

FILED  
NOV 1961  
NOBLE C. HOOD  
Clerk, U. S. District Court

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Harvard Apartments, Inc., )  
 )  
 Defendant. )

Civil No. 5159

ORDER AMENDING JOURNAL ENTRY

WHEREAS, on June 20, 1961, there was entered and filed in the above-entitled action in the U.S. District Court for the Northern District of Oklahoma, a Journal Entry of Judgment whereby the United States of America, plaintiff, was granted a money judgment against the defendant, Harvard Apartments, Inc., and also a judgment and decree of foreclosure of mortgage on certain real and personal property which real property was described as follows:

Lots 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma,

and whereas the above description is in error in that the mortgage foreclosed by said judgment describes the property as follows:

Blocks 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma.

THEREFORE, IT IS HEREBY ORDERED ADJUDGED, AND DECREED that the Journal Entry of Judgment heretofore entered and filed on June 20, 1961, is amended to describe the real property on which the mortgage is foreclosed as follows:

Blocks 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma.

APPROVED:

*Fred W. Langford*  
United States District Judge

Paul M. Garrison  
Attorney for Defendant.

*Sam E. Taylor*  
Sam E. Taylor  
Assistant U. S. Attorney

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

EL RENO WEST, HOWARD WEST, JR.,	)	
MARCELLA WEST GRAVES and	)	
EVELYN WEST FLETCHER,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

JAN 2 1962  
 ROBERT C. HODGINS  
 Clerk U.S. District Court  
 Civil Action No. 4881

ORDER CORRECTING JUDGMENT

Plaintiffs and Defendant having filed herein a Stipulation and Joint Motion for Correction of the Findings of Fact and Conclusions of Law and Order for Judgment entered herein on February 16, 1961, pursuant to Rule 60 of the Federal Rules of Civil Procedure, it is therefore ordered by the Court as follows:

1. In Paragraph No. 5 of the "Findings of Fact" made herein by the Court on February 16, 1961, wherever the figure "\$1,523.21" appears, it is hereby changed to read "\$1,804.94."
2. In Paragraph No. 3 of the "Conclusions of Law" made herein by this Court on February 16, 1961, wherever the figure "\$1,523.21" appears, it is hereby changed to read "\$1,804.94."
3. The "Order for Judgment" entered herein by this Court on February 16, 1961, is hereby changed to read as follows:

"Wherefore, it is considered by this Court that the Plaintiffs have judgment against the Defendant for the sum of \$1,804.94, with interest thereon as provided by law at the rate of six per cent (6%) per annum to a date preceding the date of the refund check by not more than thirty (30) days, such date to be determined by the Commissioner of Internal Revenue, and the payment of such amount and interest is to be made to the Superintendent of the Osage Indian Agency for redistribution to the Plaintiffs herein."

DATED this 29<sup>th</sup> day of December, 1961.

Ol Fred Blougherty  
 District Judge

APPROVED AS TO FORM:

John T. ...  
 Attorney for Plaintiffs

W. L. K. Smith  
 Attorney for Defendant  
 United States

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

FILED ✓

RUSSELL WAGOSHE, THOMAS WAGOSHE,  
NORINE WAGOSHE, LILLIE WAGOSHE NORRIS,  
MARY LANE WAGOSHE, CHARLES JAMES DEAL,  
and CHARLES MARIE DEAL, BILLIE JOE DEAL  
and LARRY JAMES DEAL, Minors, Suing by  
their next friend, CHARLES JAMES DEAL,  
Plaintiffs,

NOV 21 1961  
NORRIS C. HOOD  
Clerk, U. S. District Court

vs.

Civil Action No. 4872

UNITED STATES OF AMERICA,  
Defendant.

ORDER CORRECTING JUDGMENT

Plaintiffs and Defendant having filed herein a Stipulation and Joint Motion for Correction of the Findings of Fact and Conclusions of Law and Order for Judgment entered herein on February 16, 1961, pursuant to Rule 60 of the Federal Rules of Civil Procedure, it is therefore ordered by the Court as follows:

1. In Paragraph No. 5 of the "Findings of Fact" made herein by the Court on February 16, 1961, wherever the figure "\$2,880.43" appears, it is hereby changed to read "\$3,393.83".
2. In Paragraph No. 3 of the "Conclusions of Law" made herein by this Court on February 16, 1961, wherever the figure "\$2,880.43" appears, it is hereby changed to read "\$3,393.83".
3. The "Order for Judgment" entered herein by this Court on February 16, 1961, is hereby changed to read as follows:

"Wherefore, it is considered by this Court that the Plaintiffs have judgment against the Defendant for the sum of \$3,393.83, with interest thereon as provided by law at the rate of six per cent (6%) per annum to a date preceding the date of the refund check by not more than thirty (30) days, such date to be determined by the Commissioner of Internal Revenue, and the payment of such amount and interest is to be made to the Superintendent of the Osage Indian Agency for redistribution to the Plaintiffs herein."

DATED this 29<sup>th</sup> day of December, 1961.

Edward Blaupstein  
District Judge

Approved as to Form:  
[Signature]  
Attorney for Plaintiffs

[Signature]  
Attorney for Defendant

affirmed and re-entered as final judgment in the captioned causes.

(4) Pursuant to paragraph 6 of the judgment of October 26, 1961, The Dow Chemical Company, its officers, agents, servants, employees, and those companies or corporations in active concert or participation with the said The Dow Chemical Company are hereby permanently enjoined from and against practicing the method described in claims 1, 2, 3 and 4 of United States Letters Patent No. 2,754,910, during the term thereof, either directly or indirectly, and from infringing either directly or indirectly the said claims 1, 2, 3 and 4 of said letters patent; except under license agreement with said BJ Service, Inc. or its successors in title to the said patent.

(5) Pursuant to stipulation by the parties recovery of costs by either party is denied.

(6) The certain supersedeas bond filed herein by The Dow Chemical Company as Principal with Fidelity and Deposit Company of Maryland as Surety, dated October 26, 1961 is hereby released, discharged and exonerated.

Dated at Tulsa, Oklahoma this 27 day of January, 1962.

[Signature]  
United States District Judge

Form approved:

[Signature]  
For The Dow Chemical Company

[Signature]  
For BJ Service, Inc.



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America, )  
Plaintiff, )  
vs. )  
350.45 Acres of Land, More or Less, )  
Situate in Tulsa and Creek Counties, )  
Oklahoma, and Randall Ashley Sanger, )  
et al, and Unknown Owners, )  
Defendants. )

Civil No. 4858

1963 1032

MOBLE C. HOOD  
Clark, U. S. District

Tract(s) No(s). 6-191 E 0

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation(s) entered into by the defendant(s) therein named and the plaintiff, which stipulation(s) (are)(is) tendered herewith for filing herein.

**Tom Stanford and Amanda Stanford, his wife, Marian C. Palmer, a widow, John T. Palmer and Marian C. Palmer and John T. Palmer, as joint executors of the estate of Lester T. Palmer, deceased**, defendant(s) herein,

have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s). **A-141E-4**

, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ **435.00**, inclusive of interest. The sum of \$ **140.00**, was deposited into the registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s).

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(A) The vesting in plaintiff of title to the estate(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is)(are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). **A-141E-4**, is the sum of \$ **435.00**, inclusive of interest; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$ **295.00**, without interest.

Jurisdiction of this cause is retained for the entry of further and appropriate orders and decrees.

Entered this 10 day of January 1963.

APPROVED:

*Fred Dougherty*  
JUDGE, United States District Court

*John M. Smith*  
Attorney

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

M. Livingston, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Embry, Crowe, Tolbert, )  
 Boxley & Johnson, et al. )  
 )  
 Defendants. )

No. 5256 **FILED**

**JAN 12 1962**

**NOBLE C. HOOD**  
Clerk, U. S. District Court

ORDER

On the 18th day of December, 1961, there came on for hearing various motions in the above entitled cause. The plaintiff appeared in person, and the defendants by their various attorneys of record.

The Court upon examining the motions and hearing argument of the parties and counsel finds:

1. That the Motion of plaintiff to set aside judgment should be, and hereby is, overruled.
2. That the Petition of plaintiff for rehearing, should be, and the same hereby is, denied.
3. That the affidavit and application of plaintiff for default judgment as against the defendant, Dr. A. S. Stowell, should be, and the same hereby is, denied.
4. That the Motion of the defendant Averill Stowell, to dismiss should be, and the same hereby is, sustained.
5. That the plaintiff's motion to correct journal entry of judgment should be, and the same hereby is, overruled.

IT IS THEREFORE ORDER, ADJUDGED AND DECREED:

1. That the motion of plaintiff to set aside judgment be overruled;
2. That the petition of plaintiff for rehearing is denied;
3. That the affidavit and application of plaintiff for default judgment as against the defendant, Dr. A. S. Stowell, be denied;

That the action of the defendant Averill Stowell to  
dismiss be reinstated;

That the plaintiff's motion to correct journal entry  
of judgment be overruled.

DATED this 11 day of January, 1962.

Frederic A. ...  
United States District Judge

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

UNITED STATES OF AMERICA, )  
libelant, )  
v. )  
52 8-Ounce cans...."Deturge" )  
etc. )

Civil No. 4913 ✓

ORDER

FILED

*Indepen Court*  
JAN 15 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

On motion of the Libelant, United States of America, by its attorneys, for an Order of Destruction of the condemned article for failure of the claimant to comply with the terms of the Consent Decree of Condemnation entered in this case, and the Court being fully advised in the premises, it is hereby

ORDERED, ADJUDGED AND DECREED:

1. That the claimant, Detergen Company, has failed to comply with the terms of the Consent Decree of Condemnation heretofore entered in this case, since it has failed to avail itself of the opportunity to reclaim the condemned article in the manner specified in said decree;

2. That the said article is therefore subject to further Order of this Court regarding its disposition;

3. That the United States Marshal for the Southern District of California, Central Division, shall destroy said condemned article and all literature seized with said article and make due return thereof.

Dated at Tulsa this 15 day of January, 1962.

*William A. ...*  
United States District Judge



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 ) Plaintiff, )  
 )  
 vs. ) Civil No. 5246  
 )  
 Michael A. Nale, Sr., )  
 )  
 ) Defendant. )

J U D G M E N T

On this 15 day of January 1962, the above-entitled action coming on for hearing, the plaintiff, by Sam E. Taylor, Assistant U. S. Attorney for the Northern District of Oklahoma, and defendant appearing not, and the Court having heard the evidence of plaintiff and examined the file, finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer are and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the sum of \$2,066.72 plus interest after allowance of all just credits and set-offs; that there remains a balance due, owing, and unpaid in the amount of \$2,066.72, with interest on the principal sum of \$1,897.44 from March 15, 1961, until paid, at the rate of four per cent (4%) per annum, together with costs.

The Court further finds that plaintiff has filed herein an affidavit stating that defendant is not in the military or naval service of the United States, and is not an infant or an incompetent, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendant, Michael A. Nale, Sr., for the sum of \$2,066.72, with interest on the principal sum of \$1,897.44 from March 15, 1961, until paid, at the rate of four per cent (4%) per annum, and the costs of this action.

*W. Fred Blaugherly*  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

George William Barnes,

Defendant.

Civil No. 5247

J U D G M E N T

On this 15 day of January 1962, the above-entitled action coming on for hearing, the plaintiff, by Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the Court having heard the evidence of the plaintiff and examined the file, finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the sum of \$2,775.15, with interest on the principal sum of \$2,491.40 from January 23, 1958, until paid, at the rate of four per cent (4%) per annum.

The Court further finds that plaintiff has filed herein an affidavit stating that defendant is not in the military or naval service of the United States and is not an infant or an incompetent, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendant, George William Barnes, for the sum of \$2,775.15, with interest on the principal sum of \$2,491.40 from January 23, 1958, until paid, at the rate of four per cent (4%) per annum, and the costs of this action.

B. Fred Klaughty  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Jay E. Beck,

Defendant.

Civil No. 5271

J U D G M E N T

On this 15 day of January 1962, the above-entitled action coming on for hearing, the plaintiff, by Sam E. Taylor, Assistant U.S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, and the Court having heard the evidence of plaintiff and examined the file, finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true. On April 19, 1957, for a valuable consideration and in accordance with provisions of the Federal Housing Administration Act, defendant executed a written promissory note in the sum of \$1,231.23 to First Banccredit Corporation. Defendant defaulted in the payments on the note, and in accordance with provisions of the aforementioned Act, the note was assigned thereafter to plaintiff. There is now due and owing on the note the sum of \$281.73, plus interest thereon at the rate of six per cent (6%) per annum from August 19, 1959.

The Court further finds that plaintiff has filed an affidavit herein stating that defendant is not in the military or naval service of the United States, and is not an infant or an incompetent, which is found to be true.

The Court further finds that the note was given for the purpose of paying for permanent improvements on property located at 222 North 9th Street, Collinsville, Oklahoma, and by reason thereof, plaintiff is entitled to levy execution upon the premises for the collection of the judgment.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that this plaintiff have judgment against the defendant, Jay E. Beck, for the sum of \$281.73, plus interest at the rate of six per cent (6%) per annum from August 19, 1959, until paid, and for its costs, and for further judgment directing the levying of execution upon the above-described premises.

151 Fred Dougherty  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Civil No. 5294  
 )  
 Franzola Walker and Willie Mae Walker, )  
 )  
 Defendants. )

J U D G M E N T

On this 15 day of January 1962, the above-entitled action coming on for hearing, the plaintiff, by Sam E. Taylor, Assistant U. S. Attorney for the Northern District of Oklahoma, and defendants appearing not, the Court finds that defendants were duly served with summons herein more than 20 days prior to this date, and having failed to appear or answer are and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true. On April 10, 1953, for a valuable consideration and in accordance with provisions of the Federal Housing Administration Act, defendants executed a written promissory note in the sum of \$632.38 to Standard Mortgage Company, Inc. Defendants defaulted in the payments on the note, and in accordance with provisions of the aforementioned Act, the note was assigned thereafter to plaintiff. There is now due and owing on the note the sum of \$246.21 with interest thereon at the rate of six per cent (6%) from June 25, 1953, until paid.

The Court further finds that plaintiff has filed an affidavit herein stating that defendants are not in the military or naval service, nor are they infants or incompetents, which is found to be true.

The Court further finds that the note was given for the purpose of paying for permanent improvements on property owned by defendants located at 218 North Owalla, Claremore, Oklahoma, and by reason thereof, plaintiff is entitled to levy execution upon the premises for the collection of the judgment.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that this plaintiff have judgment against the defendants, Franzola Walker and Willie Mae Walker, for the sum of \$246.21, with interest thereon at the rate of six per cent (6%) per annum from June 25, 1953, until paid, and for its costs, and for further judgment directing the levying of execution upon the above-described premises.

B. Fred Raugherty  
United States District Judge

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

FILED

ALMA RUTH HEROD, )  
 )  
 ) Plaintiff, )  
 )  
 ) -vs- )  
 )  
 ) JOHN WILSON, et al, )  
 )  
 ) Defendants, ) No. 4635  
 )  
 ) UNIVERSAL UNDERWRITERS )  
 ) INSURANCE COMPANY, )  
 ) A Corporation, )  
 )  
 ) Garnishee. )

1962 Jan 16  
ROBERT C. HOOD  
Clerk, U.S. District Court

DISMISSAL WITH PREJUDICE

Just for Good Cause and upon application of the Plaintiff and  
garnishee in this cause it is hereby dismissed with prejudice at the  
cost of garnishee.

Dated this 16 day of January 1962.

121 Fred Daugherty  
JUDGE

O.K. 14 Glenn A Young  
Attorney for Plaintiff

O.K. 14 A. M. Covington  
Attorney for Garnishee

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

MORLEY LAMBERT SHELBER,

Plaintiff,

-vs-

HIBRITEN CHAIR COMPANY,  
A Corporation and RICHARD  
NEAL DAVIS,

Defendants.

No. 5314 - Civil

ORDER

On the application of the Plaintiff, who having advised the court of the settlement of all of the controversy of the parties herein, the court by this order dismisses the above cause of action with prejudice to any future action.

*for Fred A. Magarity*  
\_\_\_\_\_  
Judge

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

WILLIAM K. MYERS,

Plaintiff,

vs.

FORD MOTOR COMPANY,

Defendant.

NO. 5142

ORDER DISMISSING COUNTERCLAIM

Pursuant to the Application of the FORD MOTOR COMPANY,  
defendant herein, for an order dismissing its counterclaim,  
IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the said counter-  
claim be and the same is hereby dismissed.

W. Rex Searcy  
Judge

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

G. ELLIS GABLE,

Plaintiff,

vs.

LEO ALLISON, d/b/a  
ALLISON TRUCK SERVICE,

Defendant.

)  
)  
)  
)  
) No. 5 2 2 1 - Civil  
)  
)

ORDER OF DISMISSAL

Now on this 18th day of January, 1962, it having been made to appear to the court that the defendant has delivered to the plaintiff the property sued for and set out in the Complaint, and the amendment thereto, and the costs having been reimbursed by the defendant to the plaintiff.

IT IS THEREFORE ORDERED that the cause of action filed by the plaintiff herein be and the same is hereby dismissed with prejudice.

(2) Fred Baughman  
United States District Judge



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

UNITED STATES OF AMERICA, for the )  
Use of ALBERT & HARLOW, INC., a )  
corporation, )

Plaintiff, )

vs. )

WOODS CONSTRUCTION CO., INC., a )  
corporation, SMITH ROAD CONSTRUC- )  
TION CO., INC., a corporation, and )  
AMERICAN CASUALTY COMPANY OF READING )  
PENNSYLVANIA, a corporation, )

Defendants. )

Civil No.  
5275

FILED ✓

NOV 1 1962  
WORLD C HOOD  
U.S. District Court

ORDER ALLOWING DISMISSAL  
ON PLAINTIFF'S MOTION

This cause coming on to be heard upon the motion of the use plaintiff, Albert & Harlow, Inc., filed herein, and it appearing that no counter-claim by the defendants herein has been filed against use plaintiff, although the same have answered the complaint of use plaintiff, and it further appearing that the defendants herein, against whom this action is sought to be dismissed, would suffer no prejudice thereby,

IT IS THEREFORE ORDERED that the above entitled cause be and the same is hereby dismissed against the defendants Woods Construction Co., Inc., and American Casualty Company of Reading, Pennsylvania, with prejudice to the bringing of another action concerning any of the matters involved herein against said defendants, with costs to be taxed against the use plaintiff, and against the defendant Smith Road Construction Co., Inc., without prejudice to the bringing of another action concerning any of the matters involved herein, with costs to be taxed against use plaintiff.

Dated the 18 day of January, 1962.

12 Fred Haughey  
District Judge

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

*Am*

IN THE MATTER OF: )  
 )  
EDGAR VARNEY GAINES, )  
 )  
Bankrupt.)

In Bankruptcy  
No. 10422

JOURNAL ENTRY OF JUDGMENT

BE IT REMEMBERED:

THAT on this 15th day of January, 1962, there came on regularly for hearing before the undersigned United States District Judge for Decision the Referee's Certificate Of Review in the above styled matter; Petitioner appeared by James H. Werner, Attorney of record and the Trustee appeared by Ungerman, Grabel, Ungerman & Leiter his attorneys of record. The Court noted that it had previously heard oral arguments and had read both the original and supplemental briefs submitted by the Petitioner and Trustee.

Thereupon, the Court again reviewed the evidence, and being fully advised in the premises found: That the filing of a Conditional Sales Contract in Oklahoma by the First National Bank of Evanston, Illinois, Petitioner herein, within five days adjudication of the above named bankrupt and after direct contact by the bankrupt that such an adjudication was imminent constituted a preferential transfer of the motor vehicle herein involved and that such a transfer could be avoided by the Trustee; the court further found that this vehicle may be sold free and clear of any claim, lien or interest of the Petitioner herein.

NOW, THEREFORE, IT IS BY THIS COURT ORDERED, ADJUDGED AND DECREED that the findings of the Referee In Bankruptcy are sustained and that the Trustee have and is hereby granted possession of the following described motor vehicle, to-wit:

LAW OFFICES  
UNGERMAN,  
GRABEL,  
UNGERMAN,  
& LEITER ■

One (1) 1957 Cadillac Sedan DeVille  
Automobile, bearing Serial No.  
57-62-136301,

SIXTH FLOOR  
WRIGHT BUILDING  
TULSA, OKLAHOMA

and further that the Referee In Bankruptcy's Order authorizing the Trustee to sell this automobile, free and clear of any liens, claims, or other

encumbrances be and hereby is sustained, and it is therefore ordered that the Trustee sell the above-described automobile, free and clear of any liens, claims, or encumbrances of any kind,

DATED this 15 day of January, 1962.

151 Fred Daugherty  
Judge of the United States District Court

CERTIFICATE OF MAILING

Ted P. Gibson, being one of the attorneys for the Trustee in Bankruptcy hereby certifies that he did, on the 19th day of January, 1962, mail a copy of the foregoing Journal Entry of Judgment to James H. Werner, Attorney at Law, Mayo Building, Tulsa, Oklahoma, by depositing a copy of same in an envelope duly addressed with postage prepaid in the United States Post Office in Tulsa, Oklahoma.

19 Ted P. Gibson  
Ted P. Gibson

IN THE UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

JOSEPH E. BRAGRAK & SONS,  
INC., a corporation,

Plaintiff,

vs

PETROTRUST COMPANY,  
a corporation, and  
M. R. SHAFFER,

Defendants.

Civil Action No. 5085

FILED

JAN 19 1962

J U D G M E N T

NOBLE C. HOOD  
Master of the United States District Court

Upon findings of fact and conclusions of law made and entered in the above styled cause it is ordered that the following judgment shall enter:

- (1) The plaintiff shall have and recover of and from the defendants, Petrotrust Company, a corporation, and M. R. Shaffer, an individual, the sum of \$19,920.05 together with interest thereon at the rate of 6% per annum from November 30, 1956 until paid.
- (2) The plaintiff shall further have and recover of and from the said defendants, and each of them, the sum of \$1,750.00 as and for attorneys fees reasonably incurred in the enforcement of the portion of its claim which is found to be an open account within the intent and meaning of Section 936 of Title 12, Oklahoma Statutes 1951 as amended.
- (3) The plaintiff shall further have and recover its costs to be taxed in accordance with the rule of this court.

Entered at Tulsa, Oklahoma, this 19th day of January, 1962.

*Noble C. Hood*  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

608.34 Acres of Land, More or  
Less, Situate in Nowata and Rogers  
Counties, Oklahoma, and Jennie M.  
Faulkner, et al,

Defendants.

Civil Action No. 4871

Tract No. L-1257

JAN 22 1967

JAN 22 1967

ROBERT C. BOSTON  
Clerk, U. S. District Court

J U D G M E N T

1.

Now, on this 22<sup>nd</sup> day of January 1967, this matter comes on for disposition on application of Plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the surface interest in the estate condemned in Tract No. L-1257, as such estate and tract are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on March 2, 1960, the United States of America has filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the declaration of taking, there was deposited in the registry of this Court, as estimated compensation for the taking of the surface interest in the estate taken in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the surface interest in the estate taken in subject tract were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in such interest taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for their interest in the estate taken in this tract.

8.

The owners of the surface interest in the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the surface interest in the estate condemned in subject tract is in the amount shown as compensation in Paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

IT IS THEREFORE ~~CELEB~~ ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and such tract, to the extent of the surface interest in the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such declaration of taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the surface interest in the estate condemned herein in subject tract were the defendants whose names appear below in Paragraph 12, and the right to just compensation for the surface interest in the estate taken herein in this tract is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in Paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the surface interest in the estate condemned in subject tract as follows:

TRACT NO. L-1257

Owners of surface interest only:

P. W. Fusselman and K. V. Fusselman

Award of just compensation pursuant to stipulation	\$5,600.00	\$5,600.00
Deposited as estimated compensation . . . . .	<u>5,100.00</u>	
Deposit deficiency . . . . .	<u>\$ 500.00</u>	
Disbursed to owners . . . . .		<u>5,100.00</u>
Balance due to owners . . . . .		<u>\$ 500.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action to the credit of Tract No. L-1257, the deficiency sum of \$500.00 and the Clerk of this Court then shall disburse from the deposit for Tract L-1257, the sum of \$500.00, jointly to P. W. Fusselman and K. V. Fusselman.

*Bl. Luther Bohannon*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

321.86 Acres of Land, More or Less,  
Situat in Nowata and Rogers Counties,  
Oklahoma, and L. G. Thomason, et al,  
and Unknown Owners,

Defendants.

Civil Action No. 4955

Tracts Nos. K-1129 and  
K-1129E

FILED

JAN 29 1962

J U D G M E N T

ROBERT C. HOOD  
Clerk, U. S. District Court

1.

NOW, on this 2nd day of January 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This judgment applies only to the improvements situated on one acre of land located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$  of section 30, T. 25 N., R. 17 E., Nowata County, Oklahoma, being part of Tracts Nos. K-1129 and K-1129E, as such tracts are described in the Declaration of Taking filed in this Civil Action.

3.

The court has jurisdiction of the parties and the subject matter of this action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the property described in Paragraph 2 herein. Pursuant thereto on June 28, 1960, the United States of America has filed its Declaration of Taking of such described property and title to such improvements should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject property a certain sum of money and all of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owner of the improvements described in Paragraph 2 herein was the defendant whose name is shown in Paragraph 12 below. Such named defendant is the only person asserting any interest in such improvements, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for such improvements.

8.

The owner of subject property and the United States of America have executed and filed herein a stipulation as to just compensation, wherein they have agreed that just compensation for the subject property is in the amount shown as compensation in Paragraph 12, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject property and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the improvements described in Paragraph 2 herein, and such improvements to the extent of the estates described and for the uses and purposes described in the Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the improvements described in Paragraph 2 herein, was the person whose name appears below in Paragraph 12, and the right to just compensation for such property is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation As To Just Compensation, mentioned in Paragraph 8 above, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the improvements condemned as follows:

TRACTS NOS. K-1129 and K-1129E

Owner of improvements only on 1 acre:

Estate of S. M. Dodson, sometimes known as S. N. Dodson, deceased.  
Weston Dodson is administrator of such estate.

Award of just compensation for improvements only on 1 acre . . . . .	\$1,950.00	\$1,950.00
Deposited as estimated compensation for improvements only on 1 acre . . . . .	<u>1,700.00</u>	
Deposit deficiency . . . . .	<u>\$ 250.00</u>	
Disbursed to owner . . . . .		<u>1,700.00</u>
Balance due to owner . . . . .		<u>\$ 250.00</u>

13.

It Is Further ORDERED, ADJUDGED AND DECREED That the United States of America shall deposit in the Registry of this Court in this Civil Action, to the credit of Tract No. K-1129 the total deposit deficiency in the sum of \$250.00, and the Clerk of this Court shall then disburse from the deposit for such tract the sum of \$250.00 to Weston Dodson, Administrator of the Estate of S. M. Dodson, sometimes known as S. N. Dodson, deceased.

*B. Luther Robinson*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*  
\_\_\_\_\_  
HUBERT A. MARLOW  
Assistant U. S. Attorney

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

FILED

Parkersburg-Aetna Corporation,

Plaintiff,

vs.

Joe A. Lync, et al.,

Defendants.)

No. 13,101 civil  
Pending in the United  
States District Court  
Southern District of  
Texas, Houston Division

O R D E R

Came on for hearing this 23rd day of January, 1962, de-  
fendants' motion under Rule 37 and Plaintiff's motion to set aside  
and set aside said motion.

The Court having heard argument of counsel and read the  
questions in issue and being of the opinion that certain ques-  
tions should be answered, but that the defendants should not  
have at this time the extraordinary remedies of Rule 37, it is  
hereby ORDERED:

That the Court shall order the defendants to answer the

interrogatories and to produce the documents and things

in their possession, custody or control.

That the Court shall order the defendants to pay the costs

1           Q(1) "In forty to sixty inch external pocket diameter  
2 brakes, how much variation in the movement of the end of the  
3 tube from the interface away from the interface is permissible  
4 before you commence to get a significant functional variation  
5 of (in) the brake?"

6  
7           Q(2) "Now are any of the peculiar advantages or functions  
8 of the 'short vane' to be obtained by the construction of the  
9 Fluid Brake Company's brake as illustrated in (Defendants')  
10 drawing C-8703?"

11  
12           Q(3) "Now, I would ask you whether by reference to that  
13 drawing (and the rest of the drawings in this group which dis-  
14 close other details of that brake) you are able to say whether  
15 any of the functions of short vanes or any of the results of  
16 the use of short vanes are to be effected by the vanes dis-  
17 closed in Fluid Brake Company drawing C-8703."

18           Q(4) "And then I would ask you what are those areas  
19 where you and Mr. De La Mater had differences of theory and  
20 thought in hydraulic brake design that concerned matters  
21 other than recent developments since you went to work for De-  
22 la Mater?"

Q(5) "I would ask with respect to the drawing that I have placed before you, whether you would expect stator pockets of the form shown in the drawing before you, to . . . perform in a substantially different manner from the stator pockets as illustrated in the Hayes deposition Exhibit 2 drawings?"

Q(6) "What can you tell us as to the substantial equivalence or non-equivalence of the rotor pocket of that patent and the Fluid Brake drawing?"

Q(7) "And what are these other formulas that would be used normally in hydro-dynamic brake design?"

Q(8) "Now, is there some other problem that is peculiar to dynamometer design that would not be apparent to a man who is otherwise familiar with hydro-dynamic brake?"

Q "Well, Mr. Hayes, does not a dynamometer often include a hydro-dynamic brake?"

A "Yes, it does."

Q "Which might to a different mounting be used on"

the, not often

and, which might be the construction of that would

be used in a different way?"

4(S) "As an ordinary mechanical engineer, Plaintiff  
personally with his own help practiced on a dry press  
and a commercially operable brake from the disclosure which  
is before you, United States patent 2,786,887"

It is further requested (~~that there be continued~~  
~~difficulty in the conduct of these depositions~~) that the  
trial judge either personally, or through a Master appointed  
by him, supervise the further examination of the witness Hays

~~It is further a finding of this Court that~~ the plaintiff  
has to this point failed to yield to proper discovery which  
has been sought by defendants at considerable expense and  
travel to Oklahoma City and Tulsa for court hearings on the  
subject, ~~and in his recent deposition at Tulsa he has~~  
~~yielded discovery and the matter is brought before this Court.~~  
~~This Court will give serious consideration to the material~~  
~~requested provided in this bill.~~

And, it is ordered that a copy hereof be certified by  
the Clerk of this Court to the Honorable Court of Civil Appeals for  
the State of Oklahoma at Tulsa, Oklahoma.

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

NATIONAL SURETY CORPORATION,  
A Corporation,

Plaintiff,

vs.

EULA M. McCAMEY,

Defendant.

NO. 5209

FILED

JAN 19 1962

J U D G M E N T

At Tulsa, within the Northern District of Oklahoma, <sup>NOBLE C. HOOD</sup> ~~NOBLE C. HOOD~~ District Court, this 15th day of January, 1962, came plaintiff by its attorneys, Threadgill & Jennings, and moved the Court to render judgment for the plaintiff against the defendant for the reason that the defendant, although duly and legally served with summons herein, has wholly failed to plead or answer within the time allowed by law, or within any extension thereof granted by the Court.

And the Court, from an examination of the files, and being well and truly advised in the premises, finds that the defendant has wholly failed to plead or answer within the time allowed by law or any extension granted by the Court. The Court further finds that the allegations of the plaintiff's Complaint should be taken as true and confessed as against the defendant. Thereupon plaintiff announced ready for trial, waived trial by jury, introduced its evidence by ~~statement~~ <sup>statement</sup> of counsel and surrendered the original note to be merged and canceled in judgment.

From the evidence the Court finds that the defendant is justly indebted to the plaintiff upon one certain promisory note in the amount of \$13,472.08 and that the same bears interest at the rate of 6% per annum from the first day of December, 1957 until paid. The Court further finds that said note provides an attorney fee of \$2,020.80.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED, that the plaintiff do have and recover judgment against the defendant for the sum of \$13,472.08 with interest thereon at the rate of 6% per annum from the 1st day of December, 1957 until paid and attorney fee of \$2,020.80.

*151 Fred Daugherty*  
District Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 16 1962

LUCILLE THOMPSON  
Plaintiff  
-vs-  
W. S. WHITTINGTON, et al.  
Defendant

NOBLE C. HOOD  
Clerk, U. S. District Court

Civil Action

No. 5282

ORDER FOR DISMISSAL AS TO DEFENDANT

BOARD OF COUNTY COMMISSIONERS OF ROGERS COUNTY, OKLAHOMA

Now on this 15th day of January, 1962, this cause comes on for hearing upon the motion of the defendant, Board of County Commissioners of Rogers County, Oklahoma, to dismiss the above styled and numbered cause of action against said defendant for the reason that the complaint fails to state a claim against the defendant upon which relief can be granted; and counsel for the plaintiff having confessed said motion in open court, and for good cause shown;

IT IS ORDERED AND ADJUDGED that the above styled and numbered cause be and it is hereby dismissed as to the defendant, Board of County Commissioners of Rogers County, Oklahoma.

15/ Fred Daugherty  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM

By 15/ R. J. Childers  
R. J. Childers, John W. Hampton,  
Bert N. Grigg, Attorneys for Plaintiff

15/ James W. Summerlin  
James W. Summerlin, County Attorney,  
Attorney for Defendant, Board of County  
Commissioners of Rogers County, Oklahoma

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA

JAN 29 1962

ALVA V. HOOD, )  
Plaintiff, )

vs. )

HELENE CURTIS INDUSTRIAL, Inc., )  
Defendant. )

NOBLE C. HOOD  
Clerk, U. S. District Court

No. 5732-Civ 1

OSYNE AND A. E. BIRD, )  
Plaintiff, )

vs. )

HELENE CURTIS INDUSTRIAL, Inc., )  
Defendant. )

No. 5732-Civ 2

JOURNAL ENTRY

Now, on this 29th day of January, 1962, the above styled and numbered cases were called on for hearing before the undersigned Judge, pursuant to the order of the Honorable Federal Judge Victor Amigo, Northern District of California, and Helene Curtis Industrial, Inc., and of the Honorable Federal Judge Richard A. Bissell, Southern District of California, and plaintiff being represented by Messrs and Messrs. Arthur A. Wallson and Charles L. Anderson, and defendant Helene Curtis Industrial, Inc., appearing by its attorney at law, Frank and Clark by Mr. Bill Davis and the defendant, with parties appearing by their attorneys, Arthur Blackstock and Matthew Ly Robert W. Blackstock, and the Court having heard argument of counsel on the defendant's motion, and having examined the pleadings herein and being fully advised on the premises aforesaid, finds that the defendant's motion should be overruled, and the same is so ordered accordingly.

AND, FURTHER, IT IS THE ORDER, JUDGMENT AND DECREE of the Court that the Honorable Federal Judge Victor Amigo, Northern District of California, Helene Curtis Industrial, Inc., as defendant, is appointed receiver and that the Honorable Federal Judge Richard A. Bissell of the Southern District of California, as receiver, accept said office.

*Fred Daugherty*  
FRED J. DAUGHERTY, U. S. District Judge.

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

FILED

JAN 30 1982

H. C. PRICE CO.,

Plaintiff,

vs.

ROSSON-RICHARDS PROCESSING CO., INC.,

Defendant.

NOBLE C. HOOD  
Clerk, U. S. District Court

CIVIL ACTION NO. 5095

CONSENT DECREE AND JUDGMENT

The parties having settled all of their differences in connection with this action out of court and having mutually consented to the entry of this Consent Decree and Judgment, as evidenced by the stipulation of their attorneys annexed hereto, and this court being otherwise duly advised in the premises;

It is hereby finally Ordered, Adjudged and Decreed that:

(1) This court has jurisdiction over the subject matter of the Complaint and the Counterclaim in this action and over each of the parties thereto;

(2) Defendant (counterclaim-plaintiff) is the owner of each of U.S. Letters Patent Nos. 2,625,905, 2,669,436 and 2,764,218;

(3) Each of defendant's (counterclaim-plaintiff's) U.S. Letters Patent Nos. 2,625,905, 2,669,436 and 2,764,218 is valid in law and has been infringed by plaintiff (counterclaim-defendant);

(4) Pursuant to agreement between the parties, each of them shall bear its own costs and attorneys' fees incurred in connection with this action;

(5) Pursuant to agreement of the parties, including settlement of the matter of damages for past infringement and the licensing of plaintiff (counterclaim-defendant) by defendant (counterclaim-plaintiff) under each of defendant's (counterclaim-plaintiff's) U.S. Letters Patent Nos. 2,625,805, 2,669,436 and 2,764,213 for the remaining terms thereof, no further relief is granted.

Dated this 15th day of January, 1962.

ENTER:

James P. [Signature]  
Judge, U.S. District Court

STIPULATION

The parties to the above-identified action, being fully advised as to the premises and provisions of the foregoing Consent Decree and Judgment, by their respective attorneys, hereby consent to the entry of said Consent Decree and Judgment in this proceeding and hereby waive any and all right of appeal therefrom, effective as of the 15th day of January, 1962.

Alton H. Rowland  
Alton H. Rowland,  
Rowland & Rowland,  
Price Tower,  
Bartlesville, Okla.

Donald E. Johnson  
Donald E. Johnson  
Hovey, Schmidt, Johnson & Hovey  
1816 Federal Reserve Bank Bldg.  
Kansas City, Mo.

T. Austin Gavin  
T. Austin Gavin  
Gavin & King  
Petroleum Bldg.  
Tulsa, Okla.

Paul E. Harris  
Paul E. Harris  
Arnold & Roylance  
248 Esperson Bldg.  
Houston, Tex.

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

UNITED STATES OF AMERICA for the )  
use of McPHERSON BROTHERS TRANSPORTS, )  
a partnership, composed of J. Clay )  
McPherson and Clyde L. McPherson )

Plaintiff )

vs. )

No. 5226 )

UNITED PACIFIC INSURANCE COMPANY of )  
Tacoma, Washington, a corporation, )  
THE IMPERIAL PAVING COMPANY, )  
a corporation, and SMITH ROAD )  
CONSTRUCTION COMPANY, a corporation )

Defendants )

FILED

JAN 27 1961

NOBLE C. HOOD  
Clerk, U. S. District Court

ORDER OF DISMISSAL

This cause having come on for hearing on this 30<sup>th</sup>  
day of January, 1961, upon the oral application of plaintiff  
that said cause be dismissed with prejudice as to the defendants,  
United Pacific Insurance Company and The Imperial Paving Company, and  
the Court being fully advised in the premises finds that plaintiff  
should be allowed such dismissal.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the  
within cause be dismissed with prejudice as to the defendants, United  
Pacific Insurance Company and The Imperial Paving Company.

181 Ross Rigley  
Judge, United States District Court  
for the Northern District of Oklahoma

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF CALIFORNIA

ERNEINE NANCY DAVIS, Administratrix  
of the Estate of LEYD FRANK DAVIS,  
Plaintiff,

Plaintiff

vs

ST. LOUIS AND SAN FRANCISCO RAILWAY  
COMPANY, a corporation, and R. T.  
CARPENTER,

Defendants

CIVIL NO. 5262

FILED

JAN 29 1962

ORDER OF DISMISSAL

NOBLE C. HOOD  
Clerk, U. S. District Court

Now on this 29 day of January, 1962, it appear-  
ing to the court that the plaintiff herein has fulfilled all requirements and  
terms set by the court on the 27th day of October, 1961, to wit: The pay-  
ment to Franklin H. Harmon, defendants' attorneys of record, the sum of  
\$465.00, the same being a reasonable attorneys fees set by the court and  
the costs expended by said defendants in this action, said payment having  
been made the court hereby orders that the cause be dismissed without  
prejudice to the plaintiff's right to file a further action.

Fred Dougherty  
Judge

APPROVED:

[Signature]  
Attorney for Plaintiff

[Signature]  
Attorney for Defendant

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

The Atchison, Topeka and Santa  
Fe Railway Company, a corporation,

Plaintiff,

vs.

McNamar Boiler and Tank Company,  
an Oklahoma corporation,

Defendant.

No. 4644

FILED ✓

JAN 31 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

JUDGMENT

JUDGMENT IS HEREBY ENTERED for the Plaintiff and  
against the Defendant in the total amount of \$1,601.36, with  
interest at 6% on \$933.83 from March 6, 1957 until paid, and  
interest at 6% on \$662.53 from March 20, 1957 until paid, and  
costs of this action, in conformity with the Findings of Fact  
and Conclusions of Law filed herein on this date.

DATED this 30<sup>th</sup> day of January, 1962.

1st Luther Bohannon  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack H. Thomas,

Plaintiff,

vs.

Abraham Ribicoff, Secretary of  
Health, Education, and Welfare,

Defendant.

Civil No. 5196

FILED

FEB 2 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

J U D G M E N T

The above-entitled matter having come on before the Court on  
the 1 day of Feb 1962, and the matter having been sub-  
mitted to the Court upon the record and written briefs, and the Court being  
fully advised in the premises,

IT IS ORDERED that the decision of the Secretary of Health,  
Education, and Welfare be and it is hereby affirmed and the plaintiff's  
complaint be and it hereby is dismissed.

Signed and entered this 1st day of February 1962.

Walter Bohannon  
United States District Judge

APPROVED:

Walter Bohannon  
Attorney for Plaintiff

L. K. Smith  
L. K. Smith  
Assistant United States Attorney

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

FILED

JAN 23 1962

ROBERT C. HOOD  
CLERK, U. S. District Court

HOWARD H. HAMMOND,

Plaintiff,

vs.

HANLON-BOYLE, INC.,

Defendant.

Civil Action

File No. 5194

JUDGMENT

On the 22nd day of January, 1962, this cause came regularly on for trial before the Court, without a jury, a trial by jury having been expressly waived, and the Plaintiff appeared in person and by his attorney and the Defendant appeared by its attorneys, and the Court heard and considered all of the evidence of the parties and the arguments of counsel, and, being fully advised in the premises, made its Findings of Fact, Conclusions of Law and Judgment Order in favor of the Defendant, and now, pursuant to the foregoing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff take nothing herein, that his action be and it is hereby dismissed on the merits, and that the costs of said action be taxed against the Plaintiff.

51 Luther Prohansen  
Judge

OKAY AS TO FORM:

51 Ben H. Chapman  
Attorney For Plaintiff

51 Richard H. Wills, Jr.  
Attorney For Defendant

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,663.10 Acres of Land, More  
or Less, Situate in Nowata and  
Rogers Counties, Oklahoma, and  
Katherine J. Steil, et al,

Defendants.

CIVIL ACTION NO. 4643

Tracts Nos. O-1582E-1  
O-1582E-2  
O-1582E-3

FILED

NOV 10 1962  
Court of U. S. District Court

J U D G M E N T

1.

Now, on this 9 day of February, 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the oil and gas leasehold interest in the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure or all parties defendant in this case who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on February 19, 1959, the United States of America has filed its Declaration of Taking of such described property, and title

to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in subject tracts, a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 11 below.

7.

On the date of taking in this action, the owners of the estates described in paragraph 2 herein were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the estate described in paragraph 2 herein and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 11 below, and such stipulation should be approved.

9.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and the oil and gas leasehold interest in such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate described in paragraph 2 herein were the defendants whose names appear below in paragraph 11, and the right to just compensation for the estates taken herein in these tracts is vested in the parties so named.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the oil and gas leasehold interest in the estates condemned in subject tracts as follows:

TRACTS NOS. 0-1582E-1, 0-1582E-2 and 0-1582E-3

Owners of oil and gas leasehold interest:

Forest Oil Corporation and  
Wiser Oil Company

Award of just compensation for  
oil and gas leasehold interest,  
pursuant to stipulation . . . . . \$270.00

Deposited as estimated compensation  
for all interests taken in these  
tracts:

Original deposit with D. T. . . . . \$995.00  
Deposited pursuant to Judgment  
filed July 23, 1959 . . . . . 110.00  
Total deposit for all interests . . . . . \$1,105.00

Disbursed:

To owners of surface and  
lesser interest in minerals . . . . . 750.00

To owners of oil & gas leasehold  
interest . . . . . none                      none

Balance on deposit . . . . . ~~\$335.00~~

Balance due to owners of oil  
& gas leasehold interest . . . . . \$270.00                      270.00

Deposit surplus . . . . . \$ 85.00

12.

IT IS FURTHER ORDERED, that the Clerk of this Court shall disburse from the funds on deposit for subject tracts, jointly to:  
Forest Oil Corporation and  
Wiser Oil Company, the sum of \$270.00

*Fred Dougherty*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

FILED ✓

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FEB 11 1962

*AM*

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 506.82 Acres of Land, More or )  
 Less, Situate in Nowata County, )  
 Oklahoma, and Marcus Dale, et )  
 al, and Unknown Owners, )  
 )  
 Defendants. )

NOBLE C. HOOD  
Clerk, U. S. District Court

Civil Action No. 4735

Tracts Nos. P-1616  
 P-1622  
 P-1622E-1  
 P-1622E-2  
 P-1622E-3  
 P-1627E  
 P-1627E-2

J U D G M E N T

1.

Now, on this 8 day of February 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto, on July 15, 1959, the United States of America has filed its declaration of taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in the subject tracts certain sums of money, and all of these deposits has been disbursed, as set out in Paragraph 14 below.

7.

On <sup>the</sup> date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in Paragraph 14 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein stipulations as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amounts shown as compensation in Paragraph 14 below, and such stipulations should be approved.

9.

The stipulation fixing the amount of just compensation for Tracts Nos. P-1622, P-1622E-1 through E-3, filed herein on Feb. 7, 1962, included a provision that title to approximately 1.25 acres <sup>the</sup> of Tract P-1622 should be revested in owners as of the date of taking and such agreement should be approved.

10.

Certain deficiencies exist between the amounts deposited as estimated compensation for subject tracts and the amounts fixed by the stipulations as to just compensation, and the total amount of such deficiencies should be deposited for the benefit of the landowners. Such deficiencies are set out in Paragraph 14 below.

11.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, with the exception of the property excluded by Paragraph 12, to the extent of the estates described and for the uses

and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the terms of the stipulation filed herein on Feb. 7, 1962 providing for exclusion of approximately 1.25 acres of Tract P-1622 from the taking <sup>case</sup> in this/hereby is confirmed, and title to the property described in paragraph (d) on page 3 of such stipulation hereby is revested in the stipulating defendants to the extent held by them immediately prior to the filing of this case.

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear below in Paragraph 14, and the right to just compensation for the estates taken herein in these tracts is vested in the parties so named.

14.

It Is Further ORDERED, ADJUDGED, AND DECREED that the stipulations as to just compensation, mentioned in Paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject tracts as follows:

TRACT NO. P-1616

Owners:

Marcus Dale  
Delores Rozzell  
Carlie Ethel Dale

Award of just compensation pursuant to stipulation . . . . .	\$9,700.00	\$9,700.00
Deposited as estimated compensation . . .	<u>9,150.00</u>	
Deposit deficiency . . . . .	<u>\$ 550.00</u>	
Disbursed to owners . . . . .		<u>9,150.00</u>
Balance due to owners . . . . .		<u>\$ 550.00</u>

TRACTS NOS. P-1622, P-1622E-1, P-1622E-2  
and P-1622E-3

Owners:

Marcus Dale  
Delores Rozzell  
Carlie Ethel Dale

Award of just compensation pursuant to stipulation . . . . .	\$23,550.00	\$23,550.00
Deposited as estimated compensation . . . . .	<u>21,800.00</u>	
Deposit deficiency . . . . .	<u>\$ 1,750.00</u>	
Disbursed to owners . . . . .		<u>21,800.00</u>
Balance due to owners . . . . .		<u>\$ 1,750.00</u>

TRACTS NOS. P-1627E and P-1627E-2

Owners:

Marcus Dale  
Delores Rozzell  
Carlie Ethel Dale

Award of just compensation pursuant to stipulation . . . . .	\$ 75.00	\$ 75.00
Deposited as estimated compensation . . . . .	<u>65.00</u>	
Deposit deficiency . . . . .	<u>\$ 10.00</u>	
Disbursed to owners . . . . .		<u>\$ 65.00</u>
Balance due to owners . . . . .		<u>\$ 10.00</u>

15.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the registry of this Court in this Civil Action the total of the deposit deficiencies for subject tracts in the amount of \$2,310.00, and such sum shall be placed in the deposits for the respective tracts as follows:

Tract P-1616 . . . . .	\$550.00
Tract P-1622 . . . . .	.\$1,750.00
Tract P-1627E and P-1627E-2 . . . . .	\$10.00

The Clerk of this Court then shall disburse

From the deposit for Tract P-1616 the sum of \$550.00  
From the deposit for Tract P-1622 the sum of \$1,750.00, and  
From the deposit for Tracts P-1627E and P-1627E-2 the sum of \$10.00,

jointly to: Marcus Dale, Delores Rozzell and Carlie Ethel Dale

*Fred Dougherty*

APPROVED:

*Richard S. Madison*  
\_\_\_\_\_  
RICHARD S. MADISON  
Assistant U. S. Attorney

UNITED STATES DISTRICT JUDGE

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

Mary S. Dunn, a widow, for the use and )  
benefit of herself and Charles Thomas )  
Dunn, Robert Allen Dunn, and Johnny )  
Dale Dunn, minor children, surviving next )  
of kin of Bobby C. Dunn, Deceased, )

Plaintiff )

vs. )

St. Louis San Francisco Railway )  
Company, a foreign corporation, E. C. )  
McGinnis and P. W. Thompson )

Defendants )

No. 5290 Civil

**FILED**

FEB - 10 1962

**ORDER SUSTAINING MOTION TO  
DISMISS**

NOBLE C. HOOD  
Clerk, U. S. District Court

This cause came on for hearing before the Court on January 15, 1962, on the motion of the defendants, E. C. McGinnis and P. W. Thompson, to dismiss the action as to them on the ground that the complaint fails to state a cause of action against them and, after arguments thereon, the motion was taken under advisement. Upon consideration of the motion to dismiss and the briefs filed thereon, the Court finds that the complaint does not state a cause of action against such defendants for the following reasons:

1. The installation and maintenance of signals and the stationing of flagmen at railroad crossings are duties and responsibilities of the railroad company and not of its employees.
2. The railroad company had the legal right to block the crossing, and such blocking did not constitute negligence.
3. The duty to ring a bell or sound a whistle before reaching a railroad crossing is for the purpose of warning motorists of the approach of a train, and a train on the crossing is, in itself, an adequate warning of its presence. Since the train was already blocking part of the crossing when the plaintiff's husband reached it, a failure to give the statutory signals would not be the proximate cause of the accident.

4. In the absence of some unusual circumstances imposing a duty on these defendants, who were the engineer and conductor of the train involved herein, which duty was owed to third persons, they would not be liable for failure to give some type of warning to the traveling public of the presence of the train on the crossing because, under Oklahoma law, an employee is liable to third persons only for acts of positive wrong or negligence and not for failure to perform a duty of his employment.

5. The fact that the trainmen parked an unlighted boxcar at night across only part of the railroad crossing, and that the lights of a truck created a "light screen" between the driver and the train, would not constitute such unusual circumstances, under the Oklahoma law, as would require the trainmen to take extra precautions to warn travelers of the presence of the train on the track; neither would such facts relieve a motorist of the duty to drive in a manner that would permit him to stop within the assured clear distance ahead.

IT IS THEREFORE ORDERED that the motion to dismiss of the defendants, E. C. McGinnis and F. W. Thompson, is sustained, and the cause of action is hereby dismissed as to such defendants.

DATED this 9 day of February, 1962.

*By Paul A. English*  
\_\_\_\_\_  
United States District  
Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ILLINOIS

CLAUDE PEPPER, JR.,

Plaintiff,

-vs-

CONTINENTAL CASUALTY  
COMPANY, a Corporation,  
Chicago, Illinois,

Defendants.

No. 5269 Civil

FILED

1937

MOTION TO DISMISS

DEBBIE L. HOOD  
Clerk, U.S. District Court

Comes now the plaintiff and for good cause  
shown, moves the court to dismiss the above action with prejudice.

*Claude Pepper, Jr.*  
Plaintiff

ORDER OF DISMISSAL

It is hereby ordered that the above shown cause  
is hereby dismissed with prejudice.

*W. Eugene Smith*  
Judge

UNITED STATES DISTRICT COURT FOR THE  
FORMER DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,031.15 Acres of Land, More or  
Less, Situate in Mayes County,  
Oklahoma, and Ray Bonnella, Grand  
River Dam Authority, et al.,

Defendants.

Civil Action No. 2116

Tract No. 1964

**FILED**

FEB 13 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

Now, on this 13 day of February, 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. 1964, as such estate and tract are described in the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraphs 1 and 3 of the Petition herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on June 24, 1947, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

There was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out in Paragraph 11 below.

7.

On the date of taking in this action, the owner of the estate taken in subject tract was the defendant whose name is shown in paragraph 11 below. Such named defendant is the only person asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estate taken in this tract.

8.

The owner of the subject tract and the United States of America have executed and filed herein a "Dismissal of Demand for Jury Trial and Consent to Entering Judgment Fixing Just Compensation" wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such stipulation should be approved.

9.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Petition and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the party so named.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the stipulation as to just compensation, mentioned in paragraph 6 above, hereby is confirmed; and the sum thereinafter is adopted as the award of just compensation for the estate concerned in subject tract as follows:

TRACT NO. 1964

Owner: Grand River Dam Authority

Award of just compensation pursuant to stipulation . . . . .	\$5,000.00	\$5,000.00
Deposited as estimated compensation . . . . .	<u>5,000.00</u>	.
Disbursed to owners . . . . .		<u>5,000.00</u>

*B. Ross Riegley*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

\_\_\_\_\_  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

398.45 Acres of Land, More or Less,  
Situate in Mayes County, Oklahoma,  
and the Grand River Dam Authority,  
a public corporation, et al.,

Defendants.

Civil Action No. 2924

Tract No. 1963

FILED

FEB 13 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

Now, on this 13th day of February 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. 1963, as such estate and tract are described in the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on September 13, 1951, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

There was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out in Paragraph 11 below.

7.

On the date of taking in this action, the owner of the estate taken in subject tract was the defendant whose name is shown in paragraph 11 below. Such named defendant is the only person asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estate taken in this tract.

8.

The owner of the subject tract and the United States of America have executed and filed herein a Dismissal of Demand for Jury Trial and Consent to Entering Judgment Fixing Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such stipulation should be approved.

9.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the party so named.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 1963

Owner: Grand River Dam Authority

Award of just compensation pursuant to stipulation . . . .	\$2,500.00	\$2,500.00
Deposited as estimated compensation	<u>2,500.00</u>	
Disbursed to owner . . . . .		<u>2,500.00</u>

*J. Ross Rigley*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

600.62 Acres of Land, More or Less,  
Situate in Rogers and Nowata Coun-  
ties, Oklahoma, and Fred L.arger,  
et al, and Unknown Owners,

Defendants.

Civil Action No. 4758

Tract No. R-1882

FILED

FEB 13 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

On July 20, 1961, this cause, as to the captioned tract, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendant John W. Nichols, trustee, appeared by his attorney, C. A. Steele.

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estate condemned in Tract No. R-1882, as such tract and estate are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tract.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tract, as such tract is particularly described in such Complaint. Pursuant thereto, on August 14, 1959, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tract, a certain sum of money, part of which has been disbursed as shown in Paragraph 9.

6.

The fair market value of the estate condemned herein in Tract No. R-1882 is \$1,500.00, and such sum should be adopted as the award of just compensation.

7.

The defendants named in Paragraph 9 as owners of subject tract are the only defendants asserting any interest in the estate condemned in the subject tract, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estate, as of the date of taking, and as such, are entitled to receive the award of just compensation.

8.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of taking filed herein; and such tract, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of August 14, 1959, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

9.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this tract is vested in the parties so named, as their interests appear therein; and the sum hereby adopted as the award of just compensation for the estate herein taken in subject tract is the sum following the designation "Award of Just Compensation" in the schedule as follows, to-wit:

TRACT NO. R-1882

Owners:	June H. Collins . . . . .	1/4	
	Felix Quinlan . . . . .	1/4	
	H. M. McMillan . . . . .	1/4	
	Heirs of H. B. Fell . . . . .	35% of 1/4	
	(Elizabeth Fell Owen is executrix of the estate of H. B. Fell, deceased)		
	Georgie S. Fell . . . . .	28% of 1/4	
	John W. Nichols, Trustee . . . . .	37% of 1/4	
	Award of just compensation . . . . .	\$1,500.00	\$1,500.00
	Deposited as estimated compensation. . . . .	<u>1,500.00</u>	
Disbursed to owners:			
	To H. M. McMillan . . . . .	375.00	
	To June H. Collins . . . . .	<u>375.00</u>	
	Total . . . . .		<u>750.00</u>
	Balance due to other owners . . . . .		<u>\$ 750.00</u>

10.

It is Further ORDERED that the Clerk of this Court shall disburse from the deposit for subject tract the balance due to the owners as follows:

To:

Felix Quinlan . . . . .	\$375.00
Elizabeth Fell Owen, executrix of the estate of H. B. Fell, deceased. . . . .	131.25
Georgie S. Fell . . . . .	105.00
John W. Nichols, Trustee . . . . .	138.75

  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,  
vs.  
760.42 Acres of Land, More or  
Less, Situate in Nowata and  
Rogers Counties, Oklahoma, and  
Mrs. O. C. (Corrinne) Cash, et al,  
Defendants.

Civil Action No. 4856  
Tracts Nos. 4620-A  
4621-A  
~~4624-S~~  
4616-S

**FILED**

FEB 13 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

NCW on this 13 day of February, 1962, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies only to the oil and gas leasehold interest in the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Declaration of Taking and the Amendment thereto filed in Civil Action No. 4856.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto on February 19, 1960, the United States of America has filed its Declaration of Taking of such described property and on January 2, 1962, has filed an amendment to such Declaration of Taking, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, and the Amendment thereto, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts a certain sum of money, and none of this deposit has been disbursed, as set out in Faragraph 12 below.

7.

On the date of taking in this action, the owners of the oil and gas leasehold interest in the estates taken in subject tracts were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in the oil and gas leasehold interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the described interest in the estates taken in these tracts.

8.

The owners of the oil and gas leasehold interest in the subject tracts and the United States of America have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for the oil and gas leasehold interest in the estates condemned in subject tracts is in the amount shown as compensation in Paragraph 12, and such Stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for the oil and gas leasehold interest in the subject tracts and the amount fixed by the Stipulation As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out in Paragraph 12 below.

10.

It is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking, as amended, filed herein; and the oil and gas leasehold interest in such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, as amended, is condemned and title thereto is vested in the United States of America as of the

date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the oil and gas leasehold interest in the estates condemned herein in the subject tracts were the persons whose names appear below in Paragraph 12, and the right to just compensation for such interest taken herein in these tracts is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation As To Just Compensation, mentioned in Paragraph 8 above, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the oil and gas leasehold interest in the estates condemned in subject tracts as follows:

Tracts Nos. 4620-A, 4621-A and 4616-S

Owners of oil and gas leasehold interest in mineral estate:

Ben J. Taylor and Henry Ittleson, Jr. owned the working interest.

Crescent Oil and Gas Corporation owned an overriding royalty interest.

Award of Just Compensation for oil and gas leasehold interest in mineral estate, pursuant to stipulation . . . . .	\$36,750.00	\$36,750.00
Deposited as estimated compensation for oil and gas leasehold interest in mineral estate . . . . .	<u>33,468.00</u>	
Deposit deficiency . . . . .	<u>\$ 3,282.00</u>	
Disbursed to owners . . . . .		<u>none</u>
Balance due to owners . . . . .		<u>\$36,750.00</u>

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in Civil Action No. 4856 to the credit of Tract No. 4620-A the total deposit deficiency in the sum of \$3,282.00, and the Clerk of this Court then shall disburse from the deposit for subject tracts, jointly to

Ben J. Taylor and Henry Ittleson, Jr.  
the sum of

\$32,750.00

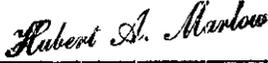
and to

Crescent Oil and Gas Corporation the sum  
of

\$ 4,000.00

  
UNITED STATES DISTRICT JUDGE

APPROVED:

  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,

vs.

302.78 Acres of Land, More or Less,  
Situate in Nowata County, Oklahoma,  
and R. R. Faulkner, et al,

Defendants.

Civil Action No. 4868

Tract No. P-1644

FILED

FEB 13 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

J U D G M E N T

1.

Now, on this 3<sup>rd</sup> day of February 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract P-1644, as such estate and tract are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on March 1, 1960, the United States of America has filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking-

6.

On filing of the declaration of taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in Paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such declaration of taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the defendants whose names appear below in Paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in Paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. P-1644

Owners: R. R. Faulkner, Sr. and Dora Faulkner . . .		1/2
H. W. Reed . . . . .		1/2
Award of just compensation pursuant to stipulation. . . . .	\$3,800.00	\$3,800.00
Deposited as estimated compensation . . . . .	<u>2,550.00</u>	
Deposit deficiency . . . . .	<u>\$1,250.00</u>	
Disbursed to owners . . . . .		<u>none</u>
Balance due to owners . . . . .		<u>\$3,800.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action to the credit of Tract No. P-1644, the deficiency sum of \$1,250.00 and the Clerk of this Court then shall disburse from the deposit for subject tract:

Jointly to R. R. Faulkner, Sr. and Dora Faulkner . . .	\$1,900.00
To H. W. Reed . . . . .	\$1,900.00

15/ Ross Dingley  
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

491.42 Acres of Land, More  
or Less, Situate in Nowata and  
Rogers Counties, Oklahoma, and  
Ralph Dawson, et al,

Defendants.

Civil No. 4884

Tracts Nos. F-618-1  
F-618-2  
F-618E-1

FILED

FEB 14 1967

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

Now, on this 13<sup>th</sup> day of February, 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on March 9, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the des-

cribed estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in subject tracts, a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 11 below.

7.

On the date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 11 below, and such stipulation should be approved.

9.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were

the defendants whose names appear below in paragraph 11, and the right to just compensation for the estates taken herein in these tracts is vested in the parties so named.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

Tracts Nos. F-618-1, F-618-2, and F-618E-1

Owners: Ralph E. Dawson and Pearl Dawson  
(On date of taking Commissioners of Land Office of the State of Oklahoma held a mortgage on these tracts but such mortgage has been paid in full and released).

Award of just compensation  
pursuant to stipulation . . . . . \$8,480.00                      \$8,480.00

Deposited as estimated compensation . . . 8,480.00

Disbursed to owners:

To Commissioners of the Land Office    \$567.24  
To Ralph E. and Pearl Dawson            6,582.76                      Total . . . 7,150.00

Balance due to owners . . . . . \$1,330.00

12.

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the funds on deposit for the subject tracts, jointly to Ralph E. Dawson and Pearl Dawson the sum of \$1,330.00.

APPROVED:

*Hubert A. Marlow*

*W. Ross Bailey*  
United States District Judge

Hubert A. Marlow  
First Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 ) Plaintiff, )  
 )  
 vs. )  
 )  
 47.94 Acres of Land, More or Less, )  
 Situate in Nowata County, Oklahoma, )  
 and Gabriel A. Blackburn, et al, )  
 and Unknown Owners, )  
 )  
 ) Defendants. )

Civil Action No. 4947  
Tracts Nos. T-2054E-2  
T-2054E-3  
T-2054E-4

**FILED**  
  
FEB 13 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

Now, on this 13 day of February, 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure or all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on June 9, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in subject tracts, a certain sum of money, and all of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tracts and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in paragraph 12 below.

10.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear below in paragraph 12, and the right to just compensation for the estates taken herein in these tracts is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

Tracts Nos. T-2054E-2, T-2054E-3 and T-2054E-4

Owners: Charles D. Howard and Leva Lorea Howard

Award of just compensation pursuant to stipulation . . . . .	\$750.00	\$750.00
Deposited as estimated compensation . . . . .	<u>635.00</u>	
Deposit deficiency . . . . .	<u>\$115.00</u>	
Disbursed to owners . . . . .		<u>635.00</u>
Balance due to owners . . . . .		<u>\$115.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action, to the credit of the subject tracts, the deficiency sum of \$115.00, and the Clerk of this Court then shall disburse jointly to

Charles D. Howard and Leva Lorea Howard, the sum of . . . . .	\$115.00
--	----------

H. Ross Riley  
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
503.74 Acres of Land, More or Less,  
Situate in Nowata County, Oklahoma,  
and Hinman Stuart Milam, et al,  
  
Defendants.

Civil Action No. 4973  
  
Tract No. L-1244

**FILED**

FEB 10 1962

J U D G M E N T

NOBLE C. HOOD  
Clark, U. S. District Court

1.

Now, on this 13th day of February, 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This Judgment applies only to the surface interest in the estate condemned in Tract No. L-1244, as such estate and tract are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on July 28, 1960, the United States of America has filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the declaration of taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the surface interest in the estate taken in subject tract were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the surface interest in the estate taken in this tract.

8.

The owners of the surface interest in the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the surface interest in the estate condemned in subject tract is in the amount shown as compensation in Paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and the surface interest only in such tract, to the extent of the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such declaration of taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the surface interest in the estate condemned herein in subject tract were the defendants whose names appear below in Paragraph 12, and the right to just compensation for the surface interest in the estate taken herein in this tract is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation mentioned in Paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the surface interest in the estate condemned in subject tract as follows:

TRACT NO. L-1244

Owners: W. G. Phillips, a/k/a Woodley G. Phillips, and Maude H. Phillips . . . . .	1/2	
(W. G. Phillips, a/k/a Woodley G. Phillips, is now deceased and Maude H. Phillips has been appointed executor of his estate.)		
Hinman Stuart Milam and Katherine I. Milam	1/6	
Mildred M. Viles and Phillip H. Viles	1/6	
Mary Stevenson and Joseph Stevenson	1/6	
Award of just compensation for surface interest only, pursuant to stipulation	\$18,665.00	\$18,665.00
Deposited as estimated compensation for surface interest . . . . .	<u>16,350.00</u>	
Deposit deficiency . . . . .	<u>\$ 2,315.00</u>	
Disbursed to owners for surface interest only . . . . .		<u>16,350.00</u>
Balance due to owners for surface interest only. . . . .		<u>\$ 2,315.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action to the credit of Tract No. L-1244, the deficiency sum of \$2,315.00, and the clerk of this Court then shall disburse from the deposit for subject tract certain sums as follows:

TO:

Maude H. Phillips, and Maude H. Phillips, executor of the estate of Woodley G. Phillips, deceased . . . . .	\$1,157.50
Hinman Stuart Milam and Katherine I. Milam . . . . .	385.84
Mildred M. Viles and Phillip H. Viles. . . . .	385.83
Mary Stevenson and Joseph Stevenson . . . . .	385.83

  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

\_\_\_\_\_  
HUBERT A. MARLOW  
Assistant U. S. Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FEB 10 1962

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Harvard Apartments, Inc., )  
 )  
 Defendant. )

NOBLE C. HOOD  
Clerk, U. S. District Court

Civil No. 5159

ORDER CONFIRMING MARSHAL'S SALE

Now, on this 13<sup>th</sup> day of February 1962, there coming on for hearing the motion of the plaintiff herein to confirm the sale of real property made by the United States Marshal for the Northern District of Oklahoma on February 6, 1962, under an order of sale, dated December 28, 1961, issued in this cause out of the Office of the Court Clerk for the U.S. District Court for the Northern District of Oklahoma, of the following-described property, to-wit:

Blocks 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma,

and the Court, having carefully examined the proceedings of the Marshal under the order of sale and no one appearing in objection thereto and no exceptions having been filed, finds that due and legal notice of the sale was given by publication once a week for at least four (4) weeks prior to the date of sale in the Tulsa Daily Legal News, a newspaper published and of general circulation in the County of Tulsa, State of Oklahoma, as shown by the proof of publication on file herein, and that on the day fixed therein, February 6, 1962, the above-described property was sold to the Federal Housing Administration, it being the highest and best bidder therefor.

The Court further finds that the sale was made, in all respects, in conformity with the law in such case made and provided, and that the sale was legal in all respects.

It is, therefore, ORDERED, ADJUDGED, AND DECREED by the Court that this Marshal's sale and all proceedings under the order of sale issued herein be and the same are hereby approved and confirmed.

It is FURTHER ORDERED that Doyle W. Foreman, as United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser, Federal Housing Administration, a good and sufficient deed for such premises.

*15/ Ross Riegley*  
United States District Judge

FILED

FEB 15 1962

NOBLE C. BOOD  
Clerk, U. S. District Court

U.S. District Court  
Southern District of New York

et al

U.S. District Court  
Southern District of New York

*Bliss*

*Ross Rigley*

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Harvard Apartments, Inc., )  
 )  
 Defendant. )

Civil No. 5159

FILED

FEB 13 1962

DEFICIENCY JUDGMENT

NOBLE C. HOOD  
Clerk, U. S. District Court

Now, on this 16 day of February 1962, there coming on for hearing the motion of the plaintiff herein for leave to enter a deficiency judgment, which motion was filed on February 9, 1962, and duly served upon Paul E. Garrison, attorney for Harvard Apartments, Inc., defendant herein.

The Court, upon consideration of such motion and the evidence produced in open court, finds that the fair and reasonable market value of the mortgaged premises, as of the date of the Marshal's sale herein, to-wit, February 6, 1962, was \$900,000. The Court further finds that the aggregate amount of the judgment rendered herein, together with interest and costs, as of February 13, 1962, was \$1,314,203.00, and the plaintiff is accordingly entitled to a deficiency judgment against the defendant, Harvard Apartments, Inc., for such amount, less the market value of the property in the amount of \$900,000, as above determined, to-wit, in the sum of \$414,203.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the plaintiff, United States of America, have and recover from the defendant, Harvard Apartments, Inc., a deficiency judgment in the amount of \$414,203.

*Ross Rigley*  
United States District Judge

APPROVED AS TO FORM:

*Paul E. Garrison*  
Paul E. Garrison  
Attorney for the Defendant

*Sam E. Taylor*  
Sam E. Taylor  
Assistant U. S. Attorney

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

D. B. HARRIGILL,  
Plaintiff.

vs.

WILLIAM SYLVESTER PRICE,  
Defendant,

DAVID C. ELLIOTT AND  
PAULINE C. ELLIOTT,  
Third Party Defendants.

CIVIL NO. 5 1 3 8.

FILED

NOBLE C. MOGO  
Clerk, U. S. District Court

J U D G M E N T

On January 22d, 1962, this cause came on for hearing on the merits, all parties appearing by counsel, and it appearing to the Court from the pleadings and statements of counsel that there is no controverted issue of fact to be tried, and counsel for the third party defendants having confessed the complaint and supplement to the complaint and consented to judgment:

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT:

1. On December 8, 1960, in Case No. 57,640 in the Chancery Court of The First Judicial District of Hinds County, Mississippi, plaintiff D. B. Harrigill recovered judgment against David C. Elliott and Pauline C. Elliott for the principal amount of \$18,866.66, and said judgment is final, is in full force and effect, is wholly unpaid, and bears interest from its date at the rate of 6 per cent per annum; and there is also due and wholly unpaid thereon the further sum of \$928.33, ~~with interest at 5% per annum from October 3, 1961,~~ pursuant to judgment of The Supreme Court of Mississippi on the appeal from said judgment.

2. That 23,000 shares of stock in Bankers Trust Company, evidenced by certificates numbered CV1732 to CV 1750, CV1752, CV1753, CV1755 and CV1756, for 1000 shares each, were transferred by the third party defendants Elliott to defendant William Sylvester Price without consideration, have been deposited in the registry of this Court, and are subject to sale to satisfy plaintiff's claim.

3. Defendant William Sylvester Price is hereby discharged, with his costs, of and from any and all liability to any and all other parties hereto in connection with the above described shares of stock, and is awarded an attorneys fee of \$750.00 to be taxed as costs herein and to be paid to his attorney, Jack N. Hays, out of the proceeds of the sale as hereinafter ordered. The third party defendants objected and excepted to the allowance of said attorneys fee.

4. The above described 23,000 shares of stock in Bankers Trust Company, or such part thereof as is sufficient to discharge the amount due and unpaid on said judgment in said case No. 57,640, the expenses of sale and costs of this action, be sold at public sale, without appraisement, at the north front door of the County Court House of Tulsa County, in Tulsa, Oklahoma, by Morris L. Bradford, Esquire, of Tulsa, Oklahoma, who is hereby appointed Special Master for that purpose, upon the following terms and conditions:

a. The said Special Master shall publish notice once a week for at least four successive weeks prior to said sale in The Tulsa Daily Legal News, a newspaper regularly issued and of general circulation in Tulsa County, Oklahoma, such notice to contain a description of the property to be sold conforming substantially in all respects to the description set forth in this judgment, together with the time, the place and the terms and conditions of the sale as herein set forth. The first publication of said notice shall be on or promptly after February 22, 1962. Promptly after the first publication thereof, the Special Master shall mail a printed copy thereof to each of the following: Crowe & Thigman, 324 Enterprise Building, Tulsa, Okla.; Garrett Logan, 527 National Bank of Tulsa Building, Tulsa, Okla.; and William A. Bacon, P. O. Box 15, Jackson, Mississippi.

b. Said shares of stock shall be sold to the highest and best bidder for cash, subject to and payable upon confirmation of the sale by this Court; but the Special Master may require the successful bidder or bidders to deposit with him as a condition to acceptance of their bid or bids, ten per cent of the amount bid, to be forfeited and applied as the Court may direct if the bid be not made good; provided that at said sale, if offered, the Master shall receive from plaintiff a bid consisting of as much cash as may be required to pay the expenses of said sale and the costs of this action, plus the receipt of plaintiff for credit on his said judgment for any additional amount up to the full amount unpaid thereon.

c. The Special Master may offer for sale and sell said 23,000 shares of stock as an entirety, or in smaller blocks or lots, as he, in his discretion, may determine at the time and place of sale.



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

SONOCO PRODUCTS COMPANY,  
a Corporation,

Plaintiff,

vs.

NO. 5250

THE TRAVELERS INDEMNITY  
COMPANY, a Corporation,  
MRS. ROY A. BATSON, SHERRY  
ANN BATSON, MICHAEL J.  
BATSON, LARRY LEE BATSON,  
and DODY C. WATERS,

Defendants,

HARTFORD ACCIDENT &  
INDEMNITY COMPANY,

Additional Defendant.

FILED

W. J. HOOB  
District Clerk

J U D G M E N T

Based upon the Findings of Fact and Conclusions of  
Law filed herein on the 26th day of February, 1962, it is the

ORDER, JUDGMENT AND DECREE OF THE COURT:

1. That declaratory judgment be and the same is hereby entered in favor of The Travelers Indemnity Company to the effect that it had no coverage under its insurance policy for the protection of Sonoco Products Company growing out of the accident of early January 1961 near Tulsa, Oklahoma and the action filed by the widow of Roy A. Batson, et al. for his death.
2. That the declaratory judgment prayed for on behalf of Sonoco Products Company be and the same is hereby denied.
3. That the prayer of the defendants Mrs. Roy A. Batson, Sherry Ann Batson, Michael J. Batson, Larry Lee Batson, and Dody C. Waters for a declaratory judgment against Hartford Accident & Indemnity Company is sustained, insofar as it applies to the Hartford Accident & Indemnity Company, and is denied as to any secondary liability as to The Travelers Indemnity Company.

DATED this 26th day of February, 1962.

WILLIAM BOEANON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE

SOUTHERN DISTRICT OF CALIFORNIA

WILLIAM J. ... Trustee of  
The Estate of Isaac Alper Bayouth,  
Bankrupt,

Plaintiff,

vs.

No. 5238

ALVIN F. ... D/B/a  
Bert's Fish Market, and  
SUNSHINE ... COMPANY, a  
partnership composed of:  
George ... and Harris ...

Defendants.

FILED

FEB 24 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

On this 26 day of February, 1962, the  
same being a regular court day of the January term of said court,  
the above matter coming on for hearing on defendants' motion to  
dismiss with prejudice, the Court finds that the matters set forth  
in defendants' motion are true; that the matter has been  
compromised and settled, and the Court being fully advised in the  
premises finds that the cause should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND  
DECLARED BY THE COURT that the cause is dismissed with  
prejudice.

*Fred Danegherly*  
FEB 24 1962

U. S. AS TO FORM:

Attorney for Plaintiff

*[Signature]*  
Attorney for Defendants

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

Rex Bobbie Antle, a Minor, by  
and through his father and next  
friend, Joe Charles Antle,

Plaintiff,

vs.

B. J. Hotz,

Defendant.

Civil No. 5226

JUDGMENT

This action came on for trial before the Court and a jury, the Honorable Luther Bohanon presiding, and the issues having been duly tried and the jury on February 26, 1902, having rendered a verdict for the defendant,

IT IS ORDERED AND ADJUDGED that the plaintiff take nothing, that the action is dismissed on the merits, and that the defendant, B. J. Hotz, recover of Rex Bobbie Antle, a minor, by and through his father and next friend, Joe Charles Antle, plaintiff, his costs of action.

Dated at Tulsa, Oklahoma, this 26th day of February, 1902.

NOBLE B. HOOD, CLERK

By

*M. J. E...*  
Chief Deputy

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

600.26 Acres of Land, More or Less,  
Situate in Rogers and Nowata  
Counties, Oklahoma, and Fred Barger,  
et al,

Defendants.

United States of America,

Plaintiff,

vs.

12.83 Acres of Land, More or Less,  
Situate in Rogers County, Oklahoma  
and C. H. Dennis, et al, and  
Unknown Owners,

Defendants.

Civil Action No. 4758

Tracts Nos. F-634E and  
F-634E-2

Civil Action No. 4869

Tract No. F-634E-3

FILED

FEB 27 1982

NOBLE C. HOOD  
Clerk, U. S. District Court

J U D G M E N T

1.

On July 20, 1961, this cause, as to the captioned tracts, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The defendants appeared not. After hearing the evidence and being fully advised in the premises, the court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such tracts and estates are described in the Complaints and Declarations of Taking as amended filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts of land. Pursuant thereto, on August 14, 1959 as to Civil Action No. 4758, and on March 1, 1960 as to Civil Action No. 4869, the United States of America filed its Declarations of Taking of certain estates in such described land, and on Feb. 21, 1962 filed in Civil Action 4758 an Amendment to the Declaration of Taking, and title to the property described in such Declarations of Taking as amended, should be vested in the United States of America, as of the date of filing such instruments.

5.

Simultaneously with filing of the Declarations of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject tracts, certain sums of money, none of which has been disbursed, all as set out in Paragraph 9, below.

6.

Although the government has not taken title to any part of the mineral estate under the land designated as Tract No. F-634E, the nature of the flowage easement imposed on the surface thereof is such that it has decreased the market value of the mineral estate and the owners should be compensated therefor.

The decrease in the market value of the 40 acre farm unit from which the subject tracts are taken, occasioned by these takings, and including the decrease in market value of the mineral estate caused by the flowage easement imposed on Tract F-634E, is the total sum of \$335.00 and such sum should be adopted as the total award of just compensation to which the owners of the subject tracts are entitled. This award should be allocated among the various tracts in the two civil actions according to the schedule in paragraph 9 herein.

7.

The defendants named in Paragraph 9 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in the subject tracts, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estates, as of the date of taking, and as such, are entitled to receive the award of just compensation.

8.

It Is Therefore ORDERED, ADJUDGED, AND DECREED, that the United States of America has the right, power and authority to condemn for public use, the tracts enumerated in the caption above, as such tracts are described in the Complaints and Declarations of Taking as amended, filed herein, and such tracts, to the extent of the estates described and for the uses and purposes indicated in such Declarations of Taking are condemned, and title there- to is vested in the United States of America, as of the dates of filing of the respective Declarations of Taking and all defendants herein and all other persons interested in the described estates in such tracts are forever barred from asserting any claim thereto.

9.

It Is Further ORDERED, ADJUDGED AND DECREED, that on the dates of taking, the owners of the estate condemned herein in subject tracts were the defendants whose names appear in the schedule below; the right to just com- pensation for the estates taken in these tracts is vested in the parties so named, as their respective interests appear therein; and the sum of \$335.00 hereby is adopted as the award of just compensation for the estates herein taken in subject tracts, and such award is allocated among the various tracts as shown in the schedule as follows:

TRACTS NOS. F-634E, F-634E-2 and F-634E-3

Owners:

Helen E. Dawson owns a life estate.  
William E. Dawson )  
Francis K. "Buck" Dawson ) Own the remainder interest.  
John T. Dawson )  
W. C. Dawson )

Award of just compensation:

Civil Action No. 4758:  
Tract No. F-634E:  
Surface . . . . . \$180.00  
Decrease in value of the  
mineral estate occasioned  
by the flowage easement  
imposed on the surface. . . 30.00  
  
Tract No. F-634E-2:  
Surface . . . . . 25.00  
Minerals. . . . . 25.00  
  
Civil Action No. 4869:  
Tract No. F-634E-3  
Surface . . . . . 50.00  
Minerals. . . . . 25.00  
Total Award for all 3 tracts . . . \$335.00

\$335.00

Deposited as estimated compensation:	
Civil Action 4758:	
Tracts F-634E and	
F-634E-2 . . . . .	\$230.00
Civil Action 4869:	
Tract No. F-634E-3 . . . . .	<u>75.00</u>
Total deposit for all 3 tracts. . . . .	<u>\$305.00</u>
Deposit deficiency . . . . .	<u>\$ 30.00</u>
Disbursed to owners. . . . .	<u>none</u>
Balance due to owners . . . . .	<u>\$335.00</u>

10.

It Is Further ORDERED that the United States of America shall deposit in the registry of this Court the deficiency sum of \$30.00 plus interest thereon at 6% per annum from August 14, 1959, until such deposit is made and such sum shall be placed in the deposit for Tract No. F-634E.

The Clerk of this Court then shall disburse from the deposits for the subject tracts in both Civil Action 4758 and Civil Action 4869 certain sums as follows:

Tract No. F-634E . . . . .	\$210.00 plus all accrued interest
Tract No. F-634E-2 . . . . .	50.00
Tract No. F-634E-3 . . . . .	75.00

Jointly to Helen E. Dawson, William E. Dawson, Francis K. "Buck" Dawson, John T. Dawson, and W. C. Dawson.

*Fred Daugherty*  


---

 UNITED STATES DISTRICT JUDGE

APPROVED:  
*Hubert A. Marlow*  


---

 HUBERT A. MARLOW  
 Assistant U. S. Attorney

Def. Jdgm't  
with res.  
of imp. **FILED**

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
vs. Plaintiff,  
  
3.57 Acres of Land, More or Less,  
Situate in Creek County, Oklahoma,  
and Robert R. Austin, et al, and  
Unknown Owners, Defendants.

Civil No. 4732 FEB 23 1962

HUBERT A. MARLOW, Asst U.S. District Ct

Tract(s) No(s). 1761

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation(s) entered into by the plaintiff and the defendant(s) therein named, ~~which stipulation(s) is/are considered hereby as if the same were not~~

The Court finds that plaintiff and **Ozelle Elledge**, defendant(s) herein, have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s) 1761, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$7,296.00, inclusive of interest. The sum of \$ 6,400.00 was deposited into the registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s).

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(A) The vesting in plaintiff of title to the estate(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is)(are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). 1761, is the sum of \$ 6,721.00, inclusive of interest, and the reservation by the above-named defendant(s) of the right to remove on or before **December 31, 1961**, ~~(the)~~(all)(building(s)) and improvement(s)) located thereon, having a (total) salvage value of \$ 575.00; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$ 321.00, without interest.

Jurisdiction of this cause is retained for the entry of further and appropriate orders and decrees.

Entered this 23 day of *Feb* 1962.

APPROVED:

*[Signature]*  
JUDGE, United States District Court

*Hubert A. Marlow*

HUBERT A. MARLOW, Asst U.S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	
	Plaintiff,	)
vs.	)	Civil No. 4807
	)	
350.00 Acres of Land, More or Less,	)	
Situate in Creek and Pawnee Counties,	)	
Oklahoma, and C. H. Means, et al,	)	
and Unknown Owners,	)	
	Defendants.)	Tract(s) No(s). G-727 and G-727E-1 thru E-7

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation(s) entered into by the defendant(s) therein named and the plaintiff, which stipulation(s) (are)(is) tendered herewith for filing herein.

The Court finds that plaintiff and H. E. McCall and F. M. Bachman

, defendant(s) herein, have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s). G-727 and G-727E-1 thru E-7, inclusive, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 13,710.00, inclusive of interest. The sum of \$ 11,925.00, was deposited into the registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s).

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

- (A) The vesting in plaintiff of title to the estate(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is)(are) described therein, is hereby confirmed;
- (B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). G-727 and G-727E-1 thru E-7, is the sum of \$ 13,710.00, inclusive of interest; and
- (C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$ 1,785.00, without interest.

Jurisdiction of this cause is retained for the entry of further and appropriate orders and decrees.

Entered this 26 day of August 1962.

APPROVED:

*Fred Daugherty*  
\_\_\_\_\_  
JUDGE, United States District Court

*Perry A. Krolm*  
\_\_\_\_\_  
Perry A. Krolm, Asst. U.S. Attorney

*[Signature]*

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

PREFERRED RISK MUTUAL INSURANCE )  
COMPANY, a corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
WENDELL DWAYNE BELDEN, JAMES STEVEN MABREY, )  
JAMES E. BELDEN, MID-CONTINENT CASUALTY )  
COMPANY, an Oklahoma Corporation; STONE )  
BROTHERS, INC., an Oklahoma corporation, )  
 )  
Defendants. )

No. 5238 - CIVIL

FILED

FEB 29 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

O R D E R

NOW on this 27 day of February, 1962, the parties represent to the Court that the issues have been settled and compromised between the plaintiff and all defendants who have answered, and a General Release has been made, executed and delivered to the plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above captioned matter be dismissed without prejudice.

By Fred S. Slaughter  
Clerk of the District Court

APPROVAL BY ATTORNEYS FOR DEFENDANTS: *Judge*

Richard D. Gibbon  
Richard D. Gibbon

James H. Werner  
James H. Werner

APPROVAL BY ATTORNEY FOR PLAINTIFF:

Alfred B. Knight  
Alfred B. Knight

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

FILED

FEB 27 1962

Ruth Ann Jones,  
Plaintiff,  
vs.  
Massachusetts Mutual Life  
Insurance Company,  
Defendant.

NOBLE C. HOOD,  
Clerk of Court

Civil No. 5261

JUDGMENT

This action came on for trial before the court and a jury, the Honorable Luther Bohanon presiding, and the issues having been duly tried and the jury on February 27, 1962, having rendered a verdict for the plaintiff to recover of the defendant in the amount of Twelve Thousand (\$12,000.00) Dollars,

IT IS ORDERED AND ADJUDGED that the plaintiff, Ruth Ann Jones, recover of the defendant, Massachusetts Mutual Life Insurance Company, the sum of Twelve Thousand (\$12,000.00) Dollars, with interest thereon at the rate of 6% per annum from the date hereof until paid, and her cost of action.

Dated at Tulsa, Oklahoma, this 27th day of February, 1962.

NOBLE C. HOOD, CLERK

By [Signature]  
Chief Deputy

LEU:lg  
2/16/62

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

OWENS-CORNING FIBERGLAS CORPORATION, )  
a corporation, )  
 )  
Plaintiff )  
 )  
vs. )  
 )  
MIDWEST ENGINEERING & CONSTRUCTION )  
COMPANY, INC., a corporation, and )  
PATTERSON STEEL COMPANY, a corporation, )  
 )  
Defendants )

No. 4968 Civil

FILED

FEB 17 1962

ORDER DISMISSING ACTION WITH  
PREJUDICE

DAVID C. HOOD  
U.S. District Court

FOR GOOD CAUSE SHOWN and upon the parties jointly moving for  
dismissal of this action, with prejudice:

IT IS HEREBY ORDERED BY THIS COURT that the above styled and  
numbered action be and the same is hereby dismissed with prejudice.

Dated this 1st day of March ~~February~~ 1962.

for Fred Sawyer  
United States District Judge

APPROVED:

UNGERMAN, GRABEL, UNGERMAN & LEITER

By [Signature]  
Attorneys for plaintiff

[Signature]  
Attorney for defendants

LAW OFFICES  
UNGERMAN,  
GRABEL,  
UNGERMAN,  
& LEITER  
SIXTH FLOOR  
WRIGHT BUILDING  
TULSA, OKLAHOMA

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

ALLSTATE INSURANCE COMPANY, )  
a corporation )  
 )  
Plaintiff )  
 )  
vs. ) No. 4994 Civil  
 )  
OHIO CASUALTY INSURANCE COMPANY, )  
a corporation, et al )  
 )  
Defendants )

FILE

MAR 1 1962

FILED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

ORDER

Now on this 1st day of March, 1962, the application of William Fender to dismiss without prejudice his counterclaim against Allstate Insurance Company and cross claim against John Fender, Lawrence Blevins, Ohio Casualty Insurance Company and West American Insurance Company, was considered by the Court, and the Court being advised that the above named parties have no objection to the dismissal of the counterclaim and cross claims without prejudice,

IT IS, THEREFORE, ORDERED that the counterclaim and cross claims of William Fender filed in this case are hereby dismissed without prejudice.

15/ Fred Daugherty  
United States District Judge

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

Donald Ray Maxey, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 5091 Civil  
 )  
 C & H Transportation Company, Inc., )  
 a Corporation, and Homer Lee Williams, )  
 )  
 Defendants. ) **FILED**

1962

STIPULATION FOR DISMISSAL

NOBLE C. HOOD  
Clerk of the District Court

All issues involved herein having been fully settled and  
compromised, it is stipulated by and between plaintiff and defendants  
that the above styled and numbered action may be dismissed with prejudice  
to the right to bring a future action.

Dated this 26th day of February, 1962.

Donald Ray Maxey  
Plaintiff  
B. W. Talbot  
Counsel for Plaintiff  
John A. ...  
Counsel for Defendants

IT IS HEREBY ORDERED that the above styled and numbered  
action be dismissed with prejudice to the right to bring a future action, this  
1st day of March, 1962.

NOBLE C. HOOD, Clerk  
By Ben B. Ballinger Deputy

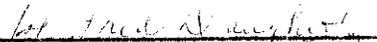
IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Ione King, . . . Plaintiff, )  
 )  
vs. ) No. 5170  
 )  
J. C. Penney Company, . . . Defendant. )

ORDER OF DISMISSAL WITH PREJUDICE

On this 5th day of March, 1962, the plaintiff herein having made application for leave to dismiss and having filed with the court a dismissal with prejudice approved by counsel for the defendant, the court orders the above styled matter dismissed with prejudice to the refiling of another action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case be dismissed with prejudice to the filing of another action.

  
United States District Judge

A true and correct copy of the foregoing order of dismissal with prejudice was this 5th day of March, 1962, mailed to Sterling N. Grubbs, P. O. Box 423, Cushing, Oklahoma, attorney for plaintiff.

  
Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
1,663.10 Acres of land, More or  
Less, Situate in Nowata and  
Rogers Counties, Oklahoma, and  
Katherine J. Steil, et al,  
  
Defendants.

Civil Action No. 4643  
Tracts Nos. U-2148E-1, U-2148E-2,  
U-2148E-3, and  
U-2148E-4

**FILED**

MAR 25 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

NOW, on this Saturday of March 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Declaration of Taking filed in this Civil Action.

3.

The court has jurisdiction of the parties and the subject matter of this action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this case who are interested in subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto on February 19, 1959, the United States of America has filed its Declaration of Taking of such described property and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in subject tracts a certain sum of money and none of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owner of the estates taken in subject tracts as described in Paragraph 2 herein was the defendant whose name is shown in Paragraph 12 below. Such named defendant is the only person asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estates taken in these tracts.

8.

The owner of subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation, wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in Paragraph 12, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tracts and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowner. Such deficiency is set out in Paragraph 12 below.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estates described in Paragraph 2 herein, condemned herein in subject tracts, was the person whose name appears below in Paragraph 12, and the right to just compensation for the estates so condemned in these tracts is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation As To Just Compensation, mentioned in Paragraph 8 above, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

TRACTS NOS. U-2148E-1, U-2148E-2, U-2148E-3  
and U-2148E-4

Owner: Irene L. Sams

Award of just compensation pursuant to stipulation . . . . .	\$2,100.00	\$2,100.00
Deposited as estimated compensation . .	<u>1,725.00</u>	
Deposit deficiency . . . . .	<u>\$ 375.00</u>	
Disbursed to owner . . . . .		<u>none</u>
Balance due to owner . . . . .		<u>\$2,100.00</u>

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in this Civil Action, to the credit of subject tracts the total deposit deficiency in the sum of \$375.00, and the Clerk of this Court shall then disburse from the deposit for such tracts the sum of \$2,100.00 to Irene L. Sams.

*Fred Daugherty*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
Plaintiff, ) Civil Action No. 4702  
 )  
vs. ) Tracts Nos. G-727 and  
 ) J-1047  
 )  
374.10 Acres of Land, More or )  
Less, Situate in Rogers and )  
Nowata County, Oklahoma, and )  
Garland G. Boyd, et al, and )  
Unknown Owners, )  
 )  
Defendants. )

FILED

JAN 27 1962

NOBLE C. ROOSE  
Clerk U. S. District Court

J U D G M E N T

1.

On January 27, 1961, this cause, as to the captioned tracts, came on for pre-trial conference before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The defendant owners of the captioned tracts did not appear. After being advised by counsel for Plaintiff, and having examined the files in the case the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estate condemned in the tracts enumerated in the caption above, as such tracts and estate are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on June 8, 1959, the United States of America filed its Declaration of Taking of a certain estate in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the described estate in subject tracts a certain sum of money, part of which has been disbursed as shown in Paragraph 9.

6.

At the pre-trial conference the Court was advised by counsel for Plaintiff that part of the owners of these tracts had already filed a stipulation agreeing that the amount of the deposit was just compensation for the estate taken in these tracts and that the other owner would sign and file a like stipulation, but that the United States Attorney had not joined in signing such stipulation because the amount involved was above his delegated authority to settle. The Court was further advised that in the event of a trial the government's evidence of value of the subject tracts would be in the amount of the respective deposits, to-wit: for Tract No. G-727 the sum of \$10,100.00 and for Tract No. J-1047 the sum of \$10,400.00. The Court thereupon found that the fair market value of the subject tracts, as of the date of taking was in the amount of the deposits as stated above and that such sums should be adopted as the awards of just compensation for these tracts.

7.

The defendants named in Paragraph 9 as owners of subject tracts are the only defendants asserting any interest in the estate condemned in the subject tracts, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estate, as of the date of taking, and as such, are entitled to receive the award of just compensation.

8.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America as of June 8, 1959, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tracts were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in these tracts is vested in the parties so named, as their interests appear therein; and the sum of \$10,100.00 hereby is adopted as the award of just compensation for the estate herein taken in Tract No. G-727, and the sum of \$10,400.00 is adopted as the award of just compensation for the estate herein taken in Tract No. J-1047, all as follows, to-wit:

TRACT NO. G-727

Owners:

Nellie May Melton . . . . .	.6/15)	
Maxine Dodd . . . . .	.6/15)	
Grace Smith . . . . .	.1/15)	of all of surface
Peggy Charter . . . . .	.1/15)	interest and 3/4
Floyd Smith . . . . .	.1/15)	of mineral inter-
	)	est

The following persons had valid claims in the amount shown, against this tract, arising from the probate of the estate of the parents of the above-named owners:

Nellie May Melton, Administratrix . . . . .	\$377.00
John F. Pendleton, Attorney . . . . .	412.00
Dr. J. W. Stevick . . . . .	72.00
Clinic Hospital of Nowata, Oklahoma . . . . .	500.00
Lewis and Elva Camden . . . . .	110.00
Clerk of the District Court, Nowata, Oklahoma . . . . .	72.32

Prospect Company . . . . owned 1/4 of mineral interest.

Award of just compensation:

For surface interest . . . . .	\$9,800.00	
For mineral interest . . . . .	300.00	
Total Award . . . . .	<u>\$10,100.00</u>	\$10,100.00

Deposited as estimated compensation . \$10,100.00

Disbursed to owners:

To owners of surface and 3/4 of minerals . . . . .	\$9,575.00	
To owner of 1/4 of minerals . . . . .	75.00	
Total disbursed . . . . .	<u>9,650.00</u>	\$ 9,650.00

Balance due to owners of surface interest . . . . . \$ 450.00

TRACT NO. J-1047

Owners:

- A. 71.96 Acres of this tract, described as all of Lot 3 and the North 21.03 Acres and the SE 10 acres of Lot 4, Section 2, T. 24 N., R. 16 E.:

Nellie May Melton . . . . .1/2) Both surface and  
 Maxine Dodd . . . . .1/2) mineral interests.

- B. 40.00 Acres of this tract, described as the SW 10 Acres of Lot 4, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, T. 24 N., R. 16 E.:

Nellie May Melton . . . . .6/15) All of surface interest  
 Maxine Dodd . . . . .6/15) and all of mineral  
 Grace Smith . . . . .1/15) interest not owned by  
 Peggy Charter . . . . .1/15) Prospect Company.  
 Floyd Smith . . . . .1/15)

Prospect Company . . . . . owned 1/4 of mineral interest  
 under 30 acres of this area,  
 described as: E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  and  
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2,  
 T. 24 N., R. 16 E.

Award of just compensation:

For surface interest . . . . .	\$10,100.00	
For mineral interest . . . . .	300.00	
Total award . . . . .	\$10,400.00	\$10,400.00

Deposited as estimated compensation . . \$10,400.00

Disbursed to owners:

To all owners other than Prospect Co. . . . .	\$10,379.90	
To Prospect Company . . . . .	20.10	
Total disbursed . . . . .		<u>\$10,400.00</u>

10.

It Is Further ORDERED that the Clerk of this Court shall disburse the balance on deposit for Tract No. G-727 as follows:

TO:

Nellie May Melton . . . . .	\$180.00
Maxine Dodd . . . . .	180.00
Grace Smith . . . . .	30.00
Peggy Charter . . . . .	30.00
Floyd Smith . . . . .	30.00

*Fred Daugherty*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
665.49 Acres of Land, More  
or Less, Situate in Rogers  
County, Oklahoma, and  
Alexander Travis Graham, et al,  
  
Defendants.

Civil Action No. 4713

Tracts Nos. D-407  
D-407E-1  
D-407E-2  
D-407E-3  
D-409

FILED

1962 - 1152

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

Now, on this 6th day of February 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking, as amended, filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto, on June 22, 1959, the United States of America has filed its declaration of taking of such described property, and on March 31, 1961 has filed an amendment thereto, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in the subject tracts certain sums of money, and part of this deposit has been disbursed, as set out in Paragraph 14 below.

7.

On the date of taking in this action, the owner of the estates taken in subject tracts was the defendant whose name is shown in Paragraph 14 below. Such named defendant is the only person asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estates taken in these tracts.

8.

The owner of the subject tracts and the United States of America have executed and filed herein stipulations as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in Paragraph 14 below, and such stipulations should be approved.

9.

A Stipulation for Exclusion of Property, executed by the owner and the United States of America, was filed herein on September 29, 1960, whereby certain improvements, situated on Tract No. D-407 were excluded from the taking in this case and it was agreed that the award of compensation for such tracts would be reduced by the salvage value of such improvements, and such stipulation should be approved.

10.

A deficiency exists between the total amount deposited as estimated compensation for subject tracts and the total amount fixed by the stipulations as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowner. Such deficiency is set out in Paragraph 14 below.

11.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America, has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking, as amended, filed herein; and such tracts, with the exception of the property excluded by

Paragraph 13, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, as amended, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estates condemned herein in subject tracts was the defendant whose name appears below in Paragraph 14, and the right to just compensation for the estates taken herein in these tracts is vested in the party so named.

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the Stipulation for Exclusion of Property mentioned in Paragraph 9 above is hereby confirmed, and title to the property covered by such Stipulation remains vested in the defendant owner.

14.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulations as to just compensation, mentioned in Paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject tracts as follows:

TRACTS NOS. D-407, D-407E-1, D-407E-2 and D-407E-3

Owner: Alexander Travis Graham

Award of just compensation pursuant to stipulation . . . . .	\$30,800.00	
Less Salvage Value of improvements reserved . . . . .	<u>300.00</u>	
Net Award . . . . .	\$30,500.00	\$30,500.00
Deposited as estimated compensation . . . . .	<u>26,300.00</u>	
Deposit deficiency . . . . .	<u>\$ 4,200.00</u>	
Disbursed to owner . . . . .		<u>25,700.00</u>
Balance due to owner . . . . .		<u>\$ 4,800.00</u>

TRACT NO. D-409

Owner: Alexander Travis Graham a/k/a Travis Graham and A. T. Graham		
Award of just compensation pursuant to stipulation . . . . .	\$1,950.00	\$1,950.00
Deposited as estimated compen- sation . . . . .	<u>1,560.00</u>	
Deposit deficiency . . . . .	<u>\$ 390.00</u>	
Disbursed to owner . . . . .		<u>1,560.00</u>
Balance due to owner . . . . .		<u>\$ 390.00</u>

15.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in Civil Action No. 4713, to the credit of Tracts Nos. D-407, and D-407E-1 through D-407E-3 the total deposit deficiency for subject tracts in the amount of \$4,590.00.

The Clerk of this Court then shall disburse from the deposit for Tracts Nos. D-407 and D-407E-1 through D-407E-3 to Alexander Travis Graham the sum of \$5,190.00.

*Fred Daugherty*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

467.65 Acres of Land, More or Less,  
Situate in Nowata County, Oklahoma,  
and Joe Bobb Carpenter, et al,  
and Unknown Owners,

Defendants.

Civil Action No. 4808

Tracts Nos. P-1609  
P-1618  
R-1867E and  
R-1889

J U D G M E N T

1.

On October 19, 1961, this cause, as to the captioned tracts came on for pre-trial conference before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The defendant owners of the captioned tracts did not appear. After being advised by counsel for Plaintiff, and having examined the files in the case the Court finds:

2.

This Judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such tracts and estates are described in the Declaration of Taking filed herein.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on November 24, 1959, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the

6.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of certain estates in the subject tracts, certain sums of money, part of which has been disbursed as shown in Paragraph 13.

7.

At the above-mentioned pre-trial conference the Court was advised by Counsel for Plaintiff that in the event of a trial Plaintiff's evidence as to the value of Tract No. P-1618 would be the sum of \$650.00. The Court thereupon found that the Fair Market Value of such tract, as of the date of taking, was \$650.00, and such sum should be adopted as the award of just compensation for the taking of such tract.

8.

The owner of Tract No. P-1609 and the owner of Tract No. R-1889 and the United States of America have executed and filed herein stipulations as to just compensation wherein the parties have agreed that just compensation for the estates condemned in such tracts is in the amounts shown as compensation in paragraph 13 herein and such stipulations should be approved.

9.

The owners of Tract No. R-1867E and the United States of America have executed a Contract of Option for The Purchase of Land, as alleged in the Complaint, wherein they have agreed that just compensation for the estates condemned in such tract is in the amount shown as compensation in Paragraph 13 herein and such Option contract should be approved.

10.

On the date of taking in this action, the owners of the estates taken in the subject tracts were the defendants whose names are shown in Paragraph 13 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

No address is known for the defendant owner, Owen Smith, therefore the award of just compensation for his property should not be disbursed at this time.

11.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates indicated and for the uses and purposes described in such Declaration of Taking, are condemned, and title thereto is vested in the United States of America as of November 24, 1959, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject tracts were the persons whose names appear below in Paragraph 13, and the right to just compensation for the respective estates taken in these tracts is vested in the parties so named, as their respective interests appear therein.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the sum of \$650.00 hereby is adopted as the award of just compensation for the estate herein taken in Tract No. P-1618. The stipulations as to just compensation for Tracts P-1609 and R-1889 described in paragraph 8 above, and the Contract of Option for the Purchase of Land as to Tract No. R-1867E, described in Paragraph 9 above, hereby are confirmed, and the sums fixed in such stipulations and option contract are adopted as the awards of just compensation for the estates condemned in the respective tracts, as follows:

TRACT NO. P-1609

Owner: Joe Bobb Carpenter

Award of just compensation pursuant to stipulation . . . . .	\$600.00	\$600.00
Deposited as estimated compensation . . .	<u>600.00</u>	
Disbursed to owner . . . . .		<u>600.00</u>

TRACT NO. P-1618

Owner: Owen Smith

Award of just compensation (pre-trial award) . . . . .	\$650.00	\$650.00
Deposited as estimated compensation . . .	<u>650.00</u>	
Disbursed to owner . . . . .		<u>none</u>
Balance due to owner . . . . .		<u>\$650.00</u>

TRACT NO. R-1867E

Owners: Homer W. Rigdon and Esther W. Rigdon

Award of just compensation pursuant to option contract . . . . .	\$550.00	\$550.00
Deposited as estimated compensation . . .	<u>550.00</u>	
Disbursed to owners . . . . .		<u>550.00</u>

TRACT NO. R-1889

Owner: G. A. Spencer  
(subject to ad valorem taxes in amount of \$14.20,  
due to Nowata County, Oklahoma)

Award of just compensation pursuant to stipulation . . . . .	\$700.00	\$700.00
Deposited as estimated compensation . .	<u>700.00</u>	

Disbursed:

To G. A. Spencer . . . . . \$685.80

To County Treasurer of  
Nowata County, Oklahoma. . 14.20

Total disbursed . . . . . 700.00

It Is Further ORDERED that the Court retains jurisdiction of this proceeding as to Tract No. P-1618, for the entry of a proper order of distribution if Mr. Owen Smith be found or for the entry of any other appropriate order.

*Fred Deaghty*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*  
\_\_\_\_\_  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

259.34 Acres of Land, More or Less,  
Situate in Nowata County, Oklahoma,  
and J. T. Phillips, et al, and  
Unknown Owners,

Defendants.

Civil Action No. 4818

Tracts Nos. L-1233 and  
L-1286

J U D G M E N T

1.

On October 19, 1961, this cause, as to the captioned tracts, came on for presentation before the Honorable Roger B. Savage, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. Defendant owners did not appear. After examining the files and being fully advised in the premises, the court finds:

2.

The court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such tracts and estates are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on December 17, 1959, the United States of America filed its Declaration of

Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking there was deposited in the Registry of this Court, as estimated compensation for the taking of subject tracts, certain sums of money, part of which has been disbursed as shown in Paragraph 12.

6.

The owner of Tract No. L-1233 and the United States of America have executed and filed herein, on February 1, 1960, a stipulation as to just compensation wherein they have agreed upon the amount of just compensation for the estate taken in such tract, and such stipulation should be approved.

7.

At the above-mentioned pre-trial conference the Court was advised by counsel for Plaintiff that in the event of a trial plaintiff's evidence as to the value of Tract No. L-1286 would be the sum of \$200.00. The Court thereupon found that the fair market value of the estate taken in such tract, as of the date of taking, was \$200.00. Such sum should be adopted as the award of just compensation for the estate taken in such tract.

8.

The defendants named in Paragraph 12 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in such tracts, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estates, as of the date of taking, and as such are entitled to receive the award of just compensation.

9.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein; as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described, and for the uses and purposes described in the Declaration of Taking, are condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear in the schedule in paragraph 12 below; the right to receive the just compensation for the estates taken in these tracts is vested in the parties so named.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation as to Just Compensation mentioned in Paragraph 6 above, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate condemned in Tract No. L-1233, all as shown in Paragraph 12.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the sum of \$200.00 hereby is adopted as the award of just compensation for the estate condemned herein in Tract No. L-1286, as shown in the schedule as follows, to-wit:

TRACT NO. L-1233

Owner: J. T. Phillips

Award of just compensation pursuant to stipulation . . . . .	\$2000.00	\$2000.00
Deposited as estimated compensation . . . . .	<u>2000.00</u>	
Disbursed to owner . . . . .		<u>2000.00</u>

TRACT NO. L-1286

Owners:

- Maria M. Blackfox . . . . . 1/2
- Hattie Blackfox . . . . . 1/6
- David Blackfox, Jr. . . . . 1/6
- Louisa Hurt . . . . . 1/6

Award of just compensation . . . . . (pre-trial award)	\$200.00	\$200.00
Deposited as estimated compensation . . . . .	<u>200.00</u>	
Disbursed to owners . . . . .		<u>none</u>
Balance due to owners . . . . .		\$200.00

12.

It Is Further ORDERED that the Clerk of this Court forthwith shall disburse from the deposit for Tract No. L-1286 the balance due to the owners as follows:

Maria M. Blackfox . . . . . \$100.00  
Hattie Blackfox . . . . . 33.34  
David Blackfox, Jr. . . . . 33.33  
Louisa Hurt . . . . . 33.33

*151 Free Daughters*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*151 Hubert A. Marlow*  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
389.50 Acres, More or Less, Situate  
in Nowata and Rogers Counties,  
Oklahoma, and American Climax  
Petroleum Corporation, et al,  
  
Defendants.

Civil Action No. 4822  
Tracts Nos. 4636-S and  
P-1618

FILED

MAR 5 1962

NOBLE C. HOOD  
Clerk, U. S. District Court

J U D G M E N T

1.

On the 19th day of October 1962, this cause as to the captioned tracts, came on for pre-trial conference before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. Warren Watkins, Attorney At Law, appeared as counsel for Peter L. Fox, Paul M. Fox, Robert J. Fox, Claire M. Kelly, Ralph G. Johnson and B. D. Ralston. Al Knight, Attorney At Law, appeared as counsel for W. A. Loy, Barbara Ellen Barnes, Calvin H. Loy and Myron I. Loy. The defendant Owen Smith did not appear. After being advised by counsel for Plaintiff, and having examined the files in the case the Court finds:

2.

This judgment applies only to the estates condemned in the Tracts enumerated in the caption above, as such tracts and estates are described in the Declaration of Taking as amended, filed herein.

3.

The Court has jurisdiction of the parties and the subject matter of the action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority

to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on December 22, 1959, the United States of America filed its Declaration of Taking of certain estates in such described land, and on January 12, 1961 filed an Amendment to such Declaration of Taking and title to such property should be vested in the United States of America, as of the date of filing such instruments.

6.

Simultaneously with filing herein the Declaration of Taking, and the Amendment thereto, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tracts, certain sums of money, part of which has been disbursed as shown in Paragraph 12.

7.

At the above-mentioned pre-trial conference the Court was advised by Counsel for Plaintiff that in the event of a trial Plaintiff's evidence as to the value of the estates taken in subject tracts would be the sum of \$15,135.00 as to Tract No. 4636-S and the sum of \$500.00 as to Tract No. P-1618. All defendants claiming an interest in Tract No. 4636-S agreed that the sum of \$15,135.00 would be just compensation for the estate condemned in such tract. The Court thereupon found that as of the date of taking the fair market value of the estate taken in Tract No. 4636-S was the sum of \$15,135.00, and the fair market value of the estate taken in Tract No. P-1618 was the sum of \$500.00, and such sums should be adopted as respective awards of just compensation for the taking of such tracts.

8.

The defendants, W. A. Loy, Barbara Ellen Barnes, Calvin H. Loy and Myron I. Loy claim to own the entire estate taken in this action in Tract No. 4636-S. Peter L. Fox, Paul M. Fox, Robert J. Fox, Claire M. Kelly, Ralph G. Johnson and B. D. Ralston claim an interest in this tract by virtue of a certain oil and gas lease. These named defendants are the only persons claiming any interest in the estate condemned in such tract, all other persons having either disclaimed or defaulted. It will be necessary to have a hearing before the court to determine the validity of the respective claims of ownership of this tract.

9.

On the date of taking in this action the defendant Owen Smith was the owner of the estate taken in Tract No. P-1618. Such defendant is the only person asserting any interest in the estate taken in such tract, all

other persons having either disclaimed or defaulted, and such defendant, Owen Smith, is entitled to receive the just compensation for the estate taken in this tract. No address is known for Owen Smith, therefore the award for the estate taken in Tract P-1618 should not be disbursed at this time.

10.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts ramed in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking, as amended, filed here-in; and such tracts, to the extent of the estates indicated and for the uses and purposes described in such Declaration of Taking, as amended, are condemned, and title thereto is vested in the United States of America, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the sum of \$15,135.00 hereby is adopted as the award of just compensation for the estate taken herein in Tract No. 4636-S, as set out in Paragraph 12 below.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estate condemned herein in Tract No. P-1618 was the defendant Owen Smith; the right to just compensation for the estate taken in this tract is vested in such named defendant; and the sum of \$500.00 hereby is adopted as the award of just compensation for the estate herein taken in such tract; all as follows, to-wit:

TRACT NO. 4636-S

Owners: Undetermined. Will require court hearing.

Award of just compensation . . . . .	\$15,135.00	\$15,135.00
--------------------------------------	-------------	-------------

Deposited as estimated compensation . . . . .	<u>15,135.00</u>	
---	------------------	--

Disbursed:

To R. G. Johnson, individually, and as attorney in fact for Peter L. Fox, Robert J. Fox, Paul M. Fox, and Claire M. Kelly . . . . .		<u>3,100.00</u>
---	--	-----------------

Balance on deposit . . . . .		<u>\$12,035.00</u>
------------------------------	--	--------------------

TRACT NO. P-1618

Owner: Owen Smith

Award of just compensation . . . . .	\$500.00	\$500.00
Deposited as estimated compensation. . . . .	<u>500.00</u>	
Disbursed to owner . . . . .		<u>none</u>
Balance on deposit . . . . .		<u>\$500.00</u>

13.

It Is Further ORDERED that the Court retains jurisdiction of the subject tracts for the entry of appropriate orders of distribution of the awards of just compensation.

*1st Fred Raushert*  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*  
\_\_\_\_\_  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

158.63 Acres of Land, More or Less  
Situating in Rogers and Nowata  
Counties, Oklahoma, and Clarence  
McSpadden, et al., and Unknown  
Owners,

Defendants.

Civil Action No. 4839

Tracts Nos. E-512E  
F-609E  
G-744  
G-746  
N-1448

FILED

MAR 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

On October 19, 1961, this cause, as to the captioned tracts, came on for pre-trial, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. Defendant owners did not appear. After examining the files and being fully advised in the premises, the court finds:

2.

This Judgment applies only to the estates condemned in the tracts enumerated in the caption above as such tracts and estates are described in the Declaration of Taking, filed herein.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on January 27, 1960, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America as of the date of filing such instrument.

6.

Simultaneously with filing herein the Declaration of Taking there was deposited in the Registry of this Court, as estimated compensation for the taking of subject tracts, certain sums of money, part of which has been disbursed as shown in Paragraph 13.

7.

The owners of Tracts Nos. E-512E, G-744 and N-1448 and the United States of America have executed certain Contracts of Option for the Purchase of Land, as alleged in the Complaint, wherein they have agreed that just compensation for the estates condemned in such tracts is in the amounts shown as compensation in Paragraph 13 herein, and such contracts should be approved.

8.

At the above-mentioned pre-trial conference the Court was advised by counsel for Plaintiff that in the event of a trial Plaintiff's evidence as to the value of Tract No. F-609E would be the sum of \$26.50 and its evidence as to the value of Tract No. G-746 would be the sum of \$430.00. The Court thereupon found that the fair market value of the estates taken in such tracts, as of the date of taking was \$26.50 for F-609E and \$430.00 for G-746. Such sums should be adopted as the awards of just compensation for the estates taken in the respective tracts.

9.

The defendants named in Paragraph 13 ~~are~~ owners of subject tracts are the only defendants asserting any interest in the estates condemned in such tracts, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estates, as of the date of taking, and as such are entitled to receive the awards of just compensation.

10.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein; as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described, and for the uses and purposes described in the Declaration of Taking, are condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear in the Schedule in Paragraph 13 below; the right to receive the just compensation for the estates taken in these tracts is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the contracts of Option of the Purchase of Land mentioned in Paragraph 7 above, hereby are confirmed and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in Tracts Nos. E-512E, G-744 and N-1448, all as shown in Paragraph 13.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the sums of \$26.50 as to Tract No. F-609E and \$430.00 as to Tract No. G-746 hereby are adopted as the awards of just compensation for the estates condemned herein in such tracts, as shown in the schedule as follows, to-wit:

TRACT NO. E-512E

Owner: Clarence McSpadden		
Award of just compensation pursuant to option contract . . . . .	\$30.00	\$30.00
Deposited as estimated compensation . . . . .	<u>30.00</u>	
Disbursed to owner . . . . .		<u>none</u>
Balance due to owner . . . . .		<u>\$30.00</u>

TRACT NO. F-609E

Owners: Heirs of the estate of J. E. Paulus, deceased, who are:

Dora E. Paulus . . . . .	1/3		
Minnie Paulus Johnston . . . . .	1/15		
Ella Paulus Adams . . . . .	1/15		
Edith Paulus Prather Bryan . . . . .	1/15		
Mary Paulus Ketchum . . . . .	1/15		
Melvin Paulus Hendricks . . . . .	1/15		
Helen Paulus . . . . .	1/15		
Geneva Paulus Stroup . . . . .	1/15		
James A. Paulus . . . . .	1/15		
Joe Paulus . . . . .	1/15		
Frank A. Paulus . . . . .	1/15		
Award of just compensation. . . . .	\$26.50	\$26.50	
(pre-trial award)			
Deposited as estimated compensation . . . . .	<u>26.50</u>		
Disbursed to owners . . . . .			<u>none</u>
Balance due to owners . . . . .			<u>\$26.50</u>

TRACT NO. G-744

Owners: Heirs of the estate of Darcus Wily, deceased, who are:

Anna M. Thirsty  
Levi Wily  
Celia Downing

Award of just compensation pursuant to option contract . . . . .	\$1,380.00	\$1,380.00
Deposited as estimated compensation . . . . .	<u>1,380.00</u>	
Disbursed to owners . . . . .		<u>1,380.00</u>

TRACT NO. G-746

Owner: John C. Proctor

Award of just compensation . . . . . (pre-trial award)	\$430.00	\$430.00
Deposited as estimated compensation . . . . .	<u>430.00</u>	
Disbursed to owner . . . . .		<u>430.00</u>

TRACT NO. N-1448

Owners: James E. Hill and  
Linnie May Hill

Award of just compensation pursuant to Option Contract . . . . .	\$2,600.00	\$2,600.00
Deposited as estimated compensation . . . . .	<u>2,600.00</u>	
Disbursed to owners . . . . .		<u>\$2,600.00</u>

14.

It Is Further ORDERED that the Clerk of this Court forthwith shall disburse from the funds on deposit for subject tracts in this civil action the balance due to the owners as follows:

From the deposit for Tract No. E-512E,

To Clarence McSpadden . . . . . \$30.00

From the deposit for Tract No. F-609E, to:

Dora E. Paulus . . . . .	8.83
Minnie Paulus Johnston . . . . .	1.77
Ella Paulus Adams . . . . .	1.77
Edith Paulus Prather Bryan . . . . .	1.77
Mary Paulus Ketchum . . . . .	1.77
Melvin Paulus Hendricks . . . . .	1.77
Helen Paulus . . . . .	1.77
Geneva Paulus Stroup . . . . .	1.77
James A. Paulus . . . . .	1.76
Joe Paulus . . . . .	1.76
Frank A. Paulus . . . . .	1.76

APPROVED:

*Hubert A. Marlow*  
HUBERT A. MARLOW

Assistant U. S. Attorney

*Fred Daugherty*  
UNITED STATES DISTRICT JUDGE

*g*

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 608.34 Acres of Land, More or Less, )  
 Situate in Nowata and Rogers )  
 Counties, Oklahoma, and Jennie M. )  
 Faulkner, et al and Unknown Owners, )  
 )  
 Defendants. )

Civil Action No. 4861  
Tract No. V-2228E

FILED

MAR - 1962

J U D G M E N T

NOBLE C. HOOD  
Clerk, U. S. District Court

1.

Now, on this 5th day of March, 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. U-2228E as such estate and tract are described in the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on February 26, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out in Paragraph 11 below.

7.

On the date of taking in this action, the owner of the estate taken in subject tract was the defendant whose name is shown in Paragraph 11 below. Such named defendant is the only person asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted. Such defendant died since the filing of this action and Edward C. Lawson, Jr. as legal representative of the defendant's estate, is entitled to receive the just compensation for the estate taken in subject tract.

8.

The owner of the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such stipulation should be approved.

9.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of February 26, 1960, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 11, but since such owner is now deceased and Edward C. Lawson, Jr. is legal representative of his estate, the right to just compensation for the estate taken herein in this tract is vested in Edward C. Lawson, Jr..

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. V-2228E

Owner: Edward C. Lawson (now deceased)

Award of just compensation pursuant to stipulation . . . . .	\$75.00	\$75.00
Deposited as estimated compensation . . . . .	<u>75.00</u>	
Disbursed to owner . . . . .		<u>none</u>
Balance due to owner's representative . . . . .		<u>\$75.00</u>

12.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for Tract No. V-2228E the sum of \$75.00 to Edward C. Lawson, Jr., Executor of the estate of Edward C. Lawson, deceased.

*Fred Daugherty*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*  
HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
437.26 Acres of Land, More or  
Less, Situate in Nowata County,  
Oklahoma, and Tollie T. Downing,  
et al,  
  
Defendants.

Civil Action No. 4862  
Tract No. X-2437E

FILED

MAR 1 1962

NOBLE C. HOOD  
Clerk, U.S. District Court

J U D G M E N T

1.

Now, on this 5th day of March 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. X-2437E, as such estate and tract are described in the Declaration of Taking filed in this action.

3.

The court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on February 29, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owner of the estate taken in subject tract was the defendant whose name is shown in paragraph 12 below. Such named defendant is the only person asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estate taken in this tract.

8.

The owner of the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowner. Such deficiency is set out in paragraph 12 below.

10.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the party so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. X-2437E

Owner: Ewing Halsell

Award of just compensation pursuant to stipulation .....	\$100.00	\$100.00
Deposited as estimated compensation.....	<u>50.00</u>	
Deposit deficiency . . . . .	<u>\$ 50.00</u>	
Disbursed to owner . . . . .		<u>none</u>
Balance due to owner . . . . .		<u>\$100.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action to the credit of subject tract, the deficiency sum of \$50.00, and the Clerk of this Court then shall disburse from the deposit for subject tract, to Ewing Halsell, the sum of \$100.00.

*Fred Daugherty*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
  
Plaintiff,  
  
vs.  
  
188.60 Acres of Land, More or Less,  
Situat in Nowata and Rogers  
Counties, Oklahoma, and H. W.  
Reed, et al, and Unknown Owners,  
  
Defendants.

Civil Action No. 4889  
  
Tract No. 5705-D  
(Partial)

FILED

MAR 16 1962

NOBLE C. MOON  
Clk. U. S. District Court

J U D G M E N T

1.

Now, on this 16 day of March 1962, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the lessor (or royalty) interest in the estate condemned in Tract No. 5705-D, as such estate and tract are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on March 16, 1960, the United States of America has filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the declaration of taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in Paragraph 11 below.

7.

On the date of taking in this action, the owners of the lessor (or royalty) interest in the estate taken in subject tract were the defendants whose names are shown in Paragraph 11 below. Such named defendants are the only persons asserting any interest in the same estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for such estate taken in this tract.

8.

The owners of the lessor (or royalty) interest in the estate taken in the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the above described estate condemned in subject tract is in the amount shown as compensation in Paragraph 11 below, and such stipulation should be approved.

9.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and the lessor (or royalty) interest in the mineral estate in such tract, to the extent of the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such declaration of taking, and all defendants herein and all other persons interested in such lessor interest are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the lessor (or royalty) interest in the estate condemned herein in subject tract were the defendants whose names appear below in Paragraph 11, and the right to just compensation for such interest in the estate taken herein in this tract is vested in the parties so named.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in Paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the lessor (or royalty) interest in the estate condemned in subject tract as follows:

TRACT NO. 5705-D

Owners of lessor (or royalty) interest in estate taken:

A. G. Frieden . . . . . 1/2  
 Minnie Frieden . . . . . 1/6  
 Lorene Mankins . . . . . 1/6  
 Ray Frieden . . . . . 1/6

Award of just compensation for lessor interest in estate taken, pursuant to stipulation . . . . .	\$1,779.00	\$1,779.00
Deposited as estimated compensation for lessor interest. . . . .	<u>1,779.00</u>	
Disbursed to owners . . . . .		<u>1,779.00</u>

*Fred Daugherty*  
 \_\_\_\_\_  
 UNITED STATES DISTRICT JUDGE

APPROVED:  
*Hubert A. Marlow*  
 \_\_\_\_\_  
 HUBERT A. MARLOW  
 Assistant U. S. Attorney