

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

PAUL A. PORTER, Administrator )  
Office of Price Administration )  
Plaintiff )  
vs. )  
CLINT H. BAKER )  
d/b/a BAKER'S CAFE )  
Defendant )

CIVIL ACTION NO. 1835

FILED

J U D G M E N T

H. F. WARFIELD  
CLERK OF DISTRICT COURT

On this 16th day of September, 1946, this matter comes on to be heard before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The Plaintiff appears by his attorney of record, James T. Steil, and the Defendant appears in person and by his attorney of record, Perry Porter.

The Court, having heard statement of counsel and testimony of witness sworn and examined in open court, having examined the pleadings and other matters filed herein, being fully advised in the premises and upon due consideration of the evidence, finds: that the Court has jurisdiction of the parties and of the subject matter and that the administrator has a right to maintain this action; that the Defendant, Clint H. Baker, in the operation of a cafe, known as Baker's Cafe, in Afton, Oklahoma, has violated the Emergency Price Control Act of 1942, as amended, by violating the provisions of Restaurant Maximum Price Regulation No. 2, as amended; and upon stipulation made in open court the court finds that defendant has sold meals and food items subject to the provisions of said regulation at prices in excess of the maximum prices established thereby in the amount of \$209.16; that said violations of Defendant were wilful; and that Plaintiff is entitled to a money judgment in double the amount of said overcharges, or \$418.32, to an injunction against the defendant, to be dissolved at the expiration of 6 months from this date unless plaintiff shows cause for its continuance for a longer period, and that all costs of this action should be taxed against the defendant.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Defendant, Clint H. Baker, his agents, servants, employees, representatives and attorneys, and each of them, be, and they are hereby, restrained and enjoined from directly or indirectly doing any act or practice in violation of Restaurant Maximum

Price Regulation No. 2 as amended, or as hereafter amended, and in particular;

(a) Selling or offering to sell any meal or food item covered by Restaurant Maximum Price Regulation No. 2, as amended, at prices higher than the ceiling prices established thereby.

(b) From failing or refusing to observe all of the record keeping and filing provisions of Section 14 of said regulation and failing and refusing to observe the posting requirements of Section 16 of said regulation.

(c) Offering, attempting, soliciting, or agreeing to do any of the above or foregoing.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED THAT the foregoing injunction shall be automatically dissolved at the expiration of 6 months from this date, unless the plaintiff shows cause to the court justifying its continuance for a longer period.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED THAT the plaintiff have and recover, for and on behalf of the United States of America, a money judgment against the defendant herein in the sum of \$418.32, and all costs of this action.

*Royce H. Savage*  
United States District Judge.

OK

*[Signature]*  
O. B. Martin  
Attorney for Plaintiff

*[Signature]*  
Leonard L. Kalton  
Attorney for Plaintiff

*[Signature]*  
James T. Steil  
Attorney for Plaintiff

Defendant

*[Signature]*  
Attorney for Defendant

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

W. N. Puckett,  
Plaintiff,

vs.

Missouri-Kansas-Texas  
Railroad Company,  
Defendant.

NO. 1894-C

**FILED**  
OCT 17 1946

**H. P. WARFIELD**

ORDER PERMITTING DISMISSAL OF CASE

Now on this 4th day of October, 1946, upon the request of plaintiff in open Court for permission to dismiss this cause without prejudice, and the Court after due consideration gives plaintiff permission to dismiss said cause without prejudice upon payment of the costs incurred by defendant.

IT IS, THEREFORE, ORDERED that said cause be and the same is hereby dismissed without prejudice at the cost of plaintiff.

*Francis N. George*

Judge

O. K. /

*M. J. ...*

Attorney for Plaintiff

O. K.

*...*

Attorney for Defendant

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

Pete Chase, Plaintiff, )  
vs. ) No. 1908-Civil.  
Ike House, Defendant. )  
United States of America, Intervener.

MEMORANDUM OF DECISION

This cause coming on to be heard pursuant to regular assignment on this the 17th day of October, 1948; the plaintiff appearing by his Attorney, John A. Severson; the United States of America appearing for itself and on behalf of all restricted Indian heirs, parties to said action, and especially in behalf of the defendant, Ike House; the Defendant, Ike House also appearing by his duly appointed Guardian ad Litem, W. V. Powers; and the Court having examined the pleadings in said cause, and having heard the evidence introduced, both oral and documentary, and being fully advised in the premises, finds: that this cause was regularly removed to this court from the District Court of Tulsa County, Oklahoma, under the provisions of Section 2, of the Act of April 12, 1936, 49 Stat. 1339, which said court had jurisdiction of said action; and that this court, by virtue of said removal, has jurisdiction of the persons and the subject matter of said action; and, after examination of the personal summons served on said minor defendant, and of the power of said Guardian ad Litem, and from an examination of the notice served on the Superintendent of the Five Civil Tribes pursuant to said Act of April 12, 1936, finds: that all of said proceedings were regular and in the manner and form provided by the statutory state and federal, in like cases made and provided and the court, being fully advised in the premises; further finds: that the issue involved in this action, to-wit:

The S $\frac{1}{2}$  of the NW $\frac{1}{4}$ , of Section 12, Township 31 North, Range 13 East, in Tulsa County, Oklahoma,

was a portion of the land allotted to Nancy House, nee Sapsucker, Full-blood, Cherokee Indian, whose name appears opposite Roll No. 29027.

The Court further finds that the said Nancy House, nee Sapsucker, departed this life on or about August 5, 1941, intestate, and that the County Court of Delaware County, Oklahoma, judicially ascertained that the following persons were her sole and only heirs to-wit: Prince House, husband; and her children: Nellie House, Jim House, Jess House, Simon House, Sampson House, Curtis House, George House, Mike House, and Jennie House, and the defendant: Ike House, — all of said persons being Full-blood Cherokee Indians, and upon the death of said decedent, Nancy House, nee Sapsucker, they became vested with title to said land in the following proportionate parts, to-wit:

Prince House, the husband, an undivided one-third (1/3); and the remaining persons, above named, being the children of said deceased, each taking a 1/15th undivided interest therein.

The Court further finds that the plaintiff in this action has heretofore purchased, by good and proper conveyance, duly approved by the County Court of Delaware County, Oklahoma, being the court of said County having jurisdiction of the settlement of the Estate of said Nancy House, deceased, — the interests of all of said heirs of Nancy House, above named, except the defendant, Ike House; and said plaintiff now owns 14/15ths undivided interest in said premises, and the defendant <sup>the Plaintiff</sup> owns an undivided one-fifteenth (1/15th) interest therein, which interests are by the Court so established and confirmed; and that said plaintiff and said defendant are in the joint possession of said premises.

The Court further finds that the plaintiff and the defendant are entitled to partition of said premises, so that they may each own and hold their said interests as above found, in severalty, if partition thereof can be made without manifest injury to said estate; and that Commissioners should be appointed to

partition or appraise said land, accordingly.

IT IS, therefore, ORDERED, ADJUDGED and DECREED by the Court that the foregoing findings and conclusions of the Court be and the same are hereby made the judgment of this Court; and partition of the tract of land hereinbefore described between the plaintiff and the defendant, is hereby ordered; and,

IT IS, further, CONSIDERED, ORDERED and ADJUDGED by the Court that *John G. Stansbury* and *Walter* and *W. C. Smith* disinterested persons, be and they are hereby appointed Commissioners to make partition of said property among the said parties hereto, as their interests appear, pursuant to this decree; and that in case partition in kind cannot be made, that said Commissioners cause an appraisal or valuation to be made of said property, and make due return to this Court of their findings; that, before entering upon their duties, they shall take and subscribe to the oath prescribed by law; and that the Clerk of this Court issue to said Commissioners a writ of partition, in accordance with this Order.

**FILED**  
IN OPEN COURT  
OCT 17 1946

**H. P. WARFIELD**  
CLERK U.S. DISTRICT COURT

George H. Savage.

Judge of the United States District  
Court, Northern District of Okla-  
homa.

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

F. V. Adkins, et al, Plaintiffs, )  
vs. )  
L. I. Guertel & Sons & Co., Inc., Defendant. )  
No. 1720-Civil

ORDER OF DISMISSAL

There having been filed herein on or about September 25, 1946 plaintiffs' notice of dismissal of claims against the defendant as to the claims and persons plaintiff named and identified herein as F. V. Hoover and D.C. Renfrow(e); and all parties being present by counsel and being heard to have no objection to the Court's consideration of said dismissals at this time; and the Court on hearing and consideration of said notice and being well and sufficiently advised in the premises, finds that the respective claims of said two claimant parties plaintiff, F. V. Hoover and D.C. Renfrow(e), against the defendant herein, should be dismissed without cost to defendant.

IT IS THEREFORE ORDERED AND ADJUDGED BY THIS COURT, that the respective claims of said two claimant parties plaintiff, F. V. Hoover and D.C. Renfrow(e), against the defendant herein, be and the same are hereby dismissed, <sup>without cost to the defendant</sup> without cost to the defendant.

Dated and done in open Court this October 18, 1946.

Raymond H. Savage  
Judge

Approved as to form:

Porter & Porter, Attys. for plaintiffs, by John M. Porter, Jr.  
Spillers & Spillers, Attys. for defendant, by \_\_\_\_\_

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

Mrs. Anna B. Theobald,

Plaintiff,

vs.

G. E. Allison, et al.,

Defendants.

No. 1738 - Civil

JUDGMENT

Now on this 15<sup>th</sup> day of September, 1946, this action came on for consideration of the court. The court, having heard the arguments of the parties, and being fully advised in the premises, has this day entered findings of fact and conclusions of law, and is of the opinion that plaintiff herein is entitled to judgment cancelling purported payment of special assessments against property located in Street Improvement District #4, Skiatook, Oklahoma, by surrender of bonds of the district; that plaintiff is entitled to judgment cancelling purported receipts showing payment or settlement of instalments of assessments levied in said District #4, which receipts were issued on surrender of the bonds, and without there having been paid to the Town of Skiatook in lawful money the full amount of the instalments, plus interest and penalties; and that the bonds and interest coupons, if any, or portions thereof surrendered in purported payment of the special assessments against property in District #4, Skiatook, Oklahoma, are unpaid obligations of the district.

Further, the court is of the opinion that the plaintiff is entitled to a declaratory judgment to the effect that 11 O.S.A., Section 242, is void insofar as it purports to extinguish special assessment liens here in question by lapse of time, and that such liens are valid and subsisting and are not affected by said statute.

Further, the court is of the opinion that plaintiffs are not entitled to foreclosure of the delinquent tax liens, as their action to foreclose is barred by the statute of limitations.

Further, the court is of the opinion that plaintiffs are not entitled to judgment against the Board of Education of the Town of Skiatook.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the purported payment of special assessment instalments against property located in Skiatook, Oklahoma, by surrender of bonds, all as shown by the records in the office of the Town Clerk of Skiatook, Oklahoma, which records include the properties described in Schedule A, attached hereto and made a part hereof, should be and is hereby cancelled, and receipts showing payment or settlement of instalments of assessments, issued on surrender of the bonds, are likewise cancelled. The bonds and interest coupons, or portions thereof, surrendered in purported payment of the special assessments, should be and are hereby declared to be unpaid obligations of the district. IT IS ORDERED AND DECREED that the owners who surrendered the bonds in attempted payment of instalments are entitled to every right they had before their surrender of the bonds.



SCHEDULE A

The instalments enumerated opposite the properties described in this schedule set forth the instalments and the amounts of assessments in Paving District #4, Skiatook, Oklahoma, which were paid by the surrender of bonds or portions thereof, pursuant to Chapter 58, Oklahoma Session Laws of 1933. All of said instalments, together with penalties as provided by law, are reinstated on the records in the office of the Town Clerk of Skiatook, Oklahoma, and the County Treasurer of Tulsa County, Oklahoma, and the County Treasurer of Osage County, Oklahoma. The properties, the instalments so reinstated and the principal amounts thereof, with interest to due date, but without penalties, are as follows:

West 7' of Lot 7, Block 23  
Original Town of Skiatook

Year	Amount
1932	\$ .70
1933	.70
1934	.60

East 18' of Lot 7, Block 23  
Original Town of Skiatook

Year	Amount
1932	\$ .70
1933	.70
1934	.60

Lot 8, Block 23  
Original Town of Skiatook

Year	Amount
1932	\$ 3.01
1933	2.80
1934	2.63

Lot 12, Block 23  
Original Town of Skiatook

Year	Amount
1931	\$ 7.05
1932	6.63
1933	6.28
1934	5.90

Lot 22, Block 25  
Original Town of Skiatook

Year	Amount
1933	\$23.20
1934	21.75

Lot 23, Block 25  
Original Town of Skiatook

TRACT #7 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$213.88	1933	\$24.40
	1934	22.89

TRACT #8

Lot 24, Block 25  
Original Town of Skiatook

Defendant: Josephine Labodie

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$261.44	1933	\$29.85
	1934	27.97

TRACT #9

Lot 23, Block 33  
Original Town of Skiatook

Defendants: Sand Springs Home, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1934	\$10.10

TRACT #10

Lot 24, Block 33  
Original Town of Skiatook

Defendants: Sand Springs Home, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1934	\$10.10

TRACT #11

Lot 25, Block 33  
Original Town of Skiatook

Defendants: Sand Springs Home, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1934	\$10.10

TRACT #12

Lot 26, Block 33  
Original Town of Skiatook

Defendants: Sand Springs Home, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1934	\$10.10

## TRACT #13

Lot 27, Block 33  
Original Town of Skiatook

Defendants: Sand Springs Home, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1931	\$12.10
	1934	10.10

## TRACT #14

Lot 28, Block 33  
Original Town of Skiatook

Defendants: Sand Springs Home, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1931	\$12.10
	1934	10.10

## TRACT #15

Lot 13, Block 36  
Original Town of Skiatook

Defendants: Oklahoma Power & Water Co., a corporation;  
Harriss Trust & Savings Bank of Chicago, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1934	\$10.10

## TRACT #16

Lot 14, Block 36  
Original Town of Skiatook

Defendants: Oklahoma Power & Water Co., a corporation;  
Harriss Trust & Savings Bank of Chicago, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$94.35	1934	\$10.10

## TRACT #17

Lot 11, Block 39  
Original Town of Skiatook

Defendants: Benjamin R. McGuire

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$213.88	1934	\$22.89

## TRACT #18

Lot 12, Block 39  
Original Town of Skiatook

Defendants: Benjamin R. McGuire

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$261.41	1934	\$27.97

## TRACT #19

Lot 23, Block 40  
Original Town of Skiatook

Defendants: Tulsa Rig, Reel & Manufacturing  
Company, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$136.14	1933	\$15.57
	1934	14.57

## TRACT #20

Lot 24, Block 40  
Original Town of Skiatook

Defendants: Tulsa Rig, Reel & Manufacturing  
Company, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$136.14	1933	\$15.57
	1934	14.57

## TRACT #21

Lot 23, Block 40  
Original Town of Skiatook

Defendants: John Prentiss; Tulsa Rig, Reel &  
Manufacturing Company, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$143.28	1932	\$17.34
	1933	16.36
	1934	15.33

## TRACT #22

Lot 24, Block 40  
Original Town of Skiatook

Defendants: John Prentiss; Tulsa Rig, Reel &  
Manufacturing Company, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS	AMOUNT
\$175.12	1932	\$21.22
	1933	19.03
	1934	18.74

Lot 3, Block 1  
Wiles Addition

Year	Amount
1934	\$14.57

Lot 4, Block 1  
Wiles Addition

Year	Amount
1934	\$14.57

Lot 1, Block 2  
LaFoon Addition

Year	Amount
1933	\$61.62
1934	51.64

EXHIBIT B

The installments enumerated opposite the property described in this schedule set forth the delinquent installments and the amounts thereof in taxing District #4, Aftonook, Oklahoma, which are due and delinquent against the properties therein described. All of said installments, together with penalties as provided by law, are valid and subsisting liens on the records in the office of the Town Clerk of Aftonook, Oklahoma, and the County Treasurer of Tulsa County, Oklahoma, and the County Treasurer of Wagon County, Oklahoma.

Lot 1, Block 21  
Original Town of Aftonook

Year	Amount
1932	31.67
1933	39.85
1934	37.97

Lot 2, Block 25  
Original Town of Aftonook

Year	Amount
1932	26.94
1933	24.40
1934	22.69

Lot 3, Block 28  
Original Town of Aftonook

Year	Amount
1932	24.00
1933	20.20
1934	21.75

Lot 4, Block 28  
Original Town of Aftonook

Year	Amount
1932	22.14
1933	19.92
1934	17.81

Lot 5, Block 28  
Original Town of Aftonook

Year	Amount
1932	24.07
1933	22.30
1934	22.44

Lot 6, Block 15  
Principal Town of Wintook

Year	Amount
1932	11.67
1933	10.21
1934	10.18

Lot 7, Block 15  
Principal Town of Wintook

Year	Amount
1929	13.67
1930	12.67
1931	12.19
1932	11.64
1933	10.21
1934	10.18

Lot 8, Block 15  
Principal Town of Wintook

Year	Amount
1930	17.62
1931	15.88
1932	14.07
1933	13.30
1934	12.54

## TRACT #34

Lot 9, Block 26  
Original Town of Skiatook

Defendants: First Church of the Nazarene,  
a corporation; G. C. Porbst

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$116.35	1930	\$23.69
	1931	22.97
	1932	20.14
	1933	19.02
	1934	17.81

## TRACT #35

Lot 10, Block 26  
Original Town of Skiatook

Defendants: First Church of the Nazarene,  
a corporation; G. C. Porbst

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$203.32	1930	\$28.87
	1931	27.35
	1932	24.60
	1933	23.20
	1934	21.75

## TRACT #36

Lot 13, Block 26  
Original Town of Skiatook

Defendants: Mary Turknett; First Christian Church  
of Skiatook, Oklahoma, a corporation

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$261.44	1926	\$44.44
	1927	42.04
	1928	40.62
	1929	37.13
	1930	36.86
	1931	34.99
	1932	31.67
	1933	29.85
	1934	27.97

## TRACT #37

Lot 14, Block 26  
Original Town of Skiatook

Defendants: Mary Turknett; First Christian Church  
of Skiatook, Oklahoma, a corporation

## TRACT #37 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$213.88	1926	\$36.25
	1927	34.93
	1928	33.39
	1929	30.42
	1930	30.24
	1931	28.73
	1932	25.94
	1933	24.40
	1934	22.89

## TRACT #38

Lot 15, Block 26  
Original Town of Skiatcok

Defendants: Board of County Commissioners  
Tulsa County, Oklahoma

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$203.32	1928	\$31.78
	1929	28.87
	1930	28.29
	1931	27.35
	1932	24.60
	1933	23.20
	1934	21.75

## TRACT #39

Lot 16, Block 26  
Original Town of Skiatook

Defendants: W. C. Hubbard; Gray Erick

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$166.35	1926	\$27.21
	1927	26.32
	1928	24.13
	1929	23.64
	1930	22.52
	1931	21.33
	1932	20.14
	1933	19.02
	1934	17.81

## TRACT #40

Lot 17, Block 26  
Original Town of Skiatook

Defendants: W. C. Hubbard; Gray Erick

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$116.18	1930	\$16.42
	1931	15.86
	1932	14.07
	1933	13.30
	1934	12.24

## TRACT #41

Lot 18, Block 26  
Original Town of Skiatook

Defendants: W. C. Hubbard; Gray Erick

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$95.07	1930	\$13.75
	1931	13.04
	1932	11.54
	1933	10.21
	1934	10.18

## TRACT #42

Lot 15, Block 33  
Original Town of Skiatook

Defendants: Earl B. Schuman; Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.81
	1931	12.10
	1932	11.54
	1934	10.10

## TRACT #43

Lot 16, Block 33  
Original Town of Skiatook

Defendants: Earl B. Schuman; Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.81
	1931	12.10
	1932	11.54
	1934	10.10

## TRACT #44

Lot 17, Block 33  
Original Town of Skiatook

Defendants: Larkin Bailey; Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.81
	1931	12.10
	1932	11.54
	1934	10.10

## TRACT #45

Lot 18, Block 33  
Original Town of Skiatook

## TRACT #45 (Cont'd.)

Defendants: Larkin Bailey; Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.81
	1931	12.10
	1932	11.54
	1934	10.10

## TRACT #46

Lot 19, Block 33  
Original Town of Skiatook

Defendant: Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1928	\$15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #47

Lot 20, Block 33  
Original Town of Skiatook

Defendant: Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1928	\$15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #48

Lot 21, Block 33  
Original Town of Skiatook

Defendants: W. C. Hubbard; Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1926	\$16.35
	1927	15.70
	1928	15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #49

Lot 22, Block 33  
Original Town of Skiatook

Defendants: W. C. Hubbard; Martha J. Bolin

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1926	\$16.35
	1927	15.70
	1928	15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #50

Lot 13, Block 34  
Original Town of Skiatook

Defendants: Earl B. Schuman; E. M. Bullock;  
Emma Bullock, wife of E. M. Bullock

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1925	\$13.69
	1926	16.35
	1927	15.70
	1928	15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #51

Lot 14, Block 34  
Original Town of Skiatook

Defendants: Earl B. Schuman; E. M. Bullock;  
Emma Bullock, wife of E. M. Bullock

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1925	\$13.69
	1926	16.35
	1927	15.70
	1928	15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #52

Lot 15, Block 34  
Original Town of Skiatook

Defendants: Earl B. Schuman; E. M. Bullock;  
Emma Bullock, wife of E. M. Bullock

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1925	\$13.69
	1926	16.35
	1927	15.70
	1928	15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #53

Lot 16, Block 34  
Original Town of Skiatook

Defendants: James Harrison; E. M. Bullock;  
Emma Bullock, wife of E. M. Bullock

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1925	\$13.69
	1926	16.35
	1927	15.70
	1928	15.05
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #54

Lot 17, Block 34  
Original Town of Skiatook

Defendants: James Harrison; E. M. Bullock;  
Emma Bullock, wife of E. M. Bullock

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1932	\$11.54
	1933	10.77
	1934	10.10

## TRACT #55

Lot 21, Block 34  
Original Town of Skiatook

Defendants: Board of County Commissioners of Tulsa  
County, Oklahoma; J. M. Stringer

## TRACT #55 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1930	\$13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #56

Lot 22, Block 34  
Original Town of Skiatook

Defendants: Board of County Commissioners of Tulsa  
County, Oklahoma; A. M. Whitehead

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1930	\$13.68
	1931	12.96
	1932	11.54
	1934	10.10

## TRACT #57

Lot 13, Block 35  
Original Town of Skiatook

Defendants: Earnest Wilbourne Spurgeon;  
Geo. Newman

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.80
	1933	10.77
	1934	10.10

## TRACT #59

Lot 14, Block 35  
Original Town of Skiatook

Defendants: Earnest Wilbourne Spurgeon;  
Geo. Newman

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.80
	1933	10.77
	1934	10.10

## TRACT #60

Lot 15, Block 35  
Original Town of Skiatook

Defendants: Earnest Wilbourne Spurgeon;  
Geo. Newman

## TRACT #60 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$13.43
	1930	12.80
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #61

Lot 16, Block 35  
Original Town of Skiatook

Defendants: Earnest Wilbourne Spurgeon;  
Geo. Newmar.

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$54.35	1929	\$13.43
	1930	12.80
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #62

Lot 19, Block 36  
Original Town of Skiatook

Defendants: Frank T. Gibson; Lela Gibson;  
Ohmer Reynolds; A. E. Taylor

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1930	\$13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #63

Lot 20, Block 36  
Original Town of Skiatook

Defendants: Frank T. Gibson; Lela Gibson;  
Ohmer Reynolds; A. E. Taylor

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1930	\$13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #64

Lot 21, Block 36  
Original Town of Skiatook

Defendants: Thomas L. Gibons; Emma Lee Wallace

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1925	\$13.69
	1926	16.35
	1927	15.70
	1928	15.05
	1929	12.80
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #65

Lot 22, Block 36  
Original Town of Skiatook

Defendants: Thomas L. Gibons; P. W. Scott

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1925	\$13.69
	1926	16.35
	1927	15.70
	1928	15.05
	1929	12.80
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #66

Lot 23, Block 36  
Original Town of Skiatook

Defendants: Thomas L. Gibons; P. W. Scott

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$12.80
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #67

Lot 24, Block 36  
Original Town of Skiatook

Defendants: Thomas L. Gibons; P. W. Scott

## TRACT #67 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1929	\$12.80
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #68

Lot 13, Block 37  
Original Town of Skiatook

Defendants: Elisha B. Brown; Susie Brown

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$3.00	1933	\$ .37
	1934	.33

## TRACT #69

Lot 14, Block 37  
Original Town of Skiatook

Defendants: Elisha B. Brown; Susie Brown

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$4.00	1933	\$ .47
	1934	.43

## TRACT #70

Lot 15, Block 37  
Original Town of Skiatook

Defendants: Elisha B. Brown; Susie Brown

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1933	\$10.77
	1934	10.10

## TRACT #71

Lot 16, Block 37  
Original Town of Skiatook

Defendants: Elisha B. Brown; Susie Brown

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1933	\$10.77
	1934	10.10

## TRACT #72

Lot 17, Block 37  
Original Town of Skiatook

Defendant: C. W. Lovell

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1930	\$13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #73

Lot 18, Block 37  
Original Town of Skiatook

Defendants: C. W. Lovell

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1930	\$13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #74

Lot 21, Block 37  
Original Town of Skiatook

Defendants: Verna Evelyn Collins; James Harrison

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$94.35	1928	\$14.13
	1929	13.43
	1930	13.68
	1931	12.96
	1932	11.54
	1933	10.77
	1934	10.10

## TRACT #75

Lot 17, Block 38  
Original Town of Skiatook

Defendants: Nettie C. Billups

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1932	\$16.48
	1933	15.57
	1934	14.57

## TRACT #76

Lot 18, Block 38  
Original Town of Skiatook

Defendants: Nettie C. Billups

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1932	\$16.48
	1933	15.57
	1934	14.57

## TRACT #77

Lot 19, Block 38  
Original Town of Skiatook

Defendant: Nettie C. Billups

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1932	\$15.60
	1933	14.69
	1934	13.77

## TRACT #78

Lot 13, Block 39  
Original Town of Skiatook

Defendants: Cora J. Morgan; W. L. Brant

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1925	\$19.50
	1926	23.39
	1927	22.37
	1929	19.35
	1930	19.43
	1932	16.48
	1933	15.57
	1934	14.57

## TRACT #79

Lot 14, Block 39  
Original Town of Skiatook

Defendants: Cora J. Morgan; W. L. Brant

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1925	\$19.50
	1926	23.39
	1927	22.37
	1929	19.35
	1930	19.43
	1932	16.48
	1933	15.57
	1934	14.57

## TRACT 80

Lot 15, Block 39  
Original Town of Skiatook

Defendants: Earl B. Schuman; W. L. Brant

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1925	\$19.50
	1926	23.39
	1927	22.37
	1928	21.44
	1929	19.35
	1931	18.49
	1933	15.57
	1934	14.57

## TRACT #81

Lot 16, Block 39  
Original Town of Skiatook

Defendants: Earl B. Schuman; W. L. Brant

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1925	\$19.50
	1926	23.39
	1927	22.37
	1928	21.44
	1929	19.35
	1931	18.49
	1933	15.57
	1934	14.57

## TRACT #82

Lot 11, Block 39  
Original Town of Skiatook

Defendant: Benjamin R. McGuire

ORIGINAL ASSESSMENT	INSTALMENT DELINQUENT	AMOUNT
\$213.88	1933	\$24.40

## TRACT #83

Lot 12, Block 39  
Original Town of Skiatook

Defendant: Benjamin R. McGuire

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$261.41	1933	\$29.85

## TRACT #84

Lot 17, Block 40  
Original Town of Skiatook

Defendants: L. B. Meade; Jane Meade

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1929	\$19.35
	1930	19.43
	1931	12.96
	1932	16.40
	1933	15.57
	1934	14.57

## TRACT #85

Lot 18, Block 40  
Original Town of Skiatook

Defendants: L. B. Meade; Jane Meade

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1929	\$19.35
	1930	19.43
	1931	12.96
	1932	16.40
	1933	15.57
	1934	14.57

## TRACT #86

Lot 19, Block 40  
Original Town of Skiatook

Defendants: John Prentiss; G. M. Allison

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1929	\$19.35
	1930	19.43
	1931	12.96
	1932	16.40
	1933	15.57
	1934	14.57

## TRACT #87

Lot 20, Block 40  
Original Town of Skiatook

Defendants: John Prentiss; G. M. Allison

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1929	\$19.35
	1930	19.43
	1931	12.96
	1932	16.40
	1933	15.57
	1934	14.57

## TRACT #88

Lot 21, Block 40  
Original Town of Skiatook

Defendants: William Howell; Mary L. Tinker

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1926	\$23.39
	1927	22.37
	1928	21.44
	1929	19.35
	1930	19.43
	1931	12.96
	1932	16.40
	1933	15.57
	1934	14.57

## TRACT #89

Lot 22, Block 40  
Original Town of Skiatook

Defendants: William Howell; Mary L. Tinker

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1926	\$23.39
	1927	22.37
	1928	21.44
	1929	19.35
	1930	19.43
	1931	12.96
	1932	16.40
	1933	15.57
	1934	14.57

## TRACT #90

Lot 21, Block 38  
Original Town of Skiatook

Defendants: W. C. Hubbard; Ed Shackelford

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$388.42	1928	\$44.30
	1929	41.56
	1930	54.76
	1931	51.66
	1932	47.80
	1933	44.30
	1934	42.60

## TRACT #91

Lot 22, Block 38  
Original Town of Skiatook

Defendants: W. C. Hubbard; Ed Shackelford

## TRACT #91 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$388.42	1931	\$51.66
	1932	47.80
	1933	44.30
	1934	42.60

## TRACT #92

Lot 5, Block 1  
Wiles Addition

Defendants: Earl B. Schuman; Rose E. Bradshaw

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1930	\$19.43
	1931	18.49
	1932	16.42
	1933	15.57
	1934	14.57

## TRACT #93

Lot 6, Block 1  
Wiles Addition

Defendants: Earl B. Schuman; Rose E. Bradshaw

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$136.14	1930	\$19.43
	1931	18.49
	1932	16.42
	1933	15.57
	1934	14.57

## TRACT #94

Lot 1, Block 2  
LaFoon Addition

Defendants: W. F. Paschall

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$482.59	1928	\$60.11

## TRACT #95

Lot 2, Block 2  
LaFoon Addition

Defendants: Vena Roach

## TRACT #95 (Cont'd.)

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$388.42	1926	\$63.34
	1927	62.88
	1928	60.11
	1929	55.22
	1930	54.76
	1931	51.76
	1932	47.23
	1933	44.30
	1934	41.56

## TRACT #96

Lot 1, Block 40  
Original Town of Skiatook

Defendants: R. A. Boyd; Susan A. Downs

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$261.41	1930	\$36.86
	1931	35.72
	1932	31.67
	1933	29.85
	1934	27.97

## TRACT #97

Lot 2, Block 40  
Original Town of Skiatook

Defendants: R. A. Boyd; Susan A. Downs

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$213.88	1930	\$30.24
	1931	28.73
	1932	26.94
	1933	24.40
	1934	22.89

## TRACT #98

Lot 19, Block 40  
Original Town of Skiatook

Defendants: W. M. Howell; C. M. Ellison

ORIGINAL ASSESSMENT	INSTALMENTS DELINQUENT	AMOUNT
\$63.08	1929	\$ 9.10
	1930	9.36
	1931	8.93
	1932	7.77
	1933	7.28
	1934	6.84



Lot 20, Block 40  
Original Town of Skiatook

Year	Amount
1929	21.07
1930	11.32
1931	10.00
1932	9.48
1933	8.90
1934	8.32

Lot 21, Block 40  
Original Town of Skiatook

Year	Amount
1926	18.25
1927	16.48
1928	17.00
1929	15.82
1930	16.01
1931	15.21
1932	14.52
1933	13.76
1934	11.02

Lot 22, Block 40  
Original Town of Skiatook

Year	Amount
1926	22.17
1927	21.51
1928	21.45
1929	19.30
1930	18.76
1931	21.25
1932	19.75
1933	18.83
1934	17.47

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

Nancy Kingfisher, formerly Vann,  
Ezekel Vann, and Marvin Vann,  
Plaintiffs,  
vs.

Carrie Vann, Mary Hair Vann, and  
Cecil G. Anderson,  
Defendants,

United States of America,  
Intervener.

No. 1882-  
Civil.

DECREE QUIETING TITLE AND  
GRANTING PARTITION.

The above case coming on for hearing in its regular order, pursuant to assignment, on this the 17th day of October, 1948; the plaintiffs, Nancy Kingfisher, formerly Vann, Ezekel Vann and Marvin Vann, appearing personally by the plaintiff, Nancy Kingfisher, and by their Attorney, John B. Severson; the United States of America appearing by the Honorable Whit E. Mauzy, U. S. Attorney, who likewise appears for all of the parties to said action who are restricted Indians; the defendants, Carrie Vann and Mary Hair Vann, also known as Mary Hair Wagoner, and Cecil G. Anderson appearing not, and no one appearing for them or in their behalf; and it being shown to the Court that all of said defendants, as above named, have been duly and regularly served with summons, personally, more than thirty days prior to this hearing; they and each of them are adjudged to be in default save and except as the defendant, Carrie Vann, may appear by the United States District Attorney, as heretofore set out; and it being further shown that the United States of America was properly served with notice of the pendency of this action, under the Act of Congress of April 18th, 1934, 48 Stat. 839 and, pursuant thereto, filed its intervention in this action in behalf of all of the restricted Indians, parties thereto;

AND IT BEING FURTHER SHOWN to the Court that, heretofore, to-wit: on the 1st day of March, 1944, the County Court of Mayes County, Oklahoma, being the court having jurisdiction of the settlement of the estate of Fisher Vann, deceased Cherokee Indian, Roll No. 30462, whose allotment is involved in this action, determined, as follows:

(a) That said Fisher Vann died on or about the 8th day of January, 1917, possessed of the land involved in this action, to-wit:

The NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , of Section 14, Township 22 North, Range 13 East, in Tulsa County, Oklahoma;

(b) That he left as his sole and only heirs, the following persons, to-wit: The defendant, Mary Hair Vann, now Wagoner, a non-citizen of the Creek Nation, she being his second wife, and who inherited an undivided <sup>one-fourth</sup> portion of said estate; Cornelius Vann, his son, a full-blood Indian, Cherokee Indian Roll No. 32271; who is now deceased, but who inherited an undivided 1/4th portion of said estate; Ezekel Vann, his son, full-blood Cherokee Indian, Roll No. M-1410, who inherited an undivided 1/4th interest; and Carrie Vann, his daughter by his non-citizen wife, who inherited an undivided 1/4th interest therein;

The Court further finds that Cornelius Vann, Roll No. 32271, above named, died intestate, a resident of Mayes County, Oklahoma, vested with his said 1/4th undivided interest in the lands above described, and left as his sole heirs, his wife, Vann, nee Nancy<sup>A</sup> Bridge, now Kingfisher, plaintiff herein, and his sons, Marvin Vann and Fisher Vann, who each inherited a one-third (1/3) interest in the one-fourth (1/4) undivided interest in the land hereinabove described.

The Court further finds that, thereafter, on the 26th day of July, 1940, the said Fisher Vann, the son of Cornelius Vann, departed this life, intestate, on or about said date, unmarried, and without issue, being of the age of 20 years at the time of his death, and by virtue thereof his one-third (1/3) interest in and to the 1/4th undivided interest in the

lands hereinbefore described, passed to and became vested in his said brother, Marvin Vann, one of the plaintiffs herein, and by virtue thereof, title to said land became vested in the following named persons, in the proportionate parts, as follows, to-wit:

Plaintiff,	Nancy Kingfisher,	1/12th;
Plaintiff,	Marvin Vann,	1/6 th;
Plaintiff,	Ezekiel Vann,	1/4th;
Defendant,	Mary Vann, now Wagoner,	1/4th;
Defendant,	Carrie Vann,	1/4th.

The Court further finds that the County Court of Mayes County, Oklahoma, on the 1st day of March, 1944, being the court having jurisdiction of the settlement of the estates of said Fisher Vann, deceased Cherokee Indian Roll No. 30462, and Cornelius Vann, deceased Cherokee Indian No. 32271, and Fisher Vann, deceased, who was an unenrolled Cherokee Indian, in a proceeding had in said County Court, being Probate No. 30139, for the purpose of determining the heirship of the foregoing deceased persons, under the Acts of Congress, found, determined and decreed that the interests of said persons in said estate were as last above set out; certified copy of which decree has been admitted as evidence in this case, which said findings of the County Court of Mayes County, Oklahoma, are adopted by the Court in this case.

The Court further finds that service of summons in this action on the defendants, Carrie Vann, Mary Hair Vann, now Wagoner, and Cecil C. Anderson, including the service of notice of the pendency of this action on the Superintendent of the Five Civilized Tribes, at Muskogee, Oklahoma, were in each several particulars lawful and regular.

The Court further finds that the United States of America properly ~~is~~ entered as intervener in this case, and that such action which was begun in the District Court of Tulsa County, Oklahoma, under case No. 74614, was properly removed to this Court, and filed as civil action No. 1883; and that the

District Court of Tulsa County, Oklahoma, and this Court, upon the removal of this action, has jurisdiction of the parties and the subject matter involved herein.

The Court further finds that the resale tax deed issued by The State of Oklahoma to Larkin Bailey, recorded in Book 1595, at page 317 of the records of the County Clerk of Tulsa County, Oklahoma, as well as conveyance by Larkin Bailey to Cecil C. Anderson, dated May 12, 1944, recorded in Book 1596, at page 533 of the records of Tulsa County, Oklahoma, should be cancelled, set aside, and held for naught, by reason of the fact that the assessment under which said tax sale was had, and the resale tax deed issued thereunder, was void, the interests sought to be conveyed not being properly listed; and that said conveyance should be cancelled, set aside and held for naught insofar as any title the said Cecil C. Anderson may have by reason of the fact that he was lawfully served with summons in this action more than thirty days prior to this hearing, and has wholly failed and neglected to enter his appearance in this action, and has failed to file any pleading or claim any interest whatsoever, under said tax deed, and that the cloud upon the title cast by reason of said erroneous tax proceeding and the issuance of said deeds, should be cancelled, and the title to said land quieted against all of said instruments.

It is therefore ordered, RECORDED and DECORDED by the Court that partition of the lands involved in this action, as heretofore described herein, is granted, and that the title and interest of the following parties, in the following proportionate parts, is settled and quieted in them, said interests being, as follows, to-wit:

Plaintiff, Nancy Kingfisher,	1/12th;
Plaintiff, Marvin Vann,	1/6th;
Plaintiff, Ezekel Vann,	1/4th;
Defendant, Mary Vann, now Cagoner,	1/4th;
Defendant, Carrie Vann,	1/4th;

and that Loren E. Stansbery, C. C. Weber, and Fashie C. Smith, all disinterested persons, be and they are hereby appointed Commissioners, to make partition of said land in kind among the

said parties, in accordance with the foregoing interests, but in case partition in kind cannot be done without manifest injury to said estate, then said Commissioners shall cause an appraisal or valuation to be made of said property, and make and return to this court of their findings; that before entering upon their said duties, they shall take and subscribe to the oath prescribed by law, and the Clerk of this Court shall issue to said Commissioners a writ of partition, in accordance with this order.

It is further ordered, adjudged and decreed by the Court that the Deedle Tax Deed recorded in Book 1595, at page 317, of the records of the County Clerk of Tulsa County, Oklahoma, issued to Larkin Bailey, be and the same is hereby cancelled and held for naught; and it is further ordered that the deed from Larkin Bailey to Cecil O. Anderson, dated May 12th, 1944, recorded in Book 1595, at page 553 of the records of the County Clerk of Tulsa County, Oklahoma, be and the same is hereby cancelled, set aside and held for naught, by reason of the fact that the assessment, under which the Deedle Tax Deed was had, was improperly listed, and therefore the Deedle Tax Deed issued thereunder was void - the interest sought to be conveyed not being properly listed; and the said conveyance to the said Cecil O. Anderson is cancelled, set aside and held for naught, for the further reason that said defendant, Cecil O. Anderson, was lawfully served with summons in this action more than thirty days prior to this hearing and in default, having failed to enter his appearance, or to file any pleadings or claims, or demand whatsoever in the land embraced in this action, the said several conveyances creating a cloud on the title of the true owners, be and the same are set forth, which cloud is cancelled, set aside and held for naught, and said defendant, Cecil O. Anderson, is barred and enjoined from setting up any claim to the lands involved in this action adverse to the title of the owners thereof, as hereinafter set out in this decree; and the title of the plaintiff and the defendants other than the defendant Cecil O. Anderson is quieted in them.

In the premises Objections, Assignments and Demands that the findings heretofore made by the Court are, as to all things, made and judgment of the Court.

*Handwritten notes:*  
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D. ...  
...

*W. ...*  
\_\_\_\_\_  
Judge of the United States District Court.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Petitioner,

-vs-

SIDNEY HILLIARD, et al.,

Defendants.

CIVIL NO. 1134

FILED  
OCT 22 1946

H. F. WARFIELD  
U. S. DISTRICT COURT

ORDER DECREETING JUST COMPENSATION FIXING  
TITLE AND MAKING PARTIAL DISTRIBUTION AS  
TO TRACT NO. 31 (36 FC 1087)

NOT on this 21st day of October, 1946, there coming on for hearing the application of Sidney Hilliard for an order making partial distribution of the funds as to Tract No. 31 in this action; the defendant, Sidney Hilliard appearing in person and by his attorney, Paul G. Simms, and the court having heard said application and being fully advised in the premises finds:

That notice of this application has been given by mailing copies of this application to all parties in interest who have a known address.

That when this action was begun the land described as Tract No. 31 herein was owned as follows:

The part thereof situated in the NE 1/4 of Section 7-25-25, was owned by the defendant, Sidney Hilliard; the remaining portion of the tract was owned by Edna Hilliard, Velma Hilliard, Clarence Hilliard and Delphine Hilliard, subject to the right of Sarah Hilliard to use and occupy said remaining portion during her lifetime.

The Court finds that the petitioner filed a Declaration of Taking and deposited in the registry of the court as estimated just compensation the sum of \$438.80, for the taking of a perpetual flowage easement upon and over said land; that this court entered judgment upon said Declaration of Taking thereby vesting in the petitioner a perpetual flowage easement upon and over said tract and decreeing that the owners and those having any right, title or interest in and to said land have and recover just compensation for the taking of said perpetual flowage easement.

That the commissioners appointed by the court made their report on February 15, 1945, and awarded the sum of \$438.50 as just compensation for the taking of said perpetual flowage easement, and out of said sum awarded the amount of \$72.50 as crop damages occasioned by the May, 1943 flood.

That more than sixty days have elapsed since the filing of said report; that no demands for jury trial nor exceptions to the report of commissioners have been filed and that said report has become final.

The court further finds that the flowage easement taken by the petitioner herein covers 14.6 acres, approximately one-half of which is located within that part of the tract owned in fee by Sidney Hilliard, and the remaining one-half of which is located within that part of the tract owned by Edna Hilliard, and others, as aforesaid; that the crop damage occurred in approximately equal proportions upon each of the two tracts and that Glen Jones who was the tenant upon both tracts at the time the damage occurred, was, by the terms of his tenancy entitled to receive two-thirds of the crops upon the parcel owned in fee by Sidney Hilliard.

The court further finds that no person, firm, corporation or taxing subdivision of the State, other than Sidney Hilliard and Glen Jones, have any right, title or interest in and to that part of the just compensation awarded for the taking of that part of Tract No. 31 owned in fee by Sidney Hilliard.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$438.50 is just compensation for the taking of a perpetual flowage easement upon and over the whole of Tract No. 31, and that the Clerk of this Court be and he is hereby ordered to make distribution from the funds deposited as just compensation, in the following amounts:

TO: GLEN JONES, Tenant, - - - 2/3rds of 1/2 of \$72.50,  
or, - - - - - \$24.17

TO: SIDNEY HILLIARD, - fee owner of part of Tract  
No. 31, - - - 1/3rd of 1/2 of \$72.50, or \$12.08,  
plus (1/2 of \$438.50 minus \$72.50, or \$183.00),  
or a total of - - - - - \$195.08

THAT the remaining funds on deposit be held subject to the further orders of this Court.

  
\_\_\_\_\_  
Judge

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

United States of America,

Libelant,

vs.

No. 1874 Civil.

One 1940 LaSalle Sedan Automobile, Motor  
No. 2320907, 69 gallons of intoxicating  
liquor, Louise Hattie Pettyjohn nee Louise  
Hattie Taylor, Russell Lee Pettyjohn, and  
H. T. McWilliams, d/b/a Midwest Finance  
Company,

Claimants.

**FILED**  
JUL 22 1946

**H. E. WATFIELD**  
CLERK OF DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

Now on this 22nd day of July, 1946, this cause of  
action having come on before the Court on agreement of counsel, Libelant  
appearing by Whit Y. Mauzy, United States Attorney, and Lawrence E. Todd,  
Assistant United States Attorney, for the Northern District of Oklahoma,  
and the claimant, Louise Hattie Pettyjohn nee Taylor, having failed, neg-  
lected and refused to appear or file any pleadings contesting this litiga-  
tion although duly notified thereof, and the claimant, H. T. McWilliams,  
doing business as the Midwest Finance Company, having filed herein his  
answer and cross petition and appearing by his attorney, R. A. Bellis, and  
the Court in consideration of stipulation and agreement of counsel filed  
herein and being fully advised in the premises finds that the claim of  
H. T. McWilliams, doing business as the Midwest Finance Company, should be  
denied and that the property herein should be forfeited.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a  
forfeiture herein be and the same is hereby allowed as to the said 1940



Laballe Soda and Seltzer, Motor No. 2330/07, together with the interest and rights of assignment, Louise Mattie Pettyjohn nee Taylor and H. T. Hoffmann, doing business as the Missouri Finance Company, are concerned.

IT IS HEREBY ORDERED, ADJUDICATED AND DECREED by the Court that forfeiture herein be and the same is hereby allowed as to the said six (6) (50) gallons of whiskey, two (2) intoxicating liquors, subject with said co-actors and assigns, which intoxicating liquors are returned delivered to the Secretary of the Treasury of the United States for proper and lawful disposition.

IT IS FURTHER ORDERED, ADJUDICATED AND DECREED by the Court that the United States Marshal for the Western District of Missouri shall sell, dispose of in the manner provided by law and make disposition of the proceeds of said sale in the statutes of the United States relating thereto.

Raymond H. Savage  
JUDGE

U. S. AS S. COURT,  
SERVICE OF COPY ACCORDING TO RULE:

Whit G. Mowbray  
Whit G. Mowbray,  
United States Attorney.

Lawrence E. Todd  
Lawrence E. Todd,  
Assistant United States Attorney.

H. A. Ballou  
H. A. Ballou, Attorney for  
Lieutenant, H. T. Hoffmann, d/b/a  
Missouri Finance Company.

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

PAUL A. PORTER, Administrator  
Office of Price Administration

Plaintiff

vs.

C. D. FALLIS

Defendant

CIVIL ACTION NO. 1880

FINAL INJUNCTION.

Now on this 15th day of October, 1946, the above styled and numbered cause of action comes on for hearing before the Court upon the Complaint filed herein. The plaintiff appearing by counsel, and the defendant appearing not, either in person or by representative, and the Court finding that the defendant has been given due and legal notice of the pendency of this action, and the time and place of this hearing, and the Court further finding that the defendant has wholly failed to answer or otherwise plead to the Complaint herein.

Whereupon, the Court directs the plaintiff to proceed and the Court, having heard the testimony of the witnesses sworn and examined in open Court, and being fully advised in the premises, finds this action was brought by the plaintiff seeking to enjoin and restrain the defendant from demanding or receiving rent in excess of the maximum legal rate upon certain rental property, and the Court finds the plaintiff is entitled to the relief as prayed for.

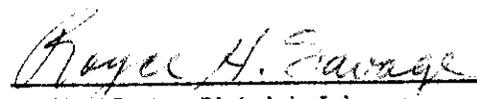
IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and representatives, and each and every person in active concert or participation with him be, and are hereby, enjoined from directly or indirectly doing any act or practice in violation of Rent Regulation for Housing, and in particular, as follows:

- (a) Demanding or receiving rent in excess of the maximum legal rate upon the rental unit described as 713 North Kanthus, Tulsa, Oklahoma,

11 3

or upon any other rental unit owned by or under the control of the said defendant, such maximum legal rent being determined by the registration of the respective rental units on file in the Area Rent Office, Tulsa, Oklahoma.

IT IS FURTHER ORDERED that the costs of this action be taxed against the defendant.

  
United States District Judge

IN THE UNITED STATES DISTRICT COURT OF THE LAND FOR THE WESTERN

DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,  
OKLAHOMA, containing approximately 142.40  
acres, more or less; and James Y. Victor,  
Executor of the Estate of S. G. Victor,  
deceased, et al.,

Defendants.

CIVIL NO. 1157

FILED  
OCT 25 1946

ARTICLE  
OF THE CONSTITUTION

ORDER FIXING TITLE AND MAKING  
DISTRIBUTION AS TO TRACT NO. 38 (48 P. 1531)

NOW, on this 28th day of October, 1946, the above cause comes on for hearing for an order fixing title and making distribution as to Tract No. 38 (48 P. 1531), and the Court being fully advised in the premises, finds:

That defendant, Philip Gress, was the owner of said tract when this action was begun and that no other person, firm, corporation or political subdivision of the State has any right, title or interest in and to said land or to the compensation awarded for the taking by the petitioner of a perpetual flowage easement thereupon.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that the defendant, Philip Gress, was the owner of the land designated as Tract No. 38 (48 P. 1531) when this action was begun and that he is the only person having any right, title or interest in and to the just compensation therefor.

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: Philip Gress, - - fee owner of  
Tract No. 38 (48 P. 1531), - - - - - \$207.50

*Royce H. Savoy*  
Judge

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

PAUL A. PORTER, Administrator  
Office of Price Administration

Plaintiff

vs.

THEODORE GRIFFIN  
d/b/a Town Crier Grocery

Defendant

CIVIL ACTION NO. 1853 ✓

J U D G M E N T

The above entitled cause came on for hearing on this 15th day of October 1946, before the Honorable Royce H. Savage, United States Judge for the Northern District of Oklahoma. Plaintiff appeared by his counsel of record, James T. Steil, and the defendant appeared in person. Both sides announced ready for trial, witnesses were sworn and examined in open court. The court being well and fully advised in the premises finds that the violation as alleged in the complaint did occur, but that the defendant is no longer engaged in the grocery business, and therefore finds no reason for issuing the injunction as prayed for, and further finds that said injunction should be denied for that reason.

It is therefore ordered, adjudged and decreed by the court that the injunction as prayed for in the complaint and filed herein, be and is hereby denied.

It is further ordered, adjudged and decreed by the court that all costs of this action should be taxed against the defendant.

*Royce H. Savage*

U. S. District Judge.

FILED  
OCT 28 1946

U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

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

United States of America,

Plaintiff,

vs.

2948 quart containers and 522 one-  
half gallon containers, more or less,  
of, "Zolox Bleach and Disinfectant,"

Defendant.

No. 1904 Civil

FILED  
IN OPEN COURT  
OCT 25 1946

H. P. WARFIELD  
CLERK U.S. DISTRICT COURT

JOURNAL ENTRY

This matter coming on for hearing this 23<sup>rd</sup> day of October, 1946, in its regular order, the plaintiff, United States of America, appearing by Whit E. Meazy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the court being fully advised in the premises finds:

That no answer or other pleading has been filed in this cause. That the 2948 quart containers and 522 one-half gallon containers, more or less, of "Zolox Bleach and Disinfectant" were shipped in interstate commerce by Excel Products Company, Denver, Colorado, to Collins-Diets-Morris Company, Tulsa, Oklahoma, on or about October 4, 1945, via Loving Truck Line and is now located in Tulsa, Oklahoma.

The court further finds that said article was a fungicide within the meaning of the Insecticide Act of 1910 and was adulterated within the meaning of said act, in that said product's strength or purity falls below the standard or quality under which it was sold.

The court further finds that said article is misbranded in that the labels affixed to the containers were false and misleading and served to deceive and mislead the purchasers thereof, in that said product contains less than 5.25% sodium hypochlorite and more than 94.75% inert ingredients.

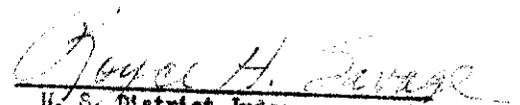
The court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of September 20, 1946, to seize and arrest said merchandise, did seize and arrest 2172 quart containers and 391 half-gallon containers of "Zolox Bleach and Disinfectant" on September 23, 1946.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the said 2172 quart containers and 391 half-gallon containers of "Zolox Bleach and Disinfectant" be and the same hereby are condemned, forfeited and confiscated.

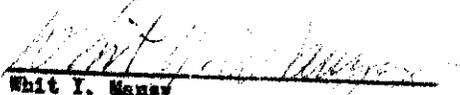
IT IS FURTHER ORDERED, ADJUDGED and DECREED that the said 2172 quart containers and 391 half-gallon containers of "Zolox Bleach and Disinfectant" be destroyed and John P. Logan, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to destroy same and to report his acts under this order to this court within thirty (30) days from this date.

IT IS THE FURTHER ORDER OF THE COURT that the plaintiff, United States of America, recover the costs of this action from Collins-Dietz-Morris Company of Tulsa, Oklahoma.

AND IT IS SO ORDERED.

  
U. S. District Judge.

O. K. as to form:

  
Whit I. Massey  
United States Attorney.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA  
DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CARLTON WOODRUFF, JR., et al. IN WASHINGTON COUNTY,  
D.C., containing approximately 21.90  
acres, more or less; and C. W. WOODRUFF, et al.,

Defendants.

CIVIL NO. 1173

FILED  
OCT 13 1946

J. H. WOODRUFF

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

On this 24th day of October, 1946, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment, approving the commissioners' report as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, 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) That 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 arrest 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 was taken, was set forth.

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

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

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

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

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified 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 18th day of May, 1903, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (28 FW 477)

Flowage Easement

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{2}$  of Sec. 3, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 756 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

... ( ... ) ... 207.20

TRACT NO. 2 (28 FW 480)

Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{2}$  of Section 3, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, less the following described tract of land:

"Beginning at the NE corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{2}$ ; thence South 225 feet; thence West to Highway No. 59; thence North along the East boundary of said Highway to the North boundary of NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{2}$ ; thence East to the point of beginning,"

lying below Elev. 756 Sea Level Datum, containing approximately 0.5 acre.

... ( ... ) ... 3.00

TRACT NO. 3 (28 FW 482 Rev.)

Flowage Easement

All that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{2}$  of Sec. 6, and all that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{2}$  SE $\frac{1}{2}$  SE $\frac{1}{4}$  less the North 200 feet thereof, of Sec. 7, all in T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.0 acre.

... ( ... ) ... 17.00

TRACT NO. 4 (26 FW 484 Rev.)

Flowage Easement

All that part of the E $\frac{1}{2}$  SW $\frac{1}{2}$  NE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{2}$ , and all that part of the SW $\frac{1}{2}$  NE $\frac{1}{2}$  NE $\frac{1}{4}$ , and all that part of the E $\frac{1}{2}$  NE $\frac{1}{2}$  NE $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{2}$  of Sec. 7, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.8 acres.

TRACT NO. 5 (26 FW 491)

Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 8, T 24 N, R 24 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 NW $\frac{1}{4}$  NW $\frac{1}{2}$  NW $\frac{1}{4}$  217.0 feet East of the SW corner thereof; thence Easterly along said South boundary a distance of 251.9 feet, thence North 165.0 feet; thence Westerly parallel to the South boundary of said NW $\frac{1}{4}$  NW $\frac{1}{2}$  NW $\frac{1}{4}$  271.6 feet; thence S 6° 58' E 166.3 feet to the point of beginning, containing 1.0 acres, more or less",

lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

TOTAL AREA OF FLOWAGE EASEMENT IN THIS TRACT (SEE PAGE 2)  
CONTAINING APPROXIMATELY 1.3 ACRES, MORE OR LESS, . . . . . \$1.00

TRACT NO. 6 (26 FW 493)

Flowage Easement

All that part of Block 8 in Sequoyah Addition to the town of Grove, Oklahoma, situated in the SW $\frac{1}{4}$  SW $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 5, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with that part of the streets, avenues, and alleys adjacent to said Block 8 lying below Elev. 757 Sea Level Datum.

TOTAL AREA OF FLOWAGE EASEMENT IN THIS TRACT (SEE PAGE 2)  
CONTAINING APPROXIMATELY 1.0 ACRES, MORE OR LESS, . . . . . \$2.00

TRACT NO. 7 (28 FW 941)

Flowage Easement

All that part of the  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 6.2 acres.

TOTAL COST OF THIS TRACT (SEE PAGE 1)  
... .. \$250.00

TRACT NO. 8 (28 FW 942)

Flowage Easement

All that part of the N 11.5 acres of the  $E\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the N 11.5 acres of the  $W\frac{1}{2}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.3 acres.

TOTAL COST OF THIS TRACT (SEE PAGE 1)  
... .. \$5.00

TRACT NO. 9 (28 FW 945)

Flowage Easement

All that part of Lot 3 in Block 21, in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

TOTAL COST OF THIS TRACT (SEE PAGE 1)  
... .. \$25.00

TRACT NO. 10 (28 FW 946)

Flowage Easement

All that part of Lot 2 in Block 21 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot 1, lying below Elev. 757 Sea Level Datum.

TOTAL COST OF THIS TRACT (SEE PAGE 1)  
... .. \$30.00

TRACT NO. 11 (28 FW 947)

Flowage Easement

All that part of Lot 1 in Block 21 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot 1, lying below Elev. 757 Sea Level Datum, and all that part of the streets, avenues, and alleys incident to the ownership of Lot 6 in Block 21 in said Townsite of Grove, Oklahoma, lying below Elev. 757 Sea Level Datum.

TOTAL UNIMPROVED MARKET VALUE OF THE ABOVE PROPERTY (AS PER VALUATION MAP) LESS ALL LIABILITIES THEREON, TO-WIT, . . . . . 175.00

TRACT NO. 12 (28 FW 948)

Flowage Easement

All that part of Lots 5 to 10 inclusive in Block 20 in the Original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TOTAL UNIMPROVED MARKET VALUE OF THE ABOVE PROPERTY (AS PER VALUATION MAP) LESS ALL LIABILITIES THEREON, TO-WIT, . . . . . 715.00

TRACT NO. 13 (28 FW 949)

Flowage Easement

All that part of the streets, avenues, and alleys incident to the ownership of Lot 4 in Block 23 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum.

TOTAL UNIMPROVED MARKET VALUE OF THE ABOVE PROPERTY (AS PER VALUATION MAP) LESS ALL LIABILITIES THEREON, TO-WIT, . . . . . 3.00

TRACT NO. 14 (28 FW 950)

Flowage Easement

All that part of Lots 1 and 2 in Block 20 in the original townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues and alleys adjacent to said Lots, lying below Elev. 757 Sea Level Datum.

TOTAL UNIMPROVED MARKET VALUE OF THE ABOVE PROPERTY (AS PER VALUATION MAP) LESS ALL LIABILITIES THEREON, TO-WIT, . . . . . 20.00

TRACT NO. 15 (28 FW 952)

Flowage Easement

All that part of Block 9 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Block, lying below Elev. 757 Sea Level Datum.

DELAWARE COUNTY, OKLAHOMA, DEPARTMENT OF PUBLIC WORKS (LOCAL GOVERNMENT) HAS AGREED TO TAKE EASEMENT, IF ANY, . . . . . \$25.00

TRACT NO. 16 (28 FW 954)

Flowage Easement

All that part of Lot 6 in Block 10 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

DELAWARE COUNTY, OKLAHOMA, DEPARTMENT OF PUBLIC WORKS (LOCAL GOVERNMENT) HAS AGREED TO TAKE EASEMENT, IF ANY, . . . . . \$15.00

TRACT NO. 17 (28 FW 955)

Flowage Easement

All that part of Lot 7 in Block 10 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

DELAWARE COUNTY, OKLAHOMA, DEPARTMENT OF PUBLIC WORKS (LOCAL GOVERNMENT) HAS AGREED TO TAKE EASEMENT, IF ANY, . . . . . \$10.00

TRACT NO. 18 (28 FW 956)

Flowage Easement

All that part of the streets, avenues, and alleys incident to the ownership of Lot 1 in Block 10 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum.

DELAWARE COUNTY, OKLAHOMA, DEPARTMENT OF PUBLIC WORKS (LOCAL GOVERNMENT) HAS AGREED TO TAKE EASEMENT, IF ANY, . . . . . \$15.00

TRACT NO. 19 (28 FW 957)

Flowage Easement

All that part of Lot 1 in Block 5 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

GRAND RIVER DAM AUTHORITY FLOWAGE EASEMENT (SEE PLAN)  
FOR FLOWAGE EASEMENT ON LOT 1, BLOCK 5, GROVE, DELAWARE COUNTY, OKLAHOMA, . . . . . \$20.00

TRACT NO. 20 (28 FW 958)

Flowage Easement

All that part of Lot 9, in Block 11 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum, and all that part of the streets, avenues and alleys incident to the ownership of Lot 1 in Block 11 in said Townsite of Grove, lying below Elev. 757 Sea Level Datum.

GRAND RIVER DAM AUTHORITY FLOWAGE EASEMENT (SEE PLAN)  
FOR FLOWAGE EASEMENT ON LOT 9, BLOCK 11, GROVE, DELAWARE COUNTY, OKLAHOMA, . . . . . \$15.00

TRACT NO. 21 (28 FW 959)

Flowage Easement

All that part of the South 20.0 acres of Lot 3, and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the South 20.0 acres of Lot 4 in Sec. 5, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows:

Beginning at a point in the North boundary of said South 20.0 acres of Lot 4, 239.5 feet East of the NW corner thereof; thence S 80° 56' E 494.8 feet; thence to the right on a curve with a radius of 2033.5 feet a distance of 156.2 feet; thence S 13° 30' W 50.0 feet; thence S 76° 30' E 0.0 feet; thence to the right on a curve with a radius of 1983.5 feet a distance of 240.0 feet; thence S 69° 36' E 1639.6 feet to a point on the East boundary of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  155.5 feet south of the NE corner thereof; thence northerly along the East boundaries of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and said south 20.0 acres of Lot 3 a distance of 213.4 feet to a point 602.1 feet South of the NE corner of said South 20.0 acres of Lot 3; thence N 69° 36' W 1565.0 feet; thence to the left

TRACT NO. 21 (Cont'd)

on a curve with a radius of 2183.5 feet a distance of 142 feet to a point on the north boundary of said south 20.0 acres of Lot 4; thence Westorly along the North boundary of said South 20.0 acres of Lot 4 a distance of 124.9 feet to the NE corner of Block 66; thence S 13° 30' W 16.7 feet to the SW corner of Block 66; thence N 76° 30' W 0.0 feet; thence to the left on a curve with a radius of 2133.5 feet a distance of 72.5 feet to a point on the North boundary of said South 20.0 acres of Lot 4; thence Westerly along said North boundary 595.4 feet to the point of beginning, lying below Elev. 757 Sea Level Datum, containing approximately 2.6 acres.

DELAWARE DEPARTMENT OF REVENUE

TRACT NO. 22 (28 FW 960)

Flowage Easement

All that part of Lots 5 to 7 inclusive in Block 12 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TOTAL AIR CASH VALUE OF THE ABOVE EASEMENT (APPROXIMATE)  
Deducted from all amounts due for taxes, etc., . . . . . \$225.00

TRACT NO. 23 (28 FW 961)

Flowage Easement

All that part of Lot 1, and Lot 2 less the S 6.0 feet thereof, in Block 12 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TOTAL AIR CASH VALUE OF THE ABOVE EASEMENT (APPROXIMATE)  
Deducted from all amounts due for taxes, etc., . . . . . \$1,000.00

TRACT NO. 24 (28 FW 962)

Flowage Easement

All that part of Lot 2 in Block 13 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

TOTAL LAND CONTAINED HEREIN (ORIGINAL SURVEY)  
SECTION 5, T24N, R24E, DELAWARE COUNTY, OKLAHOMA, . . . . . 50.00

TRACT NO. 25 (28 FW 963 Rev.)

Flowage Easement

All that part of Lots 5, 6 and 7 in Block 15 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues and alleys adjacent to said Lots, lying below Elev. 757 Sea Level Datum.

TOTAL LAND CONTAINED HEREIN (ORIGINAL SURVEY)  
SECTION 5, T24N, R24E, DELAWARE COUNTY, OKLAHOMA, . . . . . 30.00

TRACT NO. 26 (28 FW 965)

Flowage Easement

All that part of Lot 2 in Block 4 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

TOTAL LAND CONTAINED HEREIN (ORIGINAL SURVEY)  
SECTION 5, T24N, R24E, DELAWARE COUNTY, OKLAHOMA, . . . . . 10.00

TRACT NO. 27 (28 FW 966)

Flowage Easement

All that part of the North 23.79 acres of Lot 4 in Sec. 5, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, except that portion owned by the Grand River Dam Authority, and except that portion described as follows, to wit:

TRACT NO. 27 (Cont'd)

Commencing at the NW corner of Sec. 5, thence South 90 feet and 4 inches, thence S 15° 03' E 725.0 feet; thence N 89° 56' E 210.6 feet to the point of beginning; thence N 89° 56' E 439.3 feet; thence N 15° 03' W 68.7 feet; thence N 36° 29' W 211.0 feet; thence S 84° 52' W 322.7 feet; thence S 13° 34' E 106.0 feet; thence S 21° 17' W 42.3 feet to the point of beginning, containing approximately 1.93 acres.

lying below Elev. 757 Sea Level Datum, containing approximately 4.8 acres.

..... 727.00

..... 3,370.20

and that said report and proceedings, as to the above tracts, are in all respects regular and in compliance 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 said report of commissioners filed hereto 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, is final just compensation in the amount of \$3,980.20.

(9) that the United States of America did, on the 16th day of March, 1960, 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 (28 FR 477), . . . . .	207.20
TRACT NO. 2 (28 FR 480), . . . . .	9.00
TRACT NO. 3 (28 FR 482-Rev.) . . . . .	17.00
TRACT NO. 5 (28 FR 491), . . . . .	6.00
TRACT NO. 6 (28 FR 493), . . . . .	2.00
TRACT NO. 7 (28 FR 941), . . . . .	217.00
TRACT NO. 8 (28 FR 942), . . . . .	45.50
TRACT NO. 9 (28 FR 945), . . . . .	325.00
TRACT NO. 10 (28 FR 946), . . . . .	35.00
TRACT NO. 11 (28 FR 947), . . . . .	175.00
TRACT NO. 12 (28 FR 948), . . . . .	715.00
TRACT NO. 13 (28 FR 949), . . . . .	3.00
TRACT NO. 14 (28 FR 950), . . . . .	20.00
TRACT NO. 15 (28 FR 952), . . . . .	25.00
TRACT NO. 16 (28 FR 954), . . . . .	3.00
TRACT NO. 17 (28 FR 955), . . . . .	10.00
TRACT NO. 18 (28 FR 956), . . . . .	15.00

TRACT No. 19 (28 P. 957), . . . . .	10.00
TRACT No. 20 (28 P. 958), . . . . .	10.00
TRACT No. 22 (28 P. 960), . . . . .	100.00
TRACT No. 23 (28 P. 961), . . . . .	800.00
TRACT No. 24 (28 P. 962), . . . . .	5.00
TRACT No. 25 (28 P. 963-Rev.) . . . . .	31.00
TRACT No. 26 (28 P. 965), . . . . .	10.00
TRACT No. 27 (28 P. 966), . . . . .	727.00
Total, . . . . .	\$3,331.70

(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 June 10, 1920, 41 Stat. 1065 (16 U. S. C. Sec. 309); Executive Order No. 6344, dated November 10, 1941; Title II of the Act of June 16, 1933, 48 Stat. 200-203 (16 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 8373, dated August 30, 1943; the Act of August 4, 1888, 25 Stat. 357 (40 U. S. C. Sec. 257); and the Act of February 20, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 258 (a) to 258 (e)); Title VII 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 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 (26 P. 477), . . . . .	1207.20
TRACT NO. 2 (26 P. 480), . . . . .	9.00
TRACT NO. 3 (26 P. 482-Rev.) . . . . .	17.00
TRACT NO. 4 (28 P. 491), . . . . .	15.00
TRACT NO. 5 (28 P. 493), . . . . .	2.00
TRACT NO. 7 (26 P. 941), . . . . .	350.00
TRACT NO. 8 (28 P. 942), . . . . .	55.00
TRACT NO. 9 (28 P. 945), . . . . .	325.00
TRACT NO. 10 (28 P. 946) . . . . .	55.00
TRACT NO. 11 (26 P. 947) . . . . .	175.00
TRACT NO. 12 (28 P. 948) . . . . .	715.00
TRACT NO. 13 (28 P. 949), . . . . .	3.00
TRACT NO. 14 (28 P. 950) . . . . .	27.00
TRACT NO. 15 (28 P. 952) . . . . .	25.00
TRACT NO. 16 (28 P. 954) . . . . .	15.00
TRACT NO. 17 (28 P. 955) . . . . .	10.00
TRACT NO. 18 (28 P. 956) . . . . .	18.00
TRACT NO. 19 (28 P. 957) . . . . .	20.00
TRACT NO. 20 (28 P. 958) . . . . .	15.00
TRACT NO. 22 (28 P. 960) . . . . .	225.00
TRACT NO. 23 (28 P. 961) . . . . .	1,000.00
TRACT NO. 24 (28 P. 962) . . . . .	50.00
TRACT NO. 25 (28 P. 963-Rev.) . . . . .	50.00
TRACT NO. 26 (28 P. 965) . . . . .	10.00
TRACT NO. 27 (28 P. 966) . . . . .	227.00
TOTAL, . . . . .	3,930.20

IT IS HEREBY AGREED, AND IT IS SO ORDERED that the estate taken is a perpetual easement upon and over said lands to found to, 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 HEREBY 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 10th day of March, 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$3,531.70 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 HEREBY ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinabove specifically set forth, is hereby deemed to be confirmed 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 HEREBY ORDERED, ADJUDGED AND DECREED, that the petitioner pay into the registry of this court the sum of 448.50, said sum being the difference between the sum of \$3,980.20, the just compensation herein fixed, 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 \$3,531.70.

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



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

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

United States of America,

Plaintiff,

vs.

637 cases, each containing 48 cans  
article labeled in part "Net Weight  
10 1/2 Oz. Frost Brand Tomato Puree,"

Defendant.

No. 1920 Civil

FILED  
OCT 19 1946

W. W. WARFIELD  
CLERK OF DISTRICT COURT

JOURNAL ENTRY

This matter coming on for hearing this 28th day of October, 1946, in its regular order, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the court being fully advised in the premises finds:

That no answer or other pleading has been filed in this cause. That the 637 cases, each containing 48 cans article labeled in part "Net Weight 10 1/2 Oz. Frost Brand Tomato Puree," were shipped in interstate commerce by Delta Canning Company, Raymondville, Texas, to Scrivner-Stevens Company, Tulsa, Oklahoma, on or about June 12, 1946, via Missouri-Kansas-Texas Railroad and connections.

The court further finds that said article is adulterated within the meaning of 21 U.S.C. 342(a)(3), in that it consists wholly or in part of filthy substance by reason of the presence therein of maggots.

The court further finds that said article is misbranded within the meaning of 21 U.S.C. 343(G)(1), in that it purports to be and is represented as tomato puree. That it fails to conform to the definition and standard of identity as prescribed by regulations promulgated pursuant to 21 U.S.C. 341, as set out in regulation 53.20 in that said article contains less than 8.37 percent of salt-free tomato solids as determined by the method prescribed by said regulations.

The court further finds that the United States Marshal for the Northern District of Oklahoma, upon order of the court of October 8, 1946, to seize and arrest said merchandise, did seize and arrest 588 cases, each containing 48 cans and 32 cans in a broken case of said article on October

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the said 588 cases, each containing 48 cans and 32 cans in a broken case of said article labeled in part "Net Weight 10 1/2 Oz. Frost Brand Tomato Pures," be and the same hereby is condemned, forfeited and confiscated.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the said 588 cases each containing 48 cans of said article and 32 cans in a broken case of said article, be destroyed and John P. Logan, United States Marshal for the Northern District of Oklahoma, be and he hereby is instructed and directed to destroy same and to report his acts under this order to this court within thirty (30) days from this date.

IT IS THE FURTHER ORDER OF THE COURT that the plaintiff, United States of America, recover the costs of this action from Scrivner-Stevens Company, Tulsa, Oklahoma.

AND IT IS SO ORDERED.

Royce H. Savage  
U. S. District Judge

O. K. as to forms

Whit Y. Manney  
Whit Y. Manney, U. S. 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 OTTAWA COUNTY,  
OKLAHOMA, containing approximately 646.70  
acres, more or less; and CERTAIN PERSONAL  
PROPERTY LOCATED THEREON AND USED IN  
CONNECTION THEREWITH, and W. BROWN STANSELL,  
et al.,

Defendants.

CIVIL NO. 1152

FILED  
OCT 20 1946

H. H. WARFIELD  
CLERK OF DISTRICT COURT

ORDER FIXING TITLE, DECREERING JUST COMPENSATION  
AND MAKING PARTIAL DISTRIBUTION AS TO TRACT NO. 23  
(53 FW 1474)

NOW, on this 30<sup>th</sup> day of October, 1946, there coming on for hearing the application of Joseph S. Thompson, as attorney for A. Scott Thompson, executor of the estate of George E. Coleman, deceased, for an order fixing title, decreeing just compensation, and making partial distribution as to Tract No. 23 (53 FW 1474), and the court, being fully advised in the premises, finds:

That George E. Coleman was the owner of the land designated as tract No. 23 (53 FW 1474) when this proceeding was begun; that the petitioner filed a Declaration of Taking and deposited in the registry of the court, as estimated just compensation, the sum of \$44.40 for the taking of a perpetual flowage easement upon and over said tract; that this court entered 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 decreeing that the owners and those having any right, title, or interest in and to said land have and recover just compensation for the taking, as aforesaid.

The court further finds that the Commissioners appointed by the court filed their report on May 24, 1945, and awarded damages for the taking

of said tract in the amount of \$74.00; that no demands for jury trial or exceptions to the report of Commissioners have been filed and that said award has become final.

The court further finds that the sum of \$74.00 is just compensation for the injuries and damages sustained by said George L. Coleman; that there is now on deposit in the registry of the court for distribution unto the parties entitled thereto the sum of \$44.40, deposited as the estimated just compensation for the taking of said tract.

The court further finds that George L. Coleman has died since the institution of this action; that A. Scott Thompson is the duly appointed, qualified and acting executor of the estate of George L. Coleman, deceased, and that no person, firm, corporation, or taxing subdivision of the State, other than said executor, has any right, title, or interest in and to said just compensation.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that George L. Coleman, now deceased, was the owner of the land designated as Tract No. 23 (53 FW 1474) when this proceeding was commenced, and that A. Scott Thompson, executor of the estate of George L. Coleman, deceased, is entitled to receive the just compensation therefor; that the sum of \$74.00 is just compensation for the damages sustained by said George L. Coleman, now deceased.

IT IS FURTHER ORDERED that the Clerk of this court be, and he is hereby, authorized to make distribution of the \$44.40 now on deposit to A. Scott Thompson, executor of the estate of George L. Coleman, deceased, and to distribute the deficiency of \$29.60 to said executor when the same has been deposited in the registry of the court by the petitioner.

*Wm. H. Savage*  
\_\_\_\_\_  
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 220.30  
acres, more or less; and T. L. ROBINSON,  
et al.,

Defendants.

CIVIL NO. 1201

FILED

OCT 30 1946

W. W. WATFIELD  
CLERK OF DISTRICT COURT

ORDER FIXING TITLE, DECREERING JUST COMPENSATION  
AND MAKING PARTIAL DISTRIBUTION AS TO TRACT NO. 14  
(58 FW 1716)

NOW, on this 30<sup>th</sup> day of October, 1946, there coming on for hear-  
ing the application of Joseph S. Thompson, as attorney for A. Scott Thompson,  
executor of the estate of George L. Coleman, deceased, for an order fixing  
title, decreeing just compensation, and making partial distribution as to  
Tract No. 14 (58 FW 1716), and the court, being fully advised in the  
premises, finds:

That G. L. Coleman, being the same person as George L. Coleman, was  
the owner of the land designated as Tract No. 14 (58 FW 1716) when this pro-  
ceeding was begun; that the petitioner filed a Declaration of Taking and  
deposited in the registry of the court, as estimated just compensation, the  
sum of \$420.00 for the taking of a perpetual flowage easement upon and over  
said tract; that this court entered 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 decreeing  
that the owners and those having any right, title, or interest in and to said  
land have and recover just compensation for the taking, as aforesaid.

The court further finds that the Commissioners appointed by the court  
filed their report on December 15, 1945, and awarded damages for the taking

of said tract in the amount of \$650.00; that no demands for jury trial or exceptions to the report of Commissioners have been filed and that said award has become final.

The court further finds that the sum of \$650.00 is just compensation for the injuries and damages sustained by said George T. Coleman; that there is now on deposit in the registry of the court for distribution unto the parties entitled thereto the sum of \$420.00, deposited as the estimated just compensation for the taking of said tract.

The court further finds that George T. Coleman has died since the institution of this action; that A. Scott Thompson is the duly appointed, qualified and acting executor of the estate of George T. Coleman, deceased, and that no person, firm, corporation, or taxing subdivision of the State, other than said executor, has any right, title, or interest in and to said just compensation.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that George T. Coleman, now deceased, was the owner of the land designated as Tract No. 14 (58 FW 1716) when this proceeding was commenced, and that A. Scott Thompson, executor of the estate of George T. Coleman, deceased, is entitled to receive the just compensation therefor; that the sum of \$650.00 is just compensation for the damages sustained by said George T. Coleman, now deceased.

IT IS FURTHER ORDERED that the Clerk of this court be, and he is hereby, authorized to make distribution of the \$420.00 now on deposit to A. Scott Thompson, executor of the estate of George T. Coleman, deceased, and to distribute the deficiency of \$230.00 to said executor when the same has been deposited in the registry of the court by the petitioner.

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

THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF

DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,  
MICHIGAN, containing 731.70 acres, more  
or less; and CATHERINE ROBINSON, et al.,

Defendants.

CIVIL NO. 1231

FILED  
30 30 1946

ORDER FIXING TITLE, DECREES JUST  
COMPENSATION AND MAKING PARTIAL DISTRIBUTION  
AS TO TRACT NO. 10 (SEE 1673)

H. J. WARFIELD  
CLERK OF DISTRICT COURT

XX, on this 30<sup>th</sup> day of October, 1946, there coming on  
for hearing the application of Joseph E. Johnson, as attorney for A.  
Scott Thompson, Executor of the estate of George L. Coleman, deceased,  
and for Catherine Robinson, Roy F. Willis, John A. Robinson and C. E.  
Youse, Trustees under the will of James F. Robinson, deceased, for an  
order fixing title, decreeing just compensation and making partial  
distribution as to Tract No. 10 (56 F. 1673), and the court, being fully  
advised in the premises, finds:

That when this proceeding was begun the land designated as  
Tract No. 10 (56 F. 1673), was owned by George L. Coleman, the same  
person as G. L. Coleman, as to an undivided one-half interest; and by  
Catherine Robinson, Roy F. Willis, John A. Robinson and C. E. Youse,  
Trustees under the will of James F. Robinson, deceased, as to an undivided  
one-half interest; that petitioner filed a Declaration of Taking and  
deposited in the registry of the court as aforesaid just compensation,  
the sum of \$6,000.00 for the taking of a perpetual flowage easement upon  
and over said tract of land; that this court entered 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 decreeing that the owners and those having any  
right, title or interest in and to said land have and recover just com-  
pensation for the taking as aforesaid.

The Court further finds that the Commissioners appointed by the court filed their report herein on the 5th day of July, 1916, and awarded damages for the taking of a flowing easement upon and over said tract in the amount of \$8,250.00; that no demands for jury trial or exceptions to the report of Commissioners have been filed and that said award has become final.

The Court further finds that the sum of \$8,250.00 is just compensation for the injuries and damages sustained by the owners of said tract; that there is now on deposit in the registry of the court for distribution unto the parties entitled thereto the sum of \$8,375.00 deposited as the estimated just compensation for the taking of said tract.

The Court further finds that George L. Coleman has died since the institution of this action; that A. Scott Thompson is the duly appointed, qualified and acting executor of the estate of George L. Coleman, deceased, and that no person, firm, corporation, or taxing subdivision of the State, other than the said A. Scott Thompson, executor of the estate of George L. Coleman, deceased, and Catherine Robinson, Roy F. Mills, John A. Robinson and C. E. Youse, as Trustees under the will of James F. Robinson, deceased, has any right, title or interest in and to said just compensation.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that George L. Coleman, now deceased, was the owner of an undivided one-half interest, and that Catherine Robinson, Roy F. Mills, John A. Robinson and C. E. Youse, as Trustees under the will of James F. Robinson, deceased, were the owners of an undivided one-half interest in and to the land designated as Tract No. 10 (58 P. 1873), when this proceeding was commenced; that the sum of \$8,250.00 is just compensation for the damages sustained by the owners of said tract, and that A. Scott Thompson, executor of the estate of George L. Coleman, deceased, is entitled to receive one-half of said just compensation, and Catherine Robinson, Roy F. Mills, John A. Robinson and C. E. Youse, Trustees under the will of James F. Robinson, deceased, are entitled to receive one-half of said just compensation.

IT IS HEREBY ORDERED that the Clerk of this court be, and he is hereby authorized and directed to make distribution of the sum of \$6,375.00 now on deposit in the registry of this court, as follows, to-wit:

To: JOHN W. THOMPSON, executor of the estate of George L. Coleman, deceased, - - - - - \$3,187.50;

To: Catherine Robinson, Roy F. Mills, John A. Robinson and C. E. Youse, Trustees under the will of James F. Robinson, deceased, - - - - - \$3,187.50;

and to direct to the deficiency of \$1,675.00 in like manner when the same has been deposited in the registry of the court by the petitioner.

*Royce H. Savage*  
-----  
Judge

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

FILED  
OCT 27 1946

J.R. BARKLEY and  
EVEY BARKLEY,  
Plaintiffs )  
vs )  
G.D. FALLIS,  
Defendant )

H. B. WARFIELD  
CLERK OF THE DISTRICT COURT

No. 1839 Civil

DECREE

This cause came on to be heard on October 25, 1946, pursuant to regular assignment for trial, the said plaintiffs being present by their attorney, Kenneth Hance, and the said defendant being present by his attorney, Joe Simpson. Both parties announced ready for trial and the Court proceeded to hear the evidence of witnesses and statement of counsel. The Court, being fully advised, finds the issues in favor of the plaintiff and against the defendant.

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Ruby Barkley, have and recover of the said defendant, G.D. Fallis, the sum of Two Hundred four and no/100 dollars (\$204.00), less the sum of forty-nine and no/100 dollars (\$49.00), which is allowed to the defendant as set-off, as per his allegation and proof. It is further ordered, adjudged and decreed that this judgment shall bear interest at 6 per cent. per annum, that the defendant shall pay the costs of this action and that he shall pay to the plaintiff an attorney-fee in the amount of One Hundred and no/100 dollars (\$100.00), for all of which let execution issue; so when finding and judgment the defendant thereon and there duly accepted.

*Rayne H. Dams*  
JUDGE OF THE UNITED STATES DISTRICT COURT.

Approved as to form:  
*Joe W. Simpson*  
Attorney for Defendant.

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

J. H. COLEMAN, et al, )  
 )  
 Plaintiffs )  
 )  
 vs. )  
 )  
 Gilmore, Gardner & Kirk )  
 Oil Company, et al, )  
 )  
 Defendants. )

No. 1397

ORDER OF REMAND

The motion of plaintiffs to remand this suit to the District Court of Creek County, Oklahoma, coming on for hearing this 4th day of October, 1946, pursuant to regular setting, and the Court having heard the argument of counsel, and being fully advised, upon consideration finds that the said motion should be sustained.

It is, therefore, ORDERED that the motion of plaintiffs to remand this cause to the District Court of Creek County, Oklahoma, be, and the same is hereby, granted, and this cause be and the same is hereby remanded to the District Court of Creek County, Oklahoma, for further proceedings.

*Raymond H. Savage*  
\_\_\_\_\_  
Judge of the United States District Court

FILED  
OCT 10 1946

W. W. WATKINS  
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 MTAIN COUNTY,  
OKLAHOMA, containing approximately 781.70  
acres, more or less; and Nettie Cooper,  
et al.,

Defendants.

CIVIL NO. 1231

FILED  
OCT 1 1946

H. F. WASHFIELD  
CLERK OF DISTRICT COURT

ORDER FIXING TITLE, DECREEDING JUST COMPENSATION  
AND MAKING PARTIAL DISTRIBUTION AS TO TRACT NO. 8  
(58 F.W. 1735-Rev.)

NOT, On this 21<sup>st</sup> day of October, 1946, there coming on  
for hearing the application of the defendants, George M. Jackson and Lilly  
May Jackson, for an order fixing title, decreeing just compensation and making  
partial distribution as to Tract No. 8 (58 F.W. 1735-Rev.), and the court  
being fully advised in the premises, finds:

That the defendants, George M. Jackson and Lilly May Jackson, were  
the owners of the land designated as Tract No. 8 (58 F.W. 1735-Rev.) when  
this proceeding was begun; that the petitioner filed a Declaration of Taking  
and deposited in the registry of the court as estimated just compensation,  
the sum of \$120.00, for the taking of a perpetual flowage easement upon and  
over said tract; that this court entered 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  
decreeing that the owners and those having any right, title or interest in  
and to said land have and recover just compensation for the taking as afore-  
said.

The court further finds that the Commissioners appointed by the court  
filed their report on July 5, 1946, and awarded damages for the taking of  
said tract in the amount of \$200.00; that no demands for jury trial nor  
exceptions to the report of commissioners have been filed and that said  
award has become final.

The court further finds that the sum of \$200.00 is just compensation for the injuries and damages sustained by said defendants; that there is now on deposit in the registry of the court for distribution unto the parties entitled thereto the sum of \$120.00 deposited as the estimated just compensation for the taking of said tract.

The court further finds that no person, firm, corporation or taxing subdivision of the State, other than said George M. Jackson and Lilly May Jackson, have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that the defendants, George M. Jackson and Lilly May Jackson, were the owners of the land designated as Tract No. 8 (SS F. 1755-14v.) when this proceeding was commenced; and are entitled to receive the just compensation therefor; that the sum of \$200.00 is just compensation for the damages sustained by said defendants.

IT IS FURTHER ORDERED that the Clerk of this Court be and he is hereby authorized to make distribution of the \$120.00 now on deposit, to George M. Jackson and Lilly May Jackson, and to distribute the deficiency of \$80.00 to them when the same has been deposited in the registry of the court by the petitioner.

Rowell H. Savage  
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 37.0 acres,  
more or less; and City of Miami, Oklahoma, a  
municipal corporation, et al.,

Defendants.

CIVIL NO. 1248

FILED  
OCT 8 1946

H. F. WARFIELD  
CLERK U. S. DISTRICT COURT

ORDER FIXING TITLE AND MAKING DISTRIBUTION AS TO TRACT  
PART OF TRACT NO. 3 (57 FW 1795 and 57 FW 1796)  
OWNED BY HARRY CRAWFISH

NOW, On this 3/27 day of October, 1946, there  
comes on for hearing the application of H. A. Andrews, Superintendent of the  
Quapaw Indian Agency, for an order fixing title and making distribution as to  
that part of Tract No. 3 (57 FW 1795 and 57 FW 1796) owned by Harry Crawford,  
and the Court being fully advised in the premises, finds:

That the United States of America, in trust for Harry Crawford  
(principal owner), was the owner of the land designated as a part of Tract  
No. 3 (57 FW 1795 and 57 FW 1796), when this action was begun; that petitioner  
filed a Declaration of Taking and deposited in the registry of the court as the  
estimated just compensation the sum of \$1,181.00 as the estimated just compen-  
sation for the taking of a perpetual flowage easement upon and over all of said  
tract; that this court entered judgment upon said Declaration of Taking filed  
by the petitioner thereby vesting in the petitioner, the 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 perpetual  
flowage easement.

The court further finds that by judgment of June 6, 1946, the just  
compensation for the taking of said perpetual flowage easement upon and over  
that part of said Tract No. 3 owned by Harry Crawford, was fixed in the amount  
of \$1,200.00, together with interest at the rate of six percent (6%) per annum

from June 30, 1944, until paid, upon the deficiency of \$69.00; that said deficiency, together with interest in the amount of \$8.71 has been deposited in the registry of the Court by petitioner and that there is now on deposit in the registry of the court for distribution to the parties entitled thereto, the sum of \$1,203.71.

The court further finds that no taxes are due upon said land as said land is non-taxable; that no other person, firm or corporation has any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that when this action was begun, the United States of America held in trust for Harry Crawfish, legal title to the land designated as that part of Tract No. 3 (57 FW 1795 and 57 FW 1796) owned by Harry Crawfish, and that the United States of America for the use and benefit of Harry Crawfish is the only person having any right, title or interest in and to said just compensation.

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

TO: Treasurer of the United States of America  
for the use and benefit of Harry Crawfish,  
for owner of a part of Tract No. 3  
(57 FW 1795 and 57 FW 1796), . . . . . \$1,203.71.

*Royce H. 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 OTTAWA COUNTY,  
OKLAHOMA, containing approximately 569.0  
acres, more or less; and LUCINDA WELCH,  
et al.,

Defendants.

CIVIL NO. 1226

**FILED**  
IN OPEN COURT  
NOV 4 1946

**H. P. WARFIELD**  
CLERK U.S. DISTRICT COURT

ORDER FIXING TITLE, DECREETING JUST  
COMPENSATION AND MAKING PARTIAL DISTRIBUTION  
AS TO TRACT NO. 12 (60 FW 1889)

Now, on this 4<sup>th</sup> day of November, 1946, there coming on  
for hearing the application of Joseph S. Thompson, attorney for A. Scott  
Thompson, Executor of the Estate of George L. Coleman, deceased, and for  
Catherine Robinson, John A. Robinson, Roy T. Mills and C. E. Youse,  
Trustees under the will of J. F. Robinson, deceased, and for Jewell Rice,  
sole heir of Dick Rice, deceased, for an order fixing title, decreeting  
just compensation and making partial distribution as to Tract No. 12  
(60 FW 1889), and the court, being fully advised in the premises, finds:

That when this proceeding was begun the land designated as  
Tract No. 12 (60 FW 1889), was owned by:

George L. Coleman, the same person as  
G. L. Coleman, as to an undivided 1/4th interest;

Catherine Robinson, John A. Robinson,  
Roy T. Mills and C. E. Youse, Trustees  
under the will of J. F. Robinson,  
deceased, as to an undivided 1/4th interest;

Jewell Rice, sole heir of Dick  
Rice, deceased, as to an undivided 1/3th interest;

T. E. Meshe, Roberts Meshe Slawen, W. J.  
Meshe, Charles W. Meshe, Althea Meshe Noble,  
Maurice Meshe, Robert Meshe and Maria Jane  
Meshe, as to an undivided one-third interest.

That petitioner filed a Declaration of Taking and deposited in the registry of the court as estimated just compensation, the sum of \$385.75 for the taking of a perpetual flowage easement upon and over said tract of land; that this court entered 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 decreeing 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 Commissioners appointed by the court filed their report herein on the 13th day of March, 1946, and awarded damages for the taking of a flowage easement upon and over said tract in the amount of \$420.00; that no demands for jury trial or exceptions to the report of Commissioners have been filed and that said award has become final.

The Court further finds that the sum of \$420.00 is just compensation for the injuries and damages sustained by the owners of said tract; that there is now on deposit in the registry of the court for distribution unto the parties entitled thereto the sum of \$385.75 deposited by petitioner as the estimated just compensation for the taking of said flowage easement upon and over said tract.

The Court further finds that George L. Coleman died subsequent to the institution of this action, and that A. Scott Thompson is the duly appointed, qualified and acting Executor of the estate of George L. Coleman, deceased; that no person, firm, corporation or taxing subdivision of the State, other than the persons above named as owners, has any right, title or interest in and to said just compensation.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that George L. Coleman, now deceased, was the owner of an undivided one-fourth interest; that Catherine Robinson, John A. Robinson, Roy T. Hills and C. E. Youse, Trustees under the will of J. F. Robinson, deceased, were the owners of an undivided one-fourth interest; that Jewell Rice, sole heir of Dick Rice, deceased, was the owner of an undivided one-sixth interest; and

that T. W. Mesheew, Roberta Mesheew Slayden, R. J. Mesheew, Charles W. Mesheew, Althea Mesheew Noble, Maurice Mesheew, Robert Mesheew and Maria Jane Mesheew were the owners of an undivided one-third interest, when this proceeding was commenced; that the sum of \$420.00 is just compensation for the damages sustained by the owners of said tract, and that A. Scott Thompson, executor of the estate of George L. Coleman, deceased, is entitled to receive one-fourth of said just compensation; that Catherine Robinson, John A. Robinson, Roy T. Mills and C. E. Youse, Trustees under the will of J. F. Robinson, deceased, are entitled to receive one-fourth of said just compensation; that Jewell Rice, sole heir of Dick Rice, deceased, is entitled to receive one-sixth of said just compensation; and that T. W. Mesheew, Roberta Mesheew Slayden, R. J. Mesheew, Charles W. Mesheew, Althea Mesheew Noble, Maurice Mesheew, Robert Mesheew and Maria Jane Mesheew, are entitled to receive the remaining one-third of said just compensation.

IT IS HEREBY ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of the sum of \$385.75 now on deposit in the registry of this court, as follows, to-wit:

- TO: A. SCOTT THOMPSON, Executor of the Estate of  
George L. Coleman, deceased, - - - - - \$96.44
- TO: CATHERINE ROBINSON, ROY T. MILLS, JOHN A.  
ROBINSON and C. E. YOUSE, Trustees under  
the will of James F. Robinson, deceased, - - - \$96.44
- TO: JEWELL RICE, sole heir of Dick Rice,  
Deceased, - - - - - \$64.29
- TO: T. W. MESHEEW; ROBERTA MESHEEW SLAYDEN;  
R. J. MESHEEW; CHARLES W. MESHEEW; ALTHEA  
MESHEEW NOBLE; MAURICE MESHEEW; ROBERT  
MESHEEW, and MARIA JANE MESHEEW, - - - - - \$128.58

and that the deficiency of \$34.25 be distributed to the persons above named in the proportions above set out when the same has been deposited in the registry of this court by petitioner.

*Royce H. Savage*  
\_\_\_\_\_  
Judge

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

PAUL A. PORTER, Administrator )  
Office of Price Administration )  
Plaintiff )  
vs. )  
JERRY BAYOUTH )  
d/b/a Bayouth Grocery & Market )  
Defendant )

CIVIL ACTION NO. 1851

FILED  
NOV 15 1946

J U D G M E N T

H. E. WARFIELD  
CLERK OF DISTRICT COURT

The above entitled cause came on for hearing on this 16th day of October 1946, before the Honorable Royce H. Savage, United States Judge for the Northern District of the State of Oklahoma. The plaintiff appeared by his counsel of record, James T. Steil, and the defendant appeared by his counsel of record, Carl H. Livingston.

Upon the statement of counsel for plaintiff and defendant, made in open court, that they had reached an agreement whereby the defendant agreed that an injunction might issue as prayed for in the complaint on file herein, and the court being otherwise well and fully advised in the premises, finds that said injunction should issue.

It is therefore ordered, adjudged and decreed by the court that the defendant, Jerry Bayouth, his agents, servants, employees, representatives, and each and every person in active concert or participation with him, be, and is hereby permanently enjoined from directly or indirectly doing any act or practice in violation of Maximum Price Regulation No. 423, and Revised General Order No. 51, as amended or as may hereafter be amended.

It is further ordered, adjudged and decreed by the court that the injunction rendered hereinbefore shall automatically be dissolved at the expiration of sixty (60) days from the date of issuance, unless the plaintiff shows cause why said injunction should remain in full force and effect.

It is further ordered, adjudged and decreed by the court that all costs of this action shall be, and are hereby taxed against the defendant.

Approved as to form:

Royce H. Savage  
U. S. District Judge

James T. Steil  
James T. Steil  
Attorney for Plaintiff

Carl H. Livingston  
Carl H. Livingston  
Attorney for Defendant

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

PAUL A. PORTER, Administrator, )  
Office of Price Administration )  
 )  
Plaintiff )  
vs. )  
 )  
MRS. RUTH B. WAXMAN )  
d/b/a Neighborhood Grocery )  
 )  
Defendant )

CIVIL ACTION NO. 1856

F I L E D  
NOV 5 1946

R. P. WARFIELD  
CLERK OF DISTRICT COURT

J U D G M E N T

The above entitled cause came on for hearing on this 16th day of October, 1946, before the Honorable Royce H. Savage, United States Judge for the Northern District of the State of Oklahoma. The plaintiff appeared by his counsel of record, James T. Steil, and the defendant appeared in person and by her counsel of record, W. F. Nelson. Both sides announced ready for trial, and upon statement of counsel for plaintiff and defendant that they had reached an agreement whereby the court might issue an injunction as prayed for in the complaint, as filed herein, to be automatically dissolved at the expiration of sixty (60) days from date of issuance, unless plaintiff shows cause why said injunction should be continued, and the court being otherwise well and fully advised in the premises, finds that the injunction should issue as agreed upon.

It is therefore ordered, adjudged and decreed by the court that the defendant, Mrs. Ruth B. Waxman, her agents, servants, employees, representatives, and each and every person in active concert or participation with her, be, and is hereby permanently enjoined from directly or indirectly doing any act or practice in violation of Maximum Price Regulations Nos. 355 and 423, and Revised General Order No. 51, as amended, or as may hereafter be amended.

It is further ordered, adjudged and decreed by the court that the injunction rendered hereinbefore shall automatically be dissolved at the expiration of sixty (60) days from the date of issuance, unless the plaintiff shows cause why said injunction should remain in full force and effect.

It is further ordered, adjudged and decreed by the court that all costs of this action shall be, and are hereby taxed against the defendant.

Approved as to form:

Royce H. Savage  
U. S. District Judge

James T. Steil  
James T. Steil  
Attorney for Plaintiff

W. F. Nelson  
W. F. Nelson  
Attorney for Defendant

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

PAUL A. PORTER, Administrator,  
Office of Price Administration,  
  
Plaintiff  
  
vs.  
  
C. D. FALLIS,  
  
Defendant

Civil Action No. 1891 ✓

FILED  
NOV 8 1946

ORDER OF DISMISSAL

Now on this 10<sup>th</sup> day of October, 1946, the above styled and numbered cause of action comes on for hearing upon the complaint filed herein, whereupon counsel for the plaintiff announces in open court that this action was brought to enjoin the eviction of a tenant under the Rent Regulation, and since the date of the filing of this action the said tenant voluntarily vacated the premises, and that all questions involved herein have therefore become moot; and the Court being fully advised in the premises finds that no further purpose could be served by further prosecution of this action, and that the same should be by the Court dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause of action be and the same is hereby dismissed, and the costs hereof taxed against the defendant.

Raymond V. Savage  
United States District Judge, for the  
Northern District of Oklahoma

J. B. Martin  
Raymond V. Savage  
Attorneys for Plaintiff

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 180.50 )  
 ) acres; and Albert Walker, et al., )  
 )  
 ) Defendants. )

CIVIL NO. 1192

FILED  
JUL 27 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

ORDER FIXING TITLE, DECREETING JUST COMPENSATION AND  
MAKING DISTRIBUTION AS TO TRACTS NO.  
42 (57 FW 1760) and No. 45 (57 FW 1763)

NOW, on this 27th day of July, 1946, there  
coming on for hearing the application of the defendant \_\_\_\_\_

C. V. Carselowy

for an order fixing title, decreeing just compensation and making distri-  
bution as to Tracts No. 42 (57 FW 1760) & 45 (57 FW 1763)  
and the Court being fully advised in the premises, finds:

That the defendant **C. V. Carselowy** was  
the owner of the land designated as Tracts No. 42 and 45  
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 \$20.00 & \$2.00 respectively, for the  
taking of **perpetual flowage easements 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, **perpetual flowage easements**  
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 easements**.

The Court further finds that the defendant **C. V. Carselowey** has, in writing, agreed to grant and sell to the petitioner **perpetual flowage easements upon and over** said tract, of land for the sum of \$20.00 & \$2.00 respectively, which were accepted by the petitioner.

The Court further finds that the sum of \$20.00 & \$2.00 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 **-none-**

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, **C. V. Carselowey** was the owner of the land designated as Tract No. 42 and 45 when this proceeding was commenced, and that the sum of \$20.00 & \$2.00 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: **C. V. Carselowey, - - - fee owner of Tract No. 42 (57 FW 1760) & Tract No. 45 (57 FW-1763), - - - - - \$22.00**

*CH-180*

*Lucy N. 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 OTTAWA COUNTY, )  
 ) OKLAHOMA, and G. M. London, et al., )  
 )  
 ) Defendants. )

CIVIL NO. 1193

FILED  
JUL 21 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

ORDER FIXING TITLE, DECREETING JUST COMPENSATION AND  
MAKING DISTRIBUTION AS TO TRACT NO. 15 (57 FW 1778)

NOW, on this 7th day of July, 1946, there  
coming on for hearing the application of the defendant \_\_\_\_\_

C. V. Carselowey

for an order fixing title, decreeing just compensation and making distri-  
bution as to Tract No. 15 (57 FW 1778)

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

That the defendant **C. V. Carselowey** was  
the owner of the land designated as Tract No. 15 (57 FW 1778)  
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 \$0.00 for the  
taking of **a perpetual flowage easement upon and over**  
said tract of land; that this Court entered a judgment upon said declaration  
of taking filed by the petitioner, thereby vesting in the petitioner, United  
States of America, **a perpetual flowage easement**  
and decreed that the owners and those having any right, title or interest  
in and to said land, have and recover just compensation for the taking  
of said easement.

The Court further finds that the defendant **C. V. Carselowey** **has**, 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 \$ **4.00** which ~~was~~ accepted by the petitioner.

The Court further finds that the sum of \$ **4.00** 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 ~~-none-~~

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, **C. V. Carselowey** was

the owner of the land designated as Tract No. **15 (57 FW 1778)** when this proceeding was commenced, and that the sum of \$ **4.00**

**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 ~~-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: **C. V. Carselowey, - - fee owner of**  
**Tract No. 15 (57 FW 1778) - - - - - \$4.00**

*OK - [Signature]*

*Royce H. Savage*  
JUDGE





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

Rachel Sullateskee, Plaintiff, |  
vs. :  
Nancy Sullateskee, now Downing,  
Cherokee Indian Roll No. 20729,  
Oostaylah Sullateskee, on Original  
Cherokee Roll No. 30700, George  
Sullateskee, Roll No. 30701, Betsy  
Sullateskee, now Young, Polly Sull-  
ateskee, now Sanders, Tony Sullateskee,  
Ida Sullateskee, now Pabbit, Annie  
Sullateskee, now Ballou, Maggie Sull-  
ateskee, now Carey, Ned Sullateskee,  
Groundhog Sullateskee, Bill Sullates-  
kee, Ella Sullateskee, Jennie Sull-  
ateskee and Lillie Sullateskee, Defendants, |  
United States of America, Intervener. |

No. 1764-  
Civil.

FILE  
IN OPEN COURT  
NOV 3 1946

H. P. WARFIELD  
CLERK U.S. DISTRICT COURT

ORDER APPROVING MARSHAL'S SALE OF  
REAL ESTATE AND DIRECTING DISTRIBUTION.

Now, on this the 8th day of November, 1946, there coming on for hearing the motion of the plaintiff, Rachel Sullateskee, for an order approving the sale of real estate made in the above action on the 16th day of October, 1946, by the United States Marshal for the Northern District of Oklahoma, and return and report of said sale having been heretofore filed in this Court; and the plaintiff appearing by her Attorney, John S. Severson; the minor defendants, Ella Sullateskee and Jennie Sullateskee, appearing by Maurice F. Ellison, their duly appointed Guardian ad Litem; and the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who appeared as well for all of the parties to this action who are restricted Indians, including the minor defendants, above named; and the Court having examined said return of sale, and being fully advised in the premises, finds:

That said United States Marshal, after advertising such

lands in all particulars as required by law, and as provided by Orders of this Court, sold the following described lands, in Mayes County, Oklahoma, to-wit:

The SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , and the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , of Section 28, Township 19 North, Range 20 East,

to - Haskell Halfbreed, for the sum of \$31.00; and that said sale was made in all particulars as provided by orders of this Court and the statutes, state and federal, in like cases made and provided, and therefore said sale should in all things be approved and confirmed, and made firm and effectual forever; and that the Marshal's fees for selling the same, and the publication fees due the Mayes County Democrat, should be paid - the sale price being in excess of the appraisement as fixed by the Commissioners appointed by this Court.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the said sale of the lands above described be and the same is in all things approved and confirmed and made firm and effectual forever, and that said purchaser, Haskell Halfbreed, be subrogated to all of the rights of all of the parties to this action, for the protection of his said title.

It is further ORDERED by the Court that the United States Marshal, Jno. C. Logan, make, execute and deliver to said purchaser a good and sufficient Marshal's Deed to the land so purchased.

It is further ORDERED by the Court that the Clerk pay, out of the funds herein received, the Marshal's fees in the sum of \$ 8.67 for making said sale; and the cost of advertising the same to the Mayes County Democrat in the sum of \$ 1.50

It is further ORDERED that the balance remaining in his hands shall be remitted to the Honorable C. L. Walker, Special Disbursing Agent for the Five Civilized Tribes, by check made payable to the Treasurer of the United States, he to make distribution thereof in accordance with previous orders made in this case.

It is further ORDERED that the United States Marshal file herein his final Report showing his acts performed under this and previous orders.

(s) George H. Savage  
Judge of the United States District Court.

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

Capt. Orrin Marshall,	Plaintiff, §
vs.	:
Annie Davis, nee Gooden, William Enriquez, otherwise known as William Bruner, Siney Patton, nee Enriquez, Lola Willis, nee Enriquez, Steve Enriquez, Fred Enriquez, Ora Marshall and Harriot Marshall; and the unknown heirs, executors, administrators, devisees, claimants, trustees and assigns of Lizzie Rogers, nee Gooden, Creek Indian Roll no. 7111, and of Cordie Gooden, Creek Indian Roll no. 7110, and of Daniel Gooden, Creek Indian Roll no. 7112; all deceased; and The State of Oklahoma,	Defendants, §
United States of America,	Intervener. §

No. 1819-  
Civil.

ORDER APPROVING MARSHAL'S SALE OF LAND, TITLE AND INTERESTS THEREON

Now on this the 8th day of November, 1948, there coming on for hearing the motion of the plaintiff, Capt. Orrin Marshall, for an Order Approving the sale of real estate made in the above action on the 28th day of October, 1948 by the United States Marshal for the Northern District of Oklahoma; and return and report of said sale having heretofore been filed in this Court.

The plaintiff appearing by his attorney, John C. Severson; and the United States of America appearing in its own behalf by the honorable Wit T. Rauzy, United States Attorney for the Northern District of Oklahoma, who appeared as well for all of the parties to this action who are restricted Indians, including the plaintiff and all of the defendants; and the court, having examined said return of sale, and being fully advised in the premises, finds:

That said United States Marshal, after advertising said lands in all particulars as required by law and as provided by the orders of this court, sold the following described land, in Tulsa County, Oklahoma, to-wit:

The 1/2 of 334, and the 1/2 of 1/2 of 174:





U.S. DISTRICT COURT FOR THE DISTRICT OF  
SOUTH DAKOTA  
SIOUX FALLS

Henry Veal, formerly Veau  
and Ervin Veau, and Ezekiel Veau,  
Plaintiffs,  
vs.  
Corrie Veau, Mary Hair Veau, and  
Lucille Anderson, Defendants,  
United States of America, Intervener.

NOV 8 1945  
FILE  
IN OPEN COURT  
NOV 8 1945

ORDER APPROVING COURT COMMISSIONER'S REPORT. H. P. WARFIELD  
CLERK U.S. DISTRICT COURT

Now, on this the 8th day of November, 1945, the above case  
coming on for hearing upon the motion of the plaintiffs named in  
the motion captioned for an order confirming Commissioner's re-  
port, filed herein on October 22, 1945, and for an order direct-  
ing the sale of the premises of the United States Marshal; the  
their Attorney John S. Severson; the United States of America, By  
plaintiffs appearing by, on the 21st day of October, 1945, United States  
Attorney for the Northern District of Dakota, who appeared as  
well for all parties to this action and the re-located Indians;  
the defendants, Corrie Veau, Mary Hair Veau, and Lucille An-  
derson, appearing not; and the court, having examined the said  
Commissioner's report, and the plaintiffs' motion, filed herein,  
finds that there is no oil within and subject to decree  
of this court made on the 17th day of October, 1945, and entered  
herein, and the writ of partition, issued pursuant thereto; and  
that neither of the parties to this action have caused to take  
the same to be surveyed and, therefore, the said report  
should be approved, and the same be effectual however; and  
that the order to the U. S. Marshal, . . . made by the Northern  
District of Dakota, should be issued and directed to advertise  
and sell the said, described premises, to-wit:

Parcel of land, of Section 14, Township 14  
North, Range 10 West, in Sully County,  
South Dakota;  
which said . . .  
General . . .

America to have ten (10) days from this date in which to elect to take said land at the appraised price, to-wit: the sum of \$1000.00, and that the fees of the commissioners, together with their expenses, should be allowed in accordance with their said Report, as herein filed.

IT IS, therefore, ORDERED, ADJUDGED and DECREED by the Court that said commissioners' report be, and the same is, in all things confirmed and approved, and made firm and effectual forever; and that said commissioners, ~~Harrie E. Smith~~ <sup>to be made</sup> and Lon H. Stansbery, be each allowed the sum of ~~100.00~~ <sup>100.00</sup> as their reasonable fees in making said appraisement, ~~together with the further sum of~~ incurred as expenses in making the same.

IT IS, further, ORDERED, ADJUDGED and DECREED that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be and he is hereby ordered and directed, after ten (10) days from this date, unless the United States, or any other interested party should elect to take the premises involved at the appraised price, to advertise and sell the land heretofore described, at public auction, after giving notice thereof by publication, according to law, for cash to the highest bidder, the said sale to bring at least two-thirds (2/3rds) of the appraised price of \$1,000.00.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the honorable Jno. P. Logan, U. S. Marshal for the Northern District of Oklahoma, in the absence of any election to take being filed, sell said land, to-wit:

The NE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>, of Section 14, Township 22 North, Range 13 East, in Tulsa County, Oklahoma,

for cash to the highest bidder, at public sale, after advertising the same in the manner as required by the laws of the State of Oklahoma, and the United States of America, in like cases made and provided; and that said marshal shall forthwith file his report of his actions, under the provisions of this Order, after making said sale.

(S) ROYCE H. SAVAGE

United States District Judge.

*OK as to form  
Chief of Marshals  
K.S. Kelly*

United States District Court for the District of Columbia  
Washington, D.C.

John A. Chesbrough, Plaintiff,  
vs.  
The United States, Defendant,  
United States of America, Intervenor.

1903-Civil

REPORT OF THE COMMISSIONERS OF THE GENERAL LAND OFFICE,  
FILED IN CONNECTION WITH THE  
PROCEEDING IN THIS CASE.

On the 3th day of November, 1910, their comy  
and for the action of the Plaintiff, the Chesbrough, for  
an order approving the Commissioner's report and pursuant to  
decree of this court entered on the 17th day of October, 1910,  
which in respect of the same matters was duly filed herein  
on the 29th day of October, 1910; and also for an order ap-  
proving the selection of said Plaintiff to take the land involv-  
ed in this action at the spot area price of \$500.00;

The said Plaintiff, John A. Chesbrough, appearing personally and  
by his attorney, John A. Leveyman; and United States of America  
appearing by Mr. J. C. Gandy, U. S. Attorney for the Northern  
District of California, was also present for all of the restricted  
actions. In addition to this action the defendant, the cause, also  
appearing by its duly appointed counsel, Messrs. J. B. Parsons;

and the court having heard and taken into consideration the report of the  
Commissioners of the General Land Office, as well as the selection made, as filed  
by the said Plaintiff, John A. Chesbrough, and having inspected the re-  
port of the said Commissioners, and being fully advised in the pre-  
mises, that the report of the said Commissioners should be ap-  
proved and confirmed, and said selection effected; and  
that the said Plaintiff, John A. Chesbrough, should be allowed to set out in their said  
report, and that there is already an issue between the said

for said amount.

The court further finds that the plaintiff has properly filed his election to take the said lands described as follows:

the  $\frac{1}{16}$  of  $\frac{1}{4}$  of section 14, township 31 north,  
range 13 east, in Tulsa county, Oklahoma,

at the appraised price of 1600.00, and has paid into Court the sum of 108.87— being the total value of the defendant's  $\frac{1}{16}$ th interest in the said lands, together with the further sum of 237.96— being the said plaintiff's proportionate  $\frac{14}{15}$ th part of  $\frac{1}{16}$  of the costs, including attorney's fee, and the fees of the guardian ad litem, adjudged and allowed by the Court.

The court further finds that there are no exceptions or objections raised to said report of the commissioners, and that the said plaintiff has the statutory right to elect to take the said premises at the said appraised price, and that there are no other persons or parties to said suit, having a right to elect to take said premises at said appraised price, except the defendant, who has filed an election to take.

The court further finds that the Guardian ad Litem, J. M. Powers, should be paid a reasonable amount for so acting; and that a reasonable fee should be allowed to John L. Severson, attorney for said plaintiff.

It is further ordered that by said report and decree by the court that the said commissioners' report filed herein on the 29th day of October, 1948, be and the same is approved and confirmed and made firm and effectual forever, and the clerk of this Court is directed to pay said commissioners their fees and expenses, as set out in said report.

It is further ordered and decreed and directed by the court that the election of said plaintiff, as aforesaid, be in all things approved and confirmed as filed— he having paid into the registry of this court the full sum of 108.87, the amount due the defendant for his one sixteenth share of the value of said land, and in addition he has also paid into this court the sum of 237.96 being the said plaintiff's  $\frac{14}{15}$ th part of the cost of all of the court costs, including fees, and guardian ad litem fees and attorney's

ney's fees in this action, in all the total sum of \$254.95

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that a fee of \$150.00 be allowed John A. Swanson, Attorney for plaintiff, for services rendered in the bringing and maintaining of this action, said sum to be taxed as costs herein.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that M. W. Powers be allowed the sum of \$25.00 as his Guardian ad Litem fees, the same to be taxed as costs in this action;

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the clerk of this Court be directed to pay all of said several sums out of the funds in his hands, the said plaintiff to pay 14/15th of each of said court costs, Swanson's fees, Guardian ad Litem fees and Attorney's fees; and the defendant, Ike House to pay 1/15th thereof.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the remaining sum due this defendant, Ike House, be by the Clerk remitted to the Honorable C. L. Walker, Special Disbursing Agent, for the Five Civilized Tribes, Muskogee, Oklahoma, by check made payable to the Treasurer of the United States, the said sum of money to be disbursed by the Superintendent of the Five Civilized Tribes, for the use and benefit of the said defendant, Ike House.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that the Honorable Jno. P. Logan, U. S. Marshal for the Northern District of Oklahoma, do and he is hereby ordered to execute and deliver to the said defendant, Pete Schwab, a proper Marshal's Deed to the premises herein described, and that he be subrogated to all of the rights of the defendant, Ike House, for the protection of plaintiff's said title; and that said C. L. Walker file herein a report of his doings in this case with the clerk of this court.

FILED  
IN OPEN COURT  
NOV 3 1946

H. P. WARFIELD  
CLERK U.S. DISTRICT COURT

ROYCE H. SAVAGE

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 DELAWARE COUNTY,  
OKLAHOMA, containing approximately 21.90  
acres, more or less; and C. M. REEBAN, et al.,

Defendants.

CIVIL NO. 1173

FILED

NOV 15 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

ORDER FIXING TITLE, DECREETING JUST COMPENSATION  
AND MAKING PARTIAL DISTRIBUTION AS TO TRACT NO. 7  
(28 FW 941)

NOT. On this 15 day of <sup>November</sup> ~~May~~, 1946, there coming on for

hearing the application of the defendant, Maggie Swadley, nee DePriest, for an order fixing title, decreeing just compensation and making partial distribution as to Tract No. 7 (28 FW 941), and the court being fully advised in the premises, finds:

That the defendant Maggie Swadley, nee DePriest was the owner of the land designated as Tract No. 7 (28 FW 941) when this proceeding was begun; that the petitioner filed a Declaration of Taking and deposited in the registry of the court as estimated just compensation, the sum of \$217.00, for the taking of a perpetual flowage easement upon and over said tract; that this court entered 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 decreeing that the owners and those having any right, title or interest in and to said land have and recover just compensation for the taking as aforesaid.

The court further finds that the Commissioners appointed by the court filed their report on May 16, 1945 and awarded damages for the taking of said tract in the amount of \$250.00; that no demands for jury trial nor exceptions to the report of commissioners have been filed and that said award has become final.

The court further finds that the sum of \$250.00 is just compensation for the injuries and damages sustained by said defendant; that there is now on deposit in the registry of the court for distribution unto the parties entitled thereto the sum of \$217.00 deposited as the estimated just compensation for the taking of said tract.

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

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this court that the defendant, Maggie Swadley, nee DePriest, was the owner of the land designated as Tract No. 7 (28 FW 941) when this proceeding was commenced; and is entitled to receive the just compensation therefor; that the sum of \$250.00 is just compensation for the damages sustained by said defendant.

IT IS FURTHER ORDERED that the Clerk of this Court be and he is hereby authorized to make distribution of the \$217.00 now on deposit, to Maggie Swadley, nee DePriest, and to distribute the deficiency of \$33.00 to her when the same has been deposited in the registry of the court by the petitioner.

G. J. [Signature]  
J u d g e

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

CLARENCE BROWN, ADMINISTRATOR,  
Office of Price Administration,

Plaintiff,

-vs-

W. E. KOPPEL and ESTHER KOPPEL,  
d/b/s Koppell's Style Shops,  
320 Johnstone  
Bartlesville, Oklahoma,

Defendants.

O R D E R

CIVIL ACTION NO. 1698

FILED  
NOV 15 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

This matter coming on for disposition pursuant to regular setting  
on this 6th day of September, 1946, and it appearing that the defendants have  
been in compliance with the previous order of this Court,

IT IS ORDERED that the injunction granted in this cause be and the  
same is hereby dissolved.

14 Nov 1946  
UNITED STATES DISTRICT JUDGE

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

PAUL S. PORTER, Administrator  
Office of Price Administration  
Plaintiff

vs.

THE COYNE LUMBER COMPANY  
A Corporation  
Miami, Oklahoma  
Defendant

CIVIL ACTION NO. 1887

FILED

NOV 15 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

J U D G M E N T

This matter came on for hearing on this 24th day of October, 1946, before the Honorable Royce Savage, Judge of the United States Court for the Northern District of the State of Oklahoma. Plaintiff was represented by his counsel of record, James T. Steil, and the defendant appeared by his counsel of record, Perry Porter. Both sides announced ready for trial, and upon oral stipulation made in open court by counsel for plaintiff and counsel for defendant that the single actual overcharge involved in the case on trial amounted to \$479.76, and the only issue left for trial was the amount of damages to be recovered by the plaintiff and whether or not an injunction should issue, the case proceeded to trial. Witnesses were sworn and examined in open court, and the court being otherwise well and fully advised in the premises finds that the alleged violations which occurred were not wilful, but were due to failure to take practical precaution, and therefore an injunction should not issue, but the plaintiff should be entitled to recover single the amount of damages in the sum of \$479.76, plus a penalty of \$10.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the Court, that the injunction as prayed for in the complaint on file herein should be and the same is hereby denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the plaintiff have and recover of and from the defendant, for and on behalf of the United States of America, a money judgment in the sum of \$489.76 and all costs of this action.

Issued at Tulsa, Oklahoma, this 29th day of November, 1946.

APPROVED AS TO FORM:

James T. Steil  
Attorneys for Plaintiff

Perry Porter  
Attorney for Defendant

Royce Savage  
UNITED STATES DISTRICT JUDGE

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

PAUL S. LOANER, A REGISTRATOR  
Office of Price Administration

Plaintiff

vs.

CIVIL ACTION NO. 1888

GEORGE BOLMAN, JR., JOHN A.  
ROBINSON, RAY L. REHICKER, HENRY  
LUTMAN and JOHN A. LUTMAN,

Co-partners, d/b/a  
Tri-State Lumber Company  
410 North Main Street  
Miami, Oklahoma, and  
110 South Main Street  
Richer, Oklahoma

Defendants

FILED

NOV 15 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

J U D G M E N T

This matter came on for hearing on this 24th day of October, 1946, before the Honorable Royce Savage, Judge of the United States Court for the Northern District of the State of Oklahoma. Plaintiff was represented by his counsel of record, James T. Steil, and the defendants appeared by their counsel of record, Perry Porter and Joe Thompson. Both sides announced ready for trial, upon oral stipulation, made in open court by counsel for plaintiff and counsel for defendants that the single amount of the overcharge as alleged in the complaint on file herein was correct, and further that the testimony as to the amount recoverable and whether or not the injunction should issue, would be the same as the evidence and testimony in the case of Porter vs. The Coyne Lumber Company, a Corporation, Civil Action No. 1887, which had just been tried to the court, it was agreed by counsel for plaintiff and defendants, in open court, that this case would be submitted to the court for his findings without any further evidence. The court finds that the violations occurred as alleged in the plaintiff's complaint but were not wilful, but were due to failure to take practical precaution, and therefore the plaintiff should have and recover of and from the defendants single the amount of the overcharge in the sum of \$628.74, plus a \$10.00 penalty for failure to take practical precaution, and that the injunction as prayed for should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the court, that the injunction as prayed for in the complaint on file herein should be and is hereby denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the plaintiff have and recover of and from the defendants a money judgment for and

on behalf of the United States of America in the sum of \$636.74 and all costs of this action.

Issued at Tulsa, Oklahoma, this 15<sup>th</sup> day of November, 1946.

Royce V. Hargreaves  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

[Signature]

[Signature]  
Attorneys for Plaintiff

[Signature]

[Signature]  
Attorneys for Defendants

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

UNITED STATES OF AMERICA, DISTRICT OF CALIFORNIA,  
et al., containing approximately 41.62 acres,  
more or less; and Casa Grande Yacht Club, now  
known as Theriot's Yacht Club, et al.,

Defendants.

CIVIL NO. 1170

FILED  
NOV 18 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

J. B. H. H. H.

BY, on this 15th day of November, 1946, there comes on  
for hearing, pursuant to regular assignment, the application of the  
petitioner herein for a judgment approving the commissioners' report  
and stipulations heretofore filed in this proceeding, as to the real  
estate hereinafter specifically described.

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

(1) Each and all of the allegations of said petition for condemna-  
tion 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 petition, 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 was taken,  
were set forth.

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

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

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

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

(6) The court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified 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 19th day of September, 1945, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to-wit:

TRACT NO. 1 (6 - FW-203 A)

Flowage Easement

All that part of the SW $\frac{1}{4}$  SR $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 28, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$500.00

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$972.80

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

Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 1, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1.54

TRACT NO. 4 (9 - FW-315)

Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 26, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$4.50

TRACT NO. 5 (9 - FW-337)

Flowage Easement

All that part of the NW 9.10 acres of Lot 1, and all that part of the SW 10.0 acres of Lot 1 in Sec. 25, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . 6.00

TRACT NO. 6 (9 - FW-338)

Flowage Easement

All that part of Lot 9, and all that part of the S $\frac{1}{2}$  SE $\frac{1}{2}$  of Sec. 24; and all that part of the N $\frac{1}{2}$  NE $\frac{1}{2}$  of Sec. 25, all in T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

SEPARATE JUDGMENT RETURNED

TRACT NO. 7 (9 - FW-339)

Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 24, T 24, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$8.00

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

Flowage Easement

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

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$8.00

TRACT NO. 9 (9 - FW-686)

Flowage Easement

All that part of the  $NE\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 23, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$338.60

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

Flowage Easement

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

"Beginning at the NE corner of the  $E\frac{1}{2}$   $NE\frac{1}{4}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 23, T 24 N, R 22 E, thence west 258.81 feet, thence S.  $1^{\circ} 8'$  W. 15.39 feet; thence S.  $31^{\circ} 5'$  E. 297.3 feet, thence S.  $14^{\circ} 23'$  E. 341.5 feet, thence S.  $19^{\circ} 29'$  E. 24.8 feet to a point in the East boundary of the  $E\frac{1}{2}$   $NE\frac{1}{4}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$ , thence north along said east boundary 624.3 feet to the point of beginning"

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$2.75

TRACT NO. 11 (12 - FW-805)

Flowage Easement

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

Beginning at a point in the north boundary of said SW 1/4 SE 1/4 505.5 feet from the NE corner thereof, thence S. 59° 53' W. 263.7 feet; thence S. 43° 03' E. 543.2 feet; thence S. 15° 22' W. 237.9 feet; thence S. 50° 15' W. 340.0 feet; thence S. 15° 49' W. 345.9 feet; thence S. 0° 00' E. 5.7 feet to a point in the south boundary of said SW 1/4 SE 1/4 750.8 feet from the SE corner thereof; thence westerly along said south boundary a distance of 319.2 feet; thence N. 65° 47' E. 62.8 feet; thence N. 8° 06' E. 200.2 feet; thence N. 31° 50' E. 122.7 feet; thence N. 58° 41' E. 128.5 feet; thence N. 43° 01' E. 197.0 feet; thence N. 17° 50' E. 137.8 feet; thence N. 4° 29' E. 115.8 feet; thence N. 30° 07' W. 175.8 feet; thence N. 53° 17' W. 148.5 feet; thence N. 66° 33' W. 38.3 feet; thence N. 37° 21' W. 106.4 feet; thence N. 79° 24' W. 191.8 feet; thence S. 86° 05' E. 189.8 feet; thence N. 10° 14' E. 54.0 feet; thence N. 42° 06' E. 141.0 feet; thence N. 45° 00' E. 15.4 feet to a point in the north boundary of said SW 1/4 SE 1/4; thence Easterly along said north boundary a distance of 340.0 feet to the point of beginning, containing 8.3 acres, more or less, (which includes all that part of the lots, blocks, streets, avenues, alleys and driveways designated as Bernice, Oklahoma, as shown by dedications and plats filed in the County Clerk's office in Delaware County, Oklahoma, on the 27th day of December, 1939, and on the 26th day of April, 1941), lying below Elev. 757 Sea Level Datum.

ADJUDICATED BY THE COURT IN THE MATTER OF THE ESTATE OF JOHN L. LACY (JANUARY 11, 1941) IN THE DISTRICT COURT OF THE TERRITORY OF OKLAHOMA AT OKLAHOMA CITY, OKLAHOMA.

Part owned by E. W. Haynes, - - - - -	130.00
Part owned by Mail Investment Company, - - -	130.00
Part owned by E. W. Barrettson and Marjorie E. Barrettson, - - - - -	250.00
Part owned by Duke Ash and Louise Ash, - - -	250.00
Part owned by J. L. Morris, - - - - -	50.00
Part owned by Frank E. Brooks, - - - - -	200.00
Part owned by Robert A. King and Pearl Emma King, - - - - -	100.00
Part owned by John H. Lacey and Nina E. Lacey, - - - - -	200.00
Part owned by W. E. Countryman and Hazel Countryman, - - - - -	200.00
Part owned by Sarana Edward Lacey, - - - -	200.00
Part owned by J. H. Clarke, - - - - -	75.00
Part owned by Paul H. King and Alberta E. King, - - - - -	100.00
Part owned by Helen King Monroe - - - - -	100.00

Total, - - - - - \$2550.00

Decrees and judgments were entered upon that part of Tract 11 owned by Duke Ash and Louise Ash, and upon that part of Tract 11 owned by E. W. Barrettson and Marjorie E. Barrettson.

On the latter is fixed by said decree as hereafter set out as to that part of Tract 11 owned by John H. Lacey.

The amount of \$30.00 made by the court's decree for that part of Tract 11 owned by John H. Lacey, and for the undivided portion thereof, is hereby assigned to the said John H. Lacey.

TRACT NO. 13 (12 - FW-810)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$2.50

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$5.00

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

Flowage Easement

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

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

- TRACT NO. 16 (12 - FW-811 Rev.  
 12 - FW-811 A  
 12 - FW-811 B  
 12 - FW-811 D  
 12 - FW-811 E  
 12 - FW-811 F  
 12 - FW-811 G  
 12 - FW-811 H  
 12 - FW-811 J  
 12 - FW-811 K  
 12 - FW-811 L)

Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 26, T 25 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, (which includes all that part of the lots, streets, avenues and alleys in that part of Second Lake View Addition situated in said S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  as shown by dedication and plat filed in the County Clerk's office of Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum), except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acres.

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

That part designated as 12 FW 811-A, - - - - -	5.00
That part designated as 12 FW 811-B, - - - - -	5.00
That part designated as 12 FW 811-D, - - - - -	7.50
That part designated as 12 FW 811-E, - - - - -	50.00
That part designated as 12 FW 811-F, - - - - -	20.00
That part designated as 12 FW 811-J, - - - - -	5.00
That part designated as 12 FW 811-L, - - - - -	5.00
<b>TOTAL, - - - - -</b>	<b>107.50</b>

Separate judgments entered upon that part of Tract 16 owned by E. F. Case, designated as 12 FW 811-G, and upon that part owned by Roy Salamon, designated as 12 FW 811-H.

Compensation fixed by stipulations as hereafter set out upon those parts of Tract 16 owned by Iva Beaton, designated as 12 FW 811-I, and by A. L. Mitchell and Carl Mitchell, designated as 12 FW 811-K.

PERPETUAL EASEMENT

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 28, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$42.00

TRACT NO. 19 (16 - FW-392)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$15.00

TRACT NO. 20 (16 - FW-393)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1.54

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1.50

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$45.00

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

Flowage Easement

All that part of the north 522.42 feet of the west 417.42 feet of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 36, T 25 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ABOVE EASEMENT (PERMANENT EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$15.00

TRACT NO. 24 (25 - FW-879)

Flowage Easement

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

SEPARATE INSTRUMENT FILED

TRACT NO. 25 (27 - FW-450)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ABOVE EASEMENT (PERMANENT EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1.30

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

Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 21, and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  S $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  except the south 330 feet of the west 495 feet thereof, in Sec. 16, all in T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 8.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ABOVE EASEMENT (PERMANENT EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1,000.00

TRACT NO. 27 (34 - FW-1129)

Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$400.00

TRACT NO. 28 (34 - FW-1140)

Flowage Easement

Lots 20, 21, and 22 in Block A as shown on the dedication plat of the original Townsite of Guffey's Cabin Site, dated the 29th day of April, 1941, situated in the E $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues and alleys adjacent to said lots.

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

TRACT NO. 29 (34 - FW-1141)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$20.00

TRACT NO. 30 (34 - FW-1146)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERMANENT EASEMENT) AND ALL CLAIMS TO THE ESTATE, IF ANY, . . . . . \$165.00

TRACT NO. 31 (34 - FW-1147)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERMANENT EASEMENT) AND ALL CLAIMS TO THE ESTATE, IF ANY, . . . . . \$150.00

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

Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERMANENT EASEMENT) AND ALL CLAIMS TO THE ESTATE, IF ANY, . . . . . \$1426.00

T O T A L, - - - - - \$6,172.33

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, but that the report of commissioners as to the award of \$5.00 for that part of Tract 11 owned by the K. O. & N. Railroad should not be confirmed for the reason that petitioner had previously, and on September 1, 1903, in Civil No. 1074, United States of America vs. K. O. & N. Railway, et al., in this Court, condemned this same interest and paid the just compensation therefor.

The Court further finds petitioner erred in this action in describing as a part of the interest to be acquired, that part of Tract 11 owned by the K. O. & N. Railroad, and acquired no new or additional rights as against said Railroad thereby. That the report of commissioners, insofar as it attempts to award \$5.00 for the taking of a part of Tract 11, to the K. O. & N. Railroad, should be set aside and held for naught.

(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 finds that the petitioner and the owners entered into agreements and stipulations in and form of accepted offers of sale as to the just compensation to be paid for the estate taken in the lands in this proceeding, and more particularly designated and described as follows, to-wit:

THAT PART OF TRACT No. 11 (12 of 336)  
OWNED BY K. O. & N. RAILROAD

STIPULATED FINAL OFFER MADE BY PETITIONER TO THE OWNERS  
TAKEN (CONVEYED) HEREIN) AND THE JUST COMPENSATION THERE-  
FOR, IN ANY, . . . . . \$85.00

THAT PART OF TRACT No. 10 (12 of 311-4)  
OWNED BY K. O. & N. RAILROAD

STIPULATED FINAL OFFER MADE BY PETITIONER TO THE OWNERS  
TAKEN (CONVEYED) HEREIN) AND THE JUST COMPENSATION THERE-  
FOR, IN ANY, . . . . . 5.00

PART A AND B TRACTS N. 16 (14 P. 811-K)  
FILED BY A. L. HINDS, JR. AND PAUL HINDS

TOTAL TRACTS (14 P. 811-K) . . . . .	\$2.50
TOTAL TRACTS (14 P. 811-K) . . . . .	32.50

and that said stipulations, agreements and accepted offers of sale entered into between the petitioner and the owners of said tracts are in all respects regular and should be confirmed and approved in every respect, and said sums as set out in the aforementioned accepted offers of sale are just compensation for the estate taken.

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 and by the accepted offers of sale hereinabove set forth is final just compensation, in the total amount of \$6,264.83.

(c) That the United States of America did, on the 24th day of March, 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, the following sums, to-wit:

TRACT NO. 1 (5 P. 203-A), . . . . .	\$500.00
TRACT NO. 2 (7 P. 239) (7 P. 240) (7 P. 241), . . . . .	545.00
TRACT NO. 3 (6 P. 280-B) . . . . .	1.54
TRACT NO. 4 (9 P. 313), . . . . .	4.50
TRACT NO. 5 (9 P. 337), . . . . .	4.00
TRACT NO. 7 (9 P. 339), . . . . .	5.00
TRACT NO. 8 (9 P. 334-14) . . . . .	5.00
TRACT NO. 9 (9 P. 360), . . . . .	337.00
TRACT NO. 10 (5 P. 388-A) . . . . .	1.75
TRACT NO. 11 (12 P. 400) . . . . .	2250.00
TRACT NO. 12 (12 P. 407) . . . . .	30.00
TRACT NO. 13 (12 P. 410), . . . . .	1.50
TRACT NO. 14 (12 P. 410-11) . . . . .	5.00
TRACT NO. 15 (12 P. 410-12) . . . . .	42.50

TRAFFIC NO. 16 (12 FR 811-Rev.)	
(12 FR 811-A)	
(12 FR 811-B)	
(12 FR 811-D)	
(12 FR 811-E)	
(12 FR 811-F)	
(12 FR 811-G)	
(12 FR 811-H)	
(12 FR 811-I)	
(12 FR 811-J)	
(12 FR 811-K)	
(12 FR 811-L), . . . . .	147.50
TRAFFIC NO. 17 (12 FR 813), . . . . .	2.60
TRAFFIC NO. 18 (16 FR 391), . . . . .	15.40
TRAFFIC NO. 19 (16 FR 392), . . . . .	9.40
TRAFFIC NO. 20 (16 FR 393), . . . . .	1.54
TRAFFIC NO. 21 (21 FR 308-A Rev.) . . . . .	1.00
TRAFFIC NO. 22 (24 FR 578-Rev.) . . . . .	27.00
TRAFFIC NO. 23 (24 FR 808-A) . . . . .	15.00
TRAFFIC NO. 25 (27 FR 450), . . . . .	1.30
TRAFFIC NO. 26 (27 FR 468-Rev.) . . . . .	1000.00
TRAFFIC NO. 27 (34 FR 1128), . . . . .	368.00
TRAFFIC NO. 28 (34 FR 1140), . . . . .	200.00
TRAFFIC NO. 29 (34 FR 1141) . . . . .	20.00
TRAFFIC NO. 30 (34 FR 1146) . . . . .	165.00
TRAFFIC NO. 31 (34 FR 1147) . . . . .	150.00
TRAFFIC NO. 32 (34 FR 1148-A) . . . . .	1426.00
TRAFFIC NO. 33 . . . . .	7,201.13

(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 June 10, 1920, 41 Stat. 1033 (16 U. S. C. Sec. 809); Executive Order No. 2944, dated December 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 304-305 (40 U. S. C. Secs. 401-403) as amended and supplemented; Executive Order No. 9366, dated July 30, 1943; Executive Order No. 1373, dated August 31, 1943; the Act of August 1, 1882, 25 Stat. 357 (43 U. S. C. Sec. 257); and the Act of February 26, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 255 (a) to 257 (a)); Title VII 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 HEREBY ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

TRACT No. 1 (5 PW 203-A), . . . . .	500.00
TRACT No. 2 (7 PW 239) (7 PW 240) (7 PW 241), . . . . .	972.60
TRACT No. 3 (8 PW 286-B) . . . . .	1.54
TRACT No. 4 (9 PW 313), . . . . .	4.50
TRACT No. 5 (9 PW 337), . . . . .	8.00
TRACT No. 7 (9 PW 339), . . . . .	8.00
TRACT No. 8 (9 PW 334 A) . . . . .	8.00
TRACT No. 9 (9 PW 356) . . . . .	135.60
TRACT No. 10 (9 PW 358-A) . . . . .	8.75
TRACT No. 11 (12 PW 805)- . . . . .	1550.00
TRACT No. 12 (12 PW 807) . . . . .	30.00
TRACT No. 13 (12 PW 810) . . . . .	8.50
TRACT No. 14 (12 PW 810-A) . . . . .	5.00
TRACT No. 15 (12 PW 810-B) . . . . .	150.00
TRACT No. 16 (12 PW 811-A) (12 PW 811-B) (12 PW 811-C) (12 PW 811-D) (12 PW 811-E) (12 PW 811-F) (12 PW 811-G) (12 PW 811-H) (12 PW 811-I) (12 PW 811-J) (12 PW 811-K), . . . . .	87.50
TRACT No. 17 (12 PW 813), . . . . .	5.00
TRACT No. 18 (16 PW 391), . . . . .	12.00
TRACT No. 19 (16 PW 392), . . . . .	15.00
TRACT No. 20 (16 PW 395), . . . . .	1.54

Tract No. 21 (21 P. 300-A Rev.)	11.50
Tract No. 22 (24 P. 578-Rev.)	45.00
Tract No. 23 (21 P. 605-A)	15.00
Tract No. 25 (27 P. 450)	1.30
Tract No. 26 (27 P. 468-Rev.)	1000.00
Tract No. 27 (34 P. 1129)	107.00
Tract No. 28 (34 P. 1140)	205.00
Tract No. 29 (34 P. 1141)	20.00
Tract No. 30 (34 P. 1146)	165.00
Tract No. 31 (34 P. 1147)	152.00
Tract No. 32 (34 P. 1148-A)	1425.00
<b>Total</b>	<b>21,172.50</b>

THE COURT HEREBY, ADMINISTERING AS ORDERED that the offers of sale made by the owners and accepted by the petitioner are hereby confirmed and approved in all respects, and the sums of money set forth therein to be paid are full and just compensation for the estate taken as to the tracts of land as follows, to-wit:

TRACT NO. 11 (12 P. 305), WILLIAM WALTER J. BLANT, . . . . .	185.00
TRACT NO. 15 (12 P. 311-11), WILLIAM WALTER J. BLANT, . . . . .	5.00
TRACT NO. 16 (12 P. 311-11), WILLIAM WALTER J. BLANT AND WILLIAM WALTER J. BLANT, . . . . .	2.50
<b>Total</b>	<b>192.50</b>

THE COURT HEREBY, ADMINISTERING AS ORDERED that the estate taken is a perpetual easement upon 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 (Tennessee) Project in Alabama.

THE COURT HEREBY, ADMINISTERING AS ORDERED that the ex-sinners' report of September 19, 1945, insofar as it attempts to award the sum of \$1000 as the basis of a perpetual flowage easement upon that part of tract 11 (12 P. 305) owned by the U. S. R. Railway, be and is hereby vacated, set aside and held for naught for the reason that

petitioner had previously acquired this identical interest by condemna-  
tion in Civil No. 1974, United States of America vs. E. F. & N. Railway,  
et al., in this court, and paid the just compensation therefor. It is  
also ordered that so much of the amount deposited by petitioner as esti-  
mated just compensation for that part of Tract 11 (12 W 805) owned by  
the E. F. & N. Railway be applied as a credit upon the deficiency judg-  
ment herein entered.

THE COURT HEREBY 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 24th day of March, 1944, upon  
the filing of a declaration of taking and the depositing of the sum of  
\$7,262.13 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 compen-  
sation for the estate taken vested in the persons entitled thereto.

THE COURT HEREBY ORDERED, ADJUDGED AND DECREED that the estate  
therein taken, as hereinabove specifically set forth, is hereby deemed  
to be condemnatory 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, and of some right, title or interest therein.

THE COURT HEREBY ORDERED, ADJUDGED AND DECREED that the petitioner  
pay into the registry of this court the sum of \$1002.70, said sum being  
the difference between the sum of \$8,264.83, the just compensation herein  
fixed, 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 \$7,262.13.

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

*J. Edgar Hoover*  
\_\_\_\_\_  
Judge of the United States District  
Court for the 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 TULSA COUNTY,  
OKLAHOMA; and Sallie Beaver, now Moore,  
et al.,

Defendants.

CIVIL NO. 1930

FILED  
NOV 18 1946

JUDGMENT ON DECLARATION OF TAKING

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

This cause coming on to be heard upon the motion of the petitioner, United States of America, to enter a judgment on the declaration of taking filed in the above entitled cause on the 18th day of November, 1946, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said declaration of taking, the statutes in such cases made and provided, and it appearing to the satisfaction of the court:

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

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

THIRD: That said petition and declaration of taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior of the United States of America is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the use of the United States in connection with the management, operation, completion and full utilization of the Grand

River Dam (Pensacola) Project in the State of Oklahoma, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for the identification thereof, is set out in said declaration of taking.

FIFTH: That said declaration of taking contains a statement of the estate or interest in said lands taken for said public use.

SIXTH: That a plan map showing the land taken is incorporated in said declaration of taking.

SEVENTH: That a statement is contained in said declaration of taking of a sum of money estimated by said acquiring authority to be just compensation for the estates taken in said lands, in the amount of \$500.00, and that said sum was deposited in the registry of this court for the use of the persons entitled thereto, upon, and at the time of the filing of said declaration of taking.

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

IT IS THEREFORE, ON this 15<sup>th</sup> day of November, 1948,  
ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, towers, or other structures, wires, cables, and fixtures for the transmission of electric current, together with the perpetual easement and right to cut down, remove or trim any trees that may interfere with or endanger said transmission line or lines, or the maintenance or operation thereof, together with the perpetual easement, right and privilege to set the necessary guy and brace poles and anchors, and to attach all necessary guy wires thereto; and the perpetual right, privilege and authority to erect, maintain and operate said line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures, upon, over and across any street, alley, highway



or other right of way now existing or hereafter established, on or across the hereinafter described lands or adjoining the same or adjacent thereto, the lands upon which said easement is taken are situate, lying and being in the County of Tulsa, State of Oklahoma, and more particularly described by courses and distances, as follows:

TRACT NO. 1 (315-A 1.1)

Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 36, T 20 N, R 13 E of the Indian Base and Meridian in Tulsa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of existing Grand River Dam Project transmission right-of-way 426 feet South and 113 feet East of the NW corner of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence northerly to a point in the North boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 109 feet from the NW corner thereof.

TRACT NO. 2 (315-A 1.2)

Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 36, T 20 N, R 13 E of the Indian Base and Meridian in Tulsa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 109 feet from the SW corner thereof, thence northerly to a point in the North boundary of said W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 96 feet from the NW corner thereof.

TRACT NO. 3 (315-A 2.1)

Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$  W $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 26, T 20 N, R 13 E of the Indian Base and Meridian in Tulsa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said W $\frac{1}{2}$  W $\frac{1}{2}$  SE $\frac{1}{4}$ , 96 feet from the SW corner thereof, thence northerly to a point in the South right-of-way line of St. Louis and San Francisco Railroad 74 feet from the West boundary of said W $\frac{1}{2}$  W $\frac{1}{2}$  SE $\frac{1}{4}$ .

be and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and it is hereby vested with the estates taken in said lands for the uses and purposes herein stated, and the right to just compensation for the property taken, upon the filing of the declaration of taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 25<sup>th</sup> day of November, 1946, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

M. J. W. [Signature]  
JUDGE OF THE UNITED STATES DISTRICT  
COURT, NORTHERN DISTRICT OF OKLAHOMA

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, containing approximately 142.40  
acres, more or less; and JAMES Y. VICTOR,  
Executor of Estate of S. G. Victor,  
deceased, et al.,

Defendants.

CIVIL NO. 1157

FILED

NOV 20 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this 20<sup>th</sup> day of November, 1946, the above cause comes on for hearing, pursuant to regular assignment, for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the 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 hereinafter named; and that the owners and those having any right, title, or interest in and to said lands, as hereinafter named and set forth, are the only persons, firms, and corporations having any right, title, or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by 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 (48-FW-1281)

Flowage Easement

Heirs of S. G. Victor,  
deceased, - - - - - fee owners, - - - \$ 2.00  
(Make check payable to James Y. Victor,  
executor of the estate of S. G. Victor,  
deceased.)  
(Commissioners' Award)

TRACT NO. 2 (48-FW-1282)

Flowage Easement

G. W. Gohn,  
D. D. Kirkland,  
Elna Kirkland, - - - - - fee owners, - - - \$175.90  
(Commissioners' Award)

TRACT NO. 3 (48-FW-1288)

Flowage Easement

(Title fixed and distribution made under Order  
of August 13, 1945.)

TRACT NO. 4 (48-FW-1289)

Flowage Easement

Omer Kircher,  
Gladys Kircher, - - - - - fee owners, - - - \$ 14.00  
(Commissioners' Award)

TRACT NO. 5 (48-FW-1290)

Flowage Easement

Melissa Audrain,  
Ruben Audrain,  
Anna Shepherd,  
Mayme Holt,  
Robert Audrain,  
Margaret Hayman,  
John Audrain, - - - - - fee owners, - - - \$ 1.50  
(Commissioners' Award)

TRACT NO. 6 (48-FW-1291)

Flowage Easement

(Title fixed and distribution made under Order of June 4, 1945.)

TRACT NO. 7 (48-FW-1293)

Flowage Easement

J. T. Hampton, - - - - - fee owner, - - - - - \$142.00

(Title fixed and partial distribution of \$45 crop damages made under Order of October 22, 1945.)  
(Commissioners' Award)

TRACT NO. 8 (48-FW-1294)

Flowage Easement

(Title fixed and distribution made under Order of June 25, 1945.)

TRACT NO. 9 (48-FW-1295)

Flowage Easement

Nancy Rowe Dickson, - - - fee owner, - - - - - \$ 4.30  
(Commissioners' Award)

TRACT NO. 10 (48-FW-1296)

Flowage Easement

Ahleecher Chuwalooky, - - - fee owner, - - - - - \$321.75

(Title fixed and partial distribution of \$50 crop damages made under order of June 4, 1945.)  
(Commissioners' Award)

TRACT NO. 11 (48-FW-1305)

Flowage Easement

(Title fixed and distribution made under Order of October 12, 1944.)

TRACT NO. 12 (48-FW-1306)

Erman Harris,  
Gladys Harris Dawson,  
Lorene Harris Gibbs,  
William McKinley Harris,  
Vester Crow,  
Oleta Crow,  
James Harris,  
Vera Harris Merit,  
Anna May Harris,  
Boyd Nick Harris,  
Odena Harris,  
Letha Harris Bartley,  
Wayne J. Harris,  
Frank H. Harris, - - - - - fee owners, - - - - - \$750.00  
(Commissioners' Award)

TRACT NO. 13 (48-FW-1308  
48-FW-1309)

Flowage Easement

W. F. Hague,  
C. P. White,  
Elfa A. White,  
Dr. L. C. Pickrell,  
Barbara Pickrell, - - - - - fee owners, - - - - - \$300.00  
(Make checks payable as follows:  
W. F. Hague ..... \$180.00  
C. P. White and Elfa A. White... 115.00  
Dr. L. C. Pickrell and  
Barbara Pickrell ..... 5.00)  
(Commissioners' Award)

TRACT NO. 14 (48-FW-1310 Rev.)

Flowage Easement

Marjorie Carter,  
Mary Snyder,  
Vivian Snyder, - - - - - fee owners, - - - - - \$ 2.50  
(Commissioners' Award)

TRACT NO. 15 (48-FW-1311 Rev.)

Flowage Easement

F. W. Largent, - - - - - fee owner, - - - - - \$ 2.50  
(Commissioners' Award)

TRACT NO. 16 (48-FW-1312)

Flowage Easement

F. W. Largent, - - - - - fee owner, - - - - - \$ 2.50  
(Commissioners' Award)

TRACT NO. 17 (48-FW-1313)

Flowage Easement

Emery G. Story,  
Florence R. Story, - - - - - fee owners, - - - - - \$130.00  
(Commissioners' Award)

TRACT NO. 18 (48-FW-1314)

Flowage Easement

James S. Melton,  
Bessie Melton, - - - - - fee owners, - - - - - \$ 50.00  
(Commissioners' Award)

TRACT NO. 19 (48-FW-1315)

Flowage Easement

George William Hight,  
Ellen Hight,  
Paul E. Carver, - - - - - fee owners, - - - - - \$ 5.00  
(Make checks as follows:  
George William Hight and  
Ellen Hight ..... \$2.50  
Paul E. Carver ..... \$2.50)  
(Commissioners' Award)

TRACT NO. 20 (48-FW-1316)

Flowage Easement

J. W. Robinson,  
Lura Robinson,  
Mary E. Lawson, - - - - - fee owners, - - - - - \$ 2.50  
(Commissioners' Award)

TRACT NO. 21 (48-FW-1317)

Flowage Easement

Donald E. Sechrist,  
Ruth E. Sechrist, - - - - - fee owners, - - - - - \$ 5.00  
(Commissioners' Award)

TRACT NO. 22 (48-FW-1318)

Flowage Easement

James P. Coffman,  
Cora F. Coffman, - - - - - fee owners, - - - - - \$ 5.00  
(Commissioners' Award)

TRACT NO. 23 (48-FW-1319)

Flowage Easement

J. M. Owen,  
Elva Owen, - - - - - fee owners, - - - - - \$ 15.00  
(Commissioners' Award)

TRACT NO. 24 (48-FW-1320)

Flowage Easement

Howard Childress, - - - - - fee owner, - - - - - \$ 5.00  
(Commissioners' Award)

TRACT NO. 25 (48-FW-1321)

Flowage Easement

Harold V. Childress,  
Elizabeth Childress, - - - - - fee owners, - - - - - \$ 5.00  
(Commissioners' Award)

TRACT NO. 26 (48-FW-1322)

Flowage Easement

W. A. Childress, - - - - - fee owner, - - - - - \$ 5.00  
(Commissioners' Award)

TRACT NO. 27 (48-FW-1322-B)

Flowage Easement

James P. Coffman,  
Cora F. Coffman,  
Orpha McPherson, - - - - - fee owners, - - - - - \$ 20.00  
(Make checks as follows:  
James P. Coffman and Cora F.  
Coffman ..... \$10.00  
Orpha McPherson ..... \$10.00)  
(Commissioners' Award)

TRACT NO. 28 (48-FW-1322-C)

Flowage Easement

(Title fixed and distribution made under Order  
of October 9, 1946.)

TRACT NO. 29 (48-FW-1323)

Flowage Easement

Harriet H. Coleman,  
Roy L. Creamer,  
Georgianna Creamer, - - - - - fee owners, - - - - - \$ 4.00

Minna A. Sale, Administratrix of the Estate  
of O. A. Sale, deceased, - - mortgagee.  
(Make check payable to Harriet H. Coleman,  
Roy L. Creamer, Georgianna Creamer, and  
Minna A. Sale, Administratrix of the  
Estate of O. A. Sale, deceased.)  
(Commissioners' Award)

TRACT NO. 30 (48-FW-1324)

Flowage Easement

Charles Sale,  
Onal A. Sale, - - - - - fee owners, - - - - - \$ 3.00  
(Make check payable to Charles Sale and  
Minna A. Sale, Administratrix of the  
Estate of O. A. Sale, deceased.)  
(Commissioners' Award)

TRACT NO. 31 (48-FW-1325)

Flowage Easement

Melvin C. Bowman, - - - - - fee owner, - - - - - \$ 3.00  
(Commissioners' Award)

TRACT NO. 32 (48-FW-1326)

Flowage Easement

Alice A. Kane,  
Arthur James Kane, - - - - - fee owners, - - - - - \$ 9.60  
(Commissioners' Award)

TRACT NO. 33 (48-FW-1327)

Flowage Easement

(Title fixed and distribution made under Order  
of April 2, 1945.)

TRACT NO. 34 (48-FW-1328)

Flowage Easement

W. Brown Stansell,  
Susie V. Stansell, - - - - - fee owners, - - - - - \$ 11.20  
(Commissioners' Award)

TRACT NO. 35 (48-FW-1526)

Flowage Easement

(Title fixed and distribution made under Order of January 22, 1945.)

TRACT NO. 36 (48-FW-1527)

Flowage Easement

Juanita Weston Murphy,  
Frances Weston Newport,  
Walter P. Weston,  
John E. Weston,  
David M. Weston,  
Hugh S. Weston, - - - - - fee owners, - - - - - \$515.00  
(Commissioners' Award)

TRACT NO. 37 (48-FW-1528)

Flowage Easement

Rhoda M. Dodson, - - - - - fee owner, - - - - - \$815.00  
Sam Walker, - - - - - tenant.  
(Make check to Rhoda M. Dodson for \$615.00.  
Make check to Rhoda M. Dodson and  
Sam Walker for ..... \$200.00.)  
(Commissioners' Award)

TRACT NO. 38 (48-FW-1531)

Flowage Easement

(Title fixed and distribution made under Order of October 28, 1946.)

TRACT NO. 39 (48X-FW-1286)

Flowage Easement

Otha H. Grimes, - - - - - fee owner, - - - - - \$132.00  
Federal Land Bank of Wichita - - mortgagee.  
(Make check payable to Otha H. Grimes and  
Federal Land Bank of Wichita.)  
(Commissioners' Award)

TRACT NO. 40 (48X-FW-1286-A)

Flowage Easement

William Flint,  
Jessie Juanita Flint,  
William Taylor Flint, - - - - - fee owners, - - - - - \$ 48.00  
(Commissioners' Award)

TRACT NO. 41 (48X-FW-1286-B)

Flowage Easement

Charles Bigby,  
Pauline Bigby, - - - - - fee owners, - - - - - \$ 4.00  
(Commissioners' Award)

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

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

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Petitioner,

-vs-

UNITED STATES OF AMERICA AND THE DISTRICT OF COLUMBIA, including approximately 35.0 acres, more or less; and Sadie S. McDonkey, et al.,

Defendants.

CIVIL NO. 1183

FILED

NOV 20 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

J U D I C I A L

On this 20th day of November, 1946, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment, approving the commissioners' report as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, 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) That said petition for condemnation was filed at the request of the Secretary of the Interior, for 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 was taken, was set forth.

(a) 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.

(b) 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 the 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.

(c) 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 10th day of January, 1946, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to-wit:

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ABOVE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE EASEMENT, IF ANY, . . . . . \$1678.00

TRACT NO. 2 (54 - FW-1416)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ABOVE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE EASEMENT, IF ANY, . . . . . \$ 1.50

TRACT NO. 3 (54 - FW-1417)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ABOVE EASEMENT (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE EASEMENT, IF ANY, . . . . . \$64.50

TRACT NO. 4 (54 - FW-1422)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$334.00

TRACT NO. 5 (54 - FW-1423)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$429.50

TRACT NO. 6 (54 - FW-1458)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 57.00

TRACT NO. 7 (54 - FW-1459)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$25.50

TRACT NO. 8 (54 - FW-1460)

Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  less the north 10.0 acres thereof, and all that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 16, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 25.2 acres.

RENDERED ON DEMAND FOR JURY TRIAL

TRACT NO. 9 (54 - FW-1461)

Flowage Easement

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

RENDERED ON DEMAND FOR JURY TRIAL

TRACT NO. 10 (54 - FW-1462)

Flowage Easement

All that part of the SW $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 21, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing 3.1 acres, more or less.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$62.00

TRACT NO. 11 (54 - FW-1463)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$77.50

TRACT NO. 12 (54 - FW-1464)

Flowage Easement

All that part of the SW $\frac{1}{2}$  SW $\frac{1}{2}$  of Sec. 21, T 28 N, R 24 E of the Indian Base and Meridian, Peoria Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 32.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$962.50

TRACT NO. 13 (54 - FW-1465)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$179.00

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

Flowage Easement

All that part of the SW $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 9, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 57.00

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$438.00

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

Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 3, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 17.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$256.50

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

Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 12.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$190.50

TRACT NO. 18 (54X - FW-1428)

Flowage Easement

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

"Beginning at the NW corner of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence East 160 feet, thence Southeasterly along the West bank of Spring River to a point in the South line of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence West 565 feet to the SW corner of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence North 1320 feet to the point of beginning, containing 11 acres, more or less"

lying below Elev. 760 Sea Level Datum, containing approximately 7.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$108.00

TRACT NO. 19 (54X - FW-1429)

Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 5.0 acres.

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

TRACT NO. 20 (54X - FW-1430)

Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  lying East of Spring River in Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.0 acres.

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

TRACT NO. 21 (54X - FW-1431 Rev.)

Flowage Easement

TRACT "A"

"All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 5, Township 28 North, Range 24 East, except

A tract or parcel of land in the south part of the NE SW of Section 5, Township 28 North, Range 24 East, lying between the County road, as now established, and the center of Spring River, the County road being fifty feet in width and the center line thereof, being more particularly described as

Beginning at a point 174' west of the SE corner of said NE SW; thence N. 39° 30' W. 121 ft; thence N. 22° 15' W. 200 ft; thence E. 6° 45' W. 100 ft; thence N. 3° 30' E. 300 ft; thence N. 38° W. 30 ft; thence N. 71° 30' W. 61 ft; thence S. 77° 30' W. 377 ft, more or less to the center line of Spring River, which is the center of the Promenade Bridge crossing Spring River - The West line of the said tract being from the center of said bridge running southeasterly in the center of Spring River to the South line of the said NE SW at a point 438 feet west of the SE corner of said quarter section, thence east on the said south line 289 feet to a point of beginning," lying below Elev. 760.0 Sea Level Datum containing approximately 7.9 acres.

TRACT "B"

"All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 5, Township 28 North, Range 24 East, described as follows, to-wit:

A tract or parcel of land in the south part of the NE SW of Section 5, Township 28 North, Range 24 East, lying between the County road, as now established, and the center of Spring River, the County road being fifty feet in width and the center line thereof, being more particularly described as:

Beginning at a point 174' west of the SE corner of said NE SW; thence N. 39° 30' W. 121 ft; thence N. 22° 15' W. 200 ft; thence E. 6° 45' W. 100 ft; thence N. 3° 30' E. 300 ft; thence N. 38° W. 80 ft; thence N. 71° 30' W. 61 ft; thence S. 77° 30' E. 377 ft, more or less to the center line of Spring River, which is the center of the Promenade Bridge crossing Spring River - The West line of the said tract being from the center

TRACT NO. 21 (Continued)

of said bridge running southeasterly in the center of Spring River to the South line of the said NE SW at a point 488 feet west of the SE corner of said quarter section, thence east on the said south line 289 feet to a point of beginning, lying below Elev. 760.0 Sea Level Datum, containing approximately 2.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$354.00

TRACT NO. 22 (54X - FW-1432)

Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 9.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$196.00

TRACT NO. 23 (54X - FW-1433)

Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 7.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$111.00

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

Flowage Easement

All that part of the SE $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 10.50

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$182.00

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 3.00

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 1.00

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

Flowage Easement

All that part of the SW $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.6 acres.

TOTAL PAID CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 16.00

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

Flowage Easement

All that part of the SE $\frac{1}{2}$  SW $\frac{1}{4}$  lying west of Spring River in Sec. 5, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 5.3 acres.

TOTAL PAID CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$77.00

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

Flowage Easement

All that part of the NW $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning at the NW corner of the NW $\frac{1}{2}$  NE $\frac{1}{4}$ , thence East 160 feet, thence Southeasterly along the West bank of Spring River to a point in the South line of the NW $\frac{1}{2}$  NE $\frac{1}{4}$ , thence West 565 feet to the SW corner of the NW $\frac{1}{2}$  NE $\frac{1}{4}$ , thence North 1320 feet to the point of beginning, containing 11 acres, more or less"

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

TOTAL PAID CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$252.00

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

Flowage Easement

All that part of the NW $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 8, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.3 acres.

TOTAL PAID CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$33.00

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

Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{2}$  of Sec. 32, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 9.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$144.00

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

Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{2}$  of Sec. 33, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 8.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$126.00

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

Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{2}$  of Sec. 33, T 29 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 2.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$33.00

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

Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{2}$  of Sec. 33, T 29 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 9.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$145.50

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESPACE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1.50

TRACT NO. 37 (54Y - FW-1443 Rev.)

Flowage Easement

TRACT A

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

"A tract of land lying within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 33, Township 29 North, Range 24 East, of the Indian Base and Meridian, Ottawa County, Oklahoma, described as beginning at the NE corner of said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence Westward along the North boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 935.9 ft; thence South 418 ft; thence East 259 ft; thence South to a point in the South boundary of the said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence Easterly along said South boundary to the SE corner of the said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence Northerly along the East boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$ , to the point of beginning," lying below Elev. 760.0 Sea Level Datum, containing approximately 0.7 acre.

TRACT B

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

"Beginning at the NE corner of the said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence Westward along the North boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 935.9 ft; thence South 418 ft; thence East 259 ft; thence South to a point in the South boundary of the said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence Easterly along said South boundary to the SE corner of the said SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence Northerly along the East boundary of said SE $\frac{1}{4}$  NW $\frac{1}{4}$ , to the point of beginning," lying below Elev. 760.0 Sea Level Datum, containing approximately 13.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESPACE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$227.00

TRACT NO. 38 (54I - FW-1444 Rev.)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$61.50

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$54.00

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$223.50

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$6.00

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

Flowage Easement

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

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

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

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE EASEMENT TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$19.50

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

Flowage Easement

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

TOTAL CASH MARKET VALUE OF THE ESTATE TAKEN (PERCENTUAL BASIS) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$22.50

T O T A L, - - - - - \$7,365.50

and that said report and proceedings, as to the above tracts, are in all respects regular and in compliance 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, or demands for jury trial are pending as to the tracts above described, and 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 taker herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation in the amount of \$7,365.50.

(9) That the United States of America did, on the 3rd day of April, 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, the following sums, to-wit:

TRACT NO. 1 (54 FW 1414-Rev.) . . . . .	\$1678.00
TRACT NO. 2 (54 FW 1416), . . . . .	1.50
TRACT NO. 3 (54 FW 1417), . . . . .	64.50
TRACT NO. 4 (54 FW 1422), . . . . .	334.00
TRACT NO. 5 (54 FW 1423), . . . . .	429.50
TRACT NO. 6 (54 FW 1458), . . . . .	38.00
TRACT NO. 7 (54 FW 1459), . . . . .	25.50
TRACT NO. 10 (54 FW 1462), . . . . .	62.00
TRACT NO. 11 (54 FW 1463), . . . . .	77.50
TRACT NO. 12 (54 FW 1464), . . . . .	962.50
TRACT NO. 13 (54 FW 1465), . . . . .	179.00
TRACT NO. 14 (54X FW 1424) . . . . .	57.00
TRACT NO. 15 (54X FW 1425) . . . . .	438.00
TRACT NO. 16 (54X FW 1426) . . . . .	256.50
TRACT NO. 17 (54X FW 1427) . . . . .	190.50
TRACT NO. 18 (54X FW 1428) . . . . .	108.00
TRACT NO. 19 (54X FW 1429) . . . . .	75.00

TRACT NO. 20 (54X FW 1430), . . . . .	30.00
TRACT NO. 21 (54X FW 1431-Rev.) . . . . .	156.00
TRACT NO. 22 (54X FW 1432), . . . . .	196.00
TRACT NO. 23 (54X FW 1433), . . . . .	111.00
TRACT NO. 24 (54X FW 1434), . . . . .	10.50
TRACT NO. 25 (54X FW 1435), . . . . .	182.00
TRACT NO. 26 (54X FW 1451), . . . . .	3.00
TRACT NO. 27 (54X FW 1452), . . . . .	1.00
TRACT NO. 28 (54X FW 1453), . . . . .	16.00
TRACT NO. 29 (54X FW 1454), . . . . .	53.00
TRACT NO. 30 (54X FW 1455), . . . . .	183.00
TRACT NO. 31 (54X FW 1456), . . . . .	33.00
TRACT NO. 32 (54Y FW 1438), . . . . .	144.00
TRACT NO. 33 (54Y FW 1439), . . . . .	126.00
TRACT NO. 34 (54Y FW 1440), . . . . .	33.00
TRACT NO. 35 (54Y FW 1441), . . . . .	145.50
TRACT NO. 36 (54Y FW 1442), . . . . .	1.50
TRACT NO. 37 (54Y FW 1443-Rev.) . . . . .	213.00
TRACT NO. 38 (54Y FW 1444-Rev.) . . . . .	61.50
TRACT NO. 39 (54Y FW 1444-A), . . . . .	54.00
TRACT NO. 40 (54Y FW 1445), . . . . .	223.50
TRACT NO. 41 (54Y FW 1446), . . . . .	6.00
TRACT NO. 42 (54Y FW 1447), . . . . .	30.00
TRACT NO. 43 (54Y FW 1448), . . . . .	19.50
TRACT NO. 44 (54Y FW 1449), . . . . .	22.50

T O T A L, - - - - - \$7,031.50

(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 June 10, 1920, 41 Stat.1063 (16 U. S. C. Sec. 809); Executive Order No. 6944, 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 17 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 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 (54 FW 1414-Rev.), . . . . .	\$1678.00
TRACT NO. 2 (54 FW 1416), - . . . . .	1.50
TRACT NO. 3 (54 FW 1417), . . . . .	64.50
TRACT NO. 4 (54 FW 1422), . . . . .	334.00
TRACT NO. 5 (54 FW 1423), . . . . .	429.50
TRACT NO. 6 (54 FW 1458), . . . . .	57.00
TRACT NO. 7 (54 FW 1459), . . . . .	25.50
TRACT NO. 10 (54 FW 1462) . . . . .	62.00
TRACT NO. 11 (54 FW 1463) . . . . .	77.50
TRACT NO. 12 (54 FW 1464) . . . . .	982.50
TRACT NO. 13 (54 FW 1465) . . . . .	179.00
TRACT NO. 14 (54X FW 1424) . . . . .	57.00
TRACT NO. 15 (54X FW 1426) . . . . .	438.00
TRACT NO. 16 (54X FW 1426) . . . . .	256.50
TRACT NO. 17 (54X FW 1427) . . . . .	190.50
TRACT NO. 18 (54X FW 1428) . . . . .	108.00
TRACT NO. 19 (54X FW 1429) . . . . .	75.00
TRACT NO. 20 ( 54X FW 1430) . . . . .	40.00
TRACT NO. 21 (54X FW 1431-Rev.) . . . . .	354.00

TRACT NO. 22 (54X FW 1432), . . . . .	196.00
TRACT NO. 23 (54X FW 1433), . . . . .	111.00
TRACT NO. 24 (54X FW 1434), . . . . .	10.50
TRACT NO. 25 (54X FW 1435), . . . . .	152.00
TRACT NO. 26 (54X FW 1451), . . . . .	3.00
TRACT NO. 27 (54X FW 1452), . . . . .	1.00
TRACT NO. 28 (54X FW 1453), . . . . .	16.00
TRACT NO. 29 (54X FW 1454), . . . . .	77.00
TRACT NO. 30 (54X FW 1455), . . . . .	252.00
TRACT NO. 31 (54X FW 1456), . . . . .	33.00
TRACT NO. 32 (54Y FW 1438), . . . . .	144.00
TRACT NO. 33 (54Y FW 1439), . . . . .	126.00
TRACT NO. 34 (54Y FW 1440), . . . . .	35.00
TRACT NO. 35 (54Y FW 1441), . . . . .	145.50
TRACT NO. 36 (54Y FW 1442), . . . . .	1.50
TRACT NO. 37 (54Y FW 1443-Rev.) . . . . .	227.00
TRACT NO. 38 (54Y FW 1444-Rev.) . . . . .	61.50
TRACT NO. 39 (54Y FW 1444-A) . . . . .	54.00
TRACT NO. 40 (54Y FW 1445), . . . . .	223.50
TRACT NO. 41 (54Y FW 1446), . . . . .	6.00
TRACT NO. 42 (54Y FW 1447), . . . . .	30.00
TRACT NO. 43 (54Y FW 1448), . . . . .	19.50
TRACT NO. 44 (54Y FW 1449), . . . . .	22.50

T O T A L, . . . . . \$7,365.50

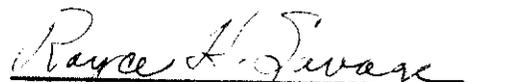
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said lands to inundate, submerge and flow, and to enter upon said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 3rd day of April, 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$7,031.50 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 \$334.00 said sum being the difference between the sum of \$7,365.50, the just compensation herein fixed, 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 \$7,031.50.

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

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

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CHARLES F. WELCH AND IN-ETANA COUNTY, DISTRICT, containing approximately 589.2 acres, more or less; and Lucinda Welch, (now deceased), et al.,

Defendants.

CIVIL NO. 1226

FILED  
NOV 20 1946

H. D. WARFIELD  
CLERK U. S. DISTRICT COURT

J U D G M E N T

At, on this 20<sup>th</sup> day of November, 1946, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment, approving the commissioners' report as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, petition for condemnation, reports 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) That 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.

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

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for expropriation, 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 expropriation 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 the law.

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

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified 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 13th day of March, 1946, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (59 - FW-1657)

Flowage Easement

All of the west 3.72 acres of Lot 2 in Sec. 35, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 1.52 acres, together with all accretions thereto, if any, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof, except that portion owned by the Grand River Dam Authority.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 25.80

TRACT NO. 2 (59 - FW-1658)

Flowage Easement

All of the east 12.78 acres of Lot 2 and all of the N $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and all of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and all of Lot 3 in Sec. 35, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 72.68 acres, together with all accretions thereto, if any, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1566.00

TRACT NO. 3 (59 - FW-1663)

Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 34, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 38.0 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof.

Easement for Intermittent  
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  lying above Elev. 756.1 Sea Level Datum, containing approximately 2.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 680.00

TRACT NO. 4 (59 - FW-1664)

Flowage Easement

All that part of Lot 2 in Sec. 34, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.3 acres, together with all accretions thereto, if any, including the bed and banks of the Neosho River adjacent to said Lot 2 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

Easement for Intermittent  
Flowage During Flood Periods

All that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 1.1 acres, including the bed and banks of the Neosho River adjacent to said Lot 2 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 176.00

TRACT NO. 5 (59 - FW-1665)

Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and all that part of Lot 3 of Sec. 34, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 5.5 acres, together with all accretions thereto, if any, including the bed and banks of the Neosho River adjacent to said Lot 3 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent  
Flowage During Flood Periods

All that part of the said SW $\frac{1}{4}$  NE $\frac{1}{4}$  and all that part of Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 27.9 acres, including the bed and banks of the Neosho River adjacent to said Lot 3 and incident to the ownership thereof, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 737.60

TRACT NO. 6 (60 - FW-1667)

Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of Lot 11 in Sec. 27, T 28 N, R 22 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 8.9 acres, together with all accretions, if any, to said Lot 11 and including the bed and banks of the Neosho River adjacent to said Lot 11 and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent  
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of said Lot 11, lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 23.4 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 600.00

TRACT NO. 7 (60 - FW-1668)

Flowage Easement

All that part of Lot 9 and all that part of Lot 10 in Sec. 27, and all that part of Lot 8 in Sec. 28, all in T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 15.2 acres, together with all accretions, if any, to said Lots 8, 9, and 10, and including the bed and banks of the Neosho River adjacent thereto and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

Easement for Intermittent  
Flowage During Flood Periods

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  and all that part of the SW $\frac{1}{2}$  NE $\frac{1}{4}$  of said Sec. 27, lying below Elev. 760.0 Sea Level Datum and all that part of said Lot 9 and all that part of said Lot 10, and all that part of said Lot 8 lying between Elev. 756.1 Sea Level Datum and Elev. 760.0 Sea Level Datum, containing approximately 95.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1723.50

TRACT NO. 8 (60 - FW-1670 A)

Flowage Easement

All of Lot 7 in Sec. 26, T 28 N, R 22 E, of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, containing approximately 23.50 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lot 7 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 400.00

TRACT NO. 9 (60 - FW-1885)

Flowage Easement

All that part of Lot 2 lying below Elev. 756.1 Sea Level Datum and all of Lot 3 and all of Lot 6 in Section 27, and all of Lot 1 in Section 34, all in T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 90.5 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lots 2, 3, 6, and 1, and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent  
Flowage During Flood Periods

All that part of said Lot 2 lying above Elev. 756.1 Sea Level Datum, containing approximately 2.0 acres, together with all accretions, if any, to said Lot 2 including the bed and banks of the Neosho River adjacent and incident to the ownership of said Lot 2 lying above Elev. 756.1 Sea Level Datum.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1161.50

TRACT NO. 10 (60 - FW-1886)

Flowage Easement

All of Lot 4, and all of Lot 5, in Sec. 27, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 28.1 acres, together with all accretions, if any, including the bed and banks of the Neosho River adjacent to said Lots 4 and 5 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 281.00

TRACT NO. 11 (60 - FW-1886 B)

Flowage Easement

All of Lot 3 in Sec. 22, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, containing approximately 7.00 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lot 3 and incident to the ownership thereof.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 105.00

TRACT NO. 12 (60 - FW-1889)

Flowage Easement

All that part of Lot 1 in Sec. 27, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 13.7 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lot 1, and incident to the ownership thereof, lying below Elev. 756.1 Sea Level Datum.

Easement for Intermittent  
Flowage During Flood Periods

All that part of said Lot 1 lying above Elev. 756.1 Sea Level Datum, containing approximately 14.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 420.00

TRACT NO. 13 (60 - FW-1883)

Flowage Easement

All of Lot 7, and all of Lot 8, and all of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 27, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 91.2 acres, together with all accretions, if any, and including the bed and banks of the Neosho River adjacent to said Lots 7 and 8 and incident to the ownership thereof, except that portion on which the Grand River Dam Authority has the right of flowage.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$1290.00

T O T A L, - - - - - \$9166.30

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

And that when sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions, objections, or demands for further trial are pending as to the tracts above described, and said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

And that the Court further finds that the just compensation for the estate herein, for the tracts herein designated, as fixed by the report of commissioners, is final just compensation in the amount of \$1261.74.

And that the United States of America did, on the 8th day of June, 1944, file its Declaration of Trust herein, and paid to the Clerk of this Court the sum and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

Parcel No. 1 (50 F. 1657), . . . . .	50.00
Parcel No. 2 (50 F. 1658), . . . . .	1984.00
Parcel No. 3 (50 F. 1659), . . . . .	384.00
Parcel No. 4 (50 F. 1660), . . . . .	173.00
Parcel No. 5 (50 F. 1661), . . . . .	757.50
Parcel No. 6 (50 F. 1662), . . . . .	614.00
Parcel No. 7 (50 F. 1663), . . . . .	1133.50
Parcel No. 8 (50 F. 1664)-A, . . . . .	352.50
Parcel No. 9 (50 F. 1665), . . . . .	1425.50
Parcel No. 10 (50 F. 1666), . . . . .	149.00
Parcel No. 11 (50 F. 1667-2), . . . . .	79.00
Parcel No. 12 (50 F. 1668), . . . . .	758.75
Parcel No. 13 (50 F. 1669), . . . . .	1371.00
Parcel No. 14, . . . . .	8054.56

(19) 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 16, 1929, 41 Stat. 1363 (16 U. S. C. Sec. 209); Executive Order No. 8944, dated November 19, 1941; Title II of the Act of June 16, 1933, 48 Stat. 299-305 (40 U. S. C. Secs. 401-433) as amended and supplemented; Executive Order No. 9366, dated July 29, 1943; Executive Order No. 9373, dated August 30, 1943; the Act of August 1, 1931, 25 Stat. 357 (10 U. S. C. Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (40 U. S. C. Sec. 254 (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 has 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 THEREBY ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

TRACT NO. 1 (59 P. 1657), . . . . .	25.30
TRACT NO. 2 (59 P. 1658), . . . . .	1566.00
TRACT NO. 3 (59 P. 1663), . . . . .	680.00
TRACT NO. 4 (59 P. 1664), . . . . .	176.00
TRACT NO. 5 (59 P. 1665), . . . . .	737.50
TRACT NO. 6 (59 P. 1667), . . . . .	600.00
TRACT NO. 7 (59 P. 1668), . . . . .	1723.50
TRACT NO. 8 (59 P. 1670-A), . . . . .	400.00
TRACT NO. 9 (59 P. 1685), . . . . .	1191.00
TRACT NO. 10 (59 P. 1886), . . . . .	231.00
TRACT NO. 11 (59 P. 1886-B), . . . . .	106.00

TREATY NO. 12 (60 STAT 1889), . . . . . 1,421.00

TREATY NO. 13 (60 STAT 1893), . . . . . 1290.00

TOTAL, - - - - - \$9188.30

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon 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 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 8th day of June, 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$2054.55 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 \$1,111.72, said sum being the difference between the sum of \$2,054.55, the just compensation herein fixed, 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 \$1,000.00.

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

*Royce H. Savage*  
Judge of the United States District  
Court, Eastern District of Alabama

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

PAUL A. PORTER, Administrator )  
Office of Price Administration )

Plaintiff )

Vs. )

GUY ANDERSON )  
5th & Detroit )  
Tulsa, Oklahoma )

Defendant )

CIVIL ACTION NO. 1815

J U D G M E N T

This matter came on for hearing on the 16th day of October, 1946, before the Honorable Royce Savage, U. S. District Judge for the Northern District, State of Oklahoma.

The plaintiff appeared by his counsel of record, James T. Steil, and the defendant appeared by his counsel of record, Joe Chambers. Upon statement of counsel for plaintiff that the Government's witness was not available and could not be made available for trial of this case and the case could not proceed without the testimony of this witness, and that it was the opinion of counsel for the plaintiff that said cause should be dismissed for the above reason, the Court finds that said cause should be dismissed.

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

Royce H. Savage  
United States District Judge

Approved as to Form:

James T. Steil  
James T. Steil  
Attorney for Plaintiff

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Joe Chambers  
Attorney for Defendant

Filed Nov. 22, 1946.  
N.P. Waynes, Clk.

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN TITUS COUNTY,  
OKLAHOMA, containing approximately 646.70  
acres, more or less; and W. Brown Stansell,  
et al.,

Defendants.

CIVIL NO. 1182

FILED  
NOV 25 1946

H. P. WARFIELD  
CLERK U. S. DISTRICT COURT

DECLARATION

Now, on this 25<sup>th</sup> day of November, 1946, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment, approving the commissioners' report as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, 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) That 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.

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

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

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

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

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

(6) The Court finds that the Commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified 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 24th day of May, 1945, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (53 - FW-1397 Rev.)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 33.20

TRACT NO. 2 (53 - FW-1398)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 16.00

TRACT NO. 3 (53 - FW-1399)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 45.60

TRACT NO. 4 (53 - FW-1401)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$ 136.80

TRACT NO. 5 (53 - FW-1402)

Flowage Easement

All that part of the  $SE\frac{1}{4}NW\frac{1}{4}$ , all that part of the  $NE\frac{1}{4}SW\frac{1}{4}$ , and all that part of the  $N\frac{1}{2}SE\frac{1}{4}$ ; and all that part of Lot 1, all that part of Lot 2, all that part of Lot 3, and all that part of Lot 4, in Sec. 32, T 28 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 117.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$5305.00

TRACT NO. 6 (53 - FW-1403)

Flowage Easement

All that part of the  $SW\frac{1}{4}NW\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4}SW\frac{1}{4}$  of Sec. 32, and all that part of Lot 4 in Sec. 31, all in T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 30.0 acres.

SEPARATE JUDGMENT ENTERED

TRACT NO. 7 (53 - FW-1404)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$2989.00

TRACT NO. 8 (53 - FW-1405)

Flowage Easement

All that part of the  $S\frac{1}{2}NE\frac{1}{4}$ , and all that part of Lot 2 in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 55.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$2876.00

TRACT NO. 9 (53 - FW-1407)

Flowage Easement

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

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$ 13,665.50**

TRACT NO. 10 (53 - FW-1408)

Flowage Easement

All that part of Lot 5, and all that part of Lot 6 in Sec. 29; and all that part of Lot 9 in Sec. 28, all in T 28 N, R 24 E of the Indian Base and Meridian, Shawnee Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 5.1 acres, including the bed and banks of Spring River adjacent to said Lots 5, 6, and 9.

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$ 76.00**

TRACT NO. 11 (53 - FW-1409)

Flowage Easement

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

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$ 62.10**

TRACT NO. 12 (53 - FW-1410)

Flowage Easement

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

**TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$41.00**

TRACT NO. 13 (53 - FW-1411)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$132.50

TRACT NO. 14 (53 - FW-1412)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$1079.50

TRACT NO. 15 (53 - FW-1413)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$1.00

TRACT NO. 16 (53 - FW-1466)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$1918.00

TRACT NO. 17 (53 - FW-1467)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$3040.00

TRACT NO. 18 (53 - FW-1468)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$991.00

TRACT NO. 19 (53 - FW-1469)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$54.00

TRACT NO. 20 (53 - FW-1470)

Flowage Easement

All that part of Lot 16, and all that part of Lot 9 in Sec. 29, T 28 N, R 24 E, of the Indian Base and Meridian, Ottawa Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 22.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$506.00

TRACT NO. 21 (53 - FW-1471)

Flowage Easement

All that part of Lot 9, all that part of Lot 10, all that part of Lot 11, all that part of Lot 14, all that part of Lot 15, and all that part of Lot 16, in Sec. 30, T 28 N, R 24 E of the Indian Base and Meridian, Ottawa Reservation, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 26.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$1190.00

TRACT NO. 22 (53 - FW-1472)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$ 2.00

TRACT NO. 23 (53 - FW-1474)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$74.00

TRACT NO. 24 (53 - FW-1475)

Flowage Easement

All that part of Lot 5, less the north 630 feet of the west 420 feet, in Sec. 31, T 29 N, R 24 E of the Indian Base and Meridian, Ottawa Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . \$7.50

TRACT NO. 25 (53 - FW-1476)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$7.80

TRACT NO. 26 (53 - FW-1477)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$4.00

TRACT NO. 27 (53 - FW-1478)

Flowage Easement

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

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, . . . . . \$2.00

TRACT NO. 28 (53 - FW-1479)

Flowage Easement

All that part of Lot 11, and all that part of Lot 12, and all that part of Lot 13, in Sec. 31, T 28 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 8.7 acres.

SEPARATE JUDGMENT ENTERED

T O T A L, - - - - - \$34,255.50

and that said report and proceedings, as to the above tracts, are in all respects regular and in compliance 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, or demands for jury trial are pending as to the tracts above described, and 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, is final just compensation in the amount of \$34,255.50.

(9) That the United States of America did, on the 3rd day of April, 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, the following sums, to wit:

TRACT NO. 1 (53 FW 1397-Rev.), . . . . .	\$33.20
TRACT NO. 2 (53 FW 1398), . . . . .	16.00
TRACT NO. 3 (53 FW 1399), . . . . .	45.60
TRACT NO. 4 (53 FW 1401), . . . . .	136.80
TRACT NO. 5 (53 FW 1402), . . . . .	5305.00
TRACT NO. 7 (53 FW 1404), . . . . .	2989.00
TRACT NO. 8 (53 FW 1405), . . . . .	2976.00
TRACT NO. 9 (53 FW 1407), . . . . .	13665.50
TRACT NO.10 (53 FW 1408), . . . . .	53.00
TRACT NO.11 (53 FW 1409), . . . . .	62.10
TRACT NO.12 (53 FW 1410), . . . . .	32.60
TRACT NO.13 (53 FW 1411), . . . . .	132.50
TRACT NO.14 (53 FW 1412), . . . . .	1079.50
TRACT NO.15 (53 FW 1413), . . . . .	1.00
TRACT NO.16 (53 FW 1466), . . . . .	1918.00
TRACT NO.17 (53 FW 1467), . . . . .	3303.00
TRACT NO.18 (53 FW 1468), . . . . .	991.00

TRACT NO. 19 (53 FW 1469), . . . . .	54.00
TRACT NO. 20 (53 FW 1470), . . . . .	606.00
TRACT NO. 21 (53 FW 1471), . . . . .	1190.00
TRACT NO. 22 (53 FW 1472), . . . . .	2.00
TRACT NO. 23 (53 FW 1474), . . . . .	44.40
TRACT NO. 24 (53 FW 1475), . . . . .	7.50
TRACT NO. 25 (53 FW 1476), . . . . .	7.80
TRACT NO. 26 (53 FW 1477), . . . . .	4.00
TRACT NO. 27 (53 FW 1478), . . . . .	2.00

T O T A L, - - - - - 234,467.70

(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 June 19, 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. 9573, 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 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 (53 FW 1397-Rev.) . . . . .	\$ 33.20
TRACT NO. 2 (53 FW 1398) . . . . .	16.00
TRACT NO. 3 (53 FW 1399) . . . . .	45.60
TRACT NO. 4 (53 FW 1401) . . . . .	136.80
TRACT NO. 5 (53 FW 1402) . . . . .	5305.00
TRACT NO. 7 (53 FW 1404) . . . . .	2989.00
TRACT NO. 8 (53 FW 1406) . . . . .	2876.00
TRACT NO. 9 (53 FW 1407) . . . . .	13665.50
TRACT NO.10 (53 FW 1408) . . . . .	76.00
TRACT NO.11 (53 FW 1409) . . . . .	62.10
TRACT NO.12 (53 FW 1410) . . . . .	41.00
TRACT NO.13 (53 FW 1411) . . . . .	172.50
TRACT NO.14 (53 FW 1412) . . . . .	1079.50
TRACT NO.15 (53 FW 1413) . . . . .	1.00
TRACT NO.16 (53 FW 1436) . . . . .	1918.00
TRACT NO.17 (53 FW 1467) . . . . .	3040.00
TRACT NO.18 (53 FW 1468) . . . . .	991.00
TRACT NO.19 (53 FW 1469) . . . . .	54.00
TRACT NO.20 (53 FW 1470) . . . . .	506.00
TRACT NO.21 (53 FW 1471) . . . . .	1190.00
TRACT NO.22 (53 FW 1472) . . . . .	2.00
TRACT NO.23 (53 FW 1474) . . . . .	74.00
TRACT NO.24 (53 FW 1475) . . . . .	7.50
TRACT NO.25 (53 FW 1476) . . . . .	7.80
TRACT NO.26 (53 FW 1477) . . . . .	4.00
TRACT NO.27 (53 FW 1478) . . . . .	2.00

T O T A L - - - - - \$34,255.50

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said lands to inundate, submerge and flow, and to enter upon said lands from time to time in the

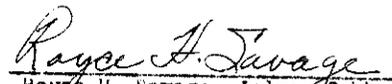
performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 3rd day of April, 1944, upon the filing of a Declaration of Taking and the depositing of the sum of \$34,457.70 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 Clerk of this court be and he is hereby directed to refund to petitioner by check payable to the order of the Treasurer of the United States the sum of \$202.20, said sum being the difference between \$34,457.70, deposited with the Declaration of Taking as estimated just compensation, and the sum of \$34,255.50, the just compensation herein fixed.

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

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