffice address, respectively.

Thereupon it was shown to the court that plaintiff herein has condemned and appropriated a flowage easement on and over said tract of land and is now in the use and enjoyment thereof, that the damages for such appropriation has been fixed in the sum of \$7.80 and that amount of money has been paid into the office of the Clerk of this court for the benefit of those lawfully entitled thereto ; that applicant is the lawful owner of said land, in actual possession thereof, that same is clear of mortgages, taxes liens and incumbrances of every character and the applicant is entitled to the whole of said fund.

IT IS WHEREFORE ORDERED that the Clerk of this court do forthwith disburse and pay the sum of \$7.80 to "Camp Miami".

Approved  
[Signature]  
Attorney for plaintiff  
[Signature]  
Attorney for applicant

[Signature]  
Judge

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

FILED  
JUN 1 1945  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN CITTAWA COUNTY, OKLAHOMA,  
ETC., and T. L. Robinson, et al.,

Defendants,

CIVIL NO. 1201

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 12 (58 FW 1714); Tract No.  
22 (58 FW 1720);

NOW, on this 25th day of June, 1945, there  
coming on for hearing the application of the defendant, State of Oklahoma,

for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 12 (58 FW 1714); Tract No. 22 (58 FW 1720);  
and the Court being fully advised in the premises, finds:

That the defendant, State of Oklahoma, was

the owner of the land designated as Tract No. 12 (58 FW 1714); and Tract No.  
22 (58 FW 1720); 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 \$21.50; \$90.00, respectively for the  
taking of a perpetual flowage easement upon and over  
said tract of land; that this Court entered a judgment upon said Declaration  
of Taking filed by the petitioner, thereby vesting in the petitioner, United  
States of America, a perpetual flowage easement upon and over said tracts;  
and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendant, State of Oklahoma, 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 \$21.50; \$90.00, respectively, which was accepted by the petitioner.

The Court further finds that the sum of \$21.50; and \$90.00, respectively; is just compensation for the injuries and damages sustained by said defendant

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, State of Oklahoma, was

the owner of the land designated as Tract No. 12 (58 FW 1714); Tract No. 22 (58 FW 1720) when this proceeding was commenced, and that the sum of \$21.50; \$90.00, respectively,

is just compensation for the damages sustained by the defendant ; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: Northeastern Oklahoma Agricultural and Mechanical College  
and the Board of Regents for the Oklahoma Agricultural  
and Mechanical Colleges.....\$111.50

*Loyce N. Savage*  
\_\_\_\_\_  
JUDGE

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

F 11 10  
JUN 15 1945  
H. P. WARFIELD  
CLERK OF DISTRICT COURT

UNITED STATES OF AMERICA,

Petitioner,

CIVIL NO. 1831

-vs-

CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,  
OKLAHOMA; and Nettie Cooper, et al.,

Defendants,

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 5 (58 FW 1713 Rev.)

NOW, on this 15 day of June, 1945, there  
coming on for hearing the application of the defendant, State of Oklahoma,  
for an order fixing title, decreeing just compensation and making distribution  
as to Tract No. 5 (58 FW 1713 Rev.);  
and the Court being fully advised in the premises, finds:  
That the defendant, State of Oklahoma, was  
the owner of the land designated as Tract No. 5 (58 FW 1713 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 \$47.50 for the  
taking of a perpetual flowage easement upon and over  
said tract of land; that this Court entered a judgment upon said Declaration  
of Taking filed by the petitioner, thereby vesting in the petitioner, United  
States of America, a perpetual flowage easement upon and over said tract;  
and decreed that the owners and those having any right, title or interest in and  
to said land, have and recover just compensation for the taking of said easement;

The Court further finds that the defendant, State of Oklahoma, 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 \$447.50, which was accepted by the petitioner.

The Court further finds that the sum of \$447.50 is just compensation for the injuries and damages sustained by said defendant

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, State of Oklahoma, is

the owner of the land designated as Tract No. 5 (58 CW 1717 Rev.) when this proceeding was commenced, and that the sum of \$447.50 is just compensation for the damages sustained by the defendant; and that said defendant is the only person having any right, title or interest in and to said just compensation, except

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

TO: Northeast Oklahoma Agricultural and Mechanical College, and the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges.....\$447.50

*Raymond N. ...*  
\_\_\_\_\_  
J U D G E

IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA  
IN AND FOR THE DISTRICT OF COLUMBIA

OFFICE OF THE CLERK OF THE DISTRICT COURT  
DISTRICT OF COLUMBIA

United States of America - - - - - Plaintiff,  
vs  
Certain parcels of land in Ottawa  
County, Oklahoma et al - - - - - Defendants.

No. 1081-Civil,  
Tract No. 20,  
(SO P-1888)

ORDER OF DISBURSEMENT

Now this 28th day of June, 1945, there being a judicial day of said court this matter comes on for hearing on the application of Audrey Gwyne as administrator of the estate of W.B. Kelly, deceased asking the order of the court directing the clerk thereof to disburse and pay to her the sum of \$533.50, and the Disclaimers of W.M. Chambers.

There being no adverse claims made to said money and no objections or protests to said application it was then shown to the court that notice of hearing on said application had been duly given to all persons appearing to have an interest in said matter.

Whereupon it is shown to the court that plaintiff has condemned and appropriated a storage easement on and over said land and is now in the use and enjoyment thereof; that damages for the appropriation of such easement has been fixed by the final judgment of this court in the sum of \$533.50 and that amount of money has been paid into the office of the Clerk of this court; that said applicant is the lawful title holder and in possession of said tract of land and same is clear of all liens, mortgages, taxes and encumbrances of every kind so that applicant is entitled to the whole said fund.

It is HEREBY ORDERED that the Clerk of this court do forthwith disburse and pay said sum of \$533.50 to Audrey Gwyne as administrator of the estate of W.B. Kelly, deceased.

Approved  
W.D. ...  
Attorney for Plaintiff  
...  
Attorney for Applicant

Audrey Gwyne  
Judge

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

STATE OF OKLAHOMA,

Plaintiff,

vs.

UNITED STATES CIVIL  
SERVICE COMMISSION,

Defendant.

No. 1279 Civil -

**FILED**  
JUN 25 1945

JOURNAL ENTRY OF JUDGMENT

**H. P. WARFIELD**  
CLERK U. S. DISTRICT COURT

This matter coming on for hearing this 15th day of June, 1945, in its regular order, and the petitioner and respondent appearing by their respective counsel, and the Court having filed herein its Findings of Fact and Conclusions of Law, finds that judgment should be entered for the respondent, denying the relief prayed for by the complainant and affirming the order of the Civil Service Commission.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that judgment be and the same hereby is entered for the respondent and the relief demanded by the complainant be, and the same hereby is denied, and that the order of the Civil Service Commission be, and the same hereby is affirmed, and the Clerk is ordered to enter judgment on the records of his office as of this date.

AND IT IS SO ORDERED.

J. E. Kennamer  
JUDGE

O. K. AS TO FORM:

*Joseph S. Ladd*  
*Attorney General of California*  

---

**Attorneys for Petitioner.**

---

**Attorney for Respondent.**

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

One 1941 Ford Coach Auto-  
mobile, Motor No. 18-6,433,610,  
and Trailer; Lena Carr,  
Lee Carr, and The Bank of  
Commerce, Jenks, Oklahoma.

Claimants.

No. 1500 Civil

FILED  
JUN 26 1945

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

NOW on this 19th day of June, 1945, this cause coming on for hearing in open court before the Honorable Royce H. Savage, United States District Judge for the Northern District of Oklahoma, pursuant to regular assignment thereof, and the libelant appearing by Whit Y. Maury, United States Attorney for the Northern District of Oklahoma, and Wm. Knight Powers, Assistant United States Attorney in and for said District, and the claimants Lena Carr and Lee Carr appearing by L. A. Justus, Attorney at Law, and the claimant The Bank of Commerce, Jenks, Oklahoma, having failed to file any claim or pleading herein or make any appearance or claim at this time although having had personal and reasonable notice of the time and place of this hearing by personal service had on said claimant, The Bank of Commerce, Jenks, Oklahoma, on the 10th day of April, 1945; whereupon said Bank of Commerce, Jenks, Oklahoma, is adjudged wholly in

default, and whereupon the libelant presents its evidence and rests and the claimants, Lee Carr and Lena Carr present their evidence and rest, and the Court, being fully advised in the premises, finds that the 1941 Ford Coach Automobile, Motor No. 18-6,433,610, and two-wheel trailer was lawfully seized from Lee Carr and Lena Carr at their residence and premises on January 19, 1945, situated North of the City of Tulsa, Tulsa County, Northern District of Oklahoma and within the jurisdiction of this Court, and the Court finds that said automobile and trailer were used by the said Lee Carr to transport and remove approximately ten (10) 100-pound sacks of granulated sugar which sugar was goods and commodity and raw material for the manufacture of intoxicating liquors in violation of Section 3321, Title 26, United States Code Annotated; the Court finds that the United States of America is entitled to forfeiture of said 1941 Ford Coach Automobile and said trailer; the Court further finds that said Lee Carr and Lena Carr are not entitled to a remission or mitigation of said forfeiture for failure to comply with the requirements and provisions of the remission and mitigation statutes, Section 646, Title 18, United States Code Annotated.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a forfeiture herein be, and the same is hereby allowed for the 1941 Ford Coach Automobile Motor No. 18-6,433,610, and two-wheel trailer, and said automobile is ordered delivered to the Treasury Depart-

ment for the use of the Bureau of Internal Revenue in accordance with the statutes of the United States of America, and said two-wheel green trailer is ordered delivered to the custody of the Supervisor in charge, State of Oklahoma, Alcohol Tax Unit, for sale and disposition or other use in accordance with law.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of this Court that all storage charges incident to the seizure of the above described automobile and trailer be, and the same are hereby ordered paid by the United States Treasury Department.

*To which the defendants except*

*(S) Kayce H. Covage*  
JUDGE

O. K. AS TO FORM,  
SERVICE OF COPY ACKNOWLEDGED:

Walt Y. Haury,  
United States Attorney.

*Wm Knight Powers*  
W. Knight Powers, Assistant  
United States Attorney.  
Attorneys for Libellant.

*(S) L. A. Justus*  
L. A. Justus, Attorney for  
Claimants Leo Carr and Lena Carr.

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

CHERYL BOWLES, Administrator  
Office of Price Administration

Plaintiff

vs.

CIVIL NO. 1409

GUY E. WAYCOFF, an individual

Defendant

FILED  
MAY 11 1945

J U D G M E N T

H. P. WATKINS  
CLERK OF DISTRICT COURT

On this 2nd day of May, 1945, the above entitled cause came on to be heard in regular pretrial order before the Honorable Keyes K. Savage at Tulsa, Oklahoma. Plaintiff appeared by his counsel of record and the defendant appeared by his counsel, Irvine E. Ungerman. The parties made their statements to the Court and expressly waived separate findings of fact and conclusions of law herein, and the Court having examined the pleadings and considered the statements of counsel, and being otherwise fully advised of the premises, finds as follows:

That it is admitted by the defendant that on or about October 7, 1944, he sold a used Maytag washing machine to one Fred Hampton for the sum of \$118.00, that on or about October 7, 1944, he sold two (2) used washing machines to K. H. Highfill for the sum of \$188.50 each; that on or about October 8, 1944, he sold a used alarm clock to Bonnie Lantz for the sum of \$5.00.

The Court further finds three overcharges as follows:

On sale to Fred Hampton	-	\$ 86.50
On sale to K. H. Highfill	-	168.00
On sale to Bonnie Lantz	-	<u>4.00</u>

The Court further finds that said overcharges were willful, but that since the defendant has previously been adjudged in contempt of this Court by reason of said overcharges, and having paid a fine of \$500.00

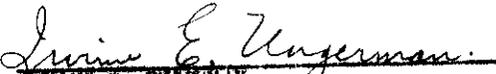
and served thirty (30) days in jail therefor, that judgment for the plaintiff and against the defendant for the amount of the overcharges plus one dollar on each overcharge should be rendered, in the aggregate sum of \$215.50.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff have and recover of and from the defendant, Guy E. Weycoff, the sum of \$215.50, together with costs.

  
United States District Judge

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JOHN J. W. COBB  
  
\_\_\_\_\_  
MARTIN J. WARD  
Attorneys for Plaintiff

  
\_\_\_\_\_  
IRVINE E. UNGERMAN  
Attorney for Defendant

IN THE DISTRICT COURT OF THE UNITED STATES FOR  
THE SOUTHERN DISTRICT OF CALIFORNIA

PAULIE W. WINSON,

Plaintiff,

-vs-

No. 1042 Civil

UNITED STATES OF  
AMERICA,

Defendant.

FILED

J U D G M E N T

H. P. WATFIELD  
CLERK OF DISTRICT COURT

This cause came on for trial on March 29, 1944 before the Court. The parties introduced their evidence and the Court took the cause under advisement and continued the case to be reset after the Supreme Court had rendered its decision in the case of Commissioner of Internal Revenue v. C. C. Harmon, pending before the Court, and after the Commissioner of Internal Revenue had adopted and promulgated regulations contemplated by Section 134 of the Revenue Act of 1940.

Now this cause came on for trial on May 31, 1945 before the Court and the parties introduced their evidence.

Now upon consideration of the evidence introduced and the argument of counsel, the Court finds that the Plaintiff was assessed and has paid income taxes for the year 1940, including interest, in excess of the amount for which he was liable, the sum of \$2,833.84 which was paid on April 14, 1942, and that the Plaintiff is entitled to recover from the Defendant the said sum with interest.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the Plaintiff, Paulie W. Winson, have and recover of and from the Defendant, United States of America, the sum of Twenty eight hundred Thirty Three and 84/100 Dollars (\$2,833.84), with interest as provided by law, from April 14, 1942. To all of which Defendant objects and excepts.

DATED this 21st day of May, 1945.

The Clerk is directed to enter this judgment on the records of his office as of this 29th day of June, 1945.

Raymond H. Savage  
JUDGE

Approved as to form:

John M. Winter, Jr.  
Attorneys for Plaintiff

Walter G. Mandy  
U. S. District Attorney  
Attorney for Defendant

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 22.96  
acres, more or less; and Ruth Morrison, et  
al.,

Defendants.

CIVIL NO. 1128

RECORDED  
INDEXED  
MAY 10 1946  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

J U D G M E N T

NOW, on this 29th day of June, 1946, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment, approving the commissioners' report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

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

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

(2) The said petition for condemnation was filed at the request of the Secretary of the Interior, 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.

(1) 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.

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

(3) 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.

(4) 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 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 20th day of December, 1944, wherein they fixed the fair cash and at value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (6 - FW-CR-621)

Perpetual Easement for Road Purposes

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

Tract "A"

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  480.8 feet east of the southwest corner thereof; thence N.  $16^{\circ} 33'$  W 74.8 feet; thence to the left on a curve of radius 383.1 feet a distance of 308.5 feet; thence N.  $62^{\circ} 50'$  W. 239.6 feet; thence on a curve to the right of radius 100.0 feet a distance of 110.0 feet to point in the west line of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  505.6 feet north of the southwest corner thereof, containing 1.2 acres, more or less.

TRACT "B"

Beginning at a point in the North boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  16.5 feet east of the Northwest corner thereof, thence east 23.5 feet; thence south 155.3 feet to a point in the north boundary of tract A; thence west with said boundary 23.5 feet; thence north 155.3 feet to the point of beginning, containing 0.1 acre, more or less.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER IF ANY, . . . . . \$172.50

TRACT NO. 2 (6 - FW-CR-627)

Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  less the west 20 feet thereof, in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  92.2 feet west of the SE corner thereof, thence north 120.0 feet; thence west 170.0 feet; thence south 120.0 feet; thence east 170.0 feet to the point of beginning, containing 0.5 acres, more or less.

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

TRACT NO. 3 (6 PW-CR-658)

Perpetual Easement for Road Purposes

All that part of Lots 1 to 5 inclusive, in Block 23 in the original Townsite of Cleora, County of Delaware, State of Oklahoma, including all right, title, or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots, more particularly described as follows, to-wit:

A strip of land 30 feet in width lying north of and immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. Track.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$250.00**

TRACT NO. 4 (6 PW-CR-659)

Perpetual Easement for Road Purposes

All that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , less a tract of land described as follows:

"Beginning at a point 192.0 feet north of the SE corner of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence west 80 feet; thence north 273.0 feet; thence east 80 feet; thence south 273.0 feet to the point of beginning, containing 1/2 acre, more or less"

situated in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 30 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. R. R. track, containing 0.4 acre, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$51.00**

TRACT NO. 5 (6 PW-CR-659-A)

Perpetual Easement for Road Purposes

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

"Beginning at a point 192 feet north of the SE corner of SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence west 80 feet; thence north 273 feet; thence east 80 feet; thence south 273 feet to the point of beginning, containing one-half acre, more or less," particularly described as follows, to-wit:

A strip of land 30 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. railroad track, containing less than 0.1 acre.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$5.00**

TRACT NO. 6 (6 FW-CR-661)

Perpetual Easement for Road Purposes

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  lying north of the K. O. & G. Railroad in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 80 feet in width lying north of and immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. railroad track, containing 1.7 acres, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$100.00**

TRACT NO. 7 (6 FW-CR-663)

Perpetual Easement for Road Purposes

All that part of "two (2) acres in the SE corner NE $\frac{1}{4}$  SE $\frac{1}{4}$ , being 2 acres north and south by one acre east and west" situated in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 30 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. track, containing 0.5 acre, more or less.

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

TRACT NO. 8 (6 FW-CR-663 A)

Perpetual Easement for Road Purposes

All that part of "NE $\frac{1}{4}$  SE $\frac{1}{4}$ , less 2 acres in the SE corner thereof being 2 acres north and south by one acre east and west" in Sec. 8, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, more particularly described as follows, to-wit:

A strip of land 60 feet in width lying north of, immediately adjacent and parallel to a line 50 feet north of, measured at right angles, and running parallel to the center line of the K. O. & G. railroad track, containing less than 0.1 acre.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$22.05**

TRACT NO. 9 (10 FM-CR-681)

Perpetual Easement for Road Purposes

All that part of the SW<sub>4</sub> SE<sub>4</sub> of Sec. 15, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point 1473.1 feet west and 426.2 feet north of the SE corner of said Sec. 15, thence N. 80° 11' W. 21.0 feet; thence to the left on a curve of radius 163.7 feet a distance of 152.9 feet; thence S. 48° 49' W. 468.1 feet to a point on the existing road, containing 1.2 acres, more or less.

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

TRACT NO. 10 (13-FM-CR-829)

Perpetual Easement for Road Purposes

All that part of the SE<sub>4</sub> SE<sub>4</sub>, less the east 1089 feet of the north 800 feet thereof, in Sec. 14, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point 1178.3 feet north and 1242.8 feet west of the Southeast corner of said SE<sub>4</sub> SE<sub>4</sub>; thence S 8° 10' E 629.2 feet; thence on a curve to the right of radius 79.4 feet a distance of 103.9 feet to a point 472.6 feet north and 1206.1 feet west of said SE corner, containing 1.4 acres, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY? . . . . \$12.60**

TRACT NO. 11 (17-FM-CR-746 Rev)

Perpetual Easement for Road Purposes

All that part of the W<sub>2</sub> NW<sub>4</sub> NE<sub>4</sub> of Sec. 16, T 24 N, R 23 E, of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Tract A.

A strip of land 70 feet in width, being 30 feet measured at right angle to the right of, and 40 feet measured at right angle to the left of, the following described line, to-wit: Beginning at a point 134.0 feet south and 24.9 feet east of the northwest corner of said W<sub>2</sub> NW<sub>4</sub> NE<sub>4</sub>; thence N 32° 03' E 100.0 feet; thence N 87° 24' E 100.0 feet to a point in said W<sub>2</sub> NW<sub>4</sub> NE<sub>4</sub> 10.9 feet south and 107.3 feet east of the NW corner thereof, containing 0.3 acre, more or less.

TRACT NO. 11 (continued)

TRACT B

The North 40.0 feet of the east 490.3 feet of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , containing 0.45 acre, more or less.

The two tracts containing 0.75 acre, more or less.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$100.00

TRACT NO. 12 (18 FW-CR 745)

Perpetual Easement for Road Purposes

All that part of the  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 9, T 24 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  458.0 feet west of the southeast corner thereof; thence N.  $80^{\circ} 50'$  E. along the line of the Grand River Dam Authority property 45.6 feet; thence N.  $73^{\circ} 58'$  E. 107.0 feet; thence N.  $27^{\circ} 33'$  E. 1.2 feet; thence S.  $89^{\circ} 48'$  E. parallel to the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$  a distance of 67.1 feet; thence S.  $0^{\circ} 12'$  W. 40.0 feet to a point in the south boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ ; thence westerly along said south boundary a distance of 215.3 feet to the point of beginning, containing 0.1 acre, more or less.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$20.90

TRACT NO. 13 (19 FW-CR 777)

Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 29, and all that part of the  $S\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 30, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 29, 1021.9 feet south of the northwest corner thereof, thence N.  $0^{\circ} 15'$  E. 0.00 feet; thence to the left on a curve of radius 204.6 feet a distance of 189.9 feet; thence N.  $52^{\circ} 50'$  W. 12.6 feet; thence to the left on a curve of radius 286.5 feet a distance of 225.0 feet; thence S.  $82^{\circ} 10'$  W. 693.4 feet; thence to the right on a curve of radius 382.6 feet a distance of 357.3 feet to a point in the west boundary of said  $S\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  118.9 feet south of the northwest corner thereof, containing 2.8 acres, more or less.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$400.00

TRACT NO. 14 (19 FW-CR-780)

Perpetual Easement for Road Purposes

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

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the East boundary of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 116.9 feet south of the NE corner thereof; thence N. 44° 14' W. 0.0 feet; thence to the right on a curve of radius 382.0 feet a distance of 60.4 feet; thence N. 33° 50' W. 287.8 feet to a point in the property line of the Grand River Dam Authority, containing 0.6 acre, more or less.

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

TRACT NO. 15 (20 FW-CR-867)

Perpetual Easement for Road Purposes

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the south boundary of said SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 463.7 feet west of the SE corner thereof; thence N. 2° 39' W. 0.0 feet; thence to the right on a curve of radius 286.5 feet a distance of 294.1 feet; thence N. 56° 10' E. 432.2 feet to a point in the east boundary of said SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 495.4 feet north of the SE corner thereof, containing 1.3 acres, more or less.

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

TRACT NO. 16 (20 FW-CR-868)

Perpetual Easement for Road Purposes

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 495.4 feet north of the SW corner thereof; thence N. 56° 10' E. 1473.2 feet to a point in the North boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ , 95.9 feet west of the NE corner thereof, containing 2.7 acres, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$219.00**

TRACT NO. 17 (20 FW-CR-869)

Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 20, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

The west 40.0 feet of the south 574.7 feet of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  containing 0.5 acre, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$38.00**

TRACT NO. 18 (20 FW-CR-870)

Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 19, T 25 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said NE $\frac{1}{2}$  SE $\frac{1}{4}$ , 167.5 feet west of the southeast corner thereof; thence N. 34° 00' E. 227.4 feet; thence N. 0° 13' E. 387.0 feet; thence S. 89° 52' E. 49.0 feet to a point in the east boundary of said NE $\frac{1}{2}$  SE $\frac{1}{4}$ ; thence southerly along said east boundary a distance of 574.7 feet to the SE corner of said NE $\frac{1}{2}$  SE $\frac{1}{4}$ ; thence westerly along said south boundary 167.5 feet to the point of beginning, containing 0.8 acre, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$70.00**

TRACT NO. 19 (25 FW-CR-921)

Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{2}$  NE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{2}$  NE $\frac{1}{4}$ , Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Tract A

Beginning at a point in the north boundary of said NW $\frac{1}{2}$  NE $\frac{1}{4}$  82.0 feet from the NW corner thereof; thence easterly along the north boundary of said NW $\frac{1}{2}$  NE $\frac{1}{4}$  a distance of 650.0 feet; thence south 60.0 feet; thence westerly parallel to the north boundary of said NW $\frac{1}{2}$  NE $\frac{1}{4}$  650.0 feet; thence north 60.0 feet to the point of beginning, containing 0.9 acre, more or less.

Tract B

Beginning at a point in the north boundary of said W $\frac{1}{2}$  NE $\frac{1}{2}$  NE $\frac{1}{4}$  672.0 feet from the NE corner of said Sec. 13; thence westerly along the north boundary of said W $\frac{1}{2}$  NE $\frac{1}{2}$  NE $\frac{1}{4}$  a distance of 540.0 feet; thence south 60.0 feet; thence easterly parallel to the north boundary of said W $\frac{1}{2}$  NE $\frac{1}{2}$  NE $\frac{1}{4}$  a distance of 540.0 feet; thence north 60.0 feet to the point of beginning, containing 0.7 acre, more or less.

The total acreage being 1.6 acres, more or less.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$78.50**

TRACT NO. 20 (29 FW-CR-983)

Perpetual Easement for Road Purposes

All that part of Lot 3 in Sec. 30, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the North boundary of Lot 3, 1343.0 feet east of the northwest corner of said Sec. 30, T 25 N, R 24 E; thence South 50.0 feet; thence easterly and parallel to said north boundary a distance of 600.0 feet; thence North 50.0 feet to a point in said north boundary; thence westerly along said north boundary 600.0 feet to the point of beginning, containing 0.7 acres, more or less.

TOTAL PAID CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$09.25

TRACT NO. 21 (31 FW-CR-1154)

Perpetual Easement for Road Purposes

All that part of the  $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Tract A

Beginning at a point in the west boundary of said  $\frac{1}{2}$  NW $\frac{1}{4}$ , 915.6 feet north of the SW corner thereof; thence East 100.0 feet; thence south 450.0 feet; thence west 100.0 feet to a point in said west boundary; thence northerly along said west boundary to the point of beginning, containing 1.0 acre, more or less.

Tract B

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said  $\frac{1}{2}$  NW $\frac{1}{4}$ , said point being the SW corner of Tract A; thence south along said west boundary a distance of 23.8 feet; thence on a curve to the left of radius 287.9 feet a distance of 241.6 feet; thence S. 48° 00' E. 250.0 feet to a point on the existing road 274.0 feet east and 68.0 feet north of the SW corner of said  $\frac{1}{2}$  NW $\frac{1}{4}$ , containing 1.0 acre, more or less.

The two tracts containing in all 2.0 acres, more or less.

TOTAL PAID CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$00.00

TRACT NO. 22 (31 FW-CR-1156)

Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E, of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the north boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  10.8 feet west of the northeast corner thereof; thence S. 55° 21' E. 127.9 feet; thence S. 61° 21' E. 278.0 feet to a point 206.0 feet south and 338.0 feet east of said northeast corner, except that portion owned by the Grand River Dam Authority, containing 0.8 acres, more or less.

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

TRACT NO. 23 (33 FW-CR-1042)

Perpetual Easement for Road Purposes

All that part of the W $\frac{1}{2}$  W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

All that part of the north 330.0 feet of said W $\frac{1}{2}$  W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , except that portion owned by the Grand River Dam Authority, containing 1.0 acres, more or less.

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

TOTAL, . . . . . \$1,985.70

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.

(8) 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 hereinabove set forth, is final just compensation, in the total amount of \$1,985.70.

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

TRACT NO. 1 (6 PW-CR 621) . . . . .	\$159.75
TRACT NO. 2 (6 PW-CR 627) . . . . .	55.00
TRACT NO. 3 (6 PW-CR 650) . . . . .	250.00
TRACT NO. 4 (6 PW-CR 659) . . . . .	51.00
TRACT NO. 5 (6 PW-CR 659-A) . . . . .	5.00
TRACT NO. 6 (6 PW-CR 661) . . . . .	100.70
TRACT NO. 7 (6 PW-CR 663) . . . . .	50.00
TRACT NO. 8 (6 PW-CR 663-A) . . . . .	22.95
TRACT NO. 9 (10 PW-CR 661) . . . . .	20.20
TRACT NO. 10 (13 PW-CR 829) . . . . .	12.00
TRACT NO. 11 (17 PW-CR 748 Rev.) . . . . .	75.00
TRACT NO. 12 (18 PW-CR 748) . . . . .	20.00
TRACT NO. 13 (19 PW-CR 777) . . . . .	300.20
TRACT NO. 14 (19 PW-CR 780) . . . . .	59.60

TRACT NO. 15 (20 FW-CR 857), . . .	\$ 37.70
TRACT NO. 16 (20 FW-CR 868 Rev.) . . .	219.00
TRACT NO. 17 (20 FW-CR 869) . . . . .	30.25
TRACT NO. 18 (20 FW-CR 870) . . . . .	70.00
TRACT NO. 19 (25 FW-CR 921) . . . . .	76.50
TRACT NO. 20 (29 FW-CR 983) . . . . .	69.25
TRACT NO. 21 (31 FW-CR 1154). . . . .	60.00
TRACT NO. 22 (31 FW-CR 1163). . . . .	4.80
TRACT NO. 23 (33 FW-CR 1042). . . . .	19.50
TOTAL, . . . . .	\$1,640.00

(10) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of the Act of August 1, 1898, 25 Stat. 357 (40 U. S. C. Sec. 257); the Act of February 20, 1931, 46 Stat. 1421 (40 U. S. C. Secs. 258 (a) to 258 (e)); Title II of the Act of June 14, 1933, 48 Stat. 200-203 (40 U. S. C. Secs. 401-403) as amended and supplemented; the Act of June 19, 1920, 41 Stat. 1063 (15 U. S. C. Sec. 309); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of March 27, 1942, 53 Stat. 177 (50 U. S. C. 171 (a)); Executive Order No. 9366, dated July 30, 1943; and Executive Order No. 9373, dated August 30, 1943, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purpose of the above designated Acts of Congress.

IT IS HEREBY ORDERED, ADMITTED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the

taking of said estate in the lands designated as follows, to wit:

TRACT NO. 1 (6 PW-CR 821), . . . . .	\$172.50
TRACT NO. 2 (6 PW-CR 827), . . . . .	50.00
TRACT NO. 3 (6 PW-CR 856), . . . . .	250.00
TRACT NO. 4 (6 PW-CR 859), . . . . .	51.00
TRACT NO. 5 (6 PW-CR 859-A), . . . . .	5.00
TRACT NO. 6 (6 PW-CR 861), . . . . .	100.00
TRACT NO. 7 (6PW-CR 863), . . . . .	75.00
TRACT NO. 8 (6 PW-CR 863A), . . . . .	22.95
TRACT NO. 9 (10 PW-CR 881) . . . . .	25.00
TRACT NO. 10 (13 PW-CR 829), . . . . .	12.00
TRACT NO. 11 (17 PW-CR 748-Rev.) . . . . .	100.00
TRACT NO. 12 (18 PW-CR-745), . . . . .	20.00
TRACT NO. 13 (19 PW-CR 777), . . . . .	400.00
TRACT NO. 14 (19 PW-CR 780), . . . . .	75.00
TRACT NO. 15 (20 PW-CR 867), . . . . .	50.00
TRACT NO. 16 (20 PW-CR 885 Rev.) . . . . .	210.00
TRACT NO. 17 (20 PW-CR 889), . . . . .	25.00
TRACT NO. 18 (20 PW-CR 870), . . . . .	75.00
TRACT NO. 19 (25 PW-CR 921), . . . . .	70.50
TRACT NO. 20 (29 PW-CR 983), . . . . .	60.25
TRACT NO. 21 (31 PW-CR 1184) . . . . .	50.00
TRACT NO. 22 (31 PW-CR 1150) . . . . .	10.00
TRACT NO. 23 (33 PW-CR 1042) . . . . .	30.00
TOTAL . . . . .	\$1,956.70

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is 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 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 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 27th day of December, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$1,846.90, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the petitioner pay into the registry of this court the sum of \$136.80, said sum being the deficiency between the sum of \$1,985.70, the just compensation herein fixed, 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 \$1,846.90.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

*W. Kaye F. Savage*  
JUDGE OF THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA