

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

169.50 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Tom C. Burkhalter,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5400

Tract No. 6635-12

FILED

OCT -1 1964

J U D G M E N T

1.

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

NOW, on this 1st day of October, 1964, this matter comes on for

disposition on application of the plaintiff, United States of America, for entry of judgment on an option contract and a stipulation, whereby the owners have agreed upon the amount of just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. 6635-12, as such estate and tract 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 the subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on May 9, 1962, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract, a certain sum of money, and all of this deposit has been disbursed, as set out in paragraph 11 below.

7.

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

8.

One of the owners of the subject tract and the United States of America have executed an option contract, as alleged in the Complaint, and the other owner and the United States have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11, and such option contract and stipulation should be approved.

9.

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

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the persons whose names appear below in paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named, as their respective interests appear therein.

It Is Further ORDERED, ADJUDGED AND DECREED that the option contract, and the Stipulation As To Just Compensation mentioned in paragraph 8 above, hereby are confirmed; and the sum thereby fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 6635-12

Owners:

Sinclair Oil and Gas Company - - - - - 1/2

Scott Daugherty - - - - - 1/2

Award of just compensation, pursuant to
Option Contract and Stipulation - - - \$500.00 \$500.00

Deposited as estimated compensation - - - \$500.00

Disbursed to owners:

To Sinclair - - - - - \$250.00

To Daugherty - - - - - \$250.00

Total - - - - - \$500.00

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

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

DOYLE BREWER,

Plaintiff

VS

RUSSELL M. VERNON,

Defendant

NO. 6004 CIVIL

FILED

MOTION TO DISMISS

OCT -1 1964

NOBLE C. HOOD
U. S. District Court

Comes now the plaintiff, Doyle Brewer, and moves

Court to dismiss the above styled and numbered cause as to
defendant Russell M. Vernon, and as grounds therefor respect-
fully shows:

That all matters in controversy in this suit between
plaintiff and defendant have been fully settled and compromised
by agreement, and that there is no further occasion for the
prosecution of this suit.

Doyle Brewer
Plaintiff

Harvey Carpenter
Attorney for Plaintiff

ORDER

Now, on this 1st day of October, 1964, this cause
comes on for hearing on plaintiff's Motion to Dismiss; and the Court
being fully advised in the premises find that the cause and all issues
herein have been duly settled and compromised as between the parties,
and the Court further finds that the cause should be, and is hereby
dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this
cause is dismissed with prejudice.

[Signature]
Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

653.25 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma
and Charles Edward Bratcher, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4975

Tract No. L-1227

FILED

OCT - 2 1964

J U D G M E N T

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

1.

NOW, on this 1st day of ^{Oct.} ~~September~~, 1964, 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 August 20, 1964, 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 the estate taken in Tract No. L-1227, as such estate and 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 estate described in paragraph 2 herein. Pursuant thereto, on July 29, 1960, the United States of America filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America, as of the date of filing 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 part of this deposit has been disbursed as set out in paragraph 12, below.

7.

The Report of Commissioners filed herein on August 20, 1964, is hereby accepted and adopted as a finding of fact as to the subject tract. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 12, below.

8.

A certain efficiency 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 12, below.

9.

The defendants named in paragraph 12 as owners of the subject tract are the only defendants asserting any interest in the estate condemned herein, all other defendants having either disclaimed or defaulted; the named defendants, as of the date of taking, were the owners of the estate condemned herein, and, as such, are entitled to receive the award of just compensation for the estate taken.

10.

The Court is advised by counsel for the plaintiff and so finds that the defendants named in paragraph 12 hereof conveyed the fee simple title to the lands subject to Tract L-1227 to the plaintiff by General Warranty Deed dated January 8, 1959, and recorded in Book 400, Page 100 of the records of Nowata County, Oklahoma; and the parties actually intended that only the fee simple title, less and except the subsurface estate, including the oil, gas and other minerals, should be conveyed by said deed, as such subsurface estate is more particularly described in the Complaint and Declaration of Taking filed herein, and that the aforesaid deed should be voided insofar and only insofar as the said subsurface estate is concerned.

The Court is further advised by counsel for plaintiff and so finds that the sum of \$100.00 of the purchase price for the aforesaid deed of the defendants originally constituted the purchase price of the aforesaid subsurface estate and has been paid by the plaintiff to the defendants prior to the filing of the Complaint and Declaration of Taking herein. This sum should be credited against the deficiency set out in paragraph 12 hereof.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the General Warranty Deed described in paragraph 10 hereof be and the same is hereby cancelled and voided as to the subsurface estate, as such estate and tract are described in the Complaint and Declaration of Taking filed herein, and that the sum of \$100.00 be deducted from the deficiency deposit ordered herein, as set forth in paragraph 12 hereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract described in paragraph 3 herein, and such property, to the extent of the estate described 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the right to receive the just compensation for the estate taken herein in subject tract is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of August 20, 1964, is hereby confirmed and the sum therein fixed is adopted as just compensation for subject tract as shown by the following schedule:

TRACT NO. L-1277

OWNERS:

Charles E. Bratcher and Ida Bratcher - - - - -	1/7	
Nettie Bratcher - - - - -	1/7	
Olena Bratcher - - - - -	1/7	
Earnest Bratcher and Marjorie Bratcher - - - - -	3/14	
Myrtle Bratcher Lawton - - - - -	3/14	
Betty Alice Van Horn and James Van Horn - - - - -	1/14	
Joan Frances Ross and David Ross - - - - -	1/14	
Award of Just Compensation, pursuant to Commissioners Report - - - - -	\$ 2,100.00	\$ 2,100.00
Deposited as Estimated Compensation - - - - -	\$ 1,650.00	
Disbursed to Owners - - - - -		\$ 1,650.00
Deposit Deficiency - - - - -	\$ 450.00	
Credit, per paragraph 10 hereof - - - - -		\$ 100.00
Balance Due Owners - - - - -		\$ 350.00

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 \$350.00, together with interest on such deficiency at the rate of 6% per annum from July 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. Upon receipt of such sum, the Clerk of this Court shall disburse the deposit for the subject tract, as follows:

Charles E. Bratcher and Ida Bratcher - - -	\$ 50.00, plus interest	"	"
Nettie Bratcher - - - - -	50.00,	"	"
Olena Bratcher - - - - -	50.00,	"	"
Earnest Bratcher and Marjorie Bratcher - - -	75.00,	"	"
Myrtle Bratcher Lawton - - - - -	75.00,	"	"
Betty Alice Van Horn and James Van Horn - -	25.00,	"	"
Joan Frances Ross and David Ross - - - - -	25.00,	"	"

Walter E. Lippert
UNITED STATES DISTRICT JUDGE

APPROVED:

Hugh V. Schaefer
HUGH V. SCHAEFER

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 5392

Charles O. Morse and Kathryn
Morse
Albert D. Ledbetter and Mary F.
Ledbetter,

Defendants.

FILED

OCT 5 1964

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

ORDER CONFIRMING MARSHAL'S SALE

NOW on this 2^d day of October 1964, there coming on for hearing the Motion of Plaintiff to confirm the sale of real property made by the United States Marshal for the Northern District of Oklahoma on August 10, 1964, under and pursuant to an Order of Sale issued herein by the Court Clerk for the Northern District of Oklahoma on June 23, 1964, of the following described real property, to-wit:

Lot Nine (9), in Block Three (3) in the
NANCY LEE ADDITION to the City of Miami,
Ottawa County, Oklahoma, according to the
recorded Amended Plat thereof.

and the Court having examined the proceedings of the United States Marshal for the Northern District of Oklahoma under the Order of Sale and no one appearing in objection thereto finds that the property was duly appraised for the sum of \$3,750.00 and that due and legal notice of sale was given by publication once a week for at least four weeks prior to the date of sale in the Miami News Record, a newspaper published and of general circulation in Ottawa County, State of Oklahoma, as shown by the proof of publication on file herein, and that on the day fixed thereon, August 10, 1964, the above described real property was sold to the Federal Housing Administration, for the sum of \$3,000.00, such being in excess of 2/3 of the appraised value and being the highest and best bid therefor.

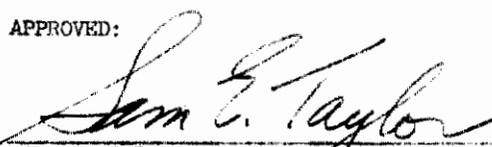
The Court further finds that the sale was in all respects made in conformity with the law in such cases made and provided and that said sale was legal in all respects.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Marshal's Sale and all proceedings under the Order of Sale herein be and the same are hereby approved and confirmed.

IT IS FURTHER ORDERED that Doyle W. P. Moran, United States Marshal
for the Northern District of Oklahoma, may, execute and deliver to the purchaser
Federal Housing Administration, a good and sufficient deed for such premises.


UNITED STATES DISTRICT JUDGE

APPROVED:


SAM E. TAYLOR, Assistant United States Attorney
for the Northern District of Oklahoma

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)

Petitioner,)

vs.)

Civil No. 5759

FILED

OCT - 7 1964

6 Tracts of Land consisting of)
500.4 acres, more or less, in)
Mayes County, Oklahoma, Lois M. Hogle,)
(Josephine Susan Adams) Defendants.)
et al.,)

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

ORDER CONFIRMING REPORT OF COMMISSIONERS

AS MODIFIED AS TO TRACT NOS. 1 (6 MF 38 + FE) and

6 (7 MF 67 + FL).

NOW, on this the 1 day of October, 1964, the Court

considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 21st day of October, 1963, as modified by stipulation should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 21st day of October, 1963 as modified is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:

Tract No. 1 (6 MF 36 + FE)
(Fee Title To and Perpetual Easement Upon)

FEE TITLE TO:

The following described land situated in Mayes County, Oklahoma, to-wit: All that part of Lot 1 lying west of the following described line: Beginning at a point in the west boundary of said Lot 1 50 feet south of the northwest corner thereof, thence in a southeasterly direction to a point 200 feet east and 165 feet south of said northwest corner, thence in a southwesterly direction to a point 165 feet east and 330 feet south of said northwest corner, thence in a southeasterly direction to a point in the south boundary of said Lot 1 660 feet west of the southeast corner thereof in Sec. 22; and

All that part of the north 15.55 acres of Lot 1 lying west of the following described line: Beginning at a point in the north boundary of said north 15.55 acres of Lot 1 990 feet west of the northeast corner thereof, thence in a southeasterly direction to a point in the south boundary of said north 15.55 acres of Lot 1 900 feet west of the southeast corner thereof; and that part of the north 15.55 acres of Lot 1 described as follows: Beginning at a point in the north boundary of said north 15.55 acres of Lot 1 660 feet west of the northeast corner thereof, thence westerly along said north boundary a distance of 200 feet, thence in a southeasterly direction to a point in the south boundary of said north 15.55 acres of Lot 1 400 feet west of the southeast corner thereof, thence easterly along said south boundary to said southeast corner, thence northerly along the east boundary of said north 15.55 acres of Lot 1 a distance of 250 feet, thence in a southwesterly direction to a point 165 feet north and 100 feet west of the southeast corner of said north 15.55 acres of Lot 1, thence westerly parallel to the south boundary of said north 15.55 acres of Lot 1 a distance of 230 feet, thence in a northwesterly direction to the point of beginning in Sec. 27, all in T 23 N, R 21 E of the Indian Base and Meridian, containing 20.0 acres 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.

PERPETUAL EASEMENT UPON:

All of Lot 1 and the $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ except those parts to be acquired in fee and described above and except those parts described as follows: Beginning at a point in the north boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 495 feet east of the northwest corner thereof, thence in a southeasterly direction to a point 165 feet south and 660 feet east of said northwest corner, thence easterly parallel to the north boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 330 feet, thence in a southwesterly direction to a point 495 feet west and 330 feet south of the northeast corner of said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence in a southeasterly direction to a point in the south boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 165 feet west of the southeast corner thereof, thence in a southwesterly direction to a point in said Lot 1 250 feet west and 495 feet south of the northeast corner thereof, thence in a southeasterly direction to a point in the east boundary of said Lot 1 660 feet south of said northeast corner, thence northerly along the east boundaries of said Lot 1 and said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the northeast corner of said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence westerly along the north boundary of said $S\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning; and that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows: Beginning at a point in the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ 660 feet south of the northwest corner thereof, thence easterly parallel to the north boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 330 feet, thence in a northeasterly direction to a point 495 feet east and 330 feet south of the northwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence in a southeasterly direction to a point 660 feet east and 660 feet south of said northwest corner, thence southerly parallel to the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 165 feet, thence in a northeasterly direction to a point in the east boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ 550 feet north of the southeast corner thereof, thence southerly along said east boundary a distance of 300 feet, thence in a southwesterly direction to a point 330 feet west and 200 feet north of the southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence southerly parallel to the east boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 150 feet, thence in a southwesterly direction to a point in the south boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ 660 feet east of the southwest corner thereof, thence westerly along said south boundary to said

southwest corner, thence northerly along the west boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning, all in Sec. 22; and All of the north 15.55 acres of Lot 1 except those parts to be acquired in fee and described above in Sec. 27, all in T 23 N, R 21 E of the Indian Base and Meridian, containing 67.6 acres, in Mayes County, Oklahoma.

Tract No. 6 (7 MF 67 + FE)
(Fee Title To and Perpetual Easement Upon)

FEE TITLE TO:

The following described land situated in Mayes County, Oklahoma, to-wit: All that part of Lot 8 lying west of the following described line: Beginning at a point in the north boundary of said Lot 8 550 feet west of the northeast corner thereof, thence in a southeasterly direction to a point 200 feet west and 330 feet south of said northeast corner, thence southerly parallel to the east boundary of said Lot 8 a distance of 330 feet, thence in a southeasterly direction to a point in the east boundary of said Lot 8 1370 feet south of the northeast corner thereof, said point being on the meander line on the right bank of Grand River in Sec. 21, T 23 N, R 21 E of the Indian Base and Meridian, containing 8.1 acres including any and all right, title and interest in and to the bed and banks of Grand River in Mayes County, Oklahoma.

PERPETUAL EASEMENT UPON:

All of Lot 8 except that part to be acquired in fee and described above and except that part lying north and east of the following described line: Beginning at a point in the north boundary of said Lot 8 330 feet west of the northeast corner thereof, thence in a southeasterly direction to a point in the east boundary of said Lot 8 330 feet south of said northeast corner in Sec. 21, T 23 N, R 21 E of the Indian Base and Meridian, containing 4.7 acres, in Mayes County, Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant owners of the above lands, their heirs, administrators, executors, trustees and assigns, shall retain and hold a perpetual ^{and exclusive} easement and right to take and remove gravel and sand from the hereinabove described lands at their own risk and provided that the petitioner herein shall never be liable for any loss or damage that the defendants and their successors or assigns may sustain by reason of the construction, maintenance and operation of the Grand River Dam Projects.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 22nd day of October, 1953, upon the depositing of the sum of \$ 10,720.00 with the registry of this Court for the lands and estates taken in and to the above described land.

(s) Fred Laugherty

U. S. District Judge

Approved:

s/ Z. B. Rayburn
Attorney for Petitioner.

s/ L. Keith Smith
Wilkerson & Wilkerson
By R. A. Wilkerson
Attorneys for Landowners.

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.) Civil No. 5833
)
43.9 Acres in Mayes County,)
Martin H. McGimpsey, et al.,)
)
Defendants.)

FILED

OCT - 7 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS NOBLE C. HOOD
Clerk, U. S. District Court

NOW, on this the 7 day of October, 19 64, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 3rd day of January, 19 64, should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 3rd day of January, 1964, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:

TRACT No. 6 MF 49 FE
(Perpetual Easement upon)

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

All that part of Section 26 described as: Beginning at the meander corner of the North line of said Section 26 and the right bank of the Grand River, thence South $24^{\circ}45'$ East along the meander line of said Grand River a distance of 110.2 feet, thence West parallel to the North line of Section 26 a distance of 226.86 feet, thence North $63^{\circ}20'$ West a distance of 223.0 feet to a point on the North line of Section 26, thence East along said North line a distance of 380.0 feet to the point of beginning, containing 0.7 acres; and

All those parts of Lots 8 and 9, and the $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 23 described as: Beginning at the Southwest corner of said Lot 9, thence Easterly along the South boundary of said Lot 9 a distance of 1242 feet to a point in the meander line on the right bank of Grand River, thence Northwesterly along said meander line to a point in the East boundary of said Lot 8, 389.8 feet North of the Southeast corner thereof, thence N $52^{\circ}34'$ W a distance of 22.2 feet, thence N $45^{\circ}04.3'$ W a distance of 466.9 feet, thence N $36^{\circ}04'$ W a distance of 182.4 feet more or less, thence S $44^{\circ}00'$ W a distance of 150 feet, thence in a Southeast direction to a point in the South boundary of said Lot 8, 394.4 feet West of the Southeast corner thereof, thence in a Southerly direction to a point in said $SE\frac{1}{4}$ $NW\frac{1}{4}$ 757.3 feet North and 394.4 feet West of the Southeast corner thereof, thence South a distance of 179 feet, thence N $50^{\circ}00'$ E a distance of 150 feet, thence N $86^{\circ}30'$ E a distance of 280 feet to a point in the West boundary of said Lot 9, thence Southerly along said West boundary to the point of beginning, containing 43.2 acres. All in T 23 N, R 21 E of the Indian Base and Meridian, (All improvements taken)
Said two tracts containing 43.9 acres. The U. S. A. has Easement on a portion of this tract.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 10th day of January, 1964, upon the depositing of the sum of \$ 15,200.00 with the registry of this Court for the lands and estates taken in and to the above described land.

(s) Fred Daugherty
U. S. District Judge

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

DONALD CAYWOOD,)
Plaintiff,)
vs:) NO. 6035
H. L. MOSS, d/b/a)
APPLIANCE SERVICE CENTER,)
Defendant.)

FILED

001 - 1064

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

MOTION FOR VOLUNTARY DISMISSAL
(With Prejudice)

Comes now the Plaintiff, Donald Caywood, by his attorney of record,
and moves the Court to enter its order dismissing the Plaintiff's Complaint,
with prejudice, to further action; said Plaintiff and Defendant have
compromised and settled the claim and cause of action upon which the
Complaint was predicated.

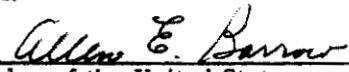


Sam Roberts
Attorney for Plaintiff

ORDER DISMISSING CAUSE WITH PREJUDICE

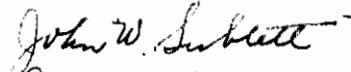
Upon motion of the Plaintiff for an order of dismissal and pursuant
thereto, it is ordered that the Plaintiff's Complaint be dismissed with
prejudice, to further action.

DATED this 7th day of October, 1964.



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

Approved: Oct. 7, 1964



Attorney for defendant

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

W. M. SKAGGS and ELBERT SKAGGS,
co-partners d/b/a SKAGGS BROTHERS
PRODUCE,

Plaintiffs,

vs.

MIDLAND VALLEY RAILROAD COMPANY,
a Corporation,

Defendant.

No. 5592 Civil

FILED

OCT - 8 1964

J U D G M E N T

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

This action came on for trial before the Court, Honorable Fred Daugherty, District Judge, presiding, and the issues having been duly tried and the Court having rendered and filed an Opinion herein dated September 30, 1964;

IT IS ORDERED AND ADJUDGED that the Plaintiffs recover of the Defendant the sum of One Thousand Nine Hundred Fifty-five and 58/100 (\$1,955.58), said sum being the value of the corn, to-wit, Two Thousand One Hundred and Fifty-eight (\$2,158.00) Dollars, less the balance due on the freight charges of Two Hundred Two and 42/100 (\$202.42) Dollars, leaving a net balance of One Thousand Nine Hundred Fifty-five and 58/100 (\$1,955.58) Dollars, together with interest at the rate of six percent (6%) per annum from the 19th day of July, 1961, and for its costs herein laid out and expended.

Dated this 7th day of October, 1964.

APPROVED AS TO FORM:

Fred Daugherty
United States District Judge

Robert J. Woolsey
Robert J. Woolsey,
Attorney for Plaintiffs.

James D. Gibson
James D. Gibson,
Attorney for Defendant.

OCT 3 1984

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

United States of America,)
Plaintiff,)
vs.)
178.69 Acres of Land, More or Less,)
Situating in Tulsa, Osage and Creek)
Counties, Oklahoma, and Nora Clifford,)
et al., and Unknown Owners,)
Defendants.)

Civil No. 5716

Tract Nos. A-186
A-186E-1
A-186E-2
A-161-3

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America; and that such Declaration of Taking and Complaint are amended by the reversion stipulation incorporated hereunder.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

5. The Court finds the amount of \$11,750.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause and as amended by the reversion stipulation incorporated hereunder. The sum of \$12,750.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking herein.

5, The Court finds that plaintiff and Georgia L. Lang and Fred Lang, defendants herein, have by the stipulation agreed that the just

compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$11,750.00, inclusive of interest; it is further stipulated that defendants are revested hereby certain lands more particularly set out in a stipulation for revestment entered into by plaintiff and defendant on September 1, 1964, which stipulation is incorporated herein by reference as if fully set out.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as amended by the revestment stipulation incorporated hereinabove, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$11,750.00, inclusive of interest, the sum of \$12,700.00 has heretofore been disbursed to these defendants;

(c) The Court hereby orders that defendants pay into the Registry of the Court Clerk's office the sum of \$950.00, and that until such sum is paid this judgment shall be of no force and effect.

Entered 065 / 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

United States of America,

Libelant,

vs.

One 1963 Pontiac 2-Door Sedan,
Serial No. 363K15904, its tools
and appurtenances,

Respondent.

Civil No. 5869

FILED

OCT - 8 1964

J U D G M E N T

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

This matter coming on before me, the undersigned Judge, this 8
day of October, 1964, the Court having heretofore on the 20th day
of August, 1964, filed its Memorandum Opinion containing findings of fact and
conclusions of law in the above styled and numbered action.

Now, therefore, pursuant thereto and in accordance with the application
of the Administrator of General Services, United States Government,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the captioned vehicle,
its tools and appurtenances ~~is~~ condemned and forfeited to the United States
and that the same be delivered and turned over to the Regional Commissioner,
Internal Revenue Service, of the United States Treasury Department, for offi-
cial use.

(3) *Fred Daugherty*
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
289.34 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and J. T. Phillips, et al, and
Unknown Owners,
Defendants.

CIVIL ACTION NO. 4818
Tract No. L-1294

FILED

OCT 13 1964

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

J U D G M E N T

1.

NOW, on this 29th day of September, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on the Reports of Commissioners filed herein on November 19, 1963 and on February 5, 1964, 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 the estate taken in Tract No. L-1294, as such tract and estate are 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 December 17, 1959, the United States of America filed its Declaration of Taking of a certain estate in such tract of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

At the time of filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject property a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 10 below.

7.

The Reports of Commissioners filed herein on November 19, 1963 and February 5, 1964, hereby are accepted and adopted as findings 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 10 below.

8.

Tract No. L-1294 actually consists of two separate units of ownership insofar as the estate taken herein is concerned. Descriptions of the two units are set forth in paragraph 10, and are designated as Part 1 and Part 2 of the subject tract.

The persons named in paragraph 10 are the only persons asserting any interest in the entire lessor interest and ^{of the} 12/64/oil and gas lessee interest in Part 1 and in the entire estate taken in Part 2 of subject tract, all other defendants having either disclaimed or defaulted; the named persons, as of the date of taking, were the owners of such described interests and, as such, are the ones entitled to receive the award of just compensation.

The ownership of 52/64 of the oil and gas lessee interest in Part 1 of subject tract has not been determined. Ownership of such 52/64 interest is left open for further action, subject to the Order of Court entered herein on June 19, 1962.

9.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract described in paragraph 3 herein, and such property, to the extent of the estate described 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.

It Is Further ORDERED, ADJUDGED, AND DECREED that the right to receive the just compensation for the estate condemned in those interests in subject tract of which the ownership has been determined is vested in the persons named below; the Reports of Commissioners of November 19, 1963 and February 5, 1964, hereby are confirmed and the sums therein fixed are adopted as just compensation for subject tract, as shown by the following schedule:

TRACT NO. L-1294

Part 1: Consists of 70 acres of Tract L-1294 described as $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, and $NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$ of Section 14, Township 25 North, Range 16 East, Indian Meridian, Nowata County, Oklahoma

Owners:

Lessor interest -

Ervin Kulchinski and
Hallie Kulchinski - - - - 2/3
Minnie Mae Hall - - - - 1/3

Lessee interest -

Ownership undetermined as to 52/64 interest
Dr. O. E. Hayes - - - - 12/64 interest

Award of just compensation for Part 1,
pursuant to Commissioners' Report - - - - - \$5,400.00

Allocated as follows:

To lessor interest - - - \$700.00
To lessee interest - - - - - \$4,700.00
Allocation of lessee interest:
52/64 - - - - - \$3,818.75
12/64 - - - - - \$881.25

Disbursed:

To lessor interest - - - None
To Pearl A. Orenduff for
52/64 interest in
lessee interest - - - - - \$7,446.40
To owner of 12/64 interest
in lessee interest - - - - - None

Balance due to lessor interest \$700.00 _____

Balance due to 12/64 interest
in lessee interest - - - - - \$881.25

Overpayment to Pearl A. Orenduff - - - - \$3,627.65

Part 2: Consists of 24.34 Acres of Tract L-1294 described as that part of the $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$ and $W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ of Section 14, Township 25 North, Range 16 East, Indian Meridian, lying north and west of the centerline of the Verdigris River:

Owners (of entire estate taken):

W. R. Bowman - - - - - 1/2
P. O. Denham - - - - - 1/12
D. L. Connelly - - - - - 1/4
Ervin Kulchinski and
Hallie Kulchinski - - - - 1/6

Award of just compensation - - - - -	\$170.00	\$170.00
Disbursed - - - - -	<u>None</u>	
Balance due to owners - - - - -	\$170.00	<u> </u>
Total of awards for both parts of subject tract - - - - -		\$5,570.00
Total deposit of estimated compensation - - - - -		<u>\$9,865.00</u>
Overdeposit - - - - -		\$4,295.00

11.

It Is Further ORDERED that the Clerk of this Court shall disburse from the funds on deposit for Tract No. L-1294 certain sums as follows:

To Ervin Kulchinski and Hallie Kulchinski, jointly - - -	\$495.00
To Minnie Mae Hall - - - - -	\$233.33
To Dr. O. E. Hayes - - - - -	\$881.25
To Treasurer of the United States - - - - -	\$667.35

12.

It Is Further ORDERED that the sum of \$141.67 representing the share of the award due to the owners of 5/6 interest in Part 2 of the subject tract shall not be disbursed at the present time because such owners have not been found. In the event this sum remains on deposit for a period of five years after the entry of this judgment then, without further order of Court, the Clerk of this Court shall disburse said sum to the Treasurer of the United States.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall have judgment against Pearl A. Orenduff in the amount of \$3,627.65 for the overpayment to her as shown in paragraph 10 above. Pearl A. Orenduff shall make payment of such judgment by depositing the sum of \$3,627.65 with the Clerk of this Court. When such payment has been made the Clerk shall credit it to the deposit for Tract No. L-1294 and then disburse from such deposit the sum of \$3,627.65 to the Treasurer of the United States.

ALLEN C. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

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

United States of America,

Plaintiff,

vs.

Charles-Warren Company, a
corporation of Ohio,

Defendant.

CIVIL NO. 1336

FILED

OCT 13 1964

DEFICIENCY JUDGMENT

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

This matter comes on for hearing on Motion of plaintiff herein for deficiency judgment against the defendant, Charles-Warren Apartments, Inc.; the plaintiff appearing by its attorney, Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, Charles-Warren Apartments, Inc. appearing by its attorney, Harold Charney; and

The Court being fully advised herein finds that judgment for the sum of \$63,925.83, with interest thereon at the rate of 4% per annum, from November 4, 1961, together with the costs of this action was rendered in favor of the plaintiff and against the defendant on September 14, 1962; that there was at the same time a Judgment of foreclosure entered favoring a mortgage upon certain property described therein and ordered the said property sold in satisfaction of plaintiff's money judgment; that pursuant to said judgment and Order of Sale issued herein the property was sold and the sale thereof has heretofore been approved and confirmed by this Court; that after said sale, and all just credits and offsets, there remains due and unpaid on plaintiff's judgment herein the sum of \$24,505.17, with interest on the sum of \$23,400.26, at the rate of 4% per annum from August 7, 1964, until paid as evidenced by the "Statement of Deficiency as of August 7, 1964", attached as Exhibit "A" to plaintiff's Motion For Deficiency Judgment herein.

IT IS WHEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff have a Deficiency Judgment against the defendant, Charles-Warren Apartments, Inc. for the sum of \$24,505.17, with interest on the sum of \$23,400.26 at the rate of 4% per annum from August 7, 1964, until paid.

APPROVED:

Noble C. Hood
CLERK OF DISTRICT COURT

Sam E. Taylor
SAM E. TAYLOR, Assistant U. S. Attorney
Harold Charney
HAROLD CHARNEY, Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
529.99 Acres of Land, More or Less,)
Situat e in Creek, Osage and Pawnee)
Counties, Oklahoma, and J. O. Stith,)
et al., and Unknown Owners,)
Defendants.)

Civil No. 5021

Tract No. 2712

FILED

OCT 14 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract, based on the Report of Commissioners filed herein on the 7th day of May, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 7th day of May, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tract and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tract on the date of taking and are entitled to receive the award thereof.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands 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 the above tract is the sum of \$24,000.00, as determined by the Report of Commissioners of May 7, 1964, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tract, as shown by the following schedule:

TRACT NO. 2712

Owner: James S. and Genevieve Dean Pyles and Claiborn P. and Mary R. Williams

Award of Just Compensation	-	\$24,000.00
Deposited as estimated compensation	-	21,000.00
Disbursed to Owner	-	21,000.00
Balance due to Owner	-	3,000.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$3,000.00, with interest at 6% per annum from September 27, 1960, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

James S. and Genevieve Dean Pyles and
Claiborn P. and Mary R. Williams \$3,000.00, plus all
accrued interest

Entered OCT 14 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)
 vs.)
)
 227.53 Acres of Land, More or Less,)
 Situate in Pawnee County, Oklahoma,)
 and Glenn Earl Pershall, et al.,)
 and Unknown Owners,)
) Defendants.)

Civil No. 5534

Tract No. 3643

FILED

OCT 14 1964

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

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$16,700.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$13,500.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Glenn Earl Pershall, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$16,700.00, inclusive of interest.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands 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 the above tract is the sum of \$16,700.00, of which amount the sum of \$13,500.00 has previously been disbursed;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$3,200.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Glenn Earl Pershall \$3,200.00

OCT 14 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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

United States of America,

Plaintiff,

vs.

Glenn B. and Estell G. Beck,

Defendants.

CIVIL NO. 9901

FILED

OCT 14 1964

DEFAULT JUDGMENT

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

The default of the Defendants, Glenn B. Beck and Estell G. Beck, having heretofore been entered for failure to plead, or otherwise defend, in accordance with the Federal Rules of Civil Procedure; and it appearing that the defendants are indebted to the plaintiff for the sum of \$160.00 with interest thereon at the rate of 4% per annum from September 1, 1963, until paid, plus the sum of \$45.88 accrued interest, together with the costs of this action.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that plaintiff have judgment against the defendants, Glenn B. Beck and Estell G. Beck, for the sum of \$160.00 with interest thereon at the rate of 4% per annum from September 1, 1963, plus the sum of \$45.88 accrued interest, together with the costs of this action, accrued and accruing.

Dated this 20th day of October 1964.

NOBLE C. HOOD, Clerk
United States District Court
for the Northern District of
Oklahoma

By: M. M. [Signature]
Deputy

APPROVED:

[Signature]
SAM E. TAYLOR
Assistant U. S. Attorney

U. S. DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

L. O. Golden and Wanda E. Golden,

Defendants.

Civil No. 5396

FILED

OCT 1 1964

DEFAULT JUDGMENT

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

The default of the Defendants, L. O. Golden and Wanda E. Golden, having heretofore been entered for failure to plead, or otherwise defend, in accordance with the Federal Rules of Civil Procedure; and it appearing that the defendants are indebted to the plaintiff for the sum of \$1,405.98 with interest thereon at the rate of 6% from June 17, 1963, until paid, together with the costs of this action as alleged in plaintiff's Complaint herein.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that plaintiff have judgment against the defendants, L. O. Golden and Wanda E. Golden, for the sum of \$1,405.98, with interest thereon at the rate of 6% per annum from June 17, 1963, until paid, and for costs of this action, accrued and accruing, and for further judgment directing the levy of execution upon the property described in plaintiff's Complaint herein.

(s) *Fred Laugherty*
UNITED STATES DISTRICT JUDGE

APPROVED:

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

U. S. DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

v.

Irene Thomas Crawford,

Defendant.

Civil No. 2282

FILED

OCT 16 1964

DEFAULT JUDGMENT

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

THIS MATTER comes on for hearing on application for

Default Judgment by the plaintiff and it appearing that the defendant was personally served with summons herein on July 30, 1964, by the United States Marshal for the Southern District of Oklahoma, pursuant to the Order of this Court; and

The Court being fully advised finds that the defendant, Irene Thomas Crawford, did on June 16, 1952, execute and deliver to Franklin D. Richards, of Washington, D. C., as Federal Housing Commissioner, his successors and assigns, a certain mortgage note in the sum of \$5,050.00; said note providing for repayment thereof in monthly installments and bearing interest at the rate of 4% per annum, that default in the payment of said monthly installment was made on September 1, 1963; that there is now due and owing to plaintiff by the defendant, upon said mortgage note, the sum of \$3,780.95, with interest thereon at the rate of 4% per annum from September 1, 1963, until paid;

The Court further finds that as security for said mortgage note, the defendant, Irene Thomas Crawford, did on June 16, 1952, execute and deliver a mortgage upon the following described property, to-wit:

Lot Four (4), Block Eight (8), Roberts Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof;

to Franklin D. Richards, of Washington, D. C., as Federal Housing Commissioner, his successors and assigns; and that said defendant is in default under the terms of said mortgage, wherefore said mortgage should be foreclosed.

WHEREFORE, IT IS HEREBY REQUESTED THAT THE COURT render judgment in favor of the plaintiff herein to the effect that the defendant, Irene Thomas Crawford, do pay to the plaintiff herein the sum of \$3,780.95, with interest thereon at the rate of 4% per annum, from September 1, 1963, together with the costs of this action accrued and accruing, and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that plaintiff's mortgage upon the aforesaid premises is hereby foreclosed;

It appearing herein that waiver of appraisal is, by the terms of the mortgage, at the option of the mortgagee, to be exercised at the time judgment is rendered; and it appearing that plaintiff desires that the property described in said mortgage be sold with appraisal.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED, that upon failure of the defendant, Irene Thomas Crawford, to satisfy the judgment in rem hereinabove entered, an Order of sale shall issue directing, commanding the United States Marshal for the Southern District of Oklahoma, to advertise and sell with appraisal the hereinabove described premises in satisfaction of plaintiff's judgment herein, and apply the proceeds thereof as follows:

1. In payment of the costs of this action, including said sale,
2. In payment of the plaintiff's judgment in the sum of \$3,780.95 with interest thereon at the rate of 4% per annum from September 1, 1963, until paid.
3. The residue if any to the Clerk of this Court to await further order of this Court.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that from and after the sale of the above described premises under and by virtue of this Judgment and Decree, the defendant and all persons claiming by, under or through said defendant since the filing of the Complaint herein, be and they are hereby forever barred and foreclosed from any and every lien, claim, right, title interest or estate in, to or upon the aforesaid premises.

Dated this 16th day of October 1964.

William E. Taylor
CLERK OF THE COURT

APPROVED:

Sam E. Taylor
SAM E. TAYLOR
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
 Plaintiff,)
 vs.)
 265.17 Acres of Land, More or Less,)
 Situate in Osage, Pawnee and Creek)
 Counties, Oklahoma, and Theresa M.)
 Lynn, et al., and Unknown Owners,)
 Defendants.)

Civil No. 5897
 Tracts Nos. 3611 & E-1 thru E-3

FILED
 OCT 19 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$800.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$800.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and William R. Lynn, Guardian of Estate of Theresa M. Lynn, an incompetent, defendant herein, has by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$800.00, inclusive of interest.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$800.00, inclusive of interest;

(c) The Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount herein-after set forth, payable to the order of the following-named payee:

William R. Lynn, Guardian of Estate
of Theresa M. Lynn, an Incompetent \$800.00

Entered OCT 16 1964

ALEX L. CARLOW

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

22.00 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and Agnes Burns, et al., and
Unknown Owners,

Defendants.

Civil No. 5362

Tract Nos. A-190E

FILED

OCT 20 1964

J U D G M E N T

NOBLE C. HOOD
Clerk U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interest in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$5,550.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$3,550.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Agnes L. Burns, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$5,550.00, inclusive of interest.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands 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 the above tract is the sum of \$5,550.00, inclusive of interest, of which amount \$3,550.00 has previously been disbursed to this defendant and First National Bank of Pawhuska, Oklahoma;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,000.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following payees:

Agnes L. Burns \$2,000.00

Entered 6/11/64

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.

Civil No. 5505

635.95 Acres of Land, More or Less,
Situate in Pawnee, Osage and Creek
Counties, Oklahoma, and Effie Freeman
Rogers, et al., and Unknown Owners,)
Defendants.)

Tract No. 3774E & E-2 thru E-5

FILED

OCT 20 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 10th day of July, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 10th day of July, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tracts on the date of taking and are entitled to receive the award thereof.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$16,540.00, as determined by the Report of Commissioners of July 10, 1964, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACT NOS. 3774E & E-2 thru E-5

Owner: H. T. and Louise Marlow

Award of Just Compensation	-	\$16,540.00
Deposited as Estimated Compensation	-	11,500.00
Disbursed to Owner	-	11,500.00
Balance due to Owner	-	5,040.00
Deposit Deficiency	-	5,040.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$5,040.00, with interest at 6% per annum from November 21, 1962, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payees:

H. T. & Louise Marlow \$5,040.00, plus all accrued interest.

Entered *11/21/64*

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.)
)
2,851.79 Acres of Land, More or Less,)
Situat e in Osage County, Oklahoma,)
and Osage Tribe of Indians, et al.,)
and Unknown Owners,)
)
Defendant.)

Civil No. 5763

Tract No. 1033-4M

FILED

OCT 20 1960

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

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded, if any, the claimants of the oil lessee interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 claiming a compensable interest in the oil lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds that defendant Carl T. Mathews has failed to appear or answer, nor has his attorney appeared or answered in his behalf, and that said party defendant is in default at this time. The Court further finds that said Carl T. Mathews has no compensable interest in the oil lessee estate herein.

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

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

(b) There exists a \$125.00 surplus resulting from the final award being less than the estimated just compensation. The Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of

this Court in the amount of \$125.00, payable to the order of the Treasurer
of the United States and to mail the check to said payee.

Entered

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

a.js

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
1929.31 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma,)
and W. G. Rogers, et al., and)
Unknown Owners,)
Defendants.)

Civil No. 5826

Tract No. 1823-24

FILED

OCT 20 1964

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

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the oil lessee interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the oil lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below listed defendants were the sole owners of the oil lessee interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and Simon LeBow Corporation and John Q. McCabe, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$2,400.00, inclusive of interest.

5. The Court finds the amount of \$2,400.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. No amount was deposited into the Registry of this Court as estimated just compensation for said oil lessee interest 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 oil lessee estate set forth in the Complaint and Declaration of Taking in and to the tract 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 the above oil lessee interest is the sum of \$2,400.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,400.00, 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:

Simon LeBow Corporation \$1,200.00
John Q. McCabe 1,200.00

Entered *October 20th, 1964*


UNITED STATES DISTRICT JUDGE

APPROVED:


ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
427.05 Acres of Land, More or Less,
Situate in Pawnee, Osage, and Creek
Counties, Oklahoma, and Glen A. Milam,
et al., and Unknown Owners,
Defendant.

Civil No. 5844
Tract Nos. 4225 & E

FILED

OCT 20 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$4,500.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$3,200.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Walter W. Lauener, defendant herein, has by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$4,500.00, inclusive of interest.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$4,500.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,300.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Walter W. Lauener \$4,500.00

Entered (154

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.)
)
460.50 Acres of Land, More or Less,)
Situat in Nowata and Rogers Counties,)
Oklahoma, and Jess Larson, et al, and)
Unknown Owners,)
)
Defendants.)

CIVIL ACTION NO. 5411
Tract No. J-1028

FILED

OCT 21 1964

J U D G M E N T

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

1.

Now, on this 21 day of October, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on an option contract and a stipulation, whereby the owners and the plaintiff have agreed upon the amount of just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. J-1028 as such estate and tract 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 the subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on May 22, 1962, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

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

8.

The owner of the lessor interest in the estate taken in the subject tract and the United States of America have executed an option contract, as alleged in the Complaint, and the owners of the lessee interest in the estate taken in the subject tract, and the plaintiff have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11, and such option contract and stipulation should be approved.

9.

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

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the persons whose names appear below in paragraph 11, and the right to just compensation

for the estate taken herein in this tract is vested in the parties so named, as their respective interests appear therein.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that the option contract and the Stipulation As to Just Compensation mentioned in paragraph 8 above hereby are confirmed; and the sum thereby fixed is adopted as the award of just compensation for the estate condemned in subject tract, and such award is allocated among the owners as follows:

TRACT NO. J-1028

Owners:

Lessor interest:

Fred Slocter

Lessee interest:

Jess Larson and
Dean Terrill

Deposited as estimated compensation - - - - - \$28,558.00

Award of just compensation - - - - - \$25,508.00

Allocated among owners:

To lessor, pursuant to
option contract - - - - \$5,210.00

To lessee, pursuant to
stipulation - - - - -\$20,298.00

Disbursed to owners:

To lessor - - - - - \$5,210.00

To lessee - - - - - -\$20,298.00

Deposit surplus - - - - - \$ 3,050.00

12.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for Tract No. J-1028 in this civil action the sum of \$3,050.00 to the Treasurer of the United States of America.

HUBERT A. MARLOW

UNITED STATES DISTRICT JUDGE

APPROVED:

HUBERT A. MARLOW
Assistant United States Attorney

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

UNITED STATES OF AMERICA

Plaintiff,

vs

343.20 ACRES OF LAND, More or Less,
Situate in TULSA, CREEK, AND PAWNEE
COUNTIES, OKLAHOMA, and GEORGE
CAMPBELL, et al, and UNKNOWN OWNERS

Defendants.

Civil # 5000

FILED

OCT 21 1968

WALTER C. FLOOD
Clerk of Court

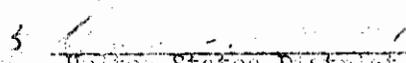
ORDER OVERRULING OBJECTION

Upon consideration of the objection to the taking of property filed by George and Garnett Campbell, and the brief filed in support of the objection, the Court finds that the objection should be overruled for the following reasons:

1. Tract A-176-E-2, which is the subject matter of this objection, contains 0.01 acre of land being taken for highway purposes.
2. The United States has the right of eminent domain, and this power is essential to a sovereign government. Kohl v. U.S., 91 U. S. 367; U. S. v Carmack, 329 U. S. 230. The United States may acquire by condemnation any land needed to maintain, operate or prosecute works for the improvements of rivers and harbors. 33 USCA 501.
3. The construction of the Arkansas River Basin project was authorized by various Acts of Congress, and the acquisition of land necessary for the construction and relocation of roads, railroads and utilities as a part of such project has also been specifically authorized by Congress.
4. It is the function of Congress to decide what type of taking is for a public use, and the agency authorized to do the taking may do so to the full extent of its statutory authority. U. S. Ex Rel T.V.A. vs Welsh, 327 U. S. 546.

IT IS THEREFORE ORDERED that the objection to the taking of property is hereby overruled.

DATED this 21st day of October, 1968.


Walter C. Flood
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Certain Land in the City of Afton,
County of Ottawa, State of Oklahoma,
and Lloyd Bell and Era E. Bell,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 6020

FILED

OCT 21 1964

J U D G M E N T

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

1.

Now, on this 21 day of October, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on an option contract, wherein the owners and the plaintiff have agreed upon the amount of just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in certain property, as such estate and property 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 the subject property.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on August 17, 1964, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of a certain estate in the subject property, a certain sum of money, none of which has been disbursed, as set out in paragraph 11 below.

7.

On the date of taking in this action, the owners of the estate taken in the subject property were the defendants whose names are shown in paragraph 17 below. Such named defendants are the only persons asserting any interest in the estate taken in such property, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this property.

8.

The owners of the subject property and the United States of America have executed a Contract to Sell Real Property, as alleged in the Complaint, wherein they have agreed that just compensation for the estate condemned in subject property is in the amount shown as compensation in paragraph 11, and such contract 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 property named in paragraph 2 herein, as such property is particularly described in the Complaint and Declaration of Taking filed herein; and such property, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject property were the persons whose names appear below in paragraph 11, and the right to just compensation for the estate taken herein in this property is vested in the parties so named.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the contract, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed

is adopted as the award of just compensation for the estate condemned in subject property as follows:

Owners of subject property -

Lloyd Bell and
Era Bell

Award of just compensation, pursuant to contract - - - - -	\$10,000.00	\$10,000.00
Deposited as estimated compensation - - - - -	<u>\$10,000.00</u>	
Disbursed to owners - - - - -		<u>None</u>
Balance due to owners - - - - -		\$10,000.00

12.

It Is Further ORDERED that the Clerk of this Court shall disburse the funds on deposit in the Registry of the Court in this civil action, as compensation for the taking of the subject property, as follows:

Jointly, to Lloyd Bell and Era Bell - - - - - \$10,000.00

ALLEN E. CANNON

UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney

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

E. W. NEMO,

Plaintiff,

vs.

THE NICHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY, a corporation,
Defendant.

NO. 2881
CIVIL

F 20

J U D G M E N T

This action came on for trial before the
Court and a jury, Honorable Fred Laughery, District
Judge, presiding, and the issues having been duly tried
and the jury having duly rendered its verdict,

It is Ordered and Adjudged that the plaintiff
take nothing, that the action be dismissed on the merits,
and that the defendant The Nicholson, Topoka and Santa Fe
Railway Company recover of the plaintiff the amount his
costs of action.

Dated this 27 day of October, 1904.

Fred Laughery
Judge of the United States
District Court

APPROVED FOR ENTRY

E. W. Nemo
E. W. Nemo
Attorney for Plaintiff

RAINEY, FLYNN & WELCH
BY E. W. Nemo
Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
AMERICAN AIRLINES, INC.,
Plaintiff,
vs.
[Name obscured]Defendant.

FILED

OCT 26 1964

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
AMERICAN AIRLINES, INC.,
Plaintiff,
vs.
[Name obscured]
Defendant.

[Name obscured]

[Name obscured]

[Faint, mostly illegible text, likely a legal opinion or motion]

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

MAC BRILLHART,)
)
 Plaintiff,)
)
 vs.) No. 5974
) CIVIL
 R. J. BLEVINS, et al,)
)
 Defendants.)

FILED

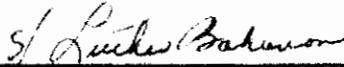
OCT 16 1964

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

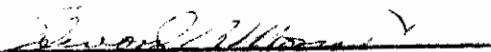
ORDER OVERRULING DEFENDANTS' MOTION FOR
NEW TRIAL

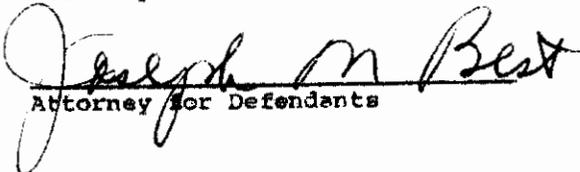
Now on this 16th day of October, 1964, there coming on for hearing pursuant to regular and proper setting, defendants' motion for new trial. The plaintiff appearing by his attorney, Edward O. Monnet of the firm of Murdock, Schwabe & Monnet, and the defendant appearing by its attorney, Joe Best of the firm of Best, Sharp, Thomas & Glass, and the court having heard arguments of counsel and being fully advised in the premises, finds that said motion should be overruled.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that defendants' motion for new trial be and is hereby overruled and upon oral application by defendant, supersedeas bond is fixed at \$20,000.00.


Luther Bohanon, Judge

APPROVED AS TO FORM:


Attorney for Plaintiff


Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
 Plaintiff,)
 vs.)
 147.59 Acres of land, More or less,)
 Situate in Tulsa, Creek and Pawnee)
 Counties, Oklahoma, and J. T. O'Reilly,)
 et al., and Unknown Owners,)
 Defendants.)

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

Civil No. 5465

Tract No. 0925-8M

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71c of the Federal Rules of Civil Procedure, on all parties having compensable interest in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$24,307.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$24,307.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and F. W. Tillack, Eva H. Bell, John T. Craig, Jr., Leslie L. Craig, Clara Allene Craig, Estate of Eunice Laird and C. R. Colpitt entered into a contract, as evidenced by an option for the

purchase of land granted to 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 \$22,028.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that defendants John J. Blockberger and Mrs. J. M. Romer have failed to appear or answer, nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands 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 the above tract is the sum of \$24,307.00, inclusive of interest, of which amount the sum of \$18,610.00 has heretofore been disbursed to C. R. Colpitt;

(c) 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:

F. W. Tillack	\$1,139.60
Eva H. Bell	1,139.60
John T. Craig, Jr.	284.70
Leslie L. Craig	284.70
Allene Craig	284.70
Eunice Laird	284.70

(d) The Clerk of the Court is hereby authorized and directed to retain the amounts set out below for this tract for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owners set forth below, and in event said deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return said deposit five years from this date into the United States Treasury:

John J. Blockberger	\$1,139.50
Mrs. J. M. Romer	1,139.50

Entered OCT 27 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
Civil No. 5489
Tract No. 4148
5.02 Acres of Land, More or Less,)
Situating in Pawnee County, Oklahoma,)
and C. F. Gray, et al., and)
Unknown Owners,)
Defendants.)

FILED

OCT 27 1964

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

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$600.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$400.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and P. D. Lindsey, Attorney for W. H. Noel, Guardian of the Estate of Effie Freeman Rogers, an Incompetent, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$600.00, inclusive of interest.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands 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 the above tract is the sum of \$600.00, inclusive of interest, of which amount the sum of \$400.00 has been previously distributed to W. H. Noel, Guardian of Estate of Effie Freeman Rogers, an Incompetent;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$200.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee:

W. H. Noel, Guardian of the Estate
of Effie Freeman Rogers, an Incompetent . . . \$200.00

Entered *October 27, 1964*

ALBERT J. BROWN

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)
 vs.)
)
 734.55 Acres of Land, More or Less,)
 Situate in Pawnee and Creek Counties,)
 Oklahoma, and Claud Brown, et al.,)
 and Unknown Owners,)
)
) Defendants.)

Civil No. 5894
Tract No. 3254

FILED

OCT 27 1964

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

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$1,610.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$1,288.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and Mildred M. Adams entered into a contract, 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 \$966.00, inclusive of interest, for her interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract ; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and P. D. Lindsey, Attorney for W. H. Noel, Guardian of Estate of Effie Freeman Rogers, an Incompetent, defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$644.00, inclusive of interest, for her interest.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands 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 the above tract is the sum of \$1,610.00, inclusive of interest.

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$322.00, 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:

Mildred M. Adams \$966.00
W. H. Noel, Guardian of Estate
of Effie Freeman Rogers, an
Incompetent \$644.00

Entered 00: 27 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

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FILED
OCT 27 1964

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

The Court will now call upon the Government to present its case. The Government will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now call upon the defense to present its case. The defense will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now hear the closing arguments of the parties. The Government will present its closing arguments. The defense will present its closing arguments. The Court will now announce its verdict. The Court finds the defendant guilty of [Charge]. The Court sentences the defendant to [Sentence].

The Court will now call upon the Government to present its case. The Government will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now call upon the defense to present its case. The defense will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now hear the closing arguments of the parties. The Government will present its closing arguments. The defense will present its closing arguments. The Court will now announce its verdict. The Court finds the defendant guilty of [Charge]. The Court sentences the defendant to [Sentence].

The Court will now call upon the Government to present its case. The Government will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now call upon the defense to present its case. The defense will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now hear the closing arguments of the parties. The Government will present its closing arguments. The defense will present its closing arguments. The Court will now announce its verdict. The Court finds the defendant guilty of [Charge]. The Court sentences the defendant to [Sentence].

The Court will now call upon the Government to present its case. The Government will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now call upon the defense to present its case. The defense will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now hear the closing arguments of the parties. The Government will present its closing arguments. The defense will present its closing arguments. The Court will now announce its verdict. The Court finds the defendant guilty of [Charge]. The Court sentences the defendant to [Sentence].

The Court will now call upon the Government to present its case. The Government will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now call upon the defense to present its case. The defense will call upon the witness, Mr. [Name], to testify. The witness will testify that on [Date] at [Location] he observed [Description of Event]. The witness will also testify that [Additional Details]. The witness will conclude his testimony. The Court will now hear the closing arguments of the parties. The Government will present its closing arguments. The defense will present its closing arguments. The Court will now announce its verdict. The Court finds the defendant guilty of [Charge]. The Court sentences the defendant to [Sentence].

Allen E. [Signature]

Allen E. [Signature]

Allen E. [Name]
[Address]
[City, State, Zip]

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

217.76 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Hidalgo-Willacy Oil Company, et
al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5677

All Tracts

FILED

OCT 28 1964

J U D G M E N T

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

1.

Now, on this 28 day of October, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on an option contract, wherein the owner has agreed upon the amount of just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in the tracts enumerated in the caption above, as such estate 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 the subject property.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on June 26, 1963, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

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

8.

The owner of the subject tracts and the United States of America have executed an option contract, as alleged in the Complaint, wherein they have agreed that just compensation for the estate condemned in subject tracts is in the amount shown as compensation in paragraph 11, and such option contract 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 estate 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 estate are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estate condemned herein in the subject tracts was the person whose name appears below in paragraph 11, and the right to just compensation for the estate taken herein in these tracts is vested in the party so named.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that the option contract, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed

is adopted as the award of just compensation for the estate condemned in subject tracts as follows:

ALL TRACTS COMBINED

Owner: Hidalgo-Willacy Oil Company		
Award of just compensation, pursuant to option contract - - - -	\$27,500.00	\$27,500.00
Deposited as estimated compensation - - -	<u>\$27,500.00</u>	
Disbursed to owner - - - - -		\$27,500.00

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

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

Felix and Scisson, Inc.,)
)
) plaintiff,)
)
) vs.) No. 5711-Civil
)
) United States of America,)
)
) defendant.)

FILED

OCT 28 1964

ORDER OVERRULING DEFENDANT'S MOTION FOR
JUDGMENT NOTWITHSTANDING VERDICT, OR IN
THE ALTERNATIVE FOR A NEW TRIAL.

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

Defendant's motion for Judgment Notwithstanding the Verdict, or in the alternative for a New Trial, is overruled and denied by the court.

With reference to the active trade and continuing to carry on substantially the same trade propositions, the evidence presented at the trial was conflicting and, in fact, substantial to support either the conclusion urged by the plaintiff or the conclusion urged by the defendant. The jury, after complete exposure to the facts and under proper instructions by the court, decided the controversy in favor of the plaintiff. This decision of the jury is supported by substantial evidence and while the court if required in place of the jury to make this determination might have reached a different conclusion, the court cannot say that under the evidence in this case either proposition can and should be answered as a pure matter of law.

With reference to the worthless debts proposition, the plaintiff had two signed promissory notes which had never been paid, cancelled or returned to the debtors. The debtor-creditor relationship is supported by substantial evidence without any doubt. From there on, under the evidence, the jury could have reached several conclusions as to what happened between the parties regarding equipment involved, the financial status and ability to pay the debtors, the futility of collection attempts, and if

became worthless. It is believed that under the evidence the jury reached the proper determination that the required debtor-creditor relationships existed and that the debts became worthless. These determinations were supported by substantial evidence in the opinion of the court.

With reference to defendant's motion for a new trial, the Court is of the opinion that all jury determinations herein are supported by substantial evidence and that such determinations are not contrary to the clear weight of the evidence. A new trial is therefore not in order and must be denied. Each side presented its case in an able fashion, there was room for controversy and argument as to each issue involved and the jury has settled the matter by its answers to interrogatories and verdict based thereon.

Dated this 26 day of October, 1964.

(s) Fred Daugherty

Fred Daugherty

United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FENIX & SCISSON, INC.,)
a Corporation,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)

Civil No. 5711

FILED

OCT 28 1964

JUDGMENT

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

On the 26th day of May, 1964, came on to be heard the above entitled and numbered cause and came both parties, plaintiff and defendant, through their respective attorneys and announced ready for trial; thereupon a jury was selected, heard the evidence and arguments of counsel, and on the 29th day of May, 1964, returned its general verdict accompanied by its answers to interrogatories and found for the plaintiff; it is therefore

ORDERED, ADJUDGED, and DECREED by the Court that the plaintiff, Fenix & Scisson, Inc., a corporation, do have and recover of and from the defendant, the United States of America, the sum of \$34,400.79 for the overpayment of income taxes for its taxable year ended October 31, 1958, with interest thereon as provided by law, the sum of \$6,439.36 for the overpayment of assessed interest for said taxable year, with interest thereon as provided by law, and all costs of suit provided by law.

Dated at Tulsa, Oklahoma, this 28 day of October, 1964.

(s) Fred Daugherty
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

Paul C. Davis, Jr., an infant under the
age of six years, who sues by Paul C.
Davis, Jr., as next friend, and Paul C.
Davis, Sr.,

Plaintiffs,

vs.

United States of America,

Defendant.

OCT 21 1964

NOBLE C. HOOD
Clerk, U. S. District Court
CIVIL ACTION NO. 5383

ORDER APPROVING COMPROMISE SETTLEMENT

The stipulation of the parties to the above action, dated the 28th day of October, 1964, wherein it is agreed by the defendant, United States of America, to pay to plaintiffs, Paul C. Davis, Jr., and Paul C. Davis, Sr., the sum of Eight Thousand Two Hundred Fifty Dollars (\$8,250.00) without admission of liability or fault on the part of said defendant and wherein plaintiffs agree to accept said sum in full and complete satisfaction of all claims and demands arising out of the incident and circumstances giving rise to this litigation, is hereby approved pursuant to the provisions of 28 U.S.C. 2677, and it is

ORDERED, that this action stand dismissed with prejudice and without costs upon payment to the plaintiffs by the defendant of the amount stated, and, it is further

ORDERED that an attorney's fee in the amount of One Thousand Six Hundred Fifty Dollars (\$1,650.00) shall be paid to Mr. Dennis J. Downing, 900 Mobil Building, Tulsa, Oklahoma, attorney of record for the plaintiffs, and that such fees are to be paid of and not in addition to the amount stated above.

DATED this 28th day of October, 1964.

(s) Allen E. Bennett
UNITED STATES DISTRICT JUDGE

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
) Petitioner,)
)
vs.) Civil No. 5975
)
370.6 Acres of Land in Mayes County,)
Oklahoma, Jack Foreman, et al.,)
)
) Defendants.)

FILED

OCT 29 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS

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

NOW, on this the 29th day of October, 19 64, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 21st day of July, 19 64, should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 21st day of July, 19 64, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:

Tract No. 1 (PS 1-3)

FEE TITLE:

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

The SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 31, T 21 N, R 21 E of the Indian Base and Meridian, containing 40.0 acres.

Tract No. 2 (PS 1-5)

FEE TITLE:

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

The S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 31, T 21 N, R 21 E of the Indian Base and Meridian, containing 50.0 acres.

Tract No. 3 (PS 1-6)

FEE TITLE:

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

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 31, T 21 N, R 21 E of the Indian Base and Meridian, containing 10.0 acres.

Tract No. 4 (PS 1-27)

FEE TITLE:

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

The NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, the W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, the W $\frac{1}{2}$ SE $\frac{1}{4}$, Lot 2, and the south 900 feet of the east 660 feet of Lot 3, all in Sec. 6, T 20 N, R 21 E of the Indian Base and Meridian, containing 270.6 acres.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 5th day of August, 1964, upon the depositing of the sum of \$ 13,100.00 with the registry of this Court for the lands and estates taken in and to the above described land.

(s) Fred Laugherty
U. S. District Judge

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

F. W. LEACH,)
)
 Plaintiff,)
)
 vs.)
)
 JOSIAH S. HARLAN, JR.)
)
 Defendant.)

No. 5959

FILED

OCT 30 1964

NOBLE C. HOOD
Clerk U. S. District Court

ORDER

NOW, on this 30th day of October, 1964, there came on for hearing pursuant to regular assignment, the above captioned matter for disposition. The Plaintiff appeared by and through his attorney, William L. Richards, of Address, Woodgate, Richards & Condos; and the defendant appeared by and through his attorney, Alfred B. Knight. The Court finds that the parties herein have made, executed and delivered full, final and complete releases for any and all claims arising out of the alleged accident; and both parties are orally requested by the Court that the above captioned matter be dismissed with prejudice.

The Court specifically finds that said settlement is reasonable, and is in the best interest of the plaintiff.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the above captioned matter be dismissed with prejudice, at the cost of the defendant.

Alfred B. Knight
JUDGE

William L. Richards
Attorney for the Plaintiff
Alfred B. Knight
Attorney for the Defendant