

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

United States of America,

Plaintiff,

vs.

St. Louis-San Francisco Railway
Company,

Defendant.

Civil No. 6372

FILED

MAY 3 1966

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

J U D G M E N T

The above-entitled matter having come on for consideration before the Court and the Court having found that the defendant has heretofore been duly and legally served with summons in the time and manner prescribed by law.

WHEREFORE, the Court further finds that the defendant, by and through its attorney, agrees, consents and stipulates to paragraphs 1, 2, 3, and 4 of plaintiff's complaint.

WHEREFORE, it is Ordered that the plaintiff, United States of America, have judgment against the defendant, St. Louis-San Francisco Railway Company, in the sum of \$100.00 and that the defendant pay the costs of this action.

Entered this _____ day of _____ 1966.

UNITED STATES DISTRICT JUDGE

I, Grey W. Satterfield, Attorney for the defendant herein, have read and approved the foregoing and do consent to this judgment.

GREY W. SATTERFIELD
Attorney For Defendant

APPROVED:

Attorney for Plaintiff.

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

United States of America,

Plaintiff,

vs.

St. Louis - San Francisco Railway
Company,

Defendant.

Civil No. 6382

FILED

MAY 3 1966

J U D G M E N T

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

The above-entitled matter having come on for consideration before the Court, and the Court having found that the defendant has heretofore been duly and legally served with summons in the time and manner prescribed by law. Wherefore, the Court finds the defendant, by and through its attorney, stipulated, agreed and consented to the first and second cause of action of plaintiff's complaint.

THEREUPON, the Court further finds it was stipulated, agreed and consented between the parties herein that plaintiff's third cause of action should be dismissed.

WHEREFORE, it is ORDERED:

- (1) That plaintiff's third cause of action be and is hereby dismissed.
- (2) That the plaintiff have judgment against the defendant as prayed for in plaintiff's complaint in its first and second cause of action in the total amount of \$500.00.
- (3) That the defendant pay the costs of this action accrued and accruing.

Entered this 29 day of April 1966.

Allen F. Barron
UNITED STATES DISTRICT JUDGE

I, Grey W. Satterfield, Attorney for the defendant herein have read and approve the foregoing and do consent to this judgment.

Grey W. Satterfield
GREY W. SATTERFIELD
Attorney for Defendant

APPROVED:
Lawrence A. McCord
LAWRENCE A. MCCORD
Attorney for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

47.26 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Julian W. Glass, Jr., et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4640

Tract No. U-2102E

LEASEHOLD INTEREST ONLY

FILED

MAY 4 1966

J U D G M E N T

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

1.

NOW, on this 4 day of May, 1966, this matter comes on for dis-
position on application of the plaintiff, United States of America, for
entry of judgment on the Report of Commissioners filed herein on April 12,
1966, 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 leasehold interest in the estate
taken in Tract No. U-2102E, as such estate and tract are described in the
Complaint and the Declaration of Taking filed herein.

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed
herein give the United States of America the right, power and authority to
condemn for public use the subject tract of land. Pursuant thereto, on
February 16, 1959, the United States of America filed its Declaration of Tak-
ing 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 Declaration of Taking.

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 leasehold interest in the described estate in subject tract, a certain sum of money and none of this deposit has been disbursed as set out in paragraph 12 below.

7.

The Report of Commissioners filed herein on April 12, 1966, hereby is accepted and adopted as a finding of fact as to the leasehold interest in the subject tract. The amount of just compensation as to the leasehold interest in the estate taken in subject tract, as fixed by the Commission, is set out in paragraph 12 below.

8.

A certain deficiency exists between the amount deposited as estimated just compensation for subject interest 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 defendant named in paragraph 12 as owner of subject interest is the only defendant asserting any interest in the leasehold interest in the estate condemned herein, all other defendants having either disclaimed or defaulted; the named defendant is the owner of the leasehold interest in the estate taken in the subject tract and, as such, is 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 tract as it is described in the Declaration of Taking filed herein, and such property, to the extent of the leasehold interest in the estate described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

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

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on April 12, 1966, hereby is confirmed and the sum therein fixed is adopted as just compensation for the leasehold interest in the estate taken in the subject tract, as shown by the following schedule:

TRACT NO. U-2102E
LEASEHOLD INTEREST ONLY

OWNER: L. D. White

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

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 owner the deposit deficiency for the subject tract in the amount of \$250.00, together with interest on such deficiency at the rate of 6% per annum from February 16, 1959, 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 from the deposit for the subject tract, to L. D. White, the sum of \$500.00 plus all accrued interest on the deposit deficiency for the subject property.

APPROVED:

Allen E. Barron
UNITED STATES DISTRICT JUDGE

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

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 2 1966

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

United States of America,)
)
Plaintiff,)
)
vs.)
)
47.26 Acres of Land, More or Less,)
Situate in Nowata County, Oklahoma,)
and Julian W. Glass, Jr., et al,)
and Unknown Owners,)
)
Defendants.)

CIVIL ACTION NO. 4640

Tract No. U-2102E

(Lessor Interest Only)

J U D G M E N T

1.

NOW, on this 4 day of May, 1966, this matter comes on for dis-
position 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 con-
demned in Tract No. U-2102E, 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 publica-
tion notice as provided by Rule 71A of Federal Rules of Civil Procedure on all
parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power, and authority to condemn
for public use the estate described in paragraph 2 herein. Pursuant thereto,
on February 16, 1959, 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 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 11 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 11 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 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 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.

10.

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 11, and the right to just compensation for the estate taken herein in this tract is vested in the party so named.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation as to Just Compensation, mentioned in paragraph 8 above, hereby is confirmed;

and the sum therein fixed is adopted as the award of just compensation for the lessor interest in the estate condemned in subject tract as follows:

TRACT NO. U-2102E
LESSOR INTEREST ONLY

Owner: Aaron Gladys Claggett

Award of just compensation pursuant to Stipulation -----	\$ 50.00	\$50.00
Deposited as estimated compensation -----	<u>\$ 50.00</u>	
Disbursed to owner -----		<u>None</u>
Balance due to owner -----		\$50.00

12.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for Tract No. U-2102E the sum of \$50.00 to Aaron Gladys Claggett.

Allen E. Barron
UNITED STATES DISTRICT JUDGE

APPROVED:

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 19 1966

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

United States of America,)	
)	
Plaintiff,)	CIVIL ACTION NO. 4640
)	
vs.)	Tracts Nos. U-2162E-1
)	U-2162E-2
47.26 Acres of Land, More or Less,)	
Situate in Nowata County, Oklahoma,)	Leasehold Interest only.
and Julian W. Glass, Jr., et al,)	
and Unknown Owners,)	
)	
Defendants.)	

J U D G M E N T

1.
 NOW, on this 14 day of May, 1966, 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 April 12, 1966, 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 leasehold interest in the estates condemned in the tracts enumerated in the caption above, 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 tracts of land. Pursuant thereto, on February 16, 1959, 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 filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the leasehold interest in the estates taken in subject tracts, a certain sum of money, and none of this deposit has been disbursed as set out in paragraph 12 below.

7.

The Report of Commissioners filed herein on April 12, 1966, hereby is accepted and adopted as a finding of fact as to all property covered by such report. The amount of just compensation as to the subject property, as fixed by the Commission, is set out in paragraph 12 below.

8.

The entry of this judgment will create a surplus in the deposit of estimated compensation for the estate taken in the subject tracts as shown in paragraph 11 below, and such surplus should be refunded to the plaintiff.

9.

The defendants named in paragraph 12 as owners of subject property are the only defendants asserting any interest in such property, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the leasehold interest in the estates taken in the subject tracts 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 property, to the extent of the leasehold interest in the estates described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that as of the date of taking, the owners of the leasehold interest in the estates condemned herein in the subject tracts were the defendants whose names appear in paragraph 12 below and the right to receive the just compensation for the taking of such described property is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Report of Commissioners of April 12, 1966, hereby is confirmed and the sum therein fixed is adopted as just compensation for the leasehold interest in the estates taken in the subject tracts, as shown by the following schedule:

TRACTS NOS. U-2162E-1 AND U-2162E-2

LEASEHOLD INTEREST ONLY

OWNERS:

L. D. White and
Paulette White

Deposited as estimated compensation -----	\$260.00	
Award of just compensation pursuant to Commissioners' Report -----	\$200.00	\$200.00
Disbursed to owners -----		None
Balance due to owners -----		<u>\$200.00</u>
Deposit surplus -----	<u>\$ 60.00</u>	

13.

It Is Further ORDERED that the Clerk of this Court shall disburse:

1. from the deposit for the subject tracts the sum of \$200.00, jointly, to L. D. White and Paulette White;
2. the surplus in the deposit for the subject tracts, as shown in paragraph 12 above, in the sum of \$60.00 to Treasurer of the United States of America.

Allen E. Barrett
UNITED STATES DISTRICT JUDGE

APPROVED:

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

47.26 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Julian W. Glass, Jr., et al,
and Unknown Owners,

Defendants.)

CIVIL ACTION NO. 4640

Tracts Nos. U-2162E-1
U-2162E-2

Lessor Interest Only.

FILED

MAY 4 1966

J U D G M E N T

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

On May 4, 1966, this cause, as to the captioned tracts,
came before the Honorable Allen E. Barrow, Judge of the United States District
Court for the Northern District of Oklahoma, for disposition of the plaintiff's
motion for judgment. After being advised by counsel for plaintiff, and having
examined the files in the case, the Court finds:

1.

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

2.

Service of Process has been perfected either personally or by publica-
tion 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.

3.

The Acts of Congress set out in paragraph 2 of the Complaint filed
herein give the United States of America the right, power, and authority to
condemn for public use the subject tracts, as such tracts are particularly
described in such Complaint. Pursuant thereto, on February 16, 1959, the
United States of America filed its Declaration of Taking of certain estates
in such described land, and title to such property should be vested in the
United States of America, as of the date of filing such instrument.

4.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject property, a certain sum of money, all of which has been disbursed as shown in paragraph 10.

5.

A pre-trial hearing in this case was held before the Court on August 2, 1962. Due notice of such hearing was given to all of the parties. The plaintiff, United States of America, appeared at such hearing by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. None of the defendant owners of the lessor interest in the estates taken in the subject tracts appeared either in person or by attorney and no other persons have appeared at any time in connection with such property.

6.

The Court has considered the plaintiff's evidence offered at the pre-trial hearing and finds that the decrease in market value of the ownership under consideration, caused by this action, was \$50.00 and such sum should be adopted as the award of just compensation for the lessor interest in the estates taken in the subject tracts, as shown in paragraph 10.

7.

The entry of this judgment will create a surplus in the deposit of estimated compensation for the estate taken in the subject tracts, as shown in paragraph 10 below and such surplus should be refunded to the plaintiff.

8.

The defendants named in paragraph 10 as owners of the lessor interest in the estates taken in the subject tracts are the only defendants asserting any interest in such property, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such property, as of the date of taking, and, as such, are entitled to receive the just compensation awarded by this judgment.

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 1 herein, as such tracts are particularly described in the Complaint and the Declaration of Taking filed herein; and such tracts,

to the extent of the lessor interest in the estates described in such Declaration of Taking and for the uses and purposes therein indicated, are condemned and title thereto is vested in the United States of America as of February 16, 1959, and all defendants herein and all other persons interested in such property are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the lessor interest in the estates condemned herein in the subject tracts were the defendants whose names appear in the schedule below; the right to receive the just compensation for such lessor interest in the estates taken in these tracts is vested in the parties so named. The sum of \$50.00 hereby is adopted as the award of just compensation for the lessor interest in the estates herein taken in subject tracts, as set out in the schedule which follows, to-wit:

TRACTS NOS. U-2162E-1 AND U-2162E-2

LESSOR INTEREST ONLY

OWNERS:

Josie M. Pruitt and
Cleo G. Pruitt

Deposited as estimated compensation -----	\$65.00	
Award of just compensation pursuant to Court findings -----	\$50.00	\$50.00
Disbursed to owners -----		\$50.00
Balance due to owners -----		None
Deposit surplus -----	\$15.00	

11.

It Is Further ORDERED that the Clerk of this Court shall disburse the surplus in the deposit for the subject tracts as shown in paragraph 10 above, in the amount of \$15.00, to Treasurer of the United States of America.

APPROVED:

Allen E. Barrett
UNITED STATES DISTRICT JUDGE

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

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 4 1966

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

United States of America,)	
)	
Plaintiff,)	CIVIL ACTION NO. 4640
)	
vs.)	Tracts Nos. U-2111E-1
)	U-2111E-2
47.26 Acres of Land, More or Less,)	
Situate in Nowata County, Oklahoma,)	Leasehold interest only.
and Julian W. Glass, Jr., et al,)	
and Unknown Owners,)	
)	
Defendants.))	

J U D G M E N T

1.

NOW, on this 4 day of May, 1966, 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 April 12, 1966, 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 leasehold interest in the estates taken in the tracts enumerated in the caption above, as such estates and tracts are described in the Complaint and 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 tracts of land. Pursuant thereto, on February 16, 1959, 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 was deposited in the Registry of this Court as estimated compensation for the taking of the described interest in subject tracts, a certain sum of money and none of this deposit has been disbursed, as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on April 12, 1966, hereby is accepted and adopted as a finding of fact as to the leasehold interest in the estates taken in the subject tracts. The amount of just compensation as to such interest in the subject tracts 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 just compensation for the leasehold interest in the estates taken in subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 11 below.

9.

The defendants named in paragraph 11 as owners of the leasehold interest in subject tracts are the only defendants asserting any interest in the subject property, all other defendants having either disclaimed or defaulted; the named defendants, as of the date of taking, were the owners of such leasehold interest in the estates taken 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 property, to the extent of the leasehold interest in the estates described in the Declaration of Taking filed herein, is CONDEMNED and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to receive the just compensation for the leasehold interest in the estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of April 12, 1966, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the taking of the subject property, as shown by the following schedule:

TRACTS NOS. U-2111E-1 AND U-2111E-2
Leasehold Interest Only

OWNERS:

L. D. White and
Paulette White

Award of just compensation		
pursuant to commissioners' report ----	\$600.00	\$600.00
Deposited as estimated compensation -----	\$400 00	
Disbursed to owners -----		None
Balance due to owners -----		<u>\$600.00</u>
Deposit deficiency -----	<u>\$200.00</u>	

12.

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 subject tracts as shown in paragraph 11, together with interest on such deficiency at the rate of 6% per annum from February 16, 1959, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tracts in this Civil Action.

The Clerk of this Court then shall disburse from the deposit for the subject tracts the sum of \$600.00, plus all accrued interest on the deposit deficiency for such tracts, jointly to L. D. White and Paulette White.

APPROVED:

William E. Barron
UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

47.26 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Julian W. Glass, Jr., et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4640

Tract No. U-2173E

Leasehold Interest Only.

FILED

MAY 4 1966

J U D G M E N T

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

1.

NOW, on this 4th day of May, 1966, 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 April 12, 1966, 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 leasehold interest in the estate taken in Tract No. U-2173E, as such estate and tract 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 February 16, 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 Declaration of Taking.

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 leasehold interest in the described estate in subject tract, a certain sum of money and none of this deposit has been disbursed as set out in paragraph 12 below.

7.

The Report of Commissioners filed herein on April 12, 1966, hereby is accepted and adopted as a finding of fact as to the leasehold interest in the subject tract. The amount of just compensation as to the leasehold interest in the estate taken in subject tract, as fixed by the Commission, is set out in paragraph 12 below.

8.

A certain deficiency exists between the amount deposited as estimated just compensation for subject interest 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 defendant named in paragraph 12 as owner of subject interest is the only defendant asserting any interest in the leasehold interest in the estate condemned herein, all other defendants having either disclaimed or defaulted; the named defendant is the owner of the leasehold interest in the estate taken in the subject tract and, as such, is 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 tract as it is described in the Declaration of Taking filed herein, and such property, to the extent of the leasehold interest in the estate described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

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

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on April 12, 1966, hereby is confirmed and the sum therein fixed is adopted as just compensation for the leasehold interest in the estate taken in the subject tract, as shown by the following schedule:

TRACT NO. U-2173E

LEASEHOLD INTEREST ONLY

OWNER: L. D. White

Award of just compensation		
pursuant to Commissioners' Report -----	\$185.00	\$185.00
Deposited as estimated compensation -----	\$150.00	
Disbursed to owner -----		None
Balance due to owner -----		<u>\$185.00</u>
Deposit deficiency -----	<u>\$ 35.00</u>	

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 owner the deposit deficiency for the subject tract in the amount of \$35.00, together with interest on such deficiency at the rate of 6% per annum from February 16, 1959, 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 from the deposit for the subject tract, to L. D. White, the sum of \$185.00 plus all accrued interest on the deposit deficiency for the subject property.

APPROVED:

Allen E. Ransom
UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Earlene Ledbetter,

Plaintiff,

vs.

United States of America,

Defendant.

Civil Action No. 6319

FILED

MAY 5 1966

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

ORDER APPROVING COMPROMISE SETTLEMENT

The stipulation of the parties to the above action dated April 29, 1966, wherein it is agreed by the defendant, the United States of America, to pay to plaintiff, Earlene Ledbetter, the sum of two thousand dollars (\$2,000.00) without admission of liability or fault on the part of said defendant, and wherein the plaintiff agrees to accept said sum in full and complete satisfaction of all claims and demands arising out of the incident giving rise to this litigation, is hereby approved pursuant to the provisions of 28 U.S.C. 2677.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that this action stand dismissed with prejudice and without costs upon payment to the plaintiff by the defendant of the amount stated.

Entered this _____ day of _____, 1966.

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,) Civil No. 5771
vs.))
)) Tract No. 2736-1M
2,218.84 Acres of Land, More or)
Less, Situate in Osage County,)
Oklahoma, and Erle Ottman, et al,)
and Unknown Owners,)
)
) Defendants.)

FILED

MAY 10 1966

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 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 defendant was the sole owner of the oil lessee interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds that plaintiff and J. L. Barthel, defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the oil lessee estate in the above tract is the sum of \$39.00, inclusive of interest.

5. The Court finds the amount of \$39.00, 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. Nothing 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 \$39.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$39.00, 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.

J. L. Barthel \$39.00

Entered this 9th day of May, 1966

/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.
543.55 Acres of Land, More or Less,
Situate in Tulsa County, Oklahoma,
and C. M. Hirrlinger, et al., and
Unknown Owners,
Defendants.

Civil No. 6297

Tract No. 5034E

FILED

MAY 10 1966

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, based on the Report of Commissioners filed herein on the 7th day of March, 1966.

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 March, 1966, 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 \$640.00, as determined by the Report of Commissioners of March 7, 1966, 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. 5034E

<u>OWNERS:</u>	<u>SURFACE</u>
Joe C. Wilson	1/4
Maud Inez Adair	3/32
Jack P. Longstreet, W. F. Gilbert, Jr., and Sam T. Allen III, Trustees of:	
Edward F. Reed Trust	9/32
Margaret R. Kosek Trust	9/32
Elia Mary Deck now Holm	1/32
Martha Sue Dennody	1/48
Nancy Lee Singletary	1/48
George William Deck, Jr.	1/48

	<u>MINERALS</u>
Edith M. Hayden	1/4 - Minerals
Texaco, Inc.	3/4 - Minerals
Maud Inez Adair	3/256 - Royalty
Edward F. Reed Trust	9/256 - Royalty
Margaret R. Kosek Trust	9/256 - Royalty
Elia Mary Deck now Holm	1/256 - Royalty
Martha Sue Dennody	1/384 - Royalty
Nancy Lee Singletary	1/384 - Royalty
George William Deck, Jr.	1/384 - Royalty
Commissioners of Land Office of State of Oklahoma	Mineral Claimant

Award of Just Compensation:	\$640.00
Deposited as Estimated Compensation:	540.00
Disbursed to Owners:	0
Balance due to Owners:	640.00
Deposit Deficiency	100.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$100.00, with interest at 6% per annum from October 28, 1965, 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 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:

Joe C. Wilson	\$135.00		
Jack P. Longstreet, W. F. Gilbert, Jr., and Sam T. Allen, III, Trustees	303.70		
George William Deck, Jr.	11.25		
Edith M. Hayden	25.00	plus all accrued interest.	
Texaco, Inc.	75.00	" " "	

8. 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 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:

Maud Inez Adair	\$50.65
Ella Mary Deck now Holm	16.90
Martha Sue Dennody	11.25
Nancy Lee Singletary	11.25

Entered MAY 10 1966

/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.)
)
543.55 Acres of Land, More or Less,)
Situat e in Tulsa County, Oklahoma,)
and C. M. Hirrlinger, et al, and)
Unknown Owners,)
)
Defendants.)

Civil No. 6297

Tract No. 5036E

FILED

MAY 10 1966

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 March, 1966, and based on a previously obtained option.

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 March, 1966, is hereby accepted and adopted as a finding of fact as to the tract covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 7 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 7 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 7 were the sole owners of the above-captioned tract on the date of taking and are entitled to receive the award thereof.

6. The Court finds that prior to the institution of the above proceeding the United States of America and A. W. Swift entered into a contract, as evidenced by an option for the purchase of land granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$35.00, inclusive of interest, for his interest therein, 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.

7. 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 \$88.75, as partly determined by the Report of Commissioners of March 7, 1966, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tract, as shown by the following schedule, and as further partly determined by an option previously entered into by plaintiff and A. W. Swift.

TRACT NO. 5036E

Owners: A. W. Swift, James T. Steil, Monica M. Brandenburg, James W. Steil, Robert J. Steil, Thomas F. Steil, Mary Therese Steil (now Finn), Phyllis Ann Steil Davis, and Katherine G. Steil.

<u>Award of Just Compensation:</u>	\$88.75
<u>Deposited as estimated compensation:</u>	70.00
<u>Disbursed to Owners:</u>	-0-
<u>Balance due to Owners:</u>	88.75
<u>Deposit Deficiency:</u>	18.75

8. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$18.75, with interest at 6% per annum from October 28, 1965, 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 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:

A. W. Swift Rt. 1, Sand Springs, Okla.	\$35.00 (No interest)
James T. Steil 6003 South 72nd East Avenue Tulsa, Oklahoma	15.82 (Plus 40/180 of accrued interest)
Monica M. Brandenberg 2103 East 47th Street Tulsa, Oklahoma	15.82 (Plus 40/180 of accrued interest)
James W. Steil 409 S.E. 21st Street Vero Beach, Florida	3.17 (Plus 8/180 of accrued interest)
Robert J. Steil 930 City Parkway New Orleans, Louisiana	3.17 (Plus 8/180 of accrued interest)
Thomas F. Steil 16 Bergstrom Westover AFB, Massachusetts	3.18 (Plus 8/180 of accrued interest)
Mary Therese Steil Finn 8515 S.W. 43rd Street Miami, Florida	3.17 (Plus 8/180 of accrued interest)
Phyllis Ann Steil Davis 137 Hope Street Waterloo, Iowa	3.17 (Plus 8/180 of accrued interest)

9. The Clerk of the Court is hereby authorized and directed to retain the amount 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 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.

Katherine G. Steil Address Unknown	\$ 6.25 (Plus 60/180 of accrued interest)
---------------------------------------	--

Entered: **MAY 1 0 1966**

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

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

MARK McMINN, by and through his mother
and next friend, HELEN McMINN,

Plaintiff,

vs.

ALLIED VAN LINES, INC., a corporation,
and TRANSPORT INSURANCE COMPANY,

Defendants.

CIVIL
NO. 6292

FILED

MAY 10 1966

ORDER OF DISMISSAL

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

Now on February 14, 1966, plaintiff appearing by and through
his attorneys, Bill Kerr and Charles Daniel, and by his parents, and
requests that this cause of action be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that
the above styled and numbered cause of action be, and the same is
hereby, dismissed with prejudice to the rights of the filing of a future
action.



United States District Judge for the Northern
District of Oklahoma.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

George W. Goad and George W.
Goad, Jr.,

Defendants.

CIVIL ACTION NO. 6180 ✓

FILED

MAY 12 1966

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

O R D E R

This matter comes on before the court this 9th day of May, 1966, for hearing to show cause why each of the defendants, George W. Goad and George W. Goad, Jr., should not be held in contempt of this Court's order and judgment of March 18, 1966, enjoining each of them, their agents, servants, employees, and all persons acting in concert with them, after April 1, 1966, from encroaching or trespassing upon or interfering with the use of SW/4 and S/2 NW/4 and NW/4 NW/4 of Section 4, and SE/4 NE/4 and NE/4 SE/4 of Section 8, and NW/4 SW/4 of Section 9, all in Township 23 North, Range 4 East, containing 400 acres, more or less, all in Osage County. The complainant, United States of America, plaintiff, appeared by and through Lawrence A. McSoud, Assistant United States Attorney, and the defendants, George W. Goad and George W. Goad, Jr., appeared in person and by their attorney, Mr. Robert Kelly. The court finds that judgment was entered and filed on March 18, 1966 in Civil Case No. 6180, enjoining each of the defendants above-named from encroaching, trespassing or interfering with the use of the above-described property on and after April 1, 1966 and to remain enjoined subject to their acquiring an approved and authorized lease prescribed by law. The court finds that prior to this hearing no attempt was made by the defendants or their attorney to apply to the court for an extension of time within which to comply with the order of the court.

The court further finds from the evidence that the complainant and plaintiff, on April 15, 1966, after it being brought to its attention that the defendants were not complying with the order of the court, wrote a certified letter to the defendants, which, in substance, advised that it had been brought

to the plaintiff's attention that the defendants were continuing their trespass upon the property in violation of the court's order of March 18, 1966, and that a continued trespass upon such property would be brought to the attention of the court.

The court further finds that in answer to plaintiff's letter the defendant, George W. Goad, on April 19, 1966, by letter to plaintiff, advised, in substance, that he remained on the described premises because he was attempting to acquire an approved lease. Mr. Goad further stated in said letter that he would comply with the court's order and move from the premises and was seeking a place to move.

The court further finds that the defendants have not acquired an approved lease on the premises described above and that on April 15, 1966, defendants were advised by letter from plaintiff that the premises had been leased to another party.

The court further finds that as of the date of this hearing, defendants, and each of them, continue to trespass upon the premises, contrary to the order of the court.

WHEREFORE, the court finds the actions of the defendants by so remaining upon the premises after having been enjoined by the court is a willful disobedience and resistance to the order of the court filed in the captioned case on March 18, 1966.

IT IS, THEREFORE, ORDERED that the defendants, George W. Goad and George W. Goad, Jr., be and they are hereby found to be in contempt of court, and

IT IS FURTHER ORDERED that the defendants, George W. Goad and George W. Goad, Jr., remove themselves, property, agents, servants and employees from the above described property not later than May 16, 1966, or be found in further contempt of this court.

IT IS FURTHER ORDERED that imposition of sentence be set on June 9, 1966 at 9:30 o'clock A.M.


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jesse J. Keefer,

Plaintiff,

-vs-

John Gardner, Secretary of
Health, Education and Welfare,

Defendant.

Civil Action No. 6274 ✓

FILED

APR 15 1966

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

ORDER

This cause came on for pretrial hearing on April 11, 1966, pursuant to regular assignment, Jesse J. Keefer appeared by his attorney, Heber Finch, Jr., and the defendant, John Gardner, Secretary of Health, Education and Welfare, appeared by Hugh V. Schaefer, Assistant U. S. Attorney. After statement of the case by the attorneys for the plaintiff and defendant, the attorney for plaintiff, Jesse J. Keefer, stated that there was additional evidence bearing on the disabilities of the plaintiff which were not contained in the records presented to the Department of Health, Education and Welfare, which said evidence resulted from hospitalization occurring after the decision denying the plaintiff's claim for social security benefits under Sections 216(i) and 223 of the Social Security Act as Amended.

Based upon the statement of the plaintiff's attorney, the Court, on its own motion, ordered the case remanded to the Secretary of Health, Education and Welfare for further action in receiving the testimony based upon the plaintiff's hospitalization subsequent to the decision of the Department of Health, Education and Welfare dated May 25, 1965.

Allen E. Jarow

OK 7

11600 - 11

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

WILLIAM R. WILLIAMS,

Plaintiff

vs.

JAMES F. ROGERS,

Defendant.

NO. 6354 CIVIL

FILED

MAY 13 1966

MOTION FOR DISMISSAL

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

Comes now the parties hereto, by and through their respective
counsel, and move the Court to dismiss the above captioned cause of
action with prejudice to the refiling of a future action.

BURT, SEIGEL & FRANKLIN

By: [Signature]
Attorney for Plaintiff

BEST, SHARP, THOMAS & GLASS

By: [Signature]
Attorney for Defendant

ORDER OF DISMISSAL

Now on this 12 day of May, 1966, upon appli-
cation of the parties for dismissal of this cause, IT IS ORDERED, ADJUDGED
AND DECREED that the above captioned cause of action is, and the same is
hereby, dismissed with prejudice.

18 Allen E. Banner
Judge of the United States District Court.

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

United States of America,
Plaintiff,
vs/
James H. Elsberry and Louise
Elsberry, husband and wife,
Defendants.

Civil No. 6422

FILED

MAY 27 1966

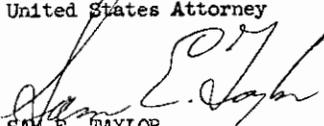
NOTICE OF DISMISSAL

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

COMES NOW the Plaintiff herein and dismisses the above
styled action without prejudice.

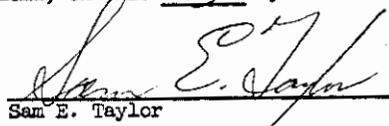
UNITED STATES OF AMERICA

JOHN M. EDEL
United States Attorney


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

CERTIFICATE OF MAILING

I hereby certify that a copy of the above and foregoing
Notice of Dismissal was mailed to: Mr. and Mrs. James H. Elsberry,
241 Palm Drive, Vista, California, by placing a copy thereof in the
United States Mails at Tulsa, Oklahoma, on this 13 day of
May 1966.


Sam E. Taylor

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

J. T. MOUNCE,)
)
) Plaintiff)
 vs.)
)
)
 THE AETNA CASUALTY & SURETY)
 COMPANY, a corporation,)
)
) Defendant)

No. 6270

FILED

MAY 17 1966

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

ORDER OF DISMISSAL WITH PREJUDICE

On this, the 17th day of May, 1966, this matter comes to the attention of this Court by having the Dismissal filed in this cause by the plaintiff, together with the request of the plaintiff for an order of this Court, dismissing this cause, and the Court, having examined the Dismissal on file herein, together with plaintiff's request for an order dismissing his cause with prejudice, and being fully advised that the plaintiff had agreed to accept, and had accepted, Four Thousand Dollars (\$4,000) and had given up any cause of action he had against the defendant, and the defendant had agreed to pay, and had paid, Four Thousand Dollars (\$4,000) in consideration of the dismissal by the plaintiff and plaintiff's request for an order of this Court dismissing this cause, does approve the action of the parties in this matter and grants the request of the plaintiff for an order dismissing plaintiff's cause with prejudice.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff's cause of action herein be, and the same is, hereby dismissed with prejudice to the right of the plaintiff to further prosecute said cause of action, and that the costs originally deposited by the plaintiff be charged to the plaintiff, and that all costs deposited by the defendant

MAY 17 1966

United States District Court

FOR THE

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

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO.

6331

Nila Santillana

vs.

Allied Supermarkets, Inc., a
Corporation, d/b/a Humpty
Humpty Supermarkets

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow
, United States District Judge, presiding, and the issues having been duly tried and
the jury having duly rendered its verdict, for the plaintiffs.

It is Ordered and Adjudged that the plaintiff, Nila Santillana, have and re-
cover judgment against the defendant, Allied Supermarkets, Inc., a corp-
oration, d/b/a Humpty Humpty Supermarkets, in the sum of Eight Thousand
Five Hundred (\$8500.00) Dollars, with interest thereon at the rate of 6%
per annum from the date hereof until paid, and her cost of action, plus
Attorney fees.

Dated at Tulsa, Oklahoma
of May , 1966.

, this 17th day

.....NOBLE C. HOOD.....
Clerk of Court

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

Tracts Nos.: 4636-H
E-513
E-514
4731-D
4731-C

FILED

MAY 20 1966

JUDGMENT AS TO 3/128ths OVERRIDING ROYALTY

INTEREST

(Supplementing Judgment filed on August 3, 1965 and Order of Distribution and Release of Judgment filed September 28, 1965)
NOBLE C. HOOD
Clerk, U. S. District Court

NOW, on this 19 day of May, 1966, this matter comes on for hearing before the Honorable Allen E. Barrow, Judge of the above-named Court, on the application to modify judgment filed by Walker T. Pound and Mozelle C. Hill. Having examined the files in this case, the application filed by the applicants, the affidavits filed by the applicants, and having heard the arguments of counsel and being fully advised in the premises, the Court finds and concludes that:

1. On the date of taking in this case Investors Service Company was not the owner of a 3/128ths overriding royalty interest in the tracts named in the caption above, but, in fact, was holding said overriding royalty interest in trust for the applicants, Walker T. Pound and Mozelle C. Hill. The judgment filed herein on August 3, 1965 wherein it is stated on Page 4 that Investors Service Company was the owner of a 3/128ths overriding royalty interest, should be amended to reflect that said interest was owned by Walker T. Pound - 2/128ths and Mozelle C. Hill - 1/128th.

2. The sum of \$1,063.71 shown by the Order of Distribution filed herein on September 28, 1965 as due to Investors Service Company, in truth and in fact is due to Walker T. Pound and Mozelle C. Hill, and such sum should be disbursed to them.

It Is, Therefore, ORDERED that the judgment entered herein on August 3, 1965 hereby is amended in the following particulars only. In

paragraph 12 on page 4 of such judgment in the schedule with reference to Tracts Nos. 4636-H, E-513, E-514, 4731-D and 4731-C, the words and figures, "Investors Service Company - 3/128ths" are deleted and the following is substituted in lieu thereof:

"Walker T. Pound - 2/128ths
Mozelle C. Hill - 1/128th".

It is further ORDERED that the Clerk of this Court shall disburse from the deposit for Tract No. 4636-H certain sums as follows:

To Walker T. Pound - - - - - \$709.14
To Mozelle C. Hill - - - - - \$354.57

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ 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.
Certain Land in the City of
Tulsa, County of Tulsa, State
of Oklahoma, and Consumers Oil
Stations, Inc., et al, and
Unknown Owners,
Defendant.

Civil Action No. 5514 ✓
Parcels Nos. 27, 27A & 27B

FILED

MAY 20 1966

NOBLE C. HOOD *h.*
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 owner of the above parcels.

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 parcels; 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 owner of the above-captioned parcels on the date of taking, and is entitled to receive the award therefor.

4. The Court finds the amount of \$1.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above parcels, as such estates and said parcels are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$1.00 was deposited into the Registry of this Court as estimated just compensation for said parcels upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and the City of Tulsa, Oklahoma, a municipal corporation, 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 parcels is the sum of \$1.00, 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 parcels are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above parcels is the sum of \$1.00, 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:

City of Tulsa, Oklahoma,
a municipal corporation \$1.00

151 Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

151 Robert P. Santee
Robert P. Santee
Assistant U. S. Attorney

APPROVED:

151 John Robert Sledge
Assistant City Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
682.75 Acres of Land, More or Less,)
Situate in Creek and Pawnee Counties,)
Oklahoma, and J. F. Quinlan, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 5924 ✓

Tract No. 4336E

FILED

MAY 20 1966

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 defendant was the sole owner of the above-captioned tract on the date of taking and is entitled to receive the award therefor.

4. The Court finds the amount of \$3,000.00, 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 \$3,000.00 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 W. C. McBride, Inc., 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 \$3,000.00, 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 \$3,000.00, inclusive of interest, which amount has previously been disbursed to W. C. McBride, Inc.

Entered: MAY 19 1966

/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.
435.41 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Lillie Benbow, et al, and
Unknown Owners,
Defendants.

CIVIL ACTION NO. 4906

Tracts Nos. E-548E-2 and
E-548E-3

FILED

MAY 25 1966

AMENDMENT TO JUDGMENT

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

NOW, on this 25th day of May, 1966, this matter came before the Court for hearing on the motion of the plaintiff, United States of America, for modification of the judgment filed in this case on April 13, 1964. After having examined the files in this case, having been advised by counsel for the plaintiff, and being fully advised in the premises, the Court finds:

1. On the date of taking in this case Investors Service Company was not the owner of a $3/128$ ths of $7/8$ ths overriding royalty interest in the tracts named in the caption above, but, in fact, was holding said overriding royalty interest in trust for Walker T. Pound and Mozelle C. Hill. The judgment mentioned above, wherein it is stated on page 3 that Investors Service Company was the owner of $3/128$ ths of $7/8$ ths overriding royalty interest should be amended to reflect that said interest was owned by Walker T. Pound - $2/128$ ths of $7/8$ ths, and Mozelle C. Hill - $1/128$ th of $7/8$ ths.

2. The sum of \$3.00 shown by the judgment as due to Investors Service Company, in truth and in fact is due to Walker T. Pound and Mozelle C. Hill, and such sum should be disbursed to them.

It Is, Therefore, ORDERED that the judgment entered herein on April 13, 1964, hereby is amended in the following particulars only. In paragraph 10 on page 3 of such judgment in the schedule with reference to Tracts Nos. E-548E-2 and E-548E-3, the words and figures "Investors Service Company - $3/128$ of $7/8$ ORR" be deleted, and the following be substituted in lieu thereof:

"Walker T. Pound - $2/128$ of $7/8$ ORR
Mozelle C. Hill - $1/128$ of $7/8$ ORR".

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for Tracts Nos. E-548E-2 and E-548E-3 certain sums as follows:

To Walker T. Pound - - - - - \$2.00

To Mozelle C. Hill - - - - - \$1.00.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ 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.
55.32 Acres of Land, More or Less,
Situata in Nowata & Rogers Counties,
Oklahoma, and Rachel Kell Swimmer,
et al, and Unknown Owners,
Defendants.

CIVIL ACTION NO. 4939
Tract No. E-548E-4

FILED

MAY 25 1966

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

AMENDMENT TO JUDGMENT

NOW, on this 22nd day of May, 1966, this matter came before the Court for hearing on the motion of the plaintiff, United States of America, for a modification of the judgment filed in this case on April 13, 1964. After having examined the files in this case, having been advised by counsel for the plaintiff, and being fully advised in the premises, the Court finds:

1. On the date of taking in this case Investors Service Company was not the owner of a $3/128$ ths of $7/8$ ths overriding royalty interest in the tract named in the caption above, but, in fact, was holding said overriding royalty interest in trust for Walker T. Pound and Mozelle C. Hill. The judgment mentioned above, wherein it is stated on page 4 that Investors Service Company was the owner of a $3/128$ ths of $7/8$ ths overriding royalty interest should be amended to reflect that said interest was owned by Walker T. Pound - $2/128$ ths of $7/8$ ths, and Mozelle C. Hill - $1/128$ th of $7/8$ ths.

2. The sum of \$3.00 shown by the judgment as due to Investors Service Company, in truth and in fact is due to Walker to Pound and Mozelle C. Hill, and such sum should be disbursed to them.

It Is, Therefore, ORDERED that the judgment entered herein on April 13, 1964, hereby is amended in the following particulars only. In paragraph 11 on page 4 of such judgment in the schedule with reference to Tract No. E-548E-4, the words and figures "Investors Service Company - $3/128$ of $7/8$, Overriding royalty interest" be deleted, and the following be substituted in lieu thereof:

"Walker T. Pound - $2/128$ of $7/8$, overriding royalty interest
Mozelle C. Hill - $1/128$ of $7/8$, overriding royalty interest".

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for Tract No. E-548E-4 certain sums as follows:

To Walker T. Pound - - - - - \$2.00

To Mozelle C. Hill - - - - - \$1.00.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 1096

Inez Greene

vs.

James Montie Gatlin

FILED
JUDGMENT

MAY 27 1966

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

This action came on for trial before the Court and a jury, Honorable

, 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 is dismissed on its merits, and that the defendant, James Montie Gatlin, recover of the plaintiff, Inez Greene, his costs of action.

Dated at Tulsa, Oklahoma, this 27th day
of May, 1966.

NOBLE C. HOOD
Clerk of Court

By:

Marion Hansen
MARION HANSEN, Deputy Clerk