

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

W. WILLARD WIRTZ, SECRETARY OF )  
LABOR, UNITED STATES DEPARTMENT )  
OF LABOR )

Plaintiff )

vs. )

SMITH POTTING SOIL COMPANY, INC.)

Defendant )

CIVIL ACTION

FILE NO. 5580

**FILED**

**AUG. 1st, 1963**

J U D G M E N T

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

Plaintiff has filed his complaint, and the defendant has filed its answer. The defendant has now appeared by counsel and waived any defenses to the complaint, and agreed to the entry of this judgment without contest. It is, therefore, on motion of plaintiff and for cause shown:

ORDERED, ADJUDGED and DECREED that defendant, its agents, employees, and all persons acting or claiming to act in its behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of Sections 15 (a) (1), 15 (a) (2) and 15 (a) (5) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, 52 Stat. 1060, as amended, 29 U.S.C. 209 et seq.), hereinafter referred to as the Act, in any of the following manners:

(1) The defendant shall not, contrary to Sections 6 and 15 (a) (2) of the Act, pay to any of its employees engaged in interstate commerce and in the production of goods for interstate commerce, as those terms are defined by the Act, wages at rates less than \$1.15 per hour, or such other minimum hourly rate as may hereafter be provided for by the Act.

(2) That defendant shall not, contrary to Sections 7 and 15(a)(2) of the Act, employ any of its employees engaged in commerce, or in the production of goods for commerce, as those terms are defined by the Act, for a workweek longer than 40 hours unless the employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one-half times the regular rate at which he is employed.

(3) The defendant shall not fail to make, keep and preserve records of its employees, and of the wages, hours, and other conditions and practices of employment maintained by it, as prescribed by the regulations of the Administrator issued, and from time to time amended, pursuant to Sections 11(c) and 15(a)(5) of the Act, and found in Title 29, Chapter V, Code of Federal Regulations, Part 516.

(4) The defendant shall not, contrary to Section 15(a)(1) of the Act, ship, deliver, transport, offer for transportation, or sell in interstate commerce, as defined by the Act, or ship, deliver, or sell with knowledge that shipment, delivery or sale thereof in interstate commerce is intended, any goods in the production of which any employee of the defendant has been employed at rates of pay less than those specified in paragraphs (1) and (2) of this judgment.

(5) The parties have stipulated and agreed that for the period from March 14, 1961 to March 14, 1963, defendant underpaid its employees whose names appear on Exhibit "A", attached hereto, contrary to Sections 6, 7 and 15(a)(2) of the Act, in the total amount set opposite each employee's name in said Exhibit "A"; and the Court, therefore, finds underpayments have accrued as reflected by said exhibit "A"; defendant is further

enjoined and restrained from further withholding from its said employees the unpaid minimum wages and overtime compensation in the total amount of \$2,028.00 to which they are entitled under the Act, payment thereof to be made in accordance with the annexed Exhibit "A".

DATED this 1 day of August 1963.

(s) Fred Daugherty  
UNITED STATES DISTRICT JUDGE

Entry of this Judgment is hereby agreed to:

SMITH POTTING SOIL COMPANY, INC.

By Roy W. Smith  
Roy W. Smith

BAKER AND BAKER

By Hughy Baker  
Hughy Baker  
Attorneys for defendant

MONTHLY INSTALLMENT PLAN:

| NAME              | 1        | 2        | 3        | 4        | 5        | 6        | 7        | 8        | 9        | 10       | 11       |          |
|-------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Daniel Banks      | \$ 0     | \$ 0     | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 10.00 | \$ 15.00 | \$ 15.00 |
| Frank Berry       | 0        | 0        | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 15.00    |
| Johnny Carter     | 0        | 0        | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 12.47    | 0        | 0        | 0        |
| Carlton Clardy    | 0        | 0        | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    |
| Wardell Hill      | 0        | 10.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 20.00    | 20.00    | 25.00    | 25.00    | 25.00    |
| Deletta Hunt      | 0        | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    |
| Corrie Lee Lacour | 16.54    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Olev Newton       | 0        | 17.74    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Eeleen Roland     | 0        | 0        | 15.00    | 15.00    | 15.00    | 15.00    | 8.39     | 0        | 0        | 0        | 0        | 0        |
| Beverly M. Thomas | 42.44    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Robert L. Thomas  | 44.94    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Bud Truss         | 0        | 31.82    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Mari Truss        | 0        | 29.95    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        |
| Eddie D. Vann     | 0        | 0        | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    |
| Totals            | \$103.92 | \$104.51 | \$100.00 | \$100.00 | \$100.00 | \$100.00 | \$103.39 | \$100.00 | \$102.47 | \$100.00 | \$105.00 |          |

Feb 15, 79

|          | 9        | 10       | 11       | 12       | 13       | 14       | 15       | 16       | 17       | 18       | 19       | 20       | Total     |            |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|------------|
| \$ 10.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 15.00 | \$ 17.85 | \$ 0     | \$ 222.85 |            |
| 10.00    | 10.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 13.57    | 0        | 213.57    |            |
| 12.47    | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 72.47     |            |
| 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 10.00    | 13.68    | 0        | 0        | 0        | 0        | 0        | 0        | 123.68    |            |
| 20.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 20.00    | 20.00    | 8.25     | 373.25    |            |
| 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 25.00    | 35.00    | 35.00    | 35.00    | 35.00    | 35.00    | 48.51    | 498.51    |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 16.54     |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 17.74     |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 68.39     |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 42.44     |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 44.94     |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 31.82     |            |
| 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 29.95     |            |
| 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 15.00    | 16.85    | 271.85    |            |
| \$102.47 | \$100.00 | \$105.00 | \$105.00 | \$105.00 | \$105.00 | \$108.68 | \$105.00 | \$105.00 | \$105.00 | \$105.00 | \$100.00 | \$101.42 | \$ 73.61  | \$2,028.00 |

UNITED STATES DEPARTMENT OF JUSTICE  
DISTRICT COURT OF THE DISTRICT OF OKLAHOMA

JOHN W. HARRIS,  
Plaintiff,  
vs.  
THE OKLAHOMA CORPORATION,  
Defendant.

Case No. 1580

**FILED**  
AUG - 8 1963  
NOBLE C. HOOD  
Clerk, U. S. District Court

ORDER REMANDING

The motion of plaintiff to remand this suit to the Superior Court of Creek County, Dreamright Division, State of Oklahoma, came on for hearing before the court, the Honorable JAMES BOLANON presiding, on this 9th day of July, 1963, pursuant to regular setting and notice to parties, and the court having read the argument of counsel, and being fully advised, upon consideration entered an order remanding the cause to the Superior Court of Creek County, Dreamright Division, State of Oklahoma.

IT IS ORDERED AND ADJUDGED that the motion of plaintiff to remand this cause to the Superior Court of Creek County, Dreamright Division, State of Oklahoma, be and it is hereby sustained and the cause is remanded to the Superior Court of Creek County, Dreamright Division, Oklahoma for further proceedings.

Dated at Tulsa, Oklahoma, this 9th day of July, 1963.

NOBLE C. HOOD, CLERK

*Noble C. Hood*  
Clerk

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

FILED

AUG - 8 1963

NOBLE C. HOOD  
Clerk, U. S. District Court  
No. 7670

EDDY J. ANTONY,  
Plaintiff,  
vs.  
EAGLE GLOBE ATLAS CORPORATION,  
Defendant.

ORDER

The Court, having considered the application of plaintiff's attorneys for attorneys' fees in this case, and the briefs of the respective parties, is of the opinion that said cause was improvidently and improperly removed without just cause and that a docket fee in the sum of \$20 as provided by Title 28, U.S.C.A. Section 1923, should be assessed against the defendant for the use and benefit of plaintiff's attorneys.

IT IS ORDERED that the Clerk of this Court assess and collect of and from the defendant the sum of \$20 and remit the same to the attorneys for the plaintiff.

WITD this 7 day of August, 1963.

Frederick Johnson  
UNITED STATES DISTRICT JUDGE

FILED

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

AUG 8 1963

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

CLINTON E. FREY,

Plaintiff,

vs.

CAN GEO ATCAL CORPORATION,

Defendant.

No. 4007

ORDER

The Court, having considered the application of plaintiff's attorneys for attorneys' fees in this cause, and the briefs of the respective parties, is of the opinion that said cause was improvidently and improperly removed without just cause and that a docket fee in the sum of \$20 as provided by Title 28, U.S.C.A. Section 1927, should be assessed against the defendant for the use and benefit of plaintiff's attorneys.

IT IS ORDERED that the Clerk of this Court assess and collect of and from the defendant the sum of \$20 and remit the same to the attorneys for the plaintiff.

DATED this 7 day of August, 1963.

*[Signature]*  
UNITED STATES DISTRICT JUDGE

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

CLINTON E. FREY,  
Plaintiff,  
vs.  
Pan Geo Atlas Corporation,  
et al,  
Defendants.

Civil No. 5627

FILED

AUG - 8 1963

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

ORDER REMANDING

The motion of Plaintiff to remand this suit to the District Court of Creek County, State of Oklahoma, came on for hearing before the court, the Honorable Luther Bohanon presiding, on this 9th day of July, 1963, pursuant to regular setting and notice to parties, and the court having heard the argument of counsel, and being fully advised, upon consideration entered an order remanding the cause to the District Court of Creek County, State of Oklahoma

IT IS ORDERED AND ADJUDGED that the motion of plaintiff to remand this cause to the District Court for Creek County, Oklahoma, be and it is hereby sustained and the cause is remanded to the District Court of Creek County, Oklahoma, for further proceedings.

Dated at Tulsa, Oklahoma, this 9th day of July, 1963.

NOBLE C. HOOD, CLERK

By *Henry Y. [Signature]*  
Deputy

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

FILED

406 - 8 1963

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

LENA M. FREY,

Plaintiff,

vs.

PAN AMERICAN AIRLINES CORPORATION,

Defendant.

No. 5627

ORDER

The Court, having considered the application of plaintiff's attorneys for attorneys' fees in this cause, and the briefs of the respective parties, is of the opinion that said cause was improvidently and improperly removed without just cause and that a docket fee in the sum of \$20 as provided by Title 28, U.S.C.A. Section 1923, should be assessed against the defendant for the use and benefit of plaintiff's attorneys.

IT IS ORDERED that the Clerk of this Court assess and collect of and from the defendant the sum of \$20 and remit the same to the attorneys for the plaintiff.

WITTED this 7 day of August, 1963.

UNITED STATES DISTRICT JUDGE

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

LORA H. FREE,  
Plaintiff,  
vs.  
PAN GEO ATLAS CORPORATION,  
ET AL,  
Defendants.

Civil No. 5628

FILED

AUG - 8 1963

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

ORDER REMANDING

The motion of plaintiff to remand this suit to the District Court of Creek County, State of Oklahoma, came on for hearing before the court, the Honorable Luther Bonanon presiding, on this 9th day of July, 1963, pursuant to regular setting and notice to parties, and the court having heard the argument of counsel, and being fully advised, upon consideration entered an order remanding the cause to the District Court of Creek County, State of Oklahoma.

IT IS ORDERED AND ADJUDGED that the motion of plaintiff to remand this cause to the District Court of Creek County, Oklahoma, be and it is hereby sustained and the cause if remanded to the District Court of Creek County, Oklahoma for further proceedings.

Dated at Tulsa, Oklahoma, this 9th day of July, 1963.

NOBLE C. HOOD, CLERK

By [Signature]  
Deputy

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT  
DISTRICT OF OYLAHWA

FILED  
AUG -8 1963

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

CLINTON G. FREY,

Plaintiff,

vs.

PAN GEO ATLAS CORPORATION,

Defendant.

No. 5677

ORDER

The Court, having considered the application of plaintiff's attorneys for attorneys' fees in this cause, and the briefs of the respective parties, is of the opinion that said cause was improvidently and improperly removed without just cause and that a docket fee in the sum of \$20 as provided by Title 28, U.S.C.A. Section 1923, should be assessed against the defendant for the use and benefit of plaintiff's attorneys.

IT IS ORDERED that the Clerk of this Court assess and collect of and from the defendant the sum of \$20 and remit the same to the attorneys for the plaintiff.

DATED this 7 day of August, 1963.

UNITED STATES DISTRICT JUDGE

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

CLINTON E. FREY,  
Plaintiff,

vs.

PAN GEO ATLAS CORPORATION,  
ET AL,  
Defendants.

Civil No. 5629

FILED

AUG - 8 1963

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

ORDER REMANDING

The motion of plaintiff to remand this suit to the Superior Court of Creek County, State of Oklahoma, came on for hearing before the court, the Honorable Luther Bohanon presiding, on this 9th day of July, 1963, pursuant to regular setting and notice to parties, and the court having heard the argument of counsel, and being fully advised, upon consideration entered an order remanding the cause to the Superior Court of Creek County, State of Oklahoma

IT IS ORDERED AND ADJUDGED that the motion of plaintiff to remand this cause to the Superior Court of Creek County, Oklahoma, be and it is hereby sustained and the cause is remanded to the Superior Court of Creek County, Oklahoma, for further proceedings.

Dated at Tulsa, Oklahoma, this 9th day of July, 1963.

NOBLE C. HOOD, CLERK

By

*[Signature]*  
Deputy

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

FILED

AUG - 8 1963

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

CORDELIA ANTHONY, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 RAM GEO ATLAS CORPORATION, )  
 )  
 Defendant. )

No. 983

ORDER

The Court, having considered the application of plaintiff's attorneys for attorneys' fees in this cause, and the briefs of the respective parties, is of the opinion that said cause was improvidently and improperly removed without just cause and that a docket fee in the sum of \$20 as provided by Title 28, U.S.C.A. Section 1923, should be assessed against the defendant for the use and benefit of plaintiff's attorneys.

IT IS ORDERED that the Clerk of this Court assess and collect of and from the defendant the sum of \$20 and remit the same to the attorneys for the plaintiff.

DATED this 7 day of August, 1963.

UNITED STATES DISTRICT JUDGE

COOPER, W. WOODRUFF,

Plaintiff,

vs.

PAVING AND CONCRETE CORPORATION,

Defendant,

Defendants.

Case No. 5570

FILED

AUG - 8 1963

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

ORDER REMANDING

The motion of plaintiff to remand this suit to the Superior Court of Creek County, Eastern Division, State of Oklahoma, case no. for hearing, before the court, the Honorable Victor Bonanon presiding, on this 9th day of July, 1963, pursuant to regular meeting and notice to parties, and the court having heard the argument of counsel, and being fully advised, upon consideration entered an order remanding the cause to the Superior Court of Creek County, Eastern Division, State of Oklahoma

IT IS ORDERED AND ADJUDGED that the motion of plaintiff to remand this cause to the Superior Court of Creek County, Eastern Division, Oklahoma, be and it is hereby sustained and the case is remanded to the Superior Court of Creek County, Eastern Division, Oklahoma, for further proceedings.

Done at Tulsa, Oklahoma, this 14th day of July, 1963.

NOBLE C. HOOD, CLERK

*[Handwritten Signature]*  
\_\_\_\_\_  
Clerk

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

AT TULSA

Civil Action File No. 5719

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

SPRING TIDE PETROLEUM, INC.  
MYRON E. FRANK

Defendants

FINAL JUDGMENT

FILED

MAY 18 1963

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

Permanent Injunction

It appearing to the satisfaction of the Court from the Plaintiff's verified Complaint and the written Stipulation and Consent of the Defendants, Spring Tide Petroleum, Inc., and Myron E. Frank, to the entry forthwith of a Final Judgment permanently enjoining them as demanded in the Complaint filed herein that the Plaintiff is entitled to a Final Judgment permanently enjoining the Defendants, Spring Tide Petroleum, Inc., and Myron E. Frank, from engaging in acts and practices which constitute or will constitute violations of Sections 5(a)(1), 5(a)(2) and 5(c) of the Securities Act of 1933, as amended ( 15 U.S.C. 77e(a)(1), 77e(a)(2), and 77e(c) ), for the reason that, unless so enjoined, the said defendants will continue their acts and practices set forth in Plaintiff's verified Complaint and it appearing that the Court has jurisdiction of the parties and

of the subject matter hereof --

IT IS THEREFORE ORDERED ADJUDGED AND DECREED, on this the \_\_\_\_\_ day of \_\_\_\_\_, 1963, that the Defendants, Spring Tide Petroleum, Inc. and Myron E. Frank, and their officers, agents, employees, successors and assigns, and all persons acting in concert or participation with them, be, and they are hereby permanently enjoined from, directly or indirectly --

- (a) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell securities, namely, fractional undivided working interests in oil and gas leases on tracts of land situated in Okmulgee County, Oklahoma, and in other counties, or any other securities, through the use or medium of any prospectus or otherwise;
- (b) collecting or attempting to collect from purchasers of said securities further payments thereon by the use of the mails or instrumentalities of interstate commerce;
- (c) carrying such securities or causing them to be carried through the mails or in interstate commerce, by any means or instruments of transportation, for the purpose of sale or delivery after sale;

unless and until a registration statement is in effect with the Securities and Exchange Commission as to such securities;

- (d) making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell any such securities through the use or medium

of any prospectus or otherwise; unless and until a registration statement has been filed with the Securities and Exchange Commission as to such securities or while a registration statement filed with the Securities and Exchange Commission as to such securities is the subject of a refusal order or stop order of the Securities and Exchange Commission or (prior to the effective date of a registration statement) any public proceeding or examination under section 8 of the Securities Act of 1933, as amended;

provided that the foregoing shall not apply to any security or transaction which is exempt from the provisions of Section 5 of the Securities Act of 1933.

IT IS FURTHER ORDERED that a copy of this Final Judgment be served upon each of the Defendants herein by the United States Marshal of the United States District Court for the Northern District of Oklahoma.

Walter Bohannon

UNITED STATES DISTRICT JUDGE  
For the Northern District of  
Oklahoma at Tulsa

APPROVED:

By Stanley McMurry

Stanley McMurry  
Stanley McMurry  
Attorney for Plaintiff  
SECURITIES AND EXCHANGE COMMISSION

FILED

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

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

St. Edwards Investment Co.,  
Company, Plaintiff

vs.

-vs-

John C. ...  
Company, Defendant

vs.

ORDER OF DISMISSAL

In accordance with the Court's Order to Dismiss of the  
subject matter, the Court hereby orders that the  
case be dismissed.

It is hereby ordered that the case be dismissed, and all  
costs be paid by the plaintiff.

ENTERED this 9th day of August, 1913.

③ Luther Bohannon  
Clerk, U. S. District Court

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

THE UNITED STATES OF AMERICA, for the use and benefit of CONTRACTORS TRUCKING, RIGGING AND ERECTION COMPANY, INC., a corporation,

Plaintiff,

-vs-

HYDE CONSTRUCTION COMPANY, INC., a Mississippi Corporation, UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation, NATIONAL SURETY COMPANY, a corporation, and THE AETNA CASUALTY AND SURETY COMPANY, a corporation,

Defendants.

CIVIL ACTION NO. 5600

FILED

AUG 9 1963

NOBLE C. HOOD

Clerk, U. S. District Court

JOURNAL ENTRY OF JUDGMENT

Now on this 4th day of August, 1963, this matter comes on

for hearing before me, said use plaintiff, Contractors Trucking, Rigging and Erection Company, Inc., appearing by its attorneys, Woodson and Licker, by George O. Klesler, and the defendants, Hyde Construction Company, Inc., United States Fidelity and Guaranty Company, National Surety Company, and The Aetna Casualty and Surety Company, appearing by their attorneys, Sanders, McElroy and Whitten, by David H. Sanders, and both parties announced ready for trial, and waived trial by jury in open court, whereupon the Court proceeded to hear the evidence and testimony of witnesses sworn and examined in open court, and upon consideration thereof, the Court finds as follows:

- 1. That this court has jurisdiction of the parties and the subject matter of this action.
- 2. That the use plaintiff is entitled to judgment upon its complaint herein as against the defendants, and each of them, as prayed therein, for the sum of \$2,500.00, plus interest thereon at the rate of 6 per cent per annum from the date thereof, and for all costs of this action.
- 3. That the use plaintiff has fully complied with the requirements of the intangible personal property tax laws of the State of Oklahoma, on the account herein sued upon.

... 12, 1938, ... that the  
... Contractors Trucking, Rigging and Erection Company,  
Inc., have and recover judgment against the defendants, Hyde  
Construction Company, Inc., United States Fidelity and Guaranty  
Company, National Surety Company, and The Aetna Casualty and  
Surety Company, and each of them, for the sum of \$2,500.00, plus  
interest thereon at the rate of 6 per cent per annum from the  
date hereof, until paid, and for all costs of this action.

W. York Botwin  
United States District Judge

Approved:

W. York Botwin  
Attorney for Contractors Trucking,  
Rigging and Erection Company, Inc.

W. David H. Smith  
Attorney for Hyde Construction Company, Inc.,  
United States Fidelity and Guaranty Company,  
National Surety Company, and The Aetna  
Casualty and Surety Company.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,

vs.

354.64 Acres of Land, More or Less,  
Situate in Creek and Pawnee Counties,  
Oklahoma, and J. H. Means, et al.,  
and Unknown Owners,

Defendants.

Civil No. 4807

Tract No. 1766

**FILED**

AUG 12 1963

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

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendant and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendant, Ethel Vaught, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$13,500.00, less the salvage value of the improvements reserved unto the owners, which is \$1,015.00, or a net amount of \$12,485.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. 1766, as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant was the sole owner of the above-captioned tract on the date of taking; that she is entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

A. The vesting in plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the land hereinabove referred to, as said tract is described therein, is hereby confirmed;

B. The just compensation to be paid by the plaintiff for the taking of Tract No. 1766 is the net sum of \$12,485.00, inclusive of interest, which sum has heretofore been disbursed by order of this Court.

Entered this 9<sup>th</sup> day of August 1963.

*Luther Bohanan*

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JUDGE, UNITED STATES DISTRICT COURT

APPROVED:

W. R. THIXTON, JR.  
Assistant United States Attorney

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

United States of America, )  
)  
Plaintiff, )  
)  
vs. )  
)  
Alfred W. Hargraves and )  
Opal Hargraves, )  
)  
Defendants.)

Civil No. 5473

FILED

AUG 13 1963

JOURNAL ENTRY OF JUDGMENT

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

On this 12 day of August, 1963, this  
matter comes on regularly for trial, trial by jury having been  
waived by the parties in open court.

The court having heard the evidence and the argument  
of counsel finds that the plaintiff should have judgment in the  
amount of \$750.00 pursuant to an agreement reached between the  
parties; that said agreement is just and reasonable.

It is, therefore, ORDERED by the court that the plaintiff,  
United States of America, have judgment against the defendants  
in the sum of \$750.00.

*Fred Daugherty*

Fred Daugherty  
United States District Judge

O. K.

*L. K. Smith*  
John M. Inel  
U.S. Attorney  
L.K. Smith  
Asst. U.S. Attorney  
Attorneys for Plaintiff

*Robert P. Kelly*  
Robert P. Kelly  
Attorney for Defendants

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

GRAND RIVER DAM AUTHORITY, )  
a public corporation, )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
4 Tracts of Land containing )  
549.4 Acres, more or less, )  
all in Mayes County, Oklahoma, )  
Carl W. Bolding, et al., )  
 )  
Defendants. )

CIVIL NO. 5517

FILED

AUG 19 1963

NOBLE C. HOOD  
Clerk U. S. District Court

JUDGMENT ON VERDICT

as to  
TRACT NO. 1 (4 MF 24 + FE Rev.,  
4 MF 28, and 4 MF 43)

On the 28th day of May, 1963, the above entitled cause coming on for trial by jury, the petitioner, Grand River Dam Authority, a public corporation, appearing by its attorneys, Q. B. Boydston and Joe Cannon, and the defendants, Carl W. Bolding and Imogene Bolding, appearing by their attorneys, Wilkerson & Wilkerson and L. Keith Smith; and, it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition for the acquisition of certain lands and/or any interest therein located in Mayes County, Oklahoma; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessed with the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for

any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation, and to maintain, use and operate all kinds of property, real, personal and mixed, or any interest therein, necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And, it further appearing that the petitioner, Grand River Dam Authority, a public corporation, is authorized to construct, maintain and operate the Markham Ferry Dam and Reservoir Project, for the purpose of transmitting electric energy.

And, it further appearing that the petitioner, Grand River Dam Authority, a public corporation, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Markham Ferry Project, the land and/or estate therein or hereinafter set forth, to-wit:

TRACT NO. 1 (4 MF 24 + FE Rev.,  
4 MF 28 and 4 MF 43)

(Fee Title To and Perpetual Easement Upon)

The following described land situated in Mayes County, Oklahoma, to-wit:

4 MF 24 + FE Rev. --- Fee Title To

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  lying south of the southernmost boundary of the southernmost City of Tulsa conduit line right of way; and all that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  lying south of the following described line: Beginning at a point in the north boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  330 feet west of the northeast corner thereof, thence in a southwesterly direction to a point 1320 feet south and 330 feet east of the northwest corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$ , thence westerly parallel to the north boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  to a point in the west boundary thereof except those portions contained in the City of Tulsa Conduit lines rights-of-way, in Sec. 23, T 22 N, R 20 E of the Indian Base and Meridian, containing 53.9 acres.

4 MF 24 + FE Rev. --- Perpetual Easement Upon

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  lying south and east of the following described line: Beginning

at a point in the north boundary of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  525 feet east of the northwest corner thereof, thence in a southwesterly direction to a point in the south boundary of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  495 feet east of the southwest corner thereof except those portions contained in the City of Tulsa conduit lines rights-of-way and except that part taken in fee and described above; and all of the E $\frac{1}{2}$  SE $\frac{1}{4}$  except that portion to be taken in fee and described above and except that portion contained in the City of Tulsa conduit line right-of-way in Sec. 23, T 22 N, R 20 E of the Indian Base and Meridian, containing 26.5 acres.

4 MP 22 --- Fee Title To

All of Lots 2, 3, 6, and 7 and the W $\frac{1}{2}$  SW $\frac{1}{4}$  except those portions contained in the City of Tulsa conduit lines rights-of-way, in Sec. 24, T 22 N, R 20 E of the Indian Base and Meridian, including any and all right, title, and interest in and to the bed and banks of Grand River incident to the ownership of the above described land, containing 176.05 acres.

4 MP 43 --- Fee Title To

Lot 3 and the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 25, T 22 N, R 20 E of the Indian Base and Meridian including any and all right, title, and interest in and to the bed and banks of Grand River incident to the ownership of the above described land, containing 51.25 acres.

The three fee tracts containing 281.2 acres.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the land and/or estate hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire said land and/or estate therein is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land and/or estate therein, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners as prayed for in petitioner's petition.

It further appearing that on the 21st day of December, 1962, the Judge of this Court, after considering the petition of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, a public corporation, had the authority and right to acquire said land and/or estate therein and finding and determining that the only manner in which the petitioner could acquire said land, and/or estate therein was by condemnation, and did select and appoint from the regular jury list of names, Geo. E. Reeves, Robert D. Scott, and Frank C. Conkwright, three (3) disinterested freeholders residing within the confines of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land and/or estate therein, heretofore described, and to assess the damages which said owners may sustain by reason of such appropriation, irrespective of any benefits accruing to said land from the construction of or the proposed construction of any of the Grand River Dam Projects, and thereafter, did, on the 3rd day of January, 1963, make their report in writing to the Clerk of the United States District Court in and for the Northern District of the State of Oklahoma, and did assess and award damages in the sum of \$95,918.75 to the owners of said land for the taking of the same, and the Grand River Dam Authority, a public corporation, did, on the 10th day of January, 1963, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$95,918.75 for the use of the owners of said land; and that thereafter, the defendants, Carl W. Bolding and Inogene Bolding, within sixty (60) days after the filing of said commissioners' report, filed with the Clerk of said Court a written demand for trial by jury; and

On the 20th day of May, 1963, this cause coming on for trial in its regular order before a jury of twelve (12) persons, who, being duly impaneled and sworn, well and truly, to try the issues joined between the petitioner and the defendants, Carl W. Bolding and Eugene Bolding, and a true verdict render according to the evidence, having heard the evidence and charges of the Court and the argument of counsel, upon their oaths, say:

"We, the Jury, find for the Landowners, Carl W. Eugene Bolding and fix their damages in the amount of \$110,845.00."

which verdict was returned on the 20th day of May, 1963.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Marlham Ferry Project for the public benefit, the lands and/or estate therein as herein described.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the damages sustained by the defendants, Carl W. Bolding and Eugene Bolding, the owners of said land, by reason of the taking and appropriating of said land and/or estate therein as hereinabove described, by the Grand River Dam Authority, a public corporation, are assessed at \$110,845.00; and

IT IS CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$14,926.25, together with interest at the rate of 6% per annum from January 10, 1963, to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$14,926.25 being the difference between the amount awarded by the jury, to the owners of said land, in the sum of \$110,845.00 and the amount awarded the owners,

Carl W. Volkmann and Eugene Bolding, by the commissioners, in the sum of \$25,511.75, which last amount has heretofore been paid to the Clerk of said Court for the use and benefit of the owners of said land, shall be vested with the title to the lands and/or estate therein as herein described.

IT IS FURTHER ORDERED that all costs herein be assessed and taxed to the petitioner.

18/10/19  
*Luther E. Johnson*  
\_\_\_\_\_  
Judge of the United States District  
Court for the Northern District of  
Oklahoma

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

771.88 Acres of Land, More or Less,  
Situate in Pawnee and Creek Counties,  
Oklahoma, and Helen W. Kenyon, et al.,  
and Unknown Owners,

Defendants.

Civil No. 4882

Tract No. G-741

**FILED**

AUG 20 1953

JUDGMENT ON OPTION AND STIPULATION

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

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendants, Joe Rule and C. C. Rule, and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein, and on the stipulations entered into by the defendants, Hollis C. Rule, Lucina Lund and Charles R. Rule and the plaintiff, which stipulations have previously been filed.

OPTION: The Court finds that prior to the institution of the above proceedings the United States of America and the defendants, Joe Rule and C. C. Rule, each the owner of an undivided 1/5 interest in this tract, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$12,075.00, inclusive of interest, less the salvage value of the improvements heretofore reserved by stipulation, the salvage value being \$480.00, or a total net amount of \$11,595.00, would be awarded as just compensation for taking of the estate to be condemned in Tract No. G-741, as such estate and said tract are described in the Complaint and Declaration of Taking heretofore filed in this cause,

The Court also finds, pursuant to the terms and conditions of the option contract and the stipulation for exclusion of property, that the just compensation payable to each of these defendants, Joe Rule and C. C. Rule, is the sum of \$2,355.00 and \$2,175.00, respectively, for each of their 1/5 interests after adjustment had been made in compliance with the option contract and stipulation for exclusion of property.

STIPULATION: The Court finds that plaintiff and defendants, Hollis C. Rule, Lucina Lund and Charles K. Rule, each the owner of an undivided 1/5 interest in this tract, have by the stipulations above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of each of their respective interests in the estate in Tract No. G-741, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause is the sum of \$2,655.00 (for each of their respective 1/5 interest, or a total of \$7,965.00 for these three owners, Hollis C. Rule, Lucina Lund and Charles K. Rule.

The Court further finds that the above-named defendants were the sole owners of the above-captioned tract on the date of taking; that they are entitled to the entire award therefor; and the option contract and stipulations are valid.

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. The sum of \$12,075.00, was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

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

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

B. The just compensation to be paid by the plaintiff for the taking of Tract No. G-741 is the sum of \$12,495.00, inclusive of interest.

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$420.00, without interest. Upon receipt of the last mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts hereinafter set forth, payable to the order of the following named payees:

Hollis C. Rule . . . . . \$300.00  
Lucina Lund . . . . . 300.00  
Charles K. Rule . . . . . 300.00

Entered this *29* day of *July* 1963.

*Luther Bohanan*

UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.  
Assistant U. S. Attorney

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

GRAND RIVER DAM AUTHORITY,  
a public corporation,

Plaintiff,

Civil No. 5634

vs.

132.2 Acres of Land, more or  
less, in Mayes County, Oklahoma,  
Joe H. Graves, et al,

Defendants.

ORDER

Now, on this 9th day of August, 1963, this matter comes on for hearing on Motion of the United States of America and the Department of Agriculture to dismiss the above-styled action as to them; Plaintiff appearing by its counsel, Joe Cannon, and the Defendants, United States of America and the Department of Agriculture, appearing by Sam E. Taylor, Assistant United States Attorney, Northern District of Oklahoma.

The Court being fully advised finds that the statements and allegations contained in the Defendants' Motion To Dismiss are true and correct; that only the Defendant, United States of America, is a proper party Defendant herein, and that said Defendant can only be sued by and with its consent, and that said Defendant, United States of America, has not consented to be sued herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the above-styled action be and is hereby dismissed as to the Defendants, United States of America and the Department of Agriculture.

(3) Luther Bohannon  
UNITED STATES DISTRICT JUDGE

APPROVED:

(3) Joe Cannon  
JOE CANNON, Attorney for Plaintiff

Sam E. Taylor  
SAM E. TAYLOR  
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 23 1963

|                                       |   |
|---------------------------------------|---|
| United States of America,             | ) |
|                                       | ) |
| Plaintiff,                            | ) |
|                                       | ) |
| vs.                                   | ) |
|                                       | ) |
| 563.89 Acres of Land, More or Less,   | ) |
| Situate in Creek County, Oklahoma,    | ) |
| and S. M. Kantor, et al., and Unknown | ) |
| Owners,                               | ) |
|                                       | ) |
| Defendants.                           | ) |

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

Civil No. 5040

Tracts Nos. I-928 & E

AMENDMENT TO JUDGMENT

1. On this day this cause came on for hearing upon the motion of the plaintiff, United States of America, by and through its attorney, to amend a judgment filed of record in the above tract and case on June 21, 1963.

2. The Court finds that the aforesaid Judgment recites in paragraph 4 that the just compensation for the taking of the estates by the plaintiff was the amount of \$7,560.00.

3. The Court further finds that the recited amount of just compensation in paragraph 4, to-wit: \$7,560.00, is in error and that the correct figure should be \$8,055.01.

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

(a) That paragraph 4 of the Judgment filed on June 21, 1963, in Tracts Nos. I-928 & E, Civil No. 5040, be and hereby is amended to recite that the Court finds the amount of \$8,055.01, inclusive of interest, is just compensation for the taking of the estates by the plaintiff.

Executed this 21 day of August, 1963.

*Luther Bohanan*

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE  
Assistant U. S. Attorney

RPS:ksm



FILED

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

AUG 28 1963

DIVISION NO. 892, AMALGAMATED  
ASSOCIATION OF STREET, ELECTRIC  
RAILWAY AND MOTOR COACH EMPLOYEES  
OF AMERICA,

Plaintiff,

vs.

M. K. & O. TRANSIT LINES, INC.,

Defendant.

NORLE C. HOOD  
Clerk U. S. District Court

No. 5429-Civil

ORDER AND JUDGMENT COMPLYING WITH MANDATE

This cause coming on to be heard, after due notice, upon the Opinion, Mandate and Judgment of the United States Court of Appeals for the Tenth Circuit filed herein on the 29th day of July, 1963, and upon the defendant's Motion for Entry of Order and Judgment in Accordance with Mandate filed herein on the 1st day of August, 1963, requesting the granting of defendant's Motion for Summary Judgment, and the plaintiff, Division No. 892, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, appeared by its counsel, William K. Powers, and the defendant, M. K. & O. Transit Lines, Inc., appeared by its counsel, Robert A. Huffman and James L. Kincaid.

And upon argument, IT IS THEREUPON ORDERED, ADJUDGED and DECREED, in compliance with the Mandate of the United States Court of Appeals for the Tenth Circuit, that the Order, Judgment and Opinion of this Court entered on the 8th day of November, 1962, is set aside in its entirety; defendant's Motion for Summary Judgment is hereby granted; plaintiff's Motion for Summary Judgment is hereby denied, and judgment is hereby entered for the defendant, costs to be taxed against the plaintiff.

DATED this 26 day of August, 1963.

*without prejudice to any appeal  
- 6 August 1963*

*[Signature]*  
United States District Judge

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

GRAND RIVER DAM AUTHORITY, )  
a public corporation, )  
 )  
Petitioner, )  
 )  
vs. ) Civil No. 5441  
 )  
3 Tracts of Land, et al., )  
 )  
Defendants. )

**FILED**

**AUG 26 1963**

JUDGMENT ON VERDICT

as to

TRACT NO. 3 (2 MF 24 and 2 MF 68-190)

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

On this 20th day of May, 1963, the above entitled cause coming on for trial by jury, the petitioner, Grand River Dam Authority, a public corporation, appearing by its attorneys, O. B. Boydston and Joe Cannon, and the defendants, Clarence William Jetton, sometimes known as Clarence W. Jetton, and Jane A. Jetton, appearing by their attorney, Riley Q. Hunt, and, it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition for the acquisition of certain lands and/or any interest therein located in Mayes County, Oklahoma; and, it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessed with the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation, and to maintain, use and

operate all kinds of property, real, personal and mixed, or any interest therein, necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And, it further appearing that the petitioner, Grand River Dam Authority, a public corporation, is authorized to construct, maintain and operate the Markham Ferry Dam and Reservoir Project, for the purpose of transmitting electric energy.

And, it further appearing that the petitioner, Grand River Dam Authority, a public corporation, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Markham Ferry Project, the land and/or estate therein or hereinafter set forth, to-wit:

Tract No. 3 (2 MF 24 and 3 MF 68-190)  
(Fee Title To)

2 MF 24

The following described land situated in Mayes County, Oklahoma, to-wit:

All those parts of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and the NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying west of the K.O.& G. Railroad in Sec. 22, T 21 N, R 20 E of the Indian Base and Meridian, containing approximately 63.9 acres.

3 MF 68-190

The following described land in Mayes County, Oklahoma, to-wit:

The north 62 feet of the south 125 feet of the west 128 feet of Block or Tract "H", in the W. A. Graham Addition to the original townsite of Salina, together with all that part of the street adjacent thereto and incident to the ownership thereof.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to procure and acquire by purchase the land and/or estate hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire said land and/or estate therein is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River

Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said lands and/or estate therein, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners as prayed for in petitioner's petition.

It further appearing that on the 31st day of August, 1962, the Judge of this Court, after considering the petition of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, a public corporation, had the authority and right to acquire said land and/or estate therein and finding and determining that the only manner in which the petitioner could acquire said land, and/or estate therein, was by condemnation, and did select and appoint from the regular jury list of names, E. E. Markham, Clay Babb, and Clarke Moore, three (3) disinterested freeholders residing within the confines of the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land and/or estate therein, hereinabove described, and to assess the damages which said owners may sustain by reason of such appropriation, irrespective of any benefits accruing to said land from the construction of or the proposed construction of any of the Grand River Dam Projects, and thereafter, did, on the 25th day of September, 1962, make their report in writing to the Clerk of the United States District Court in and for the Northern District of the State of Oklahoma, and did assess and award damages in the sum of \$21,250.00 to the owners of said land for the taking of the same, and the Grand River Dam Authority, a public corporation, did, on the 23rd day of October, 1963, pay into and deposit with

the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$31,250.00 for the use of the owners of said land; and that thereafter, the defendants, Clarence William Jetton, sometimes known as Clarence W. Jetton, and Jane A. Jetton, within sixty (60) days after the filing of said commissioners' report, filed with the Clerk of said Court a written demand for trial by jury; and

On the 20th day of May, 1963, this cause coming on for trial in its regular order before a jury of twelve (12) persons, who, being duly impaneled and sworn, well and truly, to try the issues joined between the petitioner and the defendants, Clarence William Jetton, sometimes known as Clarence W. Jetton, and Jane A. Jetton, and a true verdict render according to the evidence, having heard the evidence and charges of the Court and the argument of counsel, upon their oaths, say:

We, the Jury, find the fair cash market value of Tract No. 3 at the time of the taking to be \$36,500.00.

which verdict was returned on the 20th day of May, 1963.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Markham Ferry Project for the public benefit, the lands and/or estate therein as herein described.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED by the Court that the damages sustained by the defendants, Clarence William Jetton, sometimes known as Clarence W. Jetton, and Jane A. Jetton, the owners of said land, by reason of the taking and appropriating of said land and/or estate therein as hereinabove described, by the Grand River Dam Authority, a public corporation, are assessed at \$36,500.00; and

IT IS CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$5,250.00, together with interest at the rate of 6% per annum from October 23, 1962, to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$5,250.00 being the difference between the amount awarded by the jury, to the owners of said land, in the sum of \$36,500.00, and the amount awarded the owners, Clarence William Jetton, sometimes known as Clarence W. Jetton, and Jane A. Jetton, by the commissioners, in the sum of \$31,250.00, which last amount has heretofore been paid to the Clerk of said Court for the use and benefit of the owners of said land, shall be vested with the title to the lands and/or estate therein as herein described.

IT IS FURTHER ORDERED that all costs herein be assessed and taxed to the petitioner.

(s) Allen E. Farrow  
Judge of the United States District  
Court for the Northern District of  
Oklahoma

Approved as to form:

G. P. [Signature]  
Attorney for Petitioner

[Signature]  
Attorney for Defendants

St. Louis-San Francisco Railway  
Company, Plaintiff,  
vs.  
Albert Stokoll, et al. Albert  
Stokoll Pipe & Steel Company, Defendant.

NO. 1401  
**FILED**

AUG 26 1963

JOURNAL ENTRY

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

That on this 15th day of May, 1963, the case on for hearing the cause of action of the plaintiff St. Louis-San Francisco Railway Company's premises by the defendant Albert Stokoll. There also were heard the cross-complaint for money damages by the defendant Albert Stokoll against the plaintiff St. Louis-San Francisco Railway Company. Plaintiff appeared by and through its attorneys Franklin, Hermon & Satterfield by Gray L. Satterfield, and defendant appeared by and through his attorney Joan Edlissson.

The case was heard the evidence and the arguments of counsel and the Court being fully advised in the premises found that plaintiff would have judgment against the defendant, and defendant against plaintiff's premises within ten (10) days. The Court found in defendant's cross-complaint for the plaintiff that defendant take nothing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the defendant Albert Stokoll's premises as described in plaintiff's complaint within ten (10) days and the date aforesaid.

\_\_\_\_\_  
U. S. District Judge

APPROVED:

\_\_\_\_\_  
Secretary of the District

\_\_\_\_\_  
Attorney for Plaintiff

THE FEDERAL DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF OREGON

F 44 7 0

1933

Robert H. ...

... ..

vs.

Order No. 975

H. L. ...  
a/k/a H. L. ...

Defendant.

NOBLE C. HOOD  
Deputy U.S. District Court

ORDER REMANDING

The Court of said District remands this suit to  
the District Court of Creek County, State of Oklahoma,  
having been advised on brief of the Plaintiff, that the  
Court records are correct, upon examination thereof an  
order remanding the same to the District Court of Creek  
County, State of Oklahoma.

IT IS ORDERED AND ADJUDGED that the motion of  
plaintiff to remove this cause to the District Court of  
Creek County, Oklahoma, be and it is hereby sustained and  
the cause is removed to the District Court of Creek County,  
Oklahoma, for further proceedings.

Dated at Tulsa, Oklahoma, this 15th day of August,  
1933.

NOBLE C. HOOD, CLERK

By [Signature]  
Deputy

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

GRAND RIVER DAM AUTHORITY,  
A public corporation,

Plaintiff,

vs.

1 Tract of Land containing  
338.7 Acres, Oliver Neal,  
et al,

Defendants.

Civil No. 5639

**FILED**

AUG 26 1963

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

ORDER

On this 26<sup>th</sup> day of August 1963, the above-styled  
matter comes on for hearing on the Motion of the United States of America  
and the Farmers Home Administration to Dismiss this action as to them.

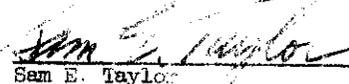
The Court being fully advised herein, finds that the state-  
ments and allegations contained in said Motion To Dismiss are true and  
correct; that the United States of America is the real party in interest  
and the proper party defendant and that it has not consented to be sued  
herein.

It is Therefore, ORDERED, ADJUDGED AND DECREED that the above  
styled action is hereby dismissed as to the Defendants, United States of  
America and the Farmers Home Administration.

  
UNITED STATES DISTRICT JUDGE

APPROVED:

  
Q. B. Boydston  
Grand River Dam Authority

  
Sam E. Taylor  
Assistant U. S. Attorney

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

Grand River Dam Authority,  
a public corporation,

Plaintiff,

Civil No. 5045

vs.

1 Tract of Land Containing  
80.9 Acres, Roy Hudson, et al.,

Defendants.

**FILED**

AUG 28 1963

ORDER

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

On this 24<sup>th</sup> day of August 1963, the above

styled matter comes on for hearing on the Motion of the United States  
of America and the Secretary of Agriculture to Dismiss this action  
as to them.

The Court being fully advised herein, finds that the statements  
and allegations contained in said Motion To Dismiss are true and correct;  
that the United States of America is the real party in interest and the  
proper party defendant and that it has not consented to be sued herein.

It is Therefore ORDERED, ADJUDGED AND DECREED that the above  
styled action is hereby dismissed as to the Defendants, United States of  
America and the Secretary of Agriculture.

Allen C. Gibson  
UNITED STATES DISTRICT JUDGE

APPROVED:

Q. B. Boydston  
Q. B. Boydston  
Grand River Dam Authority

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

IN SENATE  
JANUARY 11, 1983

Plaintiff

vs.

Defendant

JOHN HENRY HOOVER, JR.,  
Plaintiff,  
vs.  
UNITED STATES OF AMERICA,  
Defendant.

Defendant

FILED

1983

ROBERT L. HOOD  
Clerk of District Court

Verdict

That the defendant, JOHN HENRY HOOVER, JR., is guilty of the crime of kidnapping in violation of 18 U.S.C. § 1201(a)(1) and (2) and is hereby sentenced to the District Court to be imprisoned for a term of 10 years.

It is further ordered that the defendant, JOHN HENRY HOOVER, JR., be fined \$10,000 and that the fine be paid to the District Court. It is further ordered that the defendant, JOHN HENRY HOOVER, JR., be sentenced to the Federal House of Correction for Men, located at the Federal Reformatory for Male Prisoners, P.O. Box 1089, Joplin, Missouri, to serve the term of imprisonment.

IT IS SO ORDERED, ROBERT L. HOOD, Clerk of the District Court, in and to the presence of the parties and the representatives of the United States.

ROBERT L. HOOD  
Clerk of District Court

JOHN HENRY HOOVER, JR.  
Plaintiff  
vs.  
UNITED STATES OF AMERICA  
Defendant

UNITED STATES DISTRICT COURT

NO. 133

SOUTHERN DISTRICT OF OKLAHOMA

CLARENCE WASHINGTON WILLIAMS,  
as Administrator of the  
Estate of T. J. Williams,  
Defendant,  
Plaintiff,

VS.

NATIONAL TRAVELERS INSURANCE  
COMPANY, a foreign insurance  
corporation; and WILLIAM  
FOLLM,  
Defendants.

Civil Action No. 1371

**FILED**

**AUG 27 1963**

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

ORDER REMANDING

The motion of plaintiff to remand this suit to the Superior Court, Creek County, State of Oklahoma, Docketed Division, Tulsa, filed pursuant to order of the plaintiff, and the Court, the Honorable Allen E. Hanson, being duly advised, upon consideration entered an order remanding the cause to the Superior Court, Creek County, State of Oklahoma, Docketed Division.

IT IS ORDERED AND ADJUDGED that the motion of plaintiff to remand this cause to the Superior Court, Creek County, State of Oklahoma, Docketed Division, be and it is hereby made and the cause is remanded to the Superior Court, Creek County, State of Oklahoma, Docketed Division, for further proceedings.

Witness my hand and seal at Tulsa, Oklahoma, this 27th day of August, 1963.

NOBLE C. HOOD, Clerk.

By Gene B. Challenger  
Gene B. Challenger, Deputy

UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF OKLAHOMA

JOHN W. HAYES, Plaintiff,  
 vs.  
 JOHN W. HAYES, his agents, and  
 all persons claiming by, through  
 or under them, Defendants

CIVIL ACTION

No. 1534

FILED

1915

ORDER OF DISMISSAL

WILLIAM C. HOOVER  
Judge, U. S. District Court

And whereas some enforcement of the Order,  
 and because of the fact that the plaintiff,  
 on the motion of the plaintiff to dismiss the action  
 without prejudice,

It is ordered that this action be and it is hereby  
 dismissed without prejudice, at the cost of the plaintiff.

Given at Tulsa, Oklahoma, this 17th day of  
 August, 1915.

*W. C. Hoover*  
 Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

255.71 Acres of Land, More or Less,  
Situate in Nowata County, Oklahoma,  
and J. O. Scott, et al, and Unknown  
Owners,

Defendants.

CIVIL ACTION NO. 4699

Tracts Nos. 0-1561E  
0-1566E-1  
0-1566E-2

**FILED**

AUG 30 1963

J U D G M E N T

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

1.

NOW, on this 29<sup>th</sup> day of August, 1963, 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 Complaint and 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 estates described in paragraph 2 herein. Pursuant thereto on June 5, 1959, the United States of America 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 taken in subject tracts, as 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 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, 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 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 described in paragraph 2 herein, condemned herein in subject tracts, were the persons 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.

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. 0-1561E, 0-1566E-1 and 0-1566E-2

Owners:

Heirs of Joe Thompson, deceased, who are:

- Aggie Thompson - - - - - 1/3
- Harold Thompson - - - - - 1/15
- Fred Thompson - - - - - 1/15
- Floyd Thompson - - - - - 1/15
- Wayne Thompson - - - - - 1/15
- Edith Thompson Gibson - - - - 1/15
- Everett Thompson - - - - - 1/15
- Gladys Thompson Martin - - - - 1/15
- Vivian Thompson Hicks - - - - 1/15
- Marie Thompson Green - - - - 1/15
- Jean Thompson Gibson - - - - 1/15

|                                   |          |          |
|-----------------------------------|----------|----------|
| Award of just compensation        |          |          |
| pursuant to stipulation - - - - - | \$450.00 | \$450.00 |

|   |  |                 |
|---|--|-----------------|
| Deposited as estimated compensation - - - - - |  | <u>\$450.00</u> |
|---|--|-----------------|

Disbursed:

|   |          |
|---|----------|
| To the above named owners or their legal representatives, with the exception of Fred Thompson - - - - - | \$420.00 |
|---|----------|

|  |         |
|--|---------|
| Balance due to Fred Thompson - - - - - | \$30.00 |
|--|---------|

Being advised that Fred Thompson is now deceased and his heirs are undetermined, the Court further ORDERS that the Court shall retain jurisdiction of this matter for the entry of an appropriate order of distribution of said Fred Thompson's share of the subject award when his heirs have been determined. In the event that the \$30.00 remaining on deposit for the Fred Thompson interest has not been disbursed after five years from the date of filing this judgment, then the Clerk of this Court shall disburse such sum to the Treasury of the United States, pursuant to Title 18, Section 2042 U.S.C.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant United States 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,  
Situat e in Nowata County, Oklahoma,  
and Tollie T. Downing, et al, and  
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4862

Tract No. X-2402E

FILED

AUG 30 1963

J U D G M E N T

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

1.

NOW, on this 24<sup>th</sup> day of August, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on May 1, 1963, and the Court after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

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

3.

This judgment applies only to Tract No. X-2402E, as such tract is described in the Complaint and the Declaration of Taking, filed herein.

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 tract.

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 tract of land. Pursuant thereto, on February 29, 1960, the United States of America filed its Declaration of Taking of such tract of land, and title to such tract should be vested in the United States of America, as of the date of filing such instrument.

6.

On the filing of 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, and none of this deposit has been disbursed as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on May 1, 1963, is hereby accepted and adopted as a finding of fact as to subject tract. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 11 below.

8.

A certain deficiency exists between the amount deposited as estimated just compensation for subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 11 below.

9.

On the date of taking Tollie T. Downing and Flora Downing were the owners of the subject tract, subject to a mortgage held by George W. Mitchell and Dessie G. Mitchell and also subject to a judgment in favor of J. T. Binkley. Such mortgage holders and judgment creditor have not asserted any claim to the subject tract in this case. The flowage easement imposed upon the subject tract does not deprive the above named of adequate security for their mortgage and judgment. Therefore, the owners of the subject tract, Tollie T. Downing and Flora Downing, are entitled to receive the entire award of just compensation for the estate taken in the subject tract.

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 subject tract, described in the Declaration of Taking filed herein, and such property, to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking filed herein, 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 are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to receive just compensation for the estate taken herein in subject tract is vested in the

defendants, Tollie T. Downing and Flora Downing; the Report of Commissioners of May 1, 1963, is hereby confirmed and the sum therein fixed is adopted as just compensation for subject tract as shown by the following schedule:

TRACT NO. X-2402E

Owners:

Tollie T. Downing and  
Flora Downing

Subject to a mortgage owned by  
George W. Mitchell and  
Dessie G. Mitchell

Subject to a judgment in favor of  
J. T. Binkley

(These claimants do not share in the award.)

|   |             |         |
|---|-------------|---------|
| Award of just compensation<br>pursuant to Commissioners' report - - - - | \$75.00     | \$75.00 |
| Deposited as estimated compensation - - - - -                           |             | 50.00   |
| Disbursed to owners - - - - -   | <u>None</u> |         |
| Balance due to owners - - - - -   | \$75.00     |         |
| Deposit deficiency - - - - -  |             | \$25.00 |

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12.

It Is Further ORDERED that the United States of America shall pay into the Registry of this Court for the benefit of the landowners the deposit deficiency for the subject tract in the amount of \$25.00, together with interest on such deficiency at the rate of 6% per annum from February 29, 1960 until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action. The Clerk of this Court then shall disburse the entire amount on deposit for the subject tract to Tollie T. Downing and Flora Downing.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

HUBERT A. MARLOW  
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

537.55 Acres of Land, More or Less,  
Situate in Nowata County, Oklahoma,  
and Garland Moore, et al, and  
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4865

Tract No. X-2412E

**FILED**

AUG 30 1963

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

J U D G M E N T

1.

On March 14, 1963, this cause as to the captioned tract, came on for pre-trial conference before the Honorable Allen E. Barrow, 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, Garland Moore, appeared in person. The other defendant claimants to the captioned tract 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 Tract No. X-2412E, as such tract and estate are described in the Complaint and 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 February 29, 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.

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, none of which has been disbursed as shown in paragraph 9.

6.

At the said pre-trial conference the plaintiff presented evidence showing that the decrease in fair market value of the subject property, caused by the taking of the estate as described in paragraph 2, was the sum of \$50.00 and such sum should be adopted as the award of just compensation for such estate so taken.

7.

At said pre-trial conference one Garland Moore appeared and asserted an interest in the subject tract by reason of a deed thereto signed by one Charlie Fruett. The evidence revealed that no consideration ever has been paid for such conveyance. The deed is therefore invalid, and Garland Moore had no interest in subject tract.

Charlie Fruett is now deceased. His heirs are the persons listed in paragraph 9 and such persons are the owners of the subject tract and entitled to receive the award of just compensation for the estate taken therein.

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 February 29, 1960, 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 of \$50.00 hereby is

adopted as the award of just compensation for the estate herein taken in subject tract, all as follows, to-wit:

TRACT NO. X-2412E

Owners:

Grace Pruett  
Egee Pruett  
Wanda Lee Pearsall  
Arlene Pruett

|   |                |             |
|---|----------------|-------------|
| Award of just compensation pursuant to Court's findings - - - - - | \$50.00        | \$50.00     |
| Deposited as estimated compensation - - - - -                     | <u>\$50.00</u> |             |
| Disbursed to owners - - - - -                                     |                | <u>None</u> |
| Balance due to owners - - - - -                                   |                | \$50.00     |

---

10.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for the subject tract the balance due to the owners as shown in paragraph 9 above.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow  
HUBERT A. MARLOW  
Assistant United States 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,  
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4884

Tracts Nos. J-1042E-3 and  
P-1608

FILED

AUG 30 1963

J U D G M E N T

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

1.

On June 11, 1963, this cause, as to the captioned tracts, came on for pre-trial conference before the Honorable Allen E. Barrow, 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 did not appear. After being advised by counsel and having examined the files and having considered the evidence, 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 Tracts Nos. J-1042E-3 and P-1608, as such tracts and estates are described in the Complaint and 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 tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on March 9, 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.

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 tracts, a certain sum of money, part of which has been disbursed as shown in paragraph 14.

6.

The owners of the surface interest in Tract No. J-1042E-3 and the United States of America have executed an option contract, as alleged in the Complaint herein, whereby they have agreed that just compensation for the surface interest in the estate condemned in the subject tract is the sum of \$575.00 and such option contract should be approved.

7.

At the pre-trial conference the plaintiff submitted evidence showing that the decrease in fair market value of the mineral interest in the subject tract, caused by the taking of the estate described in paragraph 2, was the sum of \$785.00. Since no other evidence was offered, the sum of \$785.00 should be adopted as the award of just compensation for the taking of the described interest in the mineral estate.

8.

The owners of Tract No. P-1608 and the United States of America have executed and filed herein a stipulation whereby they have agreed that the sum of \$3,195.00 is just compensation for the condemnation of such tract and further agreed that all improvements situated on such tract are excluded from the taking in this case and title thereto remains vested in the former owners, and that the agreed compensation shall be reduced by the salvage value of such improvements, which is agreed to be \$120.00. Such stipulation should be approved.

9.

The defendants named in paragraph 14 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 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 estate indicated and for the uses and purposes described in such Declaration of Taking, with the exception of the property excluded by paragraph 14 herein, are condemned and title thereto is vested in the United States of America as of March 9, 1960, 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 the subject tracts were the defendants whose names appear in paragraph 14 below; the right to receive the just compensation for the estates taken in these tracts is vested in the parties so named, as their interests appear therein.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the option contract mentioned in paragraph 6 above, hereby is approved and the sum therein fixed is adopted as the award of just compensation for the estate condemned in the surface interest in Tract No. J-1042E-3, all as shown in paragraph 14 below.

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that, pursuant to the finding in paragraph 7 above, the sum of \$785.00 hereby is adopted as the award of just compensation for the estate condemned in the mineral interest in Tract No. J-1042E-3 as shown in paragraph 14 below.

14.

It Is Further ORDERED, ADJUDGED AND DECREED that the stipulation as to just compensation, and exclusion of property referred to in paragraph 8 above, hereby is approved. The improvements situated on Tract P-1608 are excluded from the taking in this case, and title thereto remains vested in the former owners; and the sum fixed by the stipulation is adopted as the award of just compensation for the taking of Tract No. P-1608, as shown in the schedule which follows, to-wit:

TRACT NO. J-1042E-3

Owners:

Surface interest:

Emmett Martin and  
Reva Martin

Mineral interest:

Heirs of D. L. Henton, deceased

Award of just compensation:

|                                |           |          |
|--------------------------------|-----------|----------|
| For surface interest - - - - - | \$575.00  | \$575.00 |
| For mineral interest - - - - - | -\$785.00 | \$785.00 |

Deposited as estimated compensation:

|                                |                 |
|--------------------------------|-----------------|
| For surface interest - - - - - | <u>\$575.00</u> |
| For mineral interest - - - - - | <u>\$785.00</u> |

Disbursed to owners:

|                               |                 |
|-------------------------------|-----------------|
| Of surface interest - - - - - | <u>\$575.00</u> |
| Of mineral interest - - - - - | <u>None</u>     |

|   |          |
|---|----------|
| Balance due to owners of mineral interest - - - - - | \$785.00 |
|---|----------|

TRACT NO. P-1608

Owners:

Heirs of Howard A. Carpenter, who are:

|                                 |     |
|---------------------------------|-----|
| Dorothy Mabel Woods - - - - -   | 1/5 |
| Linnie Sue Voris - - - - -      | 1/5 |
| Verda May Metz - - - - -        | 1/5 |
| Joe Bob Carpenter - - - - -     | 1/5 |
| Will Rogers Carpenter - - - - - | 1/5 |

Award of just compensation

|                                   |            |
|-----------------------------------|------------|
| pursuant to stipulation - - - - - | \$3,195.00 |
|-----------------------------------|------------|

Less salvage value of improvements

|                                   |                 |
|-----------------------------------|-----------------|
| reserved by stipulation - - - - - | <u>\$120.00</u> |
|-----------------------------------|-----------------|

|                     |            |            |
|---------------------|------------|------------|
| Net award - - - - - | \$3,075.00 | \$3,075.00 |
|---------------------|------------|------------|

|   |                   |
|---|-------------------|
| Deposited as estimated compensation - - - - - | <u>\$3,075.00</u> |
|---|-------------------|

|                               |                   |
|-------------------------------|-------------------|
| Disbursed to owners - - - - - | <u>\$3,075.00</u> |
|-------------------------------|-------------------|

It Is Further ORDERED that the award for the mineral interest in Tract No. J-1042E-3 shall not be disbursed at this time but the Court will

enter an appropriate order of distribution when advised of the identity of  
the Heirs of E. L. Henton, deceased.

ALLEN E. BARROW

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UNITED STATES DISTRICT JUDGE

APPROVED:

*Hubert A. Marlow*

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HUBERT A. MARLOW  
Assistant United States Attorney

FILED

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

AUG 30 1953

CITY OF BARTLESVILLE, OKLAHOMA,  
a municipal corporation,

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

Plaintiff,

vs.

Civil File  
No. 5453

TRACT NO. 1. 10 acres of land described as the East Half (E/2) of the Northeast Quarter (NE/4) of Section 33, Township 27 North, Range 12 East, Osage County, Oklahoma, Owner: Elizabeth Daniels, Special Administratrix of the Estate of George Daniels, Deceased; Probate No. 7234, in the County Court of Osage County, Oklahoma,

Lessee: H. R. Straight;

TRACT NO. 2. A clear zone easement covering a 10.67 acre tract in the East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, described as follows: Beginning at a point in the East line and 1124 feet south of the Northeast Corner of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, said beginning point being at the intersection of the center line of a Public Service Company transmission line and the east line of said Section 28; thence North, with the East line of said Section 28, 252 feet; thence West 428 feet, South 42° 30' West 800 feet; South 33° 05' East 290 feet; South 60° 50' East 160 feet; and North 45° 30' East 940 feet to the point of beginning,

Owner: Elizabeth Daniels, Special Administratrix of the Estate of George Daniels, Deceased; Probate No. 7234, in the County Court of Osage County, Oklahoma,

Lessee: H. R. Straight;

TRACT NO. 3. An easement 100 feet wide across the East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, the center line of which is described as follows: Beginning at a point in the East line of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, 600 feet Southerly from the Northeast Corner thereof; thence Westerly approximately 1343 feet to a point in the West line of the East Half (E/2) of the Northeast Quarter (NE/4) of said Section 28, 851 feet Southerly from the Northwest Corner of said East Half (E/2) of the Northeast Quarter (NE/4) of Section 28,

Owner: Elizabeth Daniels, Special Administratrix of the Estate of George Daniels, Deceased; Probate No. 7234, in the County Court of Osage County, Oklahoma,

Lessee: H. R. Straight, and

UNITED STATES OF AMERICA,

Defendants.

JOURNAL ENTRY OF JUDGMENT

Now on this \_\_\_\_\_ day of \_\_\_\_\_, 1963, this matter comes on before the Court on a Stipulation heretofore filed in this case on the \_\_\_\_\_ day of \_\_\_\_\_, 1963, City of Bartlesville, Oklahoma, a municipal corporation, appearing by Chester A. Brewer, City Attorney, Elizabeth Daniels, Special Administrator of the Estate of George Daniels, deceased, Probate No. 7234, in the County Court of Osage County, Oklahoma, appearing by Shoemaker and Briggs, attorneys, Pawhuska, Oklahoma, and John Slater, Field Solicitor, Pawhuska, Oklahoma, and the United States of America appearing by John M. Inel, United States Attorney, and L. K. Smith, Assistant United States Attorney, and it appearing to the Court, from the files and pleadings in this case and from the Stipulation filed herein, that the Court has jurisdiction of the parties and subject matter of this action; that the Plaintiff seeks to condemn, for airport purposes, the following described land and easements, located in Osage County, Oklahoma, to wit:

80 acres of land, in fee simple, described as the East Half (E/2) of the Northeast Quarter (NE/4) of Section 33, Township 27 North, Range 12 East, Osage County, Oklahoma, except the minerals in and under said land, which have heretofore been reserved to the Osage Tribe of Indians by Act of Congress, June 28, 1906 (34 Stat. L. 539) and Acts amendatory thereof and supplementary thereto.

A clear zone easement covering a 10.67 acre tract of land in the East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, described as follows: Beginning at a point in the East line and 1124 feet South of the Northeast Corner of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, said beginning point being at the intersection of the center line of a Public Service Company transmission line and the East line of said Section 28; thence North, with the East line of said Section 28, 252 feet; thence West 428 feet; South 42° 30' West 300 feet; South 33° 05' East 290 feet; South 60° 50' East 160 feet; and North 45° 30' East 940 feet to the point of beginning.

A clear zone easement as the term is used herein refers to a use and occupancy of the lands in question, and in connection with the airport, located south of Area 2 on the map marked, "Exhibit A," which Exhibit A has heretofore been made a part of the complaint filed herein, for unobstructed and unrestricted flight of aircraft over and across Area 6 on the map marked "Exhibit A," that in so taking said land for purposes of a clear zone easement, it is necessary that all trees, buildings,

structures or other objects which may or might obstruct the flight of aircraft over said area be removed; that the trees will be cut down to a height of approximately twelve inches, and that the lands be kept clear of trees, buildings and structures at the discretion and pleasure of the user thereof; that although the owner or interested parties in said lands may have the use and occupancy of the surface of said lands, such use and occupancy is subservient to the use and occupancy of the plaintiff.

An easement 100 feet wide across the East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, the center line of which is described as follows: Beginning at a point in the East line of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, 600 feet Southerly from the Northeast Corner thereof; thence Westerly approximately 1343 feet to a point in the West line of the East Half (E/2) of the Northeast Quarter (NE/4) of said Section 28, 851 feet Southerly from the Northwest Corner of said East Half (E/2) of the Northeast Quarter (NE/4) of Section 28.

The easement referred to in this subparagraph will be used for the construction of an electric line designated on the map marked "Exhibit A," heretofore made a part of the complaint herein, as number 3, and that such easement shall be 100 feet in width; that three H frames (two pole structures) will be installed on said easement; that the owner will have the right of use of the surface of said land, subject to the installation of said poles; that the present right of way of Public Service Company of Oklahoma, of equal width and length, will be released to the landowner; that the owner or interested parties in said land may have the use and occupancy of said right of way.

IT FURTHER APPEARING TO THE COURT, from the Stipulation above referred to, that the sum of Thirty-one Thousand Dollars (\$31,000.00) represents just compensation for the estates taken in this case and such sum also represents damage, as such damage is hereinbelow defined in this paragraph, to remaining land of Elizabeth Daniels, Special Administratrix of the Estate of George Daniels, deceased; said remaining land being described as: East Half (E/2) of the Southeast Quarter (SE/4), of Section 28; East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, except that portion covered by the 10.67 acre clear zone easement; South Half (S/2) of the Southeast Quarter (SE/4) of Section 21, all of which land lies in Township 27 North, Range 12 East, Osage County, Oklahoma. The damages to remaining land intended to be covered and included by and within the sum of Thirty-one Thousand Dollars (\$31,000.00) are those damages caused by overflight of aircraft over all of the remaining land, hereinabove described, and particularly overflight of aircraft over the East Half (E/2) of the Southeast Quarter (SE/4) of

Section 26, Township 27 North, Range 12 East, Osage County, Oklahoma, at a minimum altitude of 76 feet at the extreme south end thereof and a minimum altitude of 118 feet at the extreme north end thereof.

IT FURTHER APPEARING TO THE COURT that said sum of Thirty-one Thousand Dollars (\$31,000.00) should be paid by the City of Bartlesville, a municipal corporation, to Bureau of Indian Affairs on behalf of Elizabeth Daniels, Special Administratrix of the estate of George Daniels, deceased; Probate No. 7234, County Court of Osage County, Oklahoma, for appropriate disposition by that agency, by reason of the fact that the land involved is restricted Indian land.

IT FURTHER APPEARING TO THE COURT that title to the above described land and easements should be vested in the City of Bartlesville.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that this Court has jurisdiction of the parties and subject matter of this action; that the Plaintiff has the right to condemn the following described real estate and easements, located in Osage County, Oklahoma, to wit:

80 acres of land described as the East Half (E/2) of the Northeast Quarter (NE/4) of Section 33, Township 27 North, Range 12 East, Osage County, Oklahoma, except the minerals in and under said land, which have heretofore been reserved to the Osage Tribe of Indians by Act of Congress, June 28, 1906 (34 Stat. L. 539) and Acts amendatory thereof and supplementary thereto.

A clear zone easement, as heretofore defined, covering a 10.67 acre tract of land in the East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, described as follows: Beginning at a point in the East line and 1124 feet South of the Northeast Corner of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, said beginning point being at the intersection of the center line of a Public Service Company transmission line and the East line of said Section 28; thence North, with the East line of said Section 28, 252 feet; thence West 420 feet; South  $42^{\circ} 30'$  West 800 feet; South  $33^{\circ} 05'$  East 290 feet; South  $60^{\circ} 50'$  East 160 feet; and North  $45^{\circ} 30'$  East 940 feet to the point of beginning.

An easement, as heretofore defined, 100 feet wide across the East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, the center line of which is described as follows: Beginning at a point in the East line of Section 28,

Township 27 North, Range 12 East, Osage County, Oklahoma, 600 feet Southerly from the Northeast Corner thereof; thence Westerly approximately 1343 feet to a point in the West line of the East Half (E/2) of the Northeast Quarter (NE/4) of said Section 28, 851 feet Southerly from the Northwest Corner of said East Half (E/2) of the Northeast Quarter (NE/4) of Section 28.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the sum of Thirty-one Thousand Dollars (\$31,000.00) represents just compensation for the estates taken in this case and such sum also represents damage, as such damage is hereinbelow defined in this paragraph, to remaining land of Elizabeth Daniels, Special Administratrix of the Estate of George Daniels, deceased; said remaining land being described as: East Half (E/2) of the Southeast Quarter (SE/4), of Section 28; East Half (E/2) of the Northeast Quarter (NE/4) of Section 28, except that portion covered by the 10.67 acre clear zone easement; South Half (S/2) of the Southeast Quarter (SE/4) of Section 21, all of which land lies in Township 27 North, Range 12 East, Osage County, Oklahoma. The damages to remaining land intended to be covered and included by and within the sum of Thirty-one Thousand Dollars (\$31,000.00) are those damages caused by overflight of aircraft over all of the remaining land, hereinabove described, and particularly overflight of aircraft over the East Half (E/2) of the Southeast Quarter (SE/4) of Section 28, Township 27 North, Range 12 East, Osage County, Oklahoma, at a minimum altitude of 76 feet at the extreme south end thereof and a minimum altitude of 118 feet at the extreme north end thereof.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that said sum of Thirty-one Thousand Dollars (\$31,000.00) be paid by the Plaintiff, the City of Bartlesville, Oklahoma, a municipal corporation, to Bureau of Indian Affairs on behalf of Elizabeth Daniels, Special Administratrix of the estate of George Daniels, deceased; Probate No. 7264, County Court of Osage County, Oklahoma, for appropriate disposition by that agency, by reason of the fact that the land involved is restricted Indian land.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the title to the above described land and easements be and the same hereby are vested in the City of Bartlesville.

IT IS THE FURTHER JUDGMENT AND DECREE OF THE COURT that the Plaintiff, City of Bartlesville, Oklahoma, pay the costs of this action.

Allen E. Barrow  
Judge of the United States District Court

C.K.

CITY OF BARTLESVILLE, OKLAHOMA,  
A MUNICIPAL CORPORATION.

By: [Signature]  
City Attorney

ELIZABETH DANIELS, SPECIAL ADMINISTRATRIX OF THE ESTATE OF GEORGE DANIELS, DECEASED, PROBATE NO. 7234, IN THE COUNTY COURT OF OSAGE COUNTY, OKLAHOMA, BY SHOEMAKE AND BRIGGS, HER ATTORNEYS

By: [Signature]  
Shockley F. Shoemaker

AND

By: [Signature]  
John Slater, Field Solicitor

UNITED STATES OF AMERICA

By: [Signature]  
John M. Frost, United States Attorney

AND

By: [Signature]  
L. R. Smith, Assistant United States Attorney