

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

MERGENTHALER LINOTYPE COMPANY,
A Division of Eltra Corporation,
Plaintiff,

vs.

J. D. MARVIN,
Defendant.

No. 6225

FILED

NOV - 1 1965

J U D G M E N T

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

At Tulsa, within the Northern District of Oklahoma, on this 8th day of November, 1965, this cause comes on for hearing pursuant to regular setting, and the plaintiff appears by its attorney, Wm. J. Threadgill, and the defendant appears by his attorney, Hughey Baker, and after statement of counsel, the Court finds that judgment should be entered for the plaintiff against the defendant for the possession of property only.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff is the owner of, has a special interest in, and is entitled to the immediate possession of the following described equipment:

One (1) Linotype machine, Model 31-4-90 No. 70,003, equipped with Electric Pot, V-Belt Driving Motor, Thermo-Blo Mold Cooler and Manual Hydraquadder, also the following extra supplies: Five (5) 90-Channel Full-length Magazines, Five (5) 90-Channel Lower-Split Magazines, One (1) Margach Metal Feeder minus Mold and Eighteen thousand and fourteen (18,014) Regular Two-letter Matrices.

(5) *Luther Bohannon*
DISTRICT JUDGE

APPROVED:

W. J. Threadgill
Attorney for Plaintiff

Hughey Baker
Attorney for Defendant

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

ORBIT SUPPER CLUB, A DIVISION OF)
TOOTER GUTHRIE INC., a Corporation,)
)
Plaintiff,)
)
vs.)
)
THE HOME INSURANCE COMPANY,)
THE GULF INSURANCE COMPANY,)
THE AMERICAN CASUALTY COMPANY, and)
THE PHOENIX INSURANCE COMPANY, all)
foreign insurance companies,)
)
Defendants.)

NO. 6 2 6 0

FILED

DEC - 1 1965

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

STIPULATION FOR DISMISSAL

COME now the plaintiff and the defendants, and move the Court to dismiss, with prejudice, the above-captioned cause, for the reason and upon the grounds that the cause has been compromised, settled, and resolved.

WHEREFORE, premises considered, the plaintiff and the defendant, pray that the Court dismiss the above-captioned cause, with prejudice, at the cost of the defendants.

ORBIT SUPPER CLUB, A DIVISION OF
TOOTER GUTHRIE INC., a Corporation,
by Edward Olin Guthrie
Edward Olin Guthrie, President,
Plaintiff,
JAMES D. IVERSON,

James D. Iverson
Attorney for the Plaintiff;

ALFRED B. KNIGHT,

Alfred B. Knight
Attorney for the Defendants.

ORDER

NOW, on this 1st day of December, 1965, the above-captioned cause, by Order of the Court, is dismissed with prejudice, on stipulation of the parties hereto, at the cost of the defendants.

[Signature]
UNITED STATES DISTRICT JUDGE

DEC - 2 1965

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

United States of America,)	
	Plaintiff,)
vs.	)	Civil No. 4967
)	
1,699.52 Acres of Land, More or Less,	)	Tract Nos. G-742-1, -2 &
Situate in Tulsa, Creek, & Pawnee	)	E-1 thru E-5
Counties, Oklahoma, and Lillie S.)	
Mathews, et al, & Unknown Owners,)	
)	
	Defendants.)

A M E N D E D J U D G M E N T

Comes now the plaintiff, United States of America, by and through its attorney, Robert P. Santee, and moves the Court for an Amended Judgment correcting and amending a Judgment entered herein on the above tracts on October 11, 1965.

The Court finds that the style of said Judgment appeared as follows:

United States of America vs. 1033.72 Acres of Land,
More or Less, Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Pearl B. Jackson Co., et al,
and Unknown Owners.

The style of Civil No. 4967 should be and is as follows:

United States of America vs. 1699.52 Acres of Land,
More or Less, Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Lillie S. Mathews, et al,
and Unknown Owners.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED THAT the Judgment entered on October 11, 1965, will be amended to reflect the correct style as set out above and that this amendment is limited to this change only.

Entered: NOV 30 1965

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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DEC - 2 1965

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

United States of America,	Plaintiff,)	
vs.		)	Civil No. 6129
271.89 Acres of Land, More or Less,		)	Tract Nos. 2314 & E
Situate in Tulsa, Pawnee, and Creek)	
Counties, Oklahoma, and Sidney Gore,)	
et al, and Unknown Owners,)	
	Defendants.)	

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.

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 \$2,125.00, 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 \$2,125.00 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 prior to the institution of the above proceeding the United States of America and Parke Ruark, E. Smith Hester, Paul Pugh, Walter V. Melton, and Ray Spess entered into a contract, as

evidenced by an option for the purchase of the minerals and the lessee interest 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 \$2,125.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

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 \$2,125.00, inclusive of interest;

(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:

E. Smith Hester	\$ 25.00
Paul Pugh	25.00
Walter V. Melton	50.00
Ray Spess	2,000.00
	<hr/>
	3,100.00
	\$21,000.00

(d) The Clerk of the Court is hereby authorized and directed to retain the amount set out below for these tracts for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner 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:

Parke Ruark \$25.00

Entered: NOV 30 1965

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,316.38 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Tim Sharp, et al, and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 4961

Tract No. 4732-11

(Lessee interest only)

FILED

DEC -3 1965

J U D G M E N T

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

1.

NOW, on this 3 day of December, 1965, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation as to 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 lessee interest in the estate condemned in Tract No. 4732-11, as such estate and tract are described in the Complaint and the Declaration of Taking filed in this action.

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on July 8, 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 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 lessee interest in the estate taken in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out in paragraph 11 below.

7.

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

8.

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

9.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the lessee interest only in the estate taken, as such estate is described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America, as of July 8, 1960, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

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

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

TRACT NO. 4732-11
(Lessee Interest Only)

Owner:

M. E. Parrott

Award of just compensation		
pursuant to stipulation - - - - -	\$100.00	\$100.00
Deposited as estimated compensation - -	<u>\$100.00</u>	
Disbursed to owner - - - - -		<u>\$100.00</u>

ALBERT H. ENLOW
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
	)	CIVIL ACTION NO. 4973 ✓
Plaintiff,)	
	)	Subsurface Interest Only in
vs.)	
	)	Tract No. L-1244
503.74 Acres of Land, More or Less,)	
Situate in Nowata County, Oklahoma,	)	All Interests in
and Hinman Stuart Milam, et al,)	
and Unknown Owners,	)	Tract No. N-14
	)	FILED
Defendants.)	

J U D G M E N T

DEC - 3 1965

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

1.

NOW, on this 3rd day of December, 1965, 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 4, 1965, 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 subsurface interest in the estate taken in Tract No. L-1244 and to the entire estate taken in Tract No. N-1423, as such tracts and estates 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 tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on July 28, 1960, the United States of America filed its Declaration of Taking of certain estates in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there were deposited in the Registry of this Court as estimated compensation for the taking of the subject property certain sums of money, and part of such deposits has been disbursed, as set out in paragraph 11 below.

7.

The Reports of Commissioners filed herein on November 4, 1965, hereby are accepted and adopted as findings of fact as to the subject property. The amount of just compensation for the taking of subject property, as fixed by the Commission, is set out in paragraph 11 below.

8.

This Judgment will create a deficiency between the amount deposited as estimated compensation for the subsurface interest in Tract No. L-1244, but will create a surplus in the deposit for Tract No. N-1423, all as shown in paragraph 11 below. The surplus should be applied toward payment of the deficiency and the balance of the deficiency as to Tract No. L-1244 should be deposited by the Plaintiff.

9.

The defendants named in paragraph 11 as owners are the only defendants asserting any interest in the property described in paragraph 3, all other defendants having either disclaimed or defaulted; as of the date of taking, the named defendants were the owners of the subject property and, as such, are entitled to receive the just compensation awarded by this Judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tracts, as such tracts are described in the Declaration of Taking filed herein, and such tracts to the extent of the subsurface interest only in the estate taken in Tract No. L-1244 and the entire estate taken in Tract No. N-1423, as such estates taken are described in the Declaration of Taking filed herein, 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 are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to receive just compensation for taking of the subject property is vested in the defendants whose names appear below in this paragraph; the Reports of Commissioners of November 4, 1965, hereby are confirmed and the sums therein fixed are adopted as just compensation for the taking of the subject property, as shown by the following schedule:

TRACT NO. L-1244
SUBSURFACE INTEREST ONLY

OWNERS:

W. G. Phillips and)
Maude H. Phillips) ---- 1/2 --- Both are now deceased,
and Donald M. Phillips
is executor of both estates.

Hinman Stuart Milam ----- 1/6

Mildred M. Viles ----- 1/6

Mary Stevenson ----- 1/6

Award of just compensation pursuant to Commissioners' Report -----	\$6,500.00	\$6,500.00
Deposited as estimated compensation -----	\$5,600.00	
Disbursed to owners -----		\$5,600.00
Balance due to owners -----		<u>\$ 900.00</u>
Deposit deficiency -----	<u>\$ 900.00</u>	

TRACT NO. N-1423

OWNERS:

Ida M. Couch and)
H. F. Couch) --- Lessor interest, and 1/2 of the
(1/8 of 7/8) overriding royalty interest.

V. C. Couch and)
Pauline Couch) --- 1/2 of the (1/8 of 7/8) overriding
royalty interest

H. W. Patton,)
George F. Rock) --- Working interest in the oil and
gas leasehold interest.
Benjamin F. Stapleton, Jr) (a 7/8 lease, subject to 1/8 of
Gail L. Ireland) 7/8 overriding royalty)

Deposited as estimated compensation -----	\$2,125.00	
Award of just compensation pursuant to Commissioners' Report -----	\$2,100.00	\$2,100.00
Disbursed to owners -----		None
Balance due to owners -----		<u>\$2,100.00</u>
Deposit surplus -----	<u>\$ 25.00</u>	

12.

It Is Further ORDERED that the Clerk of this Court shall transfer the surplus in the deposit for Tract No. N-1423 in the amount of \$25.00 to the deposit for Tract No. L-1244.

An appropriate Order of Distribution of the award of just compensation for said Tract No. N-1423 will be entered after a hearing has been held by the Court to determine how the award should be allocated among the various owners.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners of Tract No. L-1244 the sum of \$875.00, together with interest on the \$900.00 deposit deficiency for such tract, calculated at the rate of 6% per annum from July 28, 1960, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for Tract No. L-1244 in this Civil Action. Upon receipt of such sum, the Clerk of this Court shall disburse the balance on deposit for Tract No. L-1244 as follows:

To Donald M. Phillips, executor of the estates of W. G. Phillips, deceased, and Maude H. Phillips, deceased, 1/2 of the amount on deposit.

To Hinman Stuart Milam, 1/6 of the amount on deposit.

To Mildred M. Viles, 1/6 of the amount on deposit.

To Mary Stevenson, 1/6 of the amount on deposit.

Allen G. Barnett
UNITED STATES DISTRICT JUDGE

APPROVED:

of 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.

Lloyd J. Spencer,

Defendant.

Civil No. 6282

FILED

NOTICE OF DISMISSAL

DEC - 3 1965

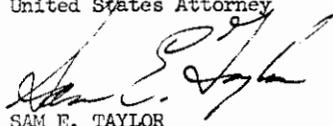
TO: Lloyd J. Spencer
6223 North 13th Place
Phoenix, Arizona

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

Please take notice that the above-styled action is hereby
dismissed.

UNITED STATES OF AMERICA

JOHN M. IMEL
United States Attorney


SAM E. TAYLOR
Assistant U. S. Attorney
Room 335, Federal Building
Tulsa, Oklahoma

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

198.39 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Forest Oil Corporation, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5409 ✓

Tract No. 6624-4

FILED

DEC - 6 1965

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

J U D G M E N T

1.

NOW on this 6th day of December, 1965, 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 Tract No. 6624-4, 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 21, 1962, 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 the Declaration of Taking.

6.

On filing of the Declaration of Taking there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract, a certain sum of money, all 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 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 awarded by this Judgment.

8.

The owners of the subject tract 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 tract 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 tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and the Declaration of Taking filed herein; and such tract, to the extent of the estate 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 receive the just compensation for such taking is vested in the parties so named.

It Is Further ORDERED, ADJUDGED AND DECREED that the option contract, mentioned in paragraph 5 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 6624-4

OWNERS:

Eloise W. Dugger and
Mattie K. Santrock

Subject to an oil and gas lease owned by:

F. R. Myers and
Olivia Myers

Award of just compensation pursuant to option contract -----	\$ 6,475.00	\$ 6,475.00
Deposited as estimated compensation -----	<u>\$ 6,475.00</u>	
Disbursed to owners -----		<u>\$ 6,475.00</u>

Allen E. Banner
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

413.36 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Emma E. Mortlock, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4990

Tract No. P-1643

FILED

DEC - 6 1965

J U D G M E N T

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

1.

NOW, on this 6th day of December, 1965, 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 November 4, 1965, 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. P-1643, 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 August 11, 1960, 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.

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 property a certain sum of money, and all of this deposit has been disbursed as set out in paragraph 12 below.

7.

The Report of Commissioners filed herein on November 4, 1965, hereby is accepted and adopted as a finding of fact as to all interest in the estate taken except all oil and gas rights. The amount of just compensation as to such interest in the subject tract, as fixed by the Commission, is set out in paragraph 12 below.

8.

H. W. Reed, the owner of all oil and gas rights in the subject tract, and the Plaintiff have executed an option contract wherein they agreed upon the amount of just compensation for the taking of such oil and gas rights, as set forth in paragraph 12 below, and such option contract should be approved.

9.

A certain deficiency exists between the amount deposited as estimated just compensation for subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 12 below.

10.

The defendants named in paragraph 12 as owners of the estate taken in 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 just compensation awarded by this Judgment.

11.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use Tract No. P-1643 described in the Complaint and the Declaration of Taking filed herein, and such property, to the extent of the estate

described in the Declaration of Taking filed herein, and for the uses and purposes described therein, 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.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, title to the estate taken herein in the subject tract was vested in the defendants named as owners in the schedule below in this paragraph; the right to receive the just compensation for the estate taken herein in subject tract is vested in the parties so named, as their respective interests appear in such schedule; the option contract mentioned in paragraph 8 above and the Report of Commissioners of November 4, 1965, hereby are confirmed and the sums therein fixed are adopted as just compensation for the estate taken in the subject tract, as shown by the following schedule:

TRACT NO. P-1643

OWNERS:

1. Oil and gas rights only:

H. W. Reed

2. All interest in the estate taken, except oil and gas rights:

Heirs of Isaac Wynn, deceased, who are:

Bessie Wynn
Delmar Wynn
Lola Blanke
Naomi Gordineer
Harry Wynn
Doris Voss

Award of just compensation
for all interests ----- \$3,350.00

Allocated:

To oil and gas rights interest
pursuant to option ----- \$3,025.00

To all other interests
pursuant to Commissioners'
report ----- \$325.00

Deposited as estimated compensation
for all interests ----- \$3,025.00

Disbursed:

To H. W. Reed ----- \$3,025.00

To others ----- None

Balance due to owners ----- \$325.00

Deposit deficiency ----- \$ 325.00

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the estate taken in the subject property in the amount of \$325.00, together with interest on such deficiency at the rate of 6% per annum from August 11, 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 entire balance on deposit for the subject tract, including the accrued interest, jointly to:

Bessie Wynn
 Delmar Wynn
 Lola Blanke
 Naomi Gordineer
 Harry Wynn
 Doris Voss

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

EDWARD E. MALEY,)
)
 Plaintiff,)
)
 vs.)
)
 ANTHONY J. CELEBREZZE,)
)
 Defendant.)

No. 5899 - Civil

FILED

DEC - 7 1965

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

ORDER REMANDING

To the Defendant, the Secretary of Health, Education, and Welfare:

Whereas, on November 12, 1965, the United States Court of Appeals for the Tenth Circuit directed its mandate to this Court, ordering that this cause be remanded to you for proceedings consistent with the opinion of the Circuit Court dated October 6, 1965, and said mandate was filed in this Court on November 15, 1965;

Now Therefore, you are ordered and directed to hold a further hearing for the purpose of taking additional evidence as to the ability of plaintiff to perform substantial gainful employment as of the date that he ceased work and to report to this Court concerning such hearing and your findings therefrom.

Dated this 3rd day of December, 1965.

District Judge

Okay as to form:

Ronald D. Reynolds
Attorney for Plaintiff

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

BRUCE BEVERLY VINSON,
vs.
UNITED STATES OF AMERICA.

CIVIL NO. 6814

FILED

DEC - 7 1965

ORDER

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

The Court has for disposition a motion filed by Bruce Beverly Vinson, pursuant to 28 USCA §2255, to amend his sentence, previously imposed on January 19, 1960, being consecutive sentences of five years and three years, to provide that said sentences not be aggregated for the purpose of computing good time or conduct allowance. Upon consideration of the motion, the Court finds:

Title 18 USCA §4161, provides:

"When two or more consecutive sentences are to be served, the aggregate of the several sentences shall be the basis upon which the deduction shall be computed."

It is well settled that the imprisonment of one serving consecutive sentences is considered a single term, consisting of the aggregate of such sentences for the purpose of computing good time allowance. Downey v. Green (10 Cir., 1964) 387 F.2d 661; Gregory v. United States (10 Cir.) 207 F.2d 80.

Since the petitioner's motion raises questions of law rather than fact, it is unnecessary to hold a hearing on the motion or to bring the petitioner to this district to testify.

The motion, pursuant to 28 USCA §2255, should be overruled and denied for the foregoing reasons.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the petitioner's motion pursuant to 28 USCA §2255 be and it is hereby overruled and denied.

DATED this 7th day of December, 1965.

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

NELL MILLS,)
Plaintiff,)
vs) CIVIL ACTION NO. 5998
UNITED STATES OF AMERICA,) FILED
Defendant.)

DEC - 8 1965

J U D G M E N T

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

The above cause having heretofore been briefed and argued by counsel for the respective parties, the same came on for decision this 29th day of November, 1965, upon the Plaintiff's Motion for Summary Judgment, and the Court, having heretofore filed its findings of fact and conclusions of law, in denying Defendant's Motion for Summary Judgment re-adopts such findings of fact and conclusions of law, thereupon, upon consideration of said cause, IT IS ORDERED, ADJUDGED AND DECREED that said Motion for Summary Judgment be and the same is sustained, and that Plaintiff have and recover of and from the Defendant judgment in the principal sum of \$1,555.06 for the refund of income taxes and \$305.03 for the refund of interest paid by Plaintiff to Defendant for the year 1959; the sum of \$555.00 for income taxes and \$75.65 for interest paid by Plaintiff to Defendant for the year 1960; and the sum of \$355.00 for income taxes and \$42.44 for interest paid by Plaintiff to the Defendant for the year 1961.

IT IS BY THE COURT FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff have judgment against Defendant for interest at the rate of six percent per annum (6%) on the aforesaid principal sums, for which judgment is hereby rendered from the date of the payment of such taxes and interest by Plaintiff to Defendant, to-wit, from and after August 7, 1963, on said sums paid for the said years.



UNITED STATES DISTRICT JUDGE

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 6175

Hess Crossland,
 Plaintiff,
 vs.
 Continental Casualty Company, a foreign
 insurance corporation,
 Defendant.

FILED

JUDGMENT
DEC - 8 1965

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

This action came on for trial before the Court and a jury, Honorable Fred Daugherty
 , United States 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 its merits, and that the defendant, Continental Casualty
 Company, a foreign insurance corporation, recover of the plaintiff,
 Hess Crossland, its costs of action.

Dated at Tulsa, Oklahoma , this 12th day
 of October , 1965 .

NOBLE C. HOOD

Clerk of Court

By Ben B. Ballenger
 Ben B. Ballenger, Deputy

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

HESS CROSSLAND,

Plaintiff,)

vs.)

CONTINENTAL CASUALTY COMPANY,
a foreign insurance corporation,
Defendant.)

No. 6175 Civil

FILED

DEC - 8 1965

O R D E R

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

The plaintiff's Motion for Judgment Notwithstanding the Verdict or in the Alternative for a New Trial is denied.

Under the evidence the case should have been submitted to the jury to determine if the decedent died from an accident and the insurance policy covered her death. This determination involved factual considerations under the evidence which were properly submitted to the jury and which should not have been determined by the Court. Caporossi vs. Atlantic City, A. J., 328 F. 2d, 620; Beattie vs. Elgin, 217 F. 2d, 863; Snead vs. New York Cent. R. Co., 216 F. 2d, 169; O'Day vs. Chicago River & Indiana R. Co., 216 F. 2d, 79.

Plaintiff's alternative motion for a new trial is based on three contentions: (1) The Court did not properly instruct the jury on the meaning and definition of an accident, (2) The Court should have instructed the jury regarding a legal presumption against suicide, and, (3) The verdict of the jury is not supported by the evidence.

With reference to the first contention, the Court defined an accident in the instruction set out in footnote^{1/} hereof, and then instructed the jury that if they found that the insured took barbituates to induce sleep without any intention to thereby take her own

^{1/} You are instructed that the policy of insurance involved herein is an accident policy. Such type policy under its provisions and obligations only permits recovery thereunder when the named insured sustains a bodily injury from an accident independently of all other causes. An accident is defined as an event which happens unexpectedly and unintentionally and without the design or foresight as to the person affected thereby.

life and that death resulted from the taking of such barbituates directly and independently of all other causes that their verdict should be in favor of the plaintiff. See footnote 2/. Thus, if the jury believed the evidence and contention of the plaintiff they were told by the Court that an accident was present. The Court is completely satisfied with these instructions and feels that the jury was properly instructed in this respect.

With reference to the second contention, the plaintiff relies principally on the Oklahoma case of Prudential Insurance Company vs. Foster, 168 Pac. 2d, 295, and urges that by virtue of said case the Court erred in not instructing the jury to the effect that there is a legal presumption against suicide. Said case does not require such an instruction. It merely refused to reverse the lower court because such an instruction was given by the lower court. The case, in fact, frowns on giving such an instruction and terms the same as erroneous. The better rule is that such an instruction should not be given in a case of the kind we are involved with here where there is any evidence tending to show suicide. The Court feels that there was considerable evidence before the jury tending to show that the insured took her own life or committed suicide and that the requested instruction should not have been given.

With reference to the third contention, it is sufficient to say that in view of the evidence presented herein the verdict of the jury is supported by the evidence and should stand. It would not be proper in this case for the Court to put the jury aside and decide the case itself. Accordingly, the plaintiff's motion is denied.

Dated this ___ day of December, 1965.

U. S. District Judge

2/

The jury is instructed that if it finds from a preponderance of the evidence herein and under these instructions that the insured, Iva L. Crossland, took barbituates to induce sleep without any intention to thereby take her own life and that death resulted from the taking of such barbituates directly and independently of all other causes, then your answers to the interrogatories submitted and your verdict based thereon should be in favor of the plaintiff.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America.

Plaintiff,

vs.

274.85 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and McAlester Fuel Company, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5114

Tract No. 4731-C

FILED

DEC - 9 1965

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

AMENDMENT TO JUDGMENT

FILED JULY 30, 1965

NOW, on this 9th day of December, 1965, this matter comes on for hearing on the motion of the Plaintiff for an amendment to the judgment filed herein on July 30, 1965, and the Court, having been advised by counsel for Plaintiff, having examined the files and being fully advised in the premises, finds and concludes that:

1. The schedule in regard to Tract No. 4731-C, found on the last page of the judgment filed on July 30, 1965, shows the amount of the award for 1/4 of the lessor interest and the amount deposited and disbursed for such interest as \$297.75.

2. The amount shown in the judgment covered only the interest of one owner whereas there were two owners who had settled for identical amounts. Therefore, the amount deposited and disbursed, and the amount agreed upon by separate stipulations with two different owners, actually, was \$595.50.

This paragraph of the judgment, therefore, is erroneous and the Plaintiff's motion to amend the judgment should be sustained.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the judgment filed in this action on July 30, 1965, hereby is amended in the following particulars only:

The schedule with regard to Tract No. 4731-C found on the last page of said judgment is made to read as follows, to wit:

"1/4 of Lessor Interest Only in Tract No. 4731-C

Owners:

Sadye T. King - - - - - 1/8

Clyde T. Stapler - - - - - 1/8

Award of just compensation pursuant to stipulations - - - - -	\$595.50	\$595.50
Deposited as estimated compensation - - - - -	<u>\$595.50</u>	
Disbursed to owners - - - - -		<u>\$595.50"</u>

Allen B. Barron
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Elmer Collins,

Defendant.

Civil No. 6125

FILED

DEC - 9 1965

NOTICE OF DISMISSAL WITH PREJUDICE NOBLE C. HOOD
Clerk, U. S. District Court

Comes now the plaintiff, United States of America, by and through Phillips Breckinridge, Assistant United States Attorney for the Northern District of Oklahoma, and gives notice of dismissal of its cause of action above styled and numbered with prejudice.

UNITED STATES OF AMERICA

Phillips Breckinridge
PHILLIPS BRECKINRIDGE
Assistant U. S. Attorney

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing Notice of Dismissal With Prejudice was mailed to Ernest R. Brown, Attorney at Law, P. O. Box 156, Pryor, Oklahoma, this 9th day of December, 1965.

Phillips Breckinridge
PHILLIPS BRECKINRIDGE
Assistant U. S. Attorney

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

W. WILLARD WIRTZ, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR)
)
Plaintiff)
)
v.)
)
ANCHOR STONE COMPANY, a corp.,)
AMULCO ASPHALT COMPANY, a corp.,)
PAVING INDUSTRIES, INC., a corp.,)
and R. J. PLEASANT and I. D. PILCHER()
)
Defendants)

CIVIL ACTION
FILE NO. 6138

FILED

DEC - 9 1965

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

J U D G M E N T

This cause came on pursuant to assignment on the 15th day of November 1965, and after hearing and considering the oral testimony, the evidence, the exhibits, pleadings, interrogatories and replies thereto, and plaintiff's requests for admissions, together with the agreement and stipulations of the parties, and being fully advised in the premises, pursuant to Findings of Fact and Conclusions of Law filed herein and in accordance therewith;

It is, therefore, ORDERED, ADJUDGED and DECREED that defendants, and each of them jointly and severally, their officers, agents, servants, employees, and all persons acting or claiming to act in their behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of Sections 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U.S.C. 201, et seq.), hereinafter referred to as the Act, in any of the following manners:

(1) The defendants shall not, contrary to Section 6 and 15(a)(2) of the Act, pay to any of their employees engaged

in the production of goods for interstate commerce, within the meaning of the Act, wages at rates less than \$1.25 per hour, or such other minimum hourly rate as may hereafter be provided for by the Act.

(2) Defendants shall not, contrary to Section 7 and 15(a)(2) of the Act, employ any of their employees engaged in the production of goods for commerce, as that term is defined by the Act, for workweeks longer than forty hours unless the employees receive compensation for their employment in excess of forty hours during such workweeks at a rate not less than one and one half times the regular rates at which they are employed.

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

(4) It is further ORDERED, ADJUDGED and DECREED that defendants, and each of them jointly and severally, be enjoined and restrained from withholding from their employees whose names appear on the list attached hereto unpaid minimum wages and overtime compensation in the amounts set out opposite their respective names, in the total amount of \$3,645.57, and which is made a part hereof.

The provisions of this Order shall be deemed satisfied when the defendants deliver to the plaintiff by certified or

cashier's check the amount of \$3,645.57, made payable to "Wage and Hour - Labor." Payment by defendants to the plaintiff, as aforesaid, shall be accomplished within thirty days from the date of this judgment.

Plaintiff shall distribute the proceeds of such payment as is made to him by defendants to the persons named in the attached list, or their estate if that is necessary, and any money not so paid within a reasonable time, because of inability to locate the proper persons or because of their refusal to accept it, shall be covered into the Treasury of the United States as miscellaneous receipts.

(5) It is further ORDERED, ADJUDGED and DECREED that the costs of this action shall be taxed against the defendants including the attorney's docket fee.

Dated this 9th day of December 1965.

(s) Fred Laughtery
UNITED STATES DISTRICT JUDGE

Billie L. Sinclair	\$ 158.66
Earney W. Hefley	492.23
James H. Milburn	318.56
James Scheer	536.32
John G. Diel, Jr.	1,605.13
Ansel L. Lynch	23.10
John E. Atterbury	11.20
Willie Bemo	65.60
James Johnson	66.80
J. L. Clark	66.00
Ed C. Hagan	52.40
Jewell Rube Harris	28.92
Russell W. Potter	22.77
Clarence Potter, Jr.	35.60
Wilbur D. Mullins	29.95
Delbert D. Salisbury	22.95
Bobby Wallen	28.03
Robert B. McGlaughlin	70.70
Carl Sappington, Jr.	10.65

Total - \$3,645.57

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,) CIVIL ACTION NO. 4894
)
vs.) Tract No. 5729-C
)
699.00 Acres of Land, More or Less,) Lessor Interest Only
Situat e in Nowata County, Oklahoma,)
and Simpson-Fell Oil Company, et al,)
and Unknown Owners,)
)
Defendants.)

FILED

DEC 10 1965

J U D G M E N T

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

1.

NOW, on this 10 day of December, 1965, this matter comes on for disposition on application of plaintiff, United States of America, for entry of Judgment on a Stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This Judgment applies only to the lessor interest in the estate condemned in Tract No. 5729-C, as such estate and tract are described in the Declaration of Taking filed in this action.

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on March 23, 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 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 lessor interest in the estate taken in the subject tract, a certain sum of money, and none of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owner of the lessor interest in the estate taken in subject tract was the defendant whose name is shown in paragraph 12 below, and such named defendant is entitled to receive the just compensation awarded by this Judgment.

8.

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

9.

A deficiency exists between the amount deposited as estimated compensation for the lessor interest in the estate taken in subject tract and the amount fixed by the Stipulation as to Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owner. Such deficiency is set out in paragraph 12 below.

10.

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

11.

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

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulation as to Just Compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the lessor interest in the estate condemned in subject tract as follows:

TRACT NO. 5729-C
LESSOR INTEREST ONLY

OWNER:

Nadine Lee Matthews

Award of just compensation pursuant to Stipulation -----	\$750.00	\$750.00
Deposited as estimated compensation -----	\$500.00	
Disbursed to owner -----		None
Balance due to owner -----		<u>\$750.00</u>
Deposit deficiency -----	<u>\$250.00</u>	

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this Civil Action to the credit of Tract No. 5729-C, the deficiency sum of \$250.00, and the Clerk of this Court then shall disburse from the deposit for the subject tract to Nadine Lee Matthews the sum of \$750.00.

Allen E. Barron
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
330.43 Acres of Land, More or Less,)
Situat e in Osage and Pawnee Counties,)
Oklahoma, and Elzie M. Findley, et al.,)
and Unknown Owners,)
Defendants.)

Civil No. 5172 ✓
Tract Nos. 3208E-3 &
3208E-4

FILED
DEC 15 1965

J U D G M E N T

NOBLE C. HOOD *h*
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 affirming the Order of Dismissal entered herein on February 20, 1963.

2. The Court finds that the Declaration of Taking and Complaint were duly filed on May 10, 1961, and that the Court has jurisdiction of the parties and the subject matter of this action.

3. The Court further finds that the estates taken in Tracts 3208E-3 and 3208E-4 were previously acquired under the same tract numbers in Civil Action 5071, filed on December 2, 1960.

4. The Court further finds that for the reasons given in the Motion and Order for Dismissal previously filed herein that Tracts 3208E-3 and 3208E-4 should be dismissed from Civil Action 5172.

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

That those portions of the Complaint and Declaration of Taking in Civil Action 5172, filed May 10, 1961, which pertain to Tracts Nos. 3208E-3 and 3208E-4, are hereby dismissed and held for naught.

Entered

/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.

Theodore Miller,

Defendant.

Civil No. 6196

FILED

DEC 15 1965

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

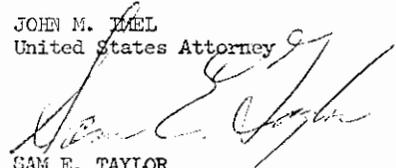
NOTICE OF DISMISSAL

TO: Theodore Miller:

Please take Notice that the above-entitled action is
hereby dismissed.

UNITED STATES OF AMERICA

JOHN M. MEL
United States Attorney


SAM E. TAYLOR
Assistant U. S. Attorney
Room 335, Federal Building
Tulsa, Oklahoma

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Donald Eugene White,
Petitioner,
vs.
United States of America,
Respondent.

Civil No. 6169

FILED

DEC 16 1965

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

ORDER

This matter coming on before me, the undersigned Judge, this 26th day of October, 1965, for hearing upon the motion to vacate sentence pursuant to 28 U.S.C. 2255, filed herein by the petitioner, Donald Eugene White, and said petitioner being personally present and represented by his court appointed counsel, Thomas R. Brett, and the respondent, United States of America, appearing by Phillips Breckinridge, Assistant United States Attorney, and the court having heard the testimony of the petitioner and having considered the files and records in this cause, as well as Criminal Case No. 13500 in this court, and all other evidence in the case, and being fully advised in the premises finds:

That on the 14th day of March, 1960, the petitioner herein entered a plea of guilty to an information charging a violation of 18 U.S.C. 2312, and on the same date was sentenced by the Honorable Royce H. Savage, a Judge of this court, to the custody of the Attorney General pursuant to the provisions the Youth Corrections Act (18 U.S.C. 5010(b)). He was represented at that time and throughout the proceeding against him by Mr. William Bell, court appointed counsel.

That thereafter, on the 12th day of April, 1965, the petitioner filed his 2255 motion. That the sole reason advanced by him for setting aside the judgment of conviction was that under the Youth Corrections Act the petitioner could remain in custody for a period of six (6) years, which period of time is in excess of the five (5) year maximum term of imprisonment established by 18 U.S.C. 2312.

Petitioner makes no complaint that his plea of guilty was not otherwise voluntarily entered.

That the record reflects that the petitioner was not informed by the court prior to the acceptance of his plea of guilty that he could be held

in custody for a period of six (6) years if sentenced under the Youth Corrections Act.

That at the hearing on petitioner's motion he testified that he was aware at the time he entered his plea of the five (5) year maximum sentence provided for by Congress under 18 U.S.C. 2312. However, his testimony was vague, uncertain and indefinite as to what his understanding of the maximum sentence could be under the Youth Corrections Act at the time he entered his plea, and the court finds his testimony in this regard wholly unsatisfactory. The petitioner further testified, when specifically asked whether his attorney, Mr. Bell, advised him prior to the entry of his plea of the sort of sentence he could receive under the Youth Corrections Act, that he could not remember or recall whether Mr. Bell so advised him or not.

That Mr. Bell, who was tendered by the government as a witness, is and was at the times concerned herein able and competent counsel who would in the diligent discharge in his duty to his client advised him of all the possible consequences ensuing from a plea of guilty, including the type and length of sentence which he could receive for a conviction upon such a plea. That the transcript of the proceeding on March 14, 1960, when the petitioner was sentenced, reflects that Mr. Bell stated the following to the court:

"I have also advised them of the sentence under the Youth Corrections Act and the possibilities of learning a trade and bettering themselves and request that they be sentenced under the Youth Corrections Act."

The court finds in view of the petitioner's vague testimony and his inability to remember what his counsel told him, and of the positive statement by his attorney to the court that he had advised the petitioner of the sentence which he could receive under the Youth Corrections Act prior to entering a plea of guilty, that the petitioner had been apprised and was aware of the fact that he could be held in custody for a period of six (6) years if sentenced under the Federal Youth Corrections Act before he entered his plea of guilty in Case No. 13500. Therefore, his plea was in this respect, as it was in all others, wholly voluntary and the conviction which rests upon it is valid and not subject to the collateral attack made upon it by petitioner in his motion to vacate sentence. See Chapin v. United States, 341 F. 2d 900 (10 Cir. 1965).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of Donald Eugene White to vacate sentence pursuant to 28 U.S.C. 2255 be and

it hereby is overruled and denied.

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
265.19 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
Tract No. 3713E

FILED

DEC 20 1965

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

AMENDED JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an Amended Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract, which Amended Judgment entirely replaces a judgment entered on October 18, 1965.

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 10th day of May, 1965, 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 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 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 \$18,100.00, as determined by the Report of Commissioners of May 10, 1965, which report is hereby confirmed and the sum therein fixed and adopted as just compensation for subject tract, as shown by the following schedule:

TRACT NO. 3713E

Owner:	Daisy L. Bernet
Award of Just Compensation:	\$18,100.00
Deposited as Estimated Compensation:	12,500.00
Disbursed to Owner:	16,955.00
Less Stipulation for Exclusion of Improvements:	125.00
Balance due to Owner:	1,020.00
Deposit Deficiency:	1,020.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,020.00, with interest at the rate of 6% per annum from February 14, 1964, until the date of deposit of such deficiency. Upon the 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:

Daisy L. Bernet \$1,020.00, plus all accrued interest.

Entered

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

as

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

United States of America,

Plaintiff,

vs.

Clyde Walker Willard,

Defendant.

Civil No. 6187

DEC 17 1965

J U D G M E N T

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

On this 9th day of November 1965, the above-entitled action coming on for hearing, the plaintiff, by Sam E. Taylor, Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons herein more than 20 days prior to this date, and having failed to appear, or answer, is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the amount of \$510.66 after allowance of all just credits and set-offs.

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

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendant, Clyde Walker Willard, in the sum of \$510.66, with interest thereon at the rate of six per cent (6%) from November 27, 1957, until paid, and the costs of this action.

Dec. 15 - 1965

Arthur Bohannon
United States District Judge

APPROVED:

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

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

United States of America,

Plaintiff,

vs.

Beatrice Powell,

Defendant.

Civil No. 6189

DEC 17 1965

J U D G M E N T

NOBLE C. HOOD
U. S. District Court

On this 9th day of November, 1965, the above entitled action coming on for hearing, Plaintiff, appearing by Sen E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant appearing not, the court finds that the Defendant, Beatrice Powell, was duly served with summons herein more than 20 days prior to November 9, 1965, and having failed to appear or answer should be and is hereby adjudged in default.

The court further finds that the allegations of Plaintiff's complaint are true, that on July 26, 1961, in accordance with the provisions of Title I, National Housing Act, and for valuable consideration, the defendant executed and delivered her promissory note in the sum of \$705.92, to the United Construction Company; thereafter the defendant defaulted in the payments on said note, which note was subsequently assigned to Plaintiff in accordance with the National Housing Act. There is now due and owing the Plaintiff on the note the sum of \$361.63, with interest thereon at the rate of 6% per annum from June 26, 1962.

The Court finds that the Plaintiff has filed an affidavit herein stating that said defendant is not in military or naval service of the United States and is not an infant nor an incompetent.

The court further finds that the note was given for the purpose of paying for improvements upon the property of the defendant located at 1116 East Pine Place, Tulsa, Oklahoma, and by reason thereof Plaintiff is entitled to levy execution on said premises for satisfaction of this judgment.

Therefore, it is Ordered, Adjudged and Decreed by the court that Plaintiff, United States of America, have judgment against the defendant, Beatrice Powell, for the sum of \$361.63, with interest thereon at the rate of 6% per annum from June 26, 1962, until paid, together with the costs of this action, accrued and accruing, and for further judgment directing the levying of execution upon the above-described premises and satisfaction of said judgment.

Dec. 15 1965

Lillian Bohannon
UNITED STATES DISTRICT JUDGE

APPROVED:

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

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

United States of America,

Plaintiff,

vs.

Glen Dale Bullard,

Defendant.

Civil No. 6195

FILED

DEC 17 1965

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

J U D G M E N T

On this 9th day of November 1965, the above-entitled action coming on for hearing, the plaintiff, by Sam E. Taylor, Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons herein more than 20 days prior to this date, and having failed to appear, or answer, is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that defendant is indebted to plaintiff in the amount of \$486.33 after allowance of all just credits and set-offs.

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

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendant, Glen Dale Bullard, in the sum of \$486.33, with interest thereon at the rate of six per cent (6%) from August 22, 1958, until paid, and the costs of this action.

Dec. 15-65


UNITED STATES DISTRICT JUDGE

APPROVED:


SAM E. TAYLOR
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
Joseph D. Sanford and
Nellie O. Sanford,
Defendants.

Civil No. 5849

FILED

MAY 11 1965

E. C. HOOD
U.S. District Court

J U D G M E N T

On this _____ day of _____, 1965, the above entitled matter coming on for hearing, the plaintiff, United States of America, appearing by Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and it appearing that this is a suit for money judgment on a mortgage note and for foreclosure of a real property mortgage securing said mortgage note, and it further appearing that the real property covered by the real property mortgage is located in the County of Ottawa, State of Oklahoma, and within the Northern Judicial District of Oklahoma; and

It further appearing that legal and proper service of summons has been made upon the defendants, Joseph David Sanford, aka Joseph D. Sanford, aka J. D. Sanford, if living; Nellie O. Sanford, aka Opal Sanford, if living; Rosalea Nolan, Tom Sanford, and Bertha Partain, and the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of the aforesaid Joseph David Sanford and Nellie O. Sanford, if deceased, more than twenty (20) days prior hereto, and it appearing that said defendants have failed to answer or plead herein, and that their default has been duly entered by the Clerk of this court, said entry of default is hereby approved and confirmed; and

It further appearing that the defendant, Ervin D. Sanford, has heretofore answered herein and disclaims any interest in and to the real property covered by the real property mortgage, the subject matter hereof; and

The court being fully advised and having examined the file herein finds that the allegations and averments of the plaintiff's complaint filed herein are true, and that there is due to the plaintiff from the defendants, Joseph David Sanford, aka Joseph D. Sanford, aka J. D. Sanford, if living;

and the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of Joseph David Sanford, aka Joseph D. Sanford, aka J. D. Sanford and Nellie O. Sanford, aka Opal Sanford, if deceased, on the mortgage note the sum of:

- (a) \$3,312.11 as the unpaid principal due and payable on October 1, 1962, and remaining unpaid on November 1, 1962, with interest thereon at the rate of 4% per annum from October 1, 1962;
- (b) \$88.08 as ad valorem taxes on said real property, together with \$21.60 for hazard insurance premium;
- (c) Court costs of this action.

The court further finds that the plaintiff has a first and prior lien upon the real estate and premises described in the complaint by virtue of the real property mortgage given as security for the payment of the above stated indebtedness, interest and costs, which property is described as:

Lot Thirty-three (33), Block Two (2), Nancy Lee Addition to the City of Miami, Ottawa County, Oklahoma, according to the amended plat thereof.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, United States of America, have and recover from the defendants, Joseph David Sanford, aka Joseph D. Sanford, aka J. D. Sanford, if living; Nellie O. Sanford, aka Opal Sanford, if living; and the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of Joseph David Sanford, aka Joseph D. Sanford, aka J. D. Sanford, and Nellie O. Sanford, aka Opal Sanford, if deceased, the sum of \$3312.11, together with interest thereon at the rate of 4% per annum from October 1, 1962, plus the sum of \$88.08 as ad valorem taxes, and \$21.60 for hazard insurance premium, plus the court costs of this action, accrued and accruing; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff has a first and prior lien upon the real property heretofore described by virtue of its real property mortgage; and

It further appearing that under the terms of said mortgage the plaintiff is entitled to make an election, and the plaintiff elects to have the real property hereinabove described sold with appraisement, such election is hereby approved and said real property will be sold with appraisement.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that upon failure of the aforesaid defendants to satisfy the judgment herein an order of sale shall issue to the United States Marshal for the Northern District of Oklahoma commanding him to advertise and sell with appraisement the realproperty

hereinabove described and to apply the proceeds therefrom as follows:

1. In payment of the costs of this action and of said sale.
2. In payment of any unpaid taxes due.
3. In payment of plaintiff's judgment.
4. The residue, if any, to be paid to the Clerk of this court to await further order of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that from and after the sale of the real property herein described and by virtue of this judgment and decree, the defendants and each of them and all persons claiming under them since the filing of the complaint herein be, and they are forever barred and forever foreclosed of any and all liens, right, title, claim, estate or equity in and to the said real property or any part thereof.

APPROVED:

UNITED STATES DISTRICT JUDGE

SAM E. TAYLOR
Assistant U. S. Attorney

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

THEODORE A. REHM,)
)
 Plaintiff,)
)
 vs.)
)
 MORTIMER SINGER and)
 BERNICE BARBARA SINGER,)
)
 Defendants.)

CIVIL NO. 5507 **FILED**

DEC 27 1965

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

JUDGMENT

NOW on this 21st day of December, 1965, this action came on for trial before the Court, Honorable Luther Bohanon, District Judge, presiding, and the issues having been duly tried, the Court having reviewed the pleadings and stipulations of the parties,

IT IS ORDERED AND ADJUDGED:

That the plaintiff, Theodore A. Rehm, have and recover of and from the defendants, Mortimer Singer and Bernice Barbara Singer, judgment in the sum of \$2,000.00, together with an attorney's fee in the amount of \$1,000.00 to be taxed as costs, or a total judgment of \$3,000.00, with interest thereon at the rate of six per cent (6%) per annum from this date, as provided by law, and the costs of this action.

DONE at Tulsa, Oklahoma, this 21st day of December, 1965.

Luther Bohanon
LUTHER BOHANON, District Judge

APPROVED AS TO FORM:

Frederick S. Nelson
Frederick S. Nelson, Attorney for
plaintiff, Theodore A. Rehm

WHITEBOOK AND KNOX
By *Charles A. Whitebook*
Charles A. Whitebook
Attorneys for defendants, Mortimer
Singer and Bernice Barbara Singer

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

THE RHINELANDER, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 RELIANCE INSURANCE COMPANY,)
)
 Defendant.)

NO. 6 2 7 8 - Civil

FILED

DEC 21 1965

STIPULATION FOR DISMISSAL

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

COME now the plaintiff and the defendant, and move the Court
to dismiss, with prejudice, the above-captioned cause, for the reason
and upon the grounds that the cause has been compromised, settled, and
resolved.

WHEREFORE, premises considered, the plaintiff and the defendant,
pray that the Court dismiss the above-captioned cause, with prejudice, at
the cost of the defendant.

RUSSELL AND BUTLER,
By Robert M. Butler
Robert M. Butler,

Attorneys for the Plaintiff,

ALFRED B. KNIGHT,
Alfred B. Knight
Attorney for the Defendant.

ORDER

NOW, on this 21st day of December, 1965, the above-captioned cause,
by Order of the Court, is dismissed with prejudice, on stipulation of the
parties hereto, at the cost of the defendant.

Luther Bohannon
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs.
706,76 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma and Annie Bemore
Washington, et al.,
Defendant.

Plaintiff,

Civil No. 4842

Tract Nos. A-127M
A-127M-1
A-127M-2

DEC 25 1955

WALTER G. BOOD
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 final Judgment determining the ownership and the just compensation to be awarded the former owners of 1/48 of 7/8 of 7/8 mineral leasehold interest.

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 defendant was the sole owner of 1/48 of 7/8 of 7/8 mineral leasehold interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds the amount of \$300.00, inclusive of interest, is just compensation for the taking of 1/48 of 7/8 of 7/8 mineral leasehold interest 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 \$234.00 was deposited into the Registry of this Court as estimated just compensation for said 1/48 of 7/8 of 7/8 mineral leasehold interest upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Melvin Keith Ochs, defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of 1/48 of 7/8 of 7/8 mineral leasehold interest in the above tracts is the sum of \$300.00, 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 1/48 of 7/8 of 7/8 mineral leasehold interest is the sum of \$300.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$66.00, 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:

Melvin Keith Ochs \$300.00

Entered

/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. 5855)
))
 646.79 Acres of Land, More or Less,) Tracts Nos. 2316 and)
 Situate in Pawnee County, Oklahoma,) E-1 thru E-3)
 and Carol Spess, et al, and))
 Unknown Owners,))
))
 Defendants.)

FILED

DEC 28 1965

PARTIAL JUDGMENT

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 Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor 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 lessor 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 lessor interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and Elzie M. Findley, Ruth Findley Moore, Albert E. Findley, Lester G. Findley, Jr. and Ruth Nadine Trachael, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor interest in the above tracts is the sum of \$1,175.00, inclusive of interest.

5. The Court finds the amount of \$1,175.00, inclusive of interest, is just compensation for the taking of the lessor estate by the plaintiff in the above tracts, as such estate and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$100.00 was deposited into the Registry of this Court as estimated just compensation for said lessor 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 lessor estate set forth in the Complaint and Declaration of Taking in and to the tracts 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 lessor interest is the sum of \$1,175.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,075.00, 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 payees.

Elzie M. Findley, Ruth Findley Moore, Albert E.
Findley, Lester G. Findley, Jr., and Ruth Nadine
Trachael \$1,175.00

Entered *[Handwritten Signature]*

/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

HELEN MENKEMELLER,)
)
 Plaintiff,)
)
 vs)
)
 REBA W. PIERCE AND)
 HARVEY L. PIERCE,)
)
 Defendants.)

CIVIL No. 6234

FILED

DEC 30 1965

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

JUDGMENT

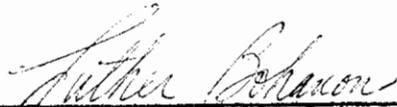
Upon and pursuant to separate findings of fact and
conclusions of law entered herein,

IT IS ADJUDGED AND DECREED:

1. That the plaintiff have judgment against the de-
fendants, and each of them, in the amount of Seven Thousand Five
Hundred Dollars (\$7,500.00).

2. That the plaintiff have judgment against the defend-
ants and each of them for her costs, to be taxed in accordance with
the rules of this court.

Dated this 29th day of December, 1965, at
Tulsa, Oklahoma.



U. S. District Judge

APPROVED AS TO FORM:



James G. Davidson,
Attorney for the Plaintiff



Joseph F. Glass,
Attorney for the Defendants