

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION

District of
TULSA, OKLAHOMA.

OKLAHOMA
WEDNESDAY, APRIL 18, 1928.

Court convened pursuant to adjournment, Wednesday,
April 18, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
W. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

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

HARTFORD ACCIDENT AND INDEMNITY
COMPANY, A CORPORATION,

Plaintiff,

vs.

J. W. WILSON, JOHN J. MONAHAN,
ET AL.

Defendants

No. 246-Equity.

O R D E R

It is hereby ordered that the Defendant herein, John J. Monahan, be, and he is hereby granted thirty (30) days from this date, in which to file reply to the Brief of Plaintiff herein, on issues made between the Plaintiff and Defendants, J. W. Wilson and John J. Monahan.

Dated this 18th day of April, 1928.

F. E. KENNAMER,

Judge.

O. K.: Mason, Honnold & Williams
Attorneys for Plaintiff.

ENDORSED: Filed in U. S. District Court, April 18, 1928.

Court adjourned until April 23, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, APRIL 23, 1928.

cause directing Charles A. Coakley, Receiver and Special Master, to pay to the Security Union Insurance Company and Oilmen's Reciprocal Association the sum of Nine Hundred Dollars (\$900.00) in full satisfaction of their claims herein, and the court being fully advised in the premises finds that the said claims, and each of them, have been fully settled and compromised.

It is, therefore, ordered, adjudged and decreed that Charles A. Coakley, Receiver and Special Master herein, forthwith pay to the said claimants, Security Union Insurance Company and Oilmen's Reciprocal Association, the sum of Nine Hundred Dollars (\$900.00), which shall be in full satisfaction of the claims of said claimants and each of them herein.

F. E. KENNAMER,
Judge.

O.K.: Charles A. Coakley,
Receiver and Special Master

O.K.: Poe & Lundy
Lashley & Rambo
Solicitors for A.B.C. Dague

O.K.: West, Gibson, Sherman, Davidson & Hull
Solicitors for W. H. Gray, Pawnee
Oil Prod. Co., and other bondholders.

O.K.: Aby & Tucker
Solicitors for Frick-Reid Supply Company

O.K.: W. M. Hewitt,
By, Harvey A. Heller

O.K.: Everett C. Mead
Solicitor for Security Union Insurance
Company and Oilmen's Reciprocal Association

ENDORSED: Filed in U. S. District Court, April 23, 1928.

ORDER TO FILE AND SPREAD MANDATE OF RECORD IN Equity No. 183
MANDATE

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT
COURT OF THE UNITED STATES FOR THE NORTH-
ERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Lusanna Brink, an incompetent, by Homer D. Keys, her guardian, and J. T. Smith, her next friend, Plaintiff, and the Quaker Oil & Gas Company, of Oklahoma, et al., Defendants, No. 183, In Equity, wherein the decree of the said District Court in said cause, entered on the 5th day of January, A. D. 1927, was in the following words, viz:

" This cause came on for hearing on this 5th day of January, 1927, same being a regular day of the January, 1927, term of this court, at Tulsa, Oklahoma, Honorable F. E. Kennamer, regular judge presiding, upon the several motions of the respective defendants to dismiss, and the defense set forth in the 1st paragraph of the answer and cross-bill of The Pure Oil Company, and the defense set forth in the 20th paragraph of the answer of the Quaker Oil & Gas Company, and the defense set forth in the 1st paragraph of the answer of The Pure Oil Pipe Line Company, and after hearing the argument of counsel said motions to dismiss and said defenses

In the District Court of the United States in and for the

NORTHERN

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EQUITY SESSION,

TULSA, OKLAHOMA.

MONDAY, APRIL 23, 1928.

set forth in said answers are hereby sustained, to which action of the court the plaintiff excepts, and plaintiff's counsel having declined to plead further,

It is hereby ordered, considered and decreed that plaintiff's suit be, and the same is hereby dismissed with prejudice at plaintiff's cost, to all of which ruling and decree plaintiff excepts.

Made and ordered this 5th day of January, 1927.

F. E. KENNAMER, Judge. "

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

And thereafter, on the 15th day of June, A. D. 1927, an order was entered by the said United States Circuit Court of Appeals, substituting Katie Roubedeaux and Lizzie Gibbs, nee Brink, heirs at law, S. W. Brown, Jr., and James J. Mars, executors, and J. T. Smith, R. L. Wilkinson and Eugene B. Smith, all as successors to the interest of Lusanna Brink, deceased, as Appellants in the place and stead of the said Lusanna Brink, deceased,

AND WHEREAS, at the December term, in the year of our Lord one thousand nine hundred and twenty-seven, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, affirmed with costs, and that the Quaker Oil and Gas Company, of Oklahoma, and others named as appellees in the citation/on the appeal to this Court, have and recover against Katie Roubedeaux and Lizzie Gibbs, nee Brink, heirs at law, S. W. Brown, Jr., and James J. Mars, executors, and J. T. Smith, R. L. Wilkinson and Eugene B. Smith, all as successors to the interest of Lusanna Brink, deceased, the sum of Twenty Dollars for their costs herein to be collected according to law. ----

----- December 22, 1927.--

You, therefore, are hereby commanded that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the eighteenth day of April, in the year of our Lord one thousand nine hundred and twenty-eight.

Costs of Appellees:

Clerk, - - - - -	Paid by Appellants
Printing Record -	Printed below
Attorney - - - - -	\$20.00
	<u> </u>
	\$20.00

E. E. KOCH
Clerk of the United States Circuit Court of Appeals, Eighth Circuit.

ENDORSED: Filed in U. S. District Court, April 23, 1928.

THE APARTMENT BUILDINGS COMPANY,)
) Plaintiff,)
vs.))
JOHN L. SMILEY, ET AL))
) Defendants.)

No. 308-Equity.

On this 23rd day of April, 1928, it is by the Court ordered that time for filing Brief on the part of Plaintiff, be extended to April 24, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION TULSA, OKLAHOMA. MONDAY, APRIL 23, 1928

JOSEPH REYNOLDS, Plaintiff,)
 vs.) No. 283-Equity.
 HARRY E. SCHMIDT,)
 ET AL, Defendants.)

On this 23rd day of April, 1928, Motion of the Defendant to dismiss came on for hearing and same was, on agreement of counsel, ordered by the Court continued to April 28, 1928.

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

THE FISHER GOVERNOR COMPANY, (INC.))
 A CORPORATION, Plaintiff,)
 -vs-) No. 292-Equity.
 C. F. CAMP COMPANY,)
 A CORPORATION, Defendant.)

ORDER

This cause having come on to be heard on the application of the plaintiff to file Interrogatories addressed to the defendant and it appearing that the defendant is a Corporation, it is ordered that plaintiff be and it is hereby allowed to file such Interrogatories. It is further ordered that these Interrogatories be answered by C. F. Camp, or any officers of the defendant corporation.

Dated this 13th day of April, 1928.

F. E. KENNAMER

ENDORSED: Filed in U. S. District Court, April 23, 1928

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

THE FISHER GOVERNOR COMPANY, (INC.))
 A CORPORATION, Plaintiff,)
 -vs-) No. 292-Equity.
 C. F. CAMP COMPANY,)
 A CORPORATION, Defendant.)

ORDER

This cause coming on for hearing on the 23 day of April, 1928, the plaintiff presented to the court motion for an order for Bill of Particulars and it appearing to the court upon said motion that satisfactory reasons had been shown it is ordered that defendant is and he is hereby directed to prepare and file in this cause a Bill of Particulars in conformity with motion of the plaintiff, the same to be filed _____ days after date hereof

F. E. KENNAMER

HUGHES TOOL COMPANY,)
 vs Plaintiff,) No. 275-Equity.
 INTERNATIONAL SUPPLY)
 COMPANY, Defendant.)

On this 23rd day of April, 1928, comes on the above entitled cause for hearing, parties present by counsel, and opening state-

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, APRIL, 23, 1928.

ment of Plaintiff is heard and at this time Plaintiff withdraws as to Patent No. 1325944 and goes to trial as to Patents Nos. 12320384 Gadbold & Fletcher and 1490114 F. L. Scott. Opening statement of Defendant. At this time Messrs Blakeney & Armbrister, Attorneys for International Supply Company, are granted leave to file brief as Amica Curia in event briefs are required to be filed. At this time said cause is continued to April 24, 1928.

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

CONTACT FILTRATION CO., AND
MAX B. MILLER & COMPANY, INC.,
Plaintiffs.

vs

PIERCE PETROLEUM CORPORATION,
Defendant.

No. 280-Equity.

O R D E R

On this 23 day of April, 1928, upon the application of the defendant, and for good cause shown, it is ordered that the said defendant is hereby granted leave to further amend its answer heretofore filed in this cause according to the additional amendment attached to the application of said defendant to further amend its answer filed herein.

O.K.: Preston C. West
R. A. Kleinschmidt.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed in U. S. District Court, April 24, 1928.

Court adjourned until April 24, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of

OKLAHOMA.

TULSA, OKLAHOMA.

TUESDAY, APRIL 24, 1928.

facts and documents in accordance with Equity Rule 58, and for the taking of depositions pursuant to Equity Rule 47, commence to run upon the filing of said answer by defendant.

Done at Tulsa, Oklahoma, this 24th day of April, A. D. 1928.

O.K.: R. A. Kleinschmidt
Atty for Def.

F. E. KENNAMER, Judge.

Preston C. West
For Pltff.

ENDORSED: Filed in U. S. District Court, April 24, 1928.

HUGHES TOOL COMPANY,

Plaintiff,

v

INTERNATIONAL SUPPLY
COMPANY,

Defendant.

No. 275-Equity.

On this 24th day of April, 1928, this cause came on for hearing, counsel as before, and after testimony of the Plaintiff, Plaintiff rests. After hearing the testimony of the Defendant's witness, W. A. Doble, cause was continued to April 25, 1928.

Court adjourned to April 25, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
WEDNESDAY, APRIL 25, 1928

Court convened pursuant to adjournment, Wednesday,
April 25, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL,	Complainant,	} Equity No. 334-Filed 4-7-28
vs		} Ancillary to Missouri
D. GOODALL,	Defendant.	} Valley Bridge & Iron Com- pany vs. J. H. Middleton, et al, Equity No. 284-E.

ORDER OF DISMISSAL

Now on this 25th day of April, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action and it appearing to the satisfaction of the court that the defendant, D. Goodall has paid to said Complainant the full amount asked for in said Bill of Complaint and all of the accrued costs; the court finds that said cause of action should be dismissed with prejudice.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED That the above styled cause of action be and the same is hereby dismissed with prejudice.

F. E. KENNAMER

ENDORSED: Filed in U. S. District Court, April 25, 1928.

HUGHES TOOL COMPANY,	Plaintiff,	} No. 275-Equity.
v		
INTERNATIONAL SUPPLY COMPANY,	Defendant.	

On this 25th day of April, 1928, this cause came on for further hearing, continued from April 24th, counsel as before, defendant presents further testimony and rests. Plaintiff presents its rebuttal testimony and rests. The hour of adjournment having arrived said cause was continued to April 26, 1928.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,	} No. 343-Equity.
vs		
MARSHALL L. MOTT,	Defendant.	

ORDER

For cause shown, IT IS HEREBY ORDERED and directed that the time for plea or answer of M. L. Mott, the defendant herein, be extended thirty (30) days from the day upon which said answer is due, as shown by the return of the United States Marshal.
April 25, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. Dist. Court, April 25, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,
1928

District of
TULSA, OKLAHOMA,

OKLAHOMA
THURSDAY, APRIL 26, 1928

Court convened pursuant to adjournment, Thursday,
April 26, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clark of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

IN THE UNITED STATES DISTRICT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES,)	
)	
vs	)	No. 321-Equity.
)	
E. K. MOSS, BERTHA E. MOSS,)	
AND PERRY BOWERS,)	
)	
Defendants.)	

O R D E R

Now on this 26 day of April 1928, the above entitled and numbered cause came on to be heard before me, the undersigned, Judge of the United States District Court for the Northern District of Oklahoma, on the oral application of the defendant herein, for an order granting the defendants and each of them until the 1st day of June 1928, within which to plead or answer to complaint of the plaintiff herein, and the court being well and fully advised in the premises is of the opinion said order should be made.

IT IS THEREFORE ORDERED that the defendants and each of them are hereby given until the 1st day of June 1928 within which to plead or answer the complaint of the plaintiff filed herein.

SO ORDERED this 26 day of April 1928.

F. E. KENNAMER,
Judge of the United States District
Court for the Northern District of
Oklahoma.

O.K. Louis N. Stivers
Attorney for the Plaintiff

O.K. O. A. Morton
Attorney for Defendants E. K. Moss,
and Bertha E. Moss

O.K. J. A. Denny,
Attorney for Defendant Perry Bowers

ENDORSED: Filed in U. S. District Court, April 26, 1928.

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

HUGHES TOOL COMPANY, A CORPORATION,)	
)	
vs	)	No. 275-Equity.
)	
INTERNATIONAL SUPPLY COMPANY, A CORPORATION,)	
)	
Defendant.)	

D E C R E E

This cause coming on for trial in open court and having been heard and considered by the court, it is by the court, this

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION ,

District of
TULSA, OKLAHOMA,

OKLAHOMA
THURSDAY, APRIL 26, 1928

26th day of April, 1928, ordered, adjudged, and decreed as follows:

1. That letters patent 13020384 to Godbold and Fletcher dated November 4, 1919, as to claims three and four thereof are invalid and the bill of complaint is hereby dismissed as to such patent.

2. Letters patent 1480014 to F. L. Scott, dated January 8, 1924, are not infringed and the bill of complaint is dismissed as to said letters patent.

3. That letters patent No. 1325944 to H. R. Hughes dated December 23, 1919, having been withdrawn by the plaintiff, the bill of complaint as to said letters patent is hereby dismissed.

4. That the defendant have judgment against the plaintiff for the costs of this suit in the amount of \$850.

5. The plaintiff praying in open court an appeal from this decree to the Honorable United States Circuit Court of Appeals for the Eighth Circuit, the said appeal is hereby allowed.

F. E. KEHNAMER, Judge.

Approved as to form:

Meehan M. Church
Andrews, Streetman, Logue & Mobley
Attorneys for Plaintiff.

Leonard S. Lyon
Preston C. West
Attorneys for defendant

ENDORSED: Filed in U. S. Dist. Court, April 26, 1928.

Court adjourned to April 27, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,
1928

District of
TULSA, OKLAHOMA.

OKLAHOMA
FRIDAY, APRIL 27, 1928

Court convened pursuant to adjournment, Friday, April 27, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES,)
) Plaintiff,)
) vs.) No. 282-Equity.
))
JAMES H. MOORE,)
) Defendant.)

ORDER OF DISMISSAL

Now on this 27 day of April, 1928, it being called to the Court's attention that the within cause was instituted for and on behalf of the Department of the Interior, through the Osage Indian Agency, at Pawhuska, Oklahoma. That said matter has been fully and amicably settled through said Osage Indian Agency, and that further litigation is unnecessary.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said cause be, and hereby is dismissed at plaintiff's costs.

F. E. KENNAMER, Judge

O. K.: Hamilton, Gross & Howard
Attorneys for Defendant

O.K.: J. G. White, Supt.

ENDORSED: Filed in U. S. District Court, April 27, 1928.

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

HARRY B. BLESSING,)
) Plaintiff,)
) vs.) No. 380-Equity.
))
PEER OIL CORPORATION,)
A CORPORATION,)
) Defendant.)

ORDER FOR HEARING

Now, to-wit, April 27, 1928, this cause came on to be heard on the application of plaintiff for the appointment of receivers, the plaintiff appearing by his counsel, Thomas J. Barrett, and defendant by its counsel, Rollin E. Gish.

And the matter being considered by the Court, it is adjudged, ordered and decreed that motion for the appointment of receivers be and the same is set down for hearing on Tuesday, May 1, 1928, at 9:00 o'clock A. M., or as soon thereafter as counsel may be heard, at the United States Court room in the Post Office Building, Tulsa, Oklahoma.

It is further ordered that this cause be continued until that time.

F. E. Kennamer,
Judge of the United States
District Court for the Northern
District of Oklahoma.

ENDORSED: Filed in U. S. Dist. Court, April 27, 1928.

Court adjourned to April 28, 1928.

In the District Court of the United States in and for the

NORTHERN EQUITY SESSION, TULSA, OKLAHOMA, DISTRICT OF OKLAHOMA TUESDAY, MAY 1, 1928

Court convened pursuant to adjournment, Tuesday, May 1, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

HARRIET A. HOOSEY, ET AL,

vs.

J. A. CHAPMAN, ET AL,

IN RE: ESTATE OF ULLIE EAGLE CREEK 4338.

No. 238 - Equity.

ORDER ALLOWING INTERVENTION OF ETHEL MAY FISH

Upon the verified petition of intervention of the claimant Ethel May Fish, the said intervention is allowed under Rule 37 of the rules of equity applicable to this Court, the same to be in subordination to and recognition of the propriety of the main proceeding.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 1, 1928.

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL, Complainant,

vs

VEVA J. KEEGAN, H. E. HOLM, AND E. M. ASHBY, PARTNERS, OPERATING AS UNITED DRILLING COMPANY, Defendants.

{ Equity No. 333- { Ancillary to Missouri Valley Bridge & Iron Company, vs. J. H. Middleton, et al, Equity No. 284-E.

ORDER OF DISMISSAL

Now on this 1st day of May, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action and it appearing to the satisfaction of the court that the defendant, Veva J. Keegan, H. E. Holm, and E. M. Ashby, Partners operating as United Drilling Company, has paid to said Complainant the full amount asked for in said Bill of Complaint and all of the accrued costs; the court finds that said cause of action should be dismissed with prejudice.

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

F. E. KENNAMER

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA.

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, MAY 1, 1928.

PRÆCIPUE FOR ORDER PRO CONFESSO

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

UNITED STATES,

Plaintiff,

vs.

FLORA D. ARMSTRONG,

Defendant.

}
} Equity No. 322
}

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against Flora D. Armstrong, Bartlesville, Oklahoma for failure to plead or answer.

Dated this 2nd day of May, 1928.

H. P. WARFIELD, Clerk

By J. T. Ward, Deputy.

PRÆCIPUE

To the Clerk of said Court:

Enter the above in the Order Book in Equity of said Court:

Louis N. Stivers
Solicitors for Complainant.

ENDORSED: Filed in U. S. District Court, May 1, 1928.

Court adjourned to May 2, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, MAY 2, 1928.

Court convened pursuant to adjournment, Wednesday, May 2, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

H. F. HAUSERMAN, Plaintiff,)
vs.) No. 241-Equity.
MARY OIL AND GAS COMPANY, A CORPORATION,)
ET AL., Defendants.)

ORDER

On application of the Sand Springs Home, Sand Springs Railway, Edwin A. Page, Edwin M. Monsell, George Kinney, and Clarence Tingley, for additional time in which to answer the petition of the plaintiff, for good cause shown it is hereby ordered that said defendants, and each of them, be and they are hereby granted an extension of five days from date hereof within which to file their answer in the above entitled cause.

Dated this 2nd day of May, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 2, 1928.

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

L. R. KERSHAW, AS RECEIVER FOR THE MUSKOGEE-SECURITY NATIONAL BANK, A CORPORATION, Plaintiff,)
vs.) No. 197-Equity.
STEPHEN B. NELSON AND FRANCES E. NELSON, HIS WIFE, AND LAURA EASLEY, AND GEORGE A. TASLEY, HER HUSBAND, Defendants.)

JOURNAL ENTRY

On this 2nd day of May, 1928, the order made and entered herein April 10, 1928, sustaining defendants' motion to dismiss is hereby vacated and set aside and the Court having heard the argument of counsel on said motion to dismiss and being well and sufficiently advised doth overrule the same;

To which defendants except.

Defendants are allowed twenty (20) days to answer.

O.K. as to form F. E. KENNAMER, Judge.
Allen, Underwood & Smith
Attys for defendants

Ramsey, deMeules, Martin & Logan
Attys for Pltff.

ENDORSED: Filed in U. S. District Court, May 2, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION

District of
TULSA, OKLAHOMA.

OKLAHOMA
WEDNESDAY, MAY 2, 1928.

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

UNITED STATES,

Plaintiff,

vs.

No. 314-Equity.

E. H. DAVENPORT, OPAL MAY
DAVENPORT MOSS, MARY E. WALLACE,
C. W. DAVENPORT, KATE GUYN, J. T.
DAVENPORT, J. R. DAVENPORT,
ALICE HAGGIN AND A. P.
DAVENPORT,

Defendants.

WARNING ORDER

Now on this 2nd day of May, 1928, come on to be heard in open court the application of the plaintiff in the above styled and numbered cause for an order directing the absent and non-resident defendants to answer herein, and it appearing to the Court that this suit is commenced by the plaintiff, seeking to set aside a certain instrument therein set forth, and to remove a cloud from the title to the land situate in the Northern District of Oklahoma, described as follows, to-wit:

The Southeast Quarter (SE4) of the Southeast Quarter (SE4) of Section Four (4), Township Thirteen (13) North, Range Eight (8) East, Okfuskee County, Oklahoma,

said land being the allotment of Malissa Colbert, now Carney, a restricted citizen of the Creek Nation.

That the defendants, J. T. Davenport, J. R. Davenport, Alice Haggin and A. P. Davenport are not inhabitants or citizens of the Northern District of the State of Oklahoma, nor of the State of Oklahoma, and their respective residences are as follows: J. T. Davenport, Minden, Louisiana, J. R. Davenport, Cedar Rapids, Iowa, Alice Haggin, Wilmore Kentucky, and A. P. Davenport, Chicago, Illinois, and none of them, so far, has voluntarily appeared herein to answer the Bill of Complaint, and the Court being of the opinion that said order should be granted;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said defendants, J. T. Davenport, J. R. Davenport, Alice Haggin and A. P. Davenport, and each of them, appear, plead, answer or demur to said Bill of Complaint, on or before the 18th day of June, 1928, and that a copy of this order be served personally upon said defendants, and each of them, if possible; otherwise to be published once each week for six consecutive weeks in the Okfuskee County News, a newspaper published at Okemah, Okfuskee County in the Northern District of the State of Oklahoma.

F. E. KENNEDY, Judge.

ENDORSED: Filed in U. S. District Court, May 2, 1928.

Court adjourned to May 3, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION

District of
TULSA, OKLAHOMA.

OKLAHOMA

THURSDAY, MAY 3, 1928

Court convened pursuant to adjournment, Thursday,
May 3, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
M. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon the following proceedings were heard and en-
tered, to-wit:

THE FISHER GOVERNOR COMPANY, INC. A CORPORATION,)	
	Plaintiff,	
vs	)	No. 292-Equity.
C. F. CAMP COMPANY, A CORPORATION,)	
	Defendant.	

On this 3rd day of May, 1928, comes on the above entitled cause for trial, plaintiff represented by Welborn Mayock and W. F. Tucker. Both sides announce ready for trial, openings statements of counsel are heard and the testimony of both plaintiff and defendant. Both sides rest. Cause taken under advisement. Plaintiff given twenty days to file its brief and defendant twenty days thereafter to file reply brief and plaintiff ten days thereafter to file reply brief to defendant.

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

H. F. HAUSERMAN,)	
	Plaintiff,	
vs	)	No. 241-Equity.
MARY OIL & GAS COMPANY, ET AL.,)	
	Defendants.	

O R D E R

On application of the defendants hereinafter named, and for good cause shown, Sand Springs Home, a corporation, Sand Springs Railway, a corporation, Edwin A. Page, Edwin M. Monsell, Geo. Kinney, Clarence Tingley, be and are hereby permitted to file their answer to the amended complaint of the plaintiff as of this day, and the Clerk of this Court is hereby instructed to file the same as of this day.

Done in open Court this third day of May, 1928.

F. E. KENNAMER, Judge

ENDORSED: Filed in U. S. District Court, May 3, 1928.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
NORTHERN DISTRICT OF OKLAHOMA, SITTING AT TULSA
IN SAID STATE

SUPREME FOREST WOODMEN CIRCLE,)	
	Plaintiff,	
vs	)	ORDER 385.
MRS. G. (GERTIE) A. LYFORD AND CLYDE SANDERS,	)	IN EQUITY
	Defendants.	

On this 3 day of May, 1928, came plaintiff, Supreme Forest Woodmen Circle, and filed its Bill of Interpleader herein

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, MAY 3, 1928.

against defendants Mrs. G. (Gertie) A. Lyford and Clyde Sanders, and has tendered in this Court the sum of \$500.00 being as it claims in full payment of all benefits due under and on account of a certain beneficiary certificate of membership No. 318928 issued by plaintiff to one Grace Sanders, and asks in said Bill that the above named defendants be served with process issued by this Court and that they be required to plead for said fund so tendered with its Bill of Interpleader, and that said defendants and each of them be enjoined from instituting or prosecuting any suit or suits against plaintiff in this or any other court until the further orders of this court.

And it appearing to the court that plaintiff owes the sum of \$500.00 upon its beneficiary certificate of membership No. 318928 issued to Grace Sanders, and that both of the defendants are within the jurisdiction of this court and that they are adverse claimants to the proceeds of said certificate; and it further appearing that plaintiff is entitled to pay said sum of \$500.00 into the registry of the court and to have its costs herein expended and a reasonable fee for its Attorney of Record, to be fixed by court, allowed and paid out of the said fund, and to have an order entered releasing it from all further liability on account of said beneficiary certificate; and it further appearing that plaintiff is entitled to have all of the said defendants enjoined from instituting or prosecuting any other suit or suits against plaintiff in this or any other court on account of said beneficiary certificate, and that they be required to answer plaintiff's Bill of Interpleader and plead for said fund.

The court being well and sufficiently advised doth permit the filing of said Bill and the payment of said sum of \$500.00 to the Clerk of this Court; and doth hereby order and direct that the defendants, Mrs. G. (Gertie) A. Lyford and Clyde Sanders, both appear in this action and plead to the Bill of Interpleader herein filed by plaintiff within thirty days after the service of this notice and order upon them and upon each of them; and that each of said defendants is hereby enjoined and restrained from instituting or prosecuting any suit or suits against the Supreme Forest Woodmen Circle in this or any other court on account of the above described beneficiary certificate until the further orders of this court.

IT IS FURTHER ORDERED that a copy of this order, properly certified by the Clerk of this Court be issued, directed to the United States Marshal for the Northern District of the State of Oklahoma for the defendant, Mrs. G. (Gertie) A. Lyford, and to the United States Marshal for the District of the State of Indiana for the defendant, Clyde Sanders; and that said process be returnable to this Court on the 4th day of June, 1928, and that each and both of the above defendants be and they are hereby directed to appear and answer the Bill of Interpleader of the Supreme Forest Woodmen Circle filed in the Clerk's office of said Court, in the City of Tulsa, on the 3 day of May, 1928, and to interplead herein for said sum so deposited with the Clerk of the Court pursuant to the Act of Congress approved May 8, 1926, and to then and there receive and abide by such judgment and decree as shall then or thereafter be made, upon pain of judgment being pronounced against them by default.

The within named defendants are notified that they are required to file their answer or other defenses in the Clerk's offices of the said Court, at Tulsa, Oklahoma on or before 30 days after service.

It is further ordered that plaintiff, having paid to the Clerk of this Court the said sum of \$500.00, be and is hereby discharged with all of its costs herein expended; that the Clerk of this Court shall pay to plaintiff's Attorney of Record the sum of \$ as a reasonable fee for his services herein; and that the Clerk of this Court shall hold the remainder of said sum in his possession to abide the judgment of the Court.

It is further ordered and decreed that this case remain upon the docket and that it continue as a suit between the defendants herein.

BY THE COURT

F. E. KERNAMER, Judge

ENDORSED: Filed in U. S. District Court, May 3, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA.

THURSDAY, MAY 3, 1928.

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

UNITED STATES,)	
)	
Plaintiff)	
vs.	)	No. 350-Equity.
)	
CALVIN A. BEARD, TRESSIE)	
J. BEARD, BIRTIE STEEL AND)	
R. M. STEEL,)	
Defendants.)	

WARNING ORDER

Now on this 3rd day of May, 1928, came on to be heard in open court the application of the plaintiff in the above styled and numbered cause for an order directing the non-resident defendants herein to answer, and it appearing to the Court that this suit is commenced by the plaintiff, seeking to cancel and set aside certain instruments therein set forth, and to remove a cloud from the title to the land situate in the Northern District of Oklahoma, described as follows, to-wit:

The Southeast Quarter (SE4) of the Southeast Quarter (SE4); and the East Half (E2) of the Southeast Quarter (SE4) of the Southwest Quarter (SW4) of Section Eight (8); and the Northeast Quarter (NE4) of the Northeast Quarter (NE4); and the East Half (E2) of the Northwest Quarter (NW4) of the Northeast Quarter (NE4) of Section Seventeen (17), Township Twenty-four (24) North, Range Thirteen (R3) East, Washington County, Oklahoma,

said land being the allotment of Julia Hall, a restricted citizen of the Cherokee Nation

That diligent search has been made for said defendants by the Department of the Interior, through the office of the Superintendent of the Five Civilized Tribes, and its field clerks. That the whereabouts of said defendants are to this plaintiff unknown. That said defendants, nor either of them has voluntarily appeared herein, and are not inhabitants or citizens of the Northern District of the State of Oklahoma, nor of the State of Oklahoma, and the Court being of the opinion that said order should be granted;

IT IS THEREFORE ORDERED that said defendants, Calvin A. Beard, Tressie J. Beard, Birtie Steel and R. M. Steel, and each of them appear, plead, answer or demur to said Bill of Complaint, on or before the 25th day of June, 1928, and that a copy of this order be served personally upon said defendants, and each of them, if possible; otherwise, to be published once each week for six consecutive weeks in the Bartlesville Enterprise, a newspaper published at Bartlesville, Washington County, in the Northern District of the State of Oklahoma.

F. E. KENNAMER, Judge

ENDORSED: Filed in U. S. District Court, May 3, 1928.

Court adjourned to May 4, 1928.

In the District Court of the United States in and for the

NORTHERN EQUITY SESSION, DISTRICT OF TULSA, OKLAHOMA, OKLAHOMA FRIDAY, MAY 4, 1928

Court convened pursuant to adjournment, Friday, May 4, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES OF AMERICA, Plaintiff, vs FRED Z. HILL, BING EISCHMINGER, HARLEY KELLNER, ED HICKMAN, JIM COX, BEN BOWMAN AND HILL & COMPANY, Defendants. No. 311-Equity.

ORDER OF COURT

Now on this the 4th day of May, 1928, the same being a regular day of the Special March, 1928, term of said Court, there coming on for hearing the Motion of the United States District Attorney asking that the expenses of the Marshal in padlocking the property involved herein, be taxed as costs and that in the event Defendants fail and refuse to pay said costs within ten days from this date that execution issue therefore,

The Court finds that there has been expended by the United States Marshal's office in carrying out the orders heretofore issued herein, the sum of Sixteen and 25/100 (\$16.25) Dollars,

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the sum of \$16.25 be taxed as costs in padlocking said building and that in the event said Defendants fail, refuse and neglect for a period of ten days from this date to pay said costs that execution issue therefore.

F. E. KENNAMER, United States District Judge.

O.K.: Harry Seaton, Assistant United States Attorney. ENDORSED: Filed in U. S. Dist. Court, May 4, 1928.

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

UNITED STATES OF AMERICA, Plaintiff, v. FRED Z. HILL, TOMMY HILL, "SWEDE" J. SWANSON, WICK KARNs, AND W. L. SHAW, Defendants. No. 312-Equity.

ORDER OF COURT

Now on this the 4th day of May, 1928, the same being a regular day of the Special March 1928 term of said Court, there coming on for hearing the Motion of the United States District Attorney asking that the expenses of the Marshal in padlocking the

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION

District of
TULSA, OKLAHOMA,

OKLAHOMA
FRIDAY, MAY 4, 1928.

property involved herein, be taxed as costs and that in the event Defendants fail and refuse to pay said costs within ten days from this date, that execution issue therefore,

The Court finds that there has been expended by the United States Marshal's office in carrying out the orders heretofore issued herein, the sum of FOURTEEN and 25/100 (\$14.25) DOLLARS.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the sum of \$14.25 be taxed as costs in padlocking said buildings and that in the event said Defendants fail, refuse and neglect for a period of ten days from this date to pay said costs that execution issue therefore.

G.K.: Harry Seaton, Assistant
United States Attorney

F. E. KENNAMER,
United States District Judge.

ENDORSED: Filed in U. S. District Court, May 4, 1928.

Court adjourned to May 5, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION

District of

OKLAHOMA

TULSA, OKLAHOMA

SATURDAY, MAY 5, 1928

Court convened pursuant to adjournment, Saturday,
May 5, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

FIRST NATIONAL BANK OF
TULSA, OKLAHOMA, A CORPORATION,

Plaintiff,

vs

NATIONAL HARDWOOD COMPANY,
A CORPORATION, ET AL,

Defendants.

In Equity No. 39.

ORDER CONFIRMING SALE OF CERTAIN PERSONAL
PROPERTY TO DELAWARE HARDWOOD COMPANY

Now, on this 5th day of May, 1928, this matter coming on for hearing on this motion of Delaware Hardwood Company to confirm the sale of certain personal property heretofore made herein by First Trust & Savings Bank of Tulsa, Oklahoma, at and during the time that said First Trust & Savings Bank of Tulsa, Oklahoma, was receiver in said cause and just prior to the resignation of said company as receiver and the succession of Honorable G. H. Smith as receiver, and applicant appearing in person and by its attorney, Geo. W. Reed, Jr., and said receiver appearing by his attorney, Leonard E. Roach, Jr., and the court being well and sufficiently advised in the premises, finds:-

That heretofore and under prior order of this court, First Trust & Savings Bank of Tulsa, Oklahoma, sold and delivered the hereinafter described personal property to Delaware Hardwood Company, and for the price of Three Hundred Twenty-five Dollars (\$325.00); that within a few days after such sale, said First Trust & Savings Bank resigned as receiver and there was appointed, Honorable G. H. Smith, as successor; that the agreed consideration has not been paid nor has the bill of sale been issued by said receiver, nor has said sale been confirmed.

The court further finds that said sale by First Trust & Savings Bank of Tulsa, Oklahoma, as receiver, to Delaware Hardwood Company, of the following described personal property, to-wit, 9-Belts, 2-Idlers, 11-Boxing, 12-Pulleys, 18'2" shafting, 1-Wagon, Sorting platform braces, 1-2" Water valve, 1-Forge, 1-Drill, 1-Anvil, 400-Square feet of iron, 3150-Square feet of Galvanized roofing iron, 90-Pcs. Lumber 2" x 6" x 16', 20- Pcs. Lumber 6" x 6" x 10', 22-Pcs. Lumber 2" x 6" x 20', 1-Whistle, 1-Waterpump and engine, 31-Chairs, 2-Log Numberers, 3-lamps, 1-cut off saw table, and 30-Fire buckets, at and for the price and consideration of Three Hundred Twenty-five Dollars (\$325.00) is fair in all respects and that said price is the full and reasonable value of said property and that a higher or better price could not be obtained and that said sale should in all respects be confirmed and declared valid.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the said sale be, and the same is hereby confirmed and declared and decreed to be valid and binding and that said purchaser take, and it does take, a good, valid and indefeasible title in and to all of said property, free, clear and discharged of and from all encumbrances, liens and claims of whatsoever name and nature or by whomsoever held or asserted.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
SATURDAY, MAY, 5, 1928.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Honorable G. H. Smith, receiver, as successor to the First Trust & Savings Bank of Tulsa, Oklahoma, execute and deliver to the purchaser a good and valid bill of sale, passing title to the items of personal property as sold, as aforesaid, and hereinbefore enumerated.

Done in open court, the day and year first above written.

O.K.: L. E. Roach, Jr.
Attorney for Receiver,
G. H. Smith
O.K.: Geo. W. Reed, Jr.
Attorney for Purchaser,
Delaware Hardwood Company.

F. E. KENNAMER,
United States District Judge

ENDORSED: Filed in U. S. District Court, May 5, 1928.

Court adjourned until May 7, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, MAY 7, 1928.

Court convened pursuant to adjournment, Monday, May 7, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

J. T. SMITH AND
W. L. RANSOM,

Plaintiffs,

vs.

KATIE FIXICO, ROBERT
E. REA, GUARDIAN OF
KATIE FIXICO, AN INCOMPETENT,
CARPATHIA PETROLEUM COMPANY,
TIDAL OIL COMPANY, ET AL.,

Defendants.

No. 266-Equity.

ORDER OF COURT

Now on this 7th day of May, 1928, it is by the Court considered, ordered and adjudged that the defendants, Carpathia Petroleum Company and Tidal Oil Company be and they hereby are, given lease to file, instanter, in this cause, their answer and cross-petition herein against their co-defendant, Katie Fixico, now Daniels.

F. E. KENNAMER, Judge

ENDORSED: Filed in U. S. District Court, May 7, 1928.

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

JAMES W. GULLETT, RECEIVER
FOR SUBSCRIBERS AT ASSOCIATED
EMPLOYERS RECIPROCAL,

Complainant,

vs.

TULSA TRIBUNE COMPANY,
A CORPORATION,

Defendant.

No. 326-Equity.

ORDER

On application of the defendant, for good cause shown, it is hereby ordered that said defendant be and it is hereby granted an extension of ten days from date hereof in which to plead to the bill of complainant.

Dated this 7th day of May, 1928.

F. E. KENNAMER,
U.S. District Judge

O.K.: James P. Melone
Attorney for Complainant.

ENDORSED: Filed in U. S. District Court, May 7, 1928.

Court adjourned to May 8, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

PAWHUSKA, OKLAHOMA,

TUESDAY, MAY 8, 1928.

Court convened pursuant to adjournment, Tuesday, May 8, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

ELLA KING,)	
)	
Plaintiff,)	
vs.	)	No. 317-Equity.
)	
C. T. FRUITT,)	
)	
Defendant.)	

ORDER EXTENDING TIME TO PLEAD

Now on this day, to-wit: May 8th., 1928, this cause coming on for hearing upon the application of the defendant C. T. Pruitt for an order extending the time within which to plead, the court, for good cause shown, is of the opinion that such additional time should be granted to said defendant;

IT IS, THEREFORE, BY THE COURT ORDERED AND DECREED that the said defendant C. T. Pruitt be and he is hereby granted an extension of 30 days from this date within which to plead or answer in this cause.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court May 8, 1928.

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
vs.	)	No. 293-Equity.
)	
JACK ROGERS, ET AL.,)	
)	
Defendants.)	

Now on this 8th day of May, 1928, this matter came on for hearing and upon agreement of counsel same was continued to June 5, 1928, at Bartlesville.

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.	)	No. 293-Equity.
)	
B. H. BOMAN, ET AL.,)	
)	
Defendants.)	

PERMANENT INJUNCTION

And now on this the 8th day of May, 1928, the same being a regular day of the regular May 1928 term of said Court, at Pawhuska, Oklahoma, the above entitled matter coming on for hearing upon the stipulation of counsel, the Plaintiff appearing by and through the United States District Attorney Jno. M. Goldesberry, and the Defendants Madge Hill Karns and J. J. Ridgeway appearing in person and by their attorneys John T. Harley, Esq., of Tulsa, Oklahoma, and John Tillman, Esquire, of Pawhuska, Oklahoma, and

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, PAWUSKA, OKLAHOMA. TUESDAY, MAY 8, 1928.

said parties appearing in open court and stipulating and agreeing that the court might, in this case, consider the evidence heretofore adduced in this cause in the contempt proceedings heretofore heard in this court in this matter, and that the same might and should be considered as evidence in this cause,

It was further stipulated and agreed that the Court might enter its order herein, permanently enjoining the Defendants, their servants, agents, tenants, employees, assignees, and all persons claiming any right, title and interest in and to the premises hereinafter described, and their heirs and assigns, from using the premises hereinafter described, or any part thereof for any purpose whatsoever, for a period of one year from after this date, and that said building and each and every part thereof might be closed for a period of one year from and after this date except that part of said building which is and has been used by the said Defendant J. J. Ridgeway as a filling station.

It is further stipulated and agreed that all doors leading from said building into that part of said building used as a filling station may be permanently closed during the effective period of said Injunction.

It is further stipulated and agreed that all fixtures which were in said building at the time said Temporary Injunction was issued, shall be and remain in said building during the effective period of this Order, except one Table being the personal property of the said Madge Hill Karns, and was not used in connection with the sale, manufacture or bartering of liquor in said building.

It is further stipulated and agreed that there should be posted in a conspicuous place in that part of said building used as a filling station, a copy of the Writ of Injunction, and that said copy should be and remain in a conspicuous place in said building during the effective period of this order.

It is further stipulated and agreed that the Defendant J. J. Ridgeway shall require each and every servant, agent, employe, subordinate, tenant, and each and every person who shall have any connection with the running of said filling station, to sign a written acknowledgment of notice of Permanent Injunction against the sale, manufacture or use of intoxicating liquors in or about said building.

It is further stipulated and agreed that the costs incurred in this action shall be taxed against said Defendants.

And the Court having considered the testimony heretofore adduced in said cause, and having heard and considered the stipulations entered into in open Court in said matter and being fully advised in the premises, finds,

That there exists and is being maintained a common nuisance upon the following described property, to-wit:

"Lot 12, Block 4, townsite of South Coffeyville, Oklahoma; a two story, white stucco building, having no street address, with gasoline filling station in front, on the Kansas and Oklahoma line, known as "Tommie Hill's Roadhouse."

and in the whole of said building, and that intoxicating liquors were sold in and from said building as alleged and set forth in the Bill of Complaint heretofore filed herein and that intoxicating liquor, as defined by Section 21, Title 2, of the National Prohibition Act, has been sold in and from said building for the last three years at divers and sundry times.

It is, therefore, considered, ordered, adjudged and decreed that an Injunction issue forthwith enjoining the Defendants, B. H. Roman, Sid Clark, A. W. Karns, Madge Hill Karns, Tommie Hill, J. J. Ridgeway, and Sandy Hill, their agents, servants, subordinates, em-

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA.

EQUITY SESSION,

PATHEUSKA, OKLAHOMA.

TUESDAY, MAY 8, 1928.

ployees, tenants, heirs and assigns, and any person or persons claiming by or through or under said Defendants, and each and every one of them, from manufacturing, selling, bartering or storing in said premises or any part thereof, any liquor containing one half of one percentum or more of alcohol by volume, and that said real estate and premises hereinabove described shall not be occupied or used for one year subsequent to the date of this decree, except that part of said building which was used and occupied by the said Defendant, J. J. Ridgeway, at and prior to the filing of the Complaint herein.

IT IS FURTHER, ORDERED, ADJUDGED and DECREED that said common nuisance be abated and that the United States Marshal for the Northern District of Oklahoma is directed summarily to abate said common nuisance and to close the same and to keep the same closed for a period of one year from the date of this decree, and for the costs of so doing the said United States Marshal shall be allowed a reasonable sum upon application to this Court which sum shall be taxed as costs in said matter.

IT IS FURTHER, ORDERED, ADJUDGED and DECREED that the said Defendant, Madge Hill Karns may remove from said premises one table used in connection with said restaurant, which said table is the personal property of the said Madge Hill Karns.

IT IS FURTHER, ORDERED, that all fixtures and appliances used in the said building in any capacity whatsoever, except said table hereinabove described and mentioned, shall not be disturbed, but shall be and remain therein and that all intoxicating liquors now on said premises, if any there be, shall be destroyed.

IT IS, FURTHER, ORDERED, ADJUDGED and decreed that there shall be posted in a conspicuous place in said part of said building used as a filling station, a copy of the Writ of Permanent Injunction which shall be kept posted in said filling station for a period of one year from this date in a conspicuous place therein, and that the said Defendant, J. J. Ridgeway shall cause to be signed by each and every servant, agent and employee who shall be engaged by him in any capacity whatsoever, at said filling station during a period of one year from and after this date, a written acknowledgment of notice of the writ of Permanent Injunction issued herein.

IT IS, FURTHER, ORDERED, ADJUDGED and DECREED that the Plaintiff herein, shall have and receive of and from the Defendants all costs taxed in this cause, and that execution issue therefore.

F. E. KEENAMER,
U. S. District Judge.

O.K.: Harry Seaton, Assistant
United States Attorney

John W. Tillman

John T. Harley
Attorneys for Defendants.

ENDORSED: FILED IN U. S. District Court, May 8, 1928.

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

B. H. BOMAN, ET AL.,

Defendants.

No. 293-Equity.

WRIT OF PERMANENT INJUNCTION

The above entitled cause having come on for hearing in said Court, and the Court having jurisdiction of the parties to said suit,

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, PAWBUSKA, OKLAHOMA, TUESDAY, MAY 8, 1928.

and all the subject matter of said suit, and the Court having heard the testimony and argument of counsel, did, on the 8th day of May, 1928, find the issues in said case in favor of the Plaintiff and against the Defendants, and entered a decree for Permanent Injunction in said cause on the 8th day of May, 1928, which said decree is now on file in the office of the Clerk of said Court and is now in full force and effect.

NOW, THEREFORE, take notice that B. H. Boman, Sid Clark, A. W. Karns, Madge Hill Karns, Tommie Hill and Sandy Hill, Defendants, herein, their servants, agents, subordinates, employees, tenants, heirs and assigns, and any persons claiming by, through or under said Defendants and each and every one of them are hereby restrained from selling, manufacturing or storing any liquor as defined in the National Prohibition Act, upon the following lands and premises, to-wit:

"Lot 12, Block 4, townsite of South Coffeyville, Oklahoma; a two story, white stucco building, having no street address, with gasoline filling station in front, on the Kansas and Oklahoma line, known as "Tommie Hill's Roadhouse."

and that said real estate and premises shall not be occupied or used for one year subsequent to the date of May 8, 1928.

And the United States Marshal for the Northern District of Oklahoma is directed to close the said premises and to keep the same closed for a period of one year subsequent to the 8th day of May, 1928,

WITNESS the Honorable Franklin E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, this 8th day of May, 1928.

F. E. KIENNAEGER,
United States District Judge.

ENDORSED: Filed in U. S. District Court, May 8, 1928.

Court adjourned to May 12, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, MAY 12, 1928.

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL,)	(
	)	( Equity No. 364-
-vs-)	(
Complainant,	)	( Ancillary to Missouri
	)	( Valley Bridge & Iron Com-
A. F. MARESCH, AN INDIVIDUAL, DOING BUSINESS AS OKLAHOMA AUTO AND WAGON WORKS,	)	( pany vs. J. H. Middleton,
	)	( et al, Equity No. 284-E.
Defendant.)	(

ORDER OF DISMISSAL

Now on this 12th day of May, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendant, A. F. Maresch, an Individual, doing business as OKLAHOMA AUTO AND WAGON WORKS, has paid to said Complainant the full amount asked for in said Bill of Complaint, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

F. E. KUNNEMER

ENDORSED: Filed in United States Court, May 12, 1928.

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

J. T. SMITH AND W. I. RANSOM,)	
)	
vs.	)	No. 266-Equity.
Plaintiffs,)	
)	
KATIE FIXICO, NOW DANIELS, V. V. MORGAN, GUARDIAN OF KATIE FIXICO, AN INCOMPETENT, CARPATHIA PETROLEUM COMPANY, AND TIDAL OIL COMPANY, ET AL.,)	
)	
Defendants,)	

FINAL DECREE

Now on this 12 day of May, 1928, this cause having been heretofore, by order of Court, transferred from case No. 138 on the law docket in order to first try on the Equity Docket the equitable defenses and causes of action set up in the answers and cross-petitions of the said defendant, Katie Fixico, now Daniels, an incompetent, by Robert E. Rea, her general guardian, and by the said defendants, Carpathia Petroleum Company and Tidal Oil Company, in said law action No. 138, and the Court finds that the said defendant, Katie Fixico, now Daniels, by Peter Deichman, who was duly appointed by this Court as guardian ad litem to make defense for her in this cause, filed herein, on the 12th day of November, 1927, her amended separate answer and cross-petition against the said plaintiffs and against her co-defendants, Carpathia Petroleum Company and Tidal Oil Company, in which said pleading she alleged title in herself by purchases in and to the land herein below described and prayed that the Court decree that her said co-defendants last above named make full accounting to her for all oil and gas and casinghead gas extracted and removed by them from the lands described below, since the time the said Katie Fixico, now Daniels, became the owner thereof by purchases and further prayed for all proper and equitable relief; that, thereafter, her said co-defendants,

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TULSA, OKLAHOMA,

OKLAHOMA

SATURDAY, MAY 12, 1928.

Carpathia Petroleum Company and Tidal Oil Company, filed their joint and separate answer and cross-petition in this cause against Katie Fixico, now Daniels, wherein they prayed, among other relief sought, that the cross-petition so filed against them by the said Katie Fixico, now Daniels, be dismissed for want of equity and that their title to two (2) oil and gas leases owned by them and covering the below described lands be forever quieted against their said co-defendant, Katie Fixico, now Daniels, her heirs and assigns forever; and the court further finds that thereafter all controversies in the premises between the said Katie Fixico, now Daniels, and her co-defendants above named, were duly compromised and settled, by stipulation in writing duly entered into by her, by her said general guardian, Robert E. Rea and by the said Peter Diechman, her guardian ad litem, under the orders of and with the approval of the County Court of Okmulgee County, Oklahoma, in which said Court the guardianship of the said Katie Fixico now Daniels, is pending, the said order having been made by said Court upon a petition filed therein by her said general guardian, Robert E. Rea, and said order of said County Court having been duly approved by the attorneys of her said general guardian and by her guardian ad litem, Peter Diechman, and it being provided in said stipulation in writing aforesaid, that, in and for the consideration therein stated, the said cross-petition so filed herein by the said Katie Fixico, now Daniels, as aforesaid against her said co-defendants, Carpathia Petroleum Company and Tidal Oil Company, should be dismissed, with prejudice, and that the title of the said Carpathia Petroleum Company and of the said Tidal Oil Company to the two (2) oil and gas leases now owned by them and covering the below described land be forever quieted against any and all claims of the said Katie Fixico, now Daniels, attacking, denying or questioning the validity or legality of said leases and that the same be decreed, by this Court, to be valid, legal and subsisting oil and gas leases upon the following lands of the said Katie Fixico, now Daniels, situate in Creek County, Oklahoma, and particularly described, as follows, to-wit:

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) and the South Half of the South Half of the Northeast Quarter of the Southeast Quarter (S $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$), all in Section Nineteen (19) in Township Eighteen (18) North, Range Seven (7) East, and Lots One (1), Five (5) and Six (6) of Section Seventeen (17), in Township Eighteen (18) North, Range Seven (7) East, the said Lots One (1), Five (5) and Six (6) abutting on the Cimarron River and extending to the middle of said river, and all of which said land was duly allotted and patented to Benoche Fixico, a duly enrolled full-blood Creek Indian, Creek Roll No. 9156;

and the said Carpathia Petroleum Company and Tidal Oil Company having filed herein a copy of the said "Agreement of Compromise and Settlement" mentioned, described and referred to in the said petition filed by said guardian, Robert E. Rea, in the aforesaid County Court and having filed herein a duly certified copy of said petition and of the order of said Court thereon, and the Court having examined said "Agreement" and petition and order and having duly considered the same,

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED that the said cross-petition of the said Katie Fixico, now Daniels, against her said co-defendants, Carpathia Petroleum Company and Tidal Oil Company, be and the same is hereby dismissed, with prejudice, and an oil and gas mining lease, executed on, March 2, 1912, by the said Katie Fixico, now Daniels, by William P. Morton, guardian of Katie Fixico, a minor, to H. U. Bartlett, and oil lease executed on the 6th day of July, 1915, by the said Katie Fixico, now Daniels, and by E. W. Kimbley, guardian of Katie Fixico, an incompetent, to the Carpathia Petroleum Company and Mid-Co Petroleum Company, and both of which said leases are now owned by the aforesaid Carpathia Petroleum Company, and are duly recorded in the office of the County Clerk of Creek County, Oklahoma, are valid, legal and subsisting oil and gas mining leases

In the District Court of the United States in and for the

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upon all the lands above described and that the title of the said Carpathia Petroleum Company and Tidal Oil Company in and to said leases be and the same hereby is forever quieted against any and all claims of the said Katie Fixico, now Daniels, her heirs and assigns forever, attacking, denying or questioning the validity or legality of the said oil and gas leases or of either of them.

It further appearing to the Court on application of Ames, Cochran and Ames, and Whipple and Rosenbloom for fees compensating them for services in this cause rendered to and for Katie Fixico, now Daniels, and the Court having examined their application therefor, and it appearing that the guardian and his general attorneys, Cochran and Noble, have received notice of the application and are present in Court, and Peter Deichman, guardian ad litem, has received notice of the application and is present in Court, and the Court having examined the application of said attorneys and solicitors applying for such compensation for their services rendered to said Katie Fixico, now Daniels, and her said guardian, and having heard the testimony offered by the parties, and being otherwise well and sufficiently advised in the premises, the Court finds that said applicants, Ames, Cochran and Ames, and Whipple and Rosenbloom, have rendered necessary and valuable services to said Katie Fixico, now Daniels, and Robert E. Rea, her said guardian, as attorneys and solicitors and for which they are entitled to just and reasonable compensation and that the sum of Ten Thousand and No/100 Dollars (\$10,000.00) is just and reasonable compensation for the said services of Ames, Cochran and Ames, and the sum of Fifteen Thousand and No/100 Dollars, (\$15,000.00) is just and reasonable compensation for the said services of Whipple and Rosenbloom, the same being in addition to previous sums of Fifteen Hundred and No/100 Dollars (\$1500.00) and Twenty-five Hundred and No/100 Dollars (\$2500.00) heretofore paid respectively to said attorneys and solicitors and that said sums should be paid by the guardian out of the money and property belonging to the estate of said Katie Fixico, now Daniels, and involved in the aforesaid cause, and that pending payment thereof, said attorneys and solicitors should have a lien therefor upon said property; and now,

THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED that Ames, Cochran and Ames are entitled, as a fair, just and reasonable fee for their said services rendered herein, to the sum of Eight Thousand and Five Hundred Dollars (\$8,500.00), in addition to the said sum of Fifteen Hundred and No/100 Dollars (\$1,500.00), heretofore paid them, and that Whipple and Rosenbloom are entitled, as a fair, just and reasonable fee for their said services rendered herein, to the sum of Twelve Thousand and Five Hundred (\$12,500.00), in addition to the said sum of Twenty-five Hundred and No/100 Dollars (\$2500.00), heretofore paid them. and that they are entitled to have said sums hereby allowed and decreed to them; respectively, paid by said guardian out of the property and estate involved herein belonging to said Katie Fixico, now Daniels, and that pending payment thereof that said Ames, Cochran and Ames, and Whipple and Rosenbloom shall have a lien therefor upon the property and estate aforesaid, subject to the approval of the County Court of Okmulgee County, Oklahoma,

O.K.: Gray Carroll,
Attorney for Carpathia
Petroleum Company
O.K.: Ames, Cochran & Ames
Whipple & Rosenbloom

F. E. KENNAMER,
Judge of the United States Dis-
trict Court for the Northern
District of Oklahoma.

O.K.: As to Form
Cochran - Noble.

WINDORSED: Filed in U. S. District Court, May 12, 1928.

Court adjourned to May 14, 1928.

In the District Court of the United States in and for the

NORTHERN DISTRICT of OKLAHOMA
EQUITY SESSION, PAWUSKA, OKLAHOMA, WEDNESDAY, MAY 16, 1928.

Court convened pursuant to adjournment, Wednesday, May 16, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered, to-wit:

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

JAMES W. GULLET, RECEIVER)
FOR SUBSCRIBERS AT ASSOCIATED)
EMPLOYERS RECIPROCAL,) Equity No. 371.
Complainant,)
vs) Ancillary to Missouri
C. R. RICHEY,) Valley Bridge & Iron
Defendant.) Company v. J. H. Middle-
) ton, et al., Equity
) No. 284-E.

ORDER EXTENDING TIME TO PLEAD

Upon application of C. R. Richey, defendant, and for sufficient cause shwon, it is ordered that the defendant have 20 days from this date in which to plead.

F. E. KENNAMER
U. S. District Judge.

ENDORSED: Filed in U. S. District Court, May 16, 1928.

WALTER LEE MOSIER,)
ET AL.,) Plaintiffs,)
vs.) No. 300-Equity.
JOHN KENNEDY,)
ET AL.,) Defendants.)

On this 16th day of May, 1928, comes on the above entitled cause for hearing, upon motion to dismiss same is stricken from assignment and continued for the term.

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

UNITED STATES,)
Plaintiff,)
vs.) No. 55-Equity.
R. C. DRUMMOND,)
Defendant.)

D E C R E E

Now on this 16th day of May, 1928, this matter coming on for further hearing, and the said plaintiff, the United States, now appearing by and through its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of Oklahoma, and the said defendant, R. C. Drummond, now appearing by his solicitors, Wilson & Duncan, of Pawhuska, Oklahoma, and the Court having heretofore heard the evidence offered herein, and the argument of counsel, upon a further consideration of the same finds:

That one Mary Penn, Usage Allottee No. 441, died on or about the 24th day of February, 1906, before receiving her allotment,

In the District Court of the United States in and for the

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EQUITY SESSION

PAWHRUSKA, OKLAHOMA,

WEDNESDAY, MAY 16, 1928.

and that thereafter the lands due her were duly allotted to Albert Penn, Osage Allottee No. 821, her father, and Augustine Choteau Crow, Osage Allottee No. 437, her mother, as her heirs, both of whom appear on the certified Osage Rolls as being of one-half or more Indian blood, a portion of the surplus of such said allotment being the subject of this suit, and described as follows, to-wit:

The Southeast Quarter (SE4) of the Northeast Quarter (NE4); Northeast Quarter (NE4) of the Southeast Quarter (SE4) of Section Seventeen (17), Township Twenty-six (26) North, Range Ten (10) East, Osage County, State of Oklahoma.

and by Acts of Congress was duly restricted against alienation or encumbrance at the hands of the said heirs, aforesaid,

That thereafter, and on June 6, 1910, after the removal of restrictions by the Secretary of the Interior, and under his supervision, said heirs executed and delivered a certain warranty deed to C. W. Brown and J. M. Boren, covering such said lands, aforesaid, they being the highest and best bidders at a certain sale conducted by the said Secretary of the Interior, and their deed of conveyance, pursuant to said sale, contained the following provision, to-wit:

"Subject to the payment of five hundred and forty and no/100 Dollars, lawful money of the United States, as evidenced by mortgages and notes of even date herewith, and it is expressly covenanted and agreed by the party of the first part that in the event the title to the lands shall revert to them by foreclosure proceedings or otherwise, they will hold the same subject to all the conditions and limitations attaching thereto at the time of the sale hereby effected."

That in pursuance of said provision, said purchasers and grantees aforesaid, on the 19th day of January, 1911, executed and delivered to the said Albert Penn and the said Augustine Choteau Crow a certain mortgage covering said land, to secure the payment of said unpaid purchase price mentioned in said deed, and on February 6, 1911, said deed and mortgage were both duly approved by the Secretary of the Interior, and duly recorded in Osage County, Oklahoma.

That the said Brown and Boren, aforesaid, thereafter failed to make satisfaction of said unpaid purchase price, aforesaid, and on July 7, 1913, executed and delivered back to the said Albert Penn and the said Augustine Choteau Crow their certain warranty deed, covering the lands in question, which said deed, last aforesaid, from the said Brown and the said Boren, contained the following provision, to-wit:

"To have and to hold said premises unto the said party of the second part, their heirs, executors, administrators and assigns forever; and it is further expressly agreed by and between the parties hereto, and the grantees herein named, members of the Osage Tribe, hereby expressly agree and consent that the title of the said land above described shall be and remain subject to all the conditions, limitations and provisions of the Act of Congress of June 28, 1906 (34 Stat. L. 529), in all respects the same as though said land had not been conveyed to the said party of the first part, and shall be and remain inalienable for a period of twenty-five years from the first day of January, 1907, except as provided by Act of Congress, and with the consent and approval of the Secretary of the Interior."

That said deed was thereafter, and on January 28, 1914, duly approved by the Secretary of the Interior, and placed of record in Osage County, Oklahoma.

In the District Court of the United States in and for the

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District of

OKLAHOMA.

PAWNEE, OKLAHOMA,

WEDNESDAY, MAY 16, 1928.

That thereafter, and on December 26, 1914, the said heir, Augustine Choteau Crow, executed and delivered to the said Albert Penn a certain warranty deed covering her inherited interest in said land, which said deed, last aforesaid, contained the following provision, to-wit:

"To have and to hold said described premises unto the said party of the second part, his heirs, ~~ex-executors~~, administrators and assigns forever; subject, however, to all the conditions, limitations, and provisions of the Act of Congress of March 3, 1909 (35 Stat. L. 778) and the Act of June 28, 1906 (34 Stat. L. 539), one of which is that the oil, gas coal or other minerals covered by the lands hereby conveyed are reserved to the Osage Tribe for a period of twenty-five years from the eighth day of April, 1906."

and which said deed, last aforesaid, was duly approved by the Secretary of the Interior on March 23, 1915, and duly placed of record in Osage County, Oklahoma.

That thereafter, and on or about the 7th day of February, 1919, the said Albert Penn, aforesaid, executed and delivered to the defendant herein his certain warranty deed, covering the said lands, aforesaid, which said deed last aforesaid, to the said defendant, plaintiff seeks to cancel, for the reason that the same was not executed and delivered under the supervision of, or approved by the Secretary of the Interior.

The Court further finds that neither the said Albert Penn nor the said Augustine Choteau Crow ever received a certificate of competency. That the said Albert Penn, on or about March 9, 1920, departed this life, intestate, leaving surviving him: his sole and only heirs at law, Dora Penn, his widow, Grace Penn Morrell, Mary Penn, Marguerite Penn, May Penn and Otis Penn, his five children, and that each and every one of said heirs is of one-half or more Indian blood.

The Court further finds that said lands were restricted against alienation on the 7th day of February, 1919, and that said certain warranty deed of that date, from the said Albert Penn to the said defendant, R. C. Drummond, is therefore null and void, and in violation of the restrictions imposed by certain Acts of Congress, and that the same should be canceled, set aside and held for naught.

The Court further finds that the said heirs of the said Albert Penn, hereinbefore mentioned, are the owners in fee simple of said lands herein described, subject only to the supervision of the United States, under and by virtue of the Acts of Congress hereinbefore referred to.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said purported warranty deed, dated February 7, 1919, from the said Albert Penn, an Osage Indian, to the defendant, R. C. Drummond, filed for record on the 12th day of February, 1919, and recorded in Book 27, at Page 615 of the records of Osage County, Oklahoma, covering the lands hereinbefore described, be, and the same is hereby canceled of record, set aside and held for naught. That the title to the lands therein described, the subject of this suit, be and hereby is quieted in and to the said heirs of the said Albert Penn, hereinbefore mentioned, and that said defendant herein, R. C. Drummond, be and he is hereby permanently enjoined and barred from further claiming or asserting any right, title or interest of whatsoever nature, under and by virtue of the said warranty deed, aforesaid, in and to said lands that are the subject of this suit, to all of which the defendant objects and excepts, said exceptions being by the Court allowed, and in open Court, and in the presence of opposing counsel, said defendant gives notice of his intention to appeal from the within judgment.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 16, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION PAWYHUSKA, OKLAHOMA, WEDNESDAY, MAY 16, 1928.

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

UNITED STATES,	Plaintiff,	}	No. 57-Equity.
vs.			
W. H. AARON AND	Defendants,	}	
M. L. LEVIN,			

D E C R E E

Now on this 16th day of May, 1928, this matter coming on, pursuant to setting, for further hearing, and the Court having heretofore heard and considered the evidence offered herein, and argument of counsel, and said plaintiff herein appearing by and through its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of the State of Oklahoma, and the said defendant, M. L. Levin, now appearing by and through his solicitor, Leon F. Roberts, of Pawhuska, Oklahoma, and said defendant, W. H. Aaron, having heretofore appeared by and through his solicitors, Burford, Miley, Hoffman and Burford, and the Court, after further consideration of said matter, finds:

That one Carl Gray was, during his lifetime, a duly enrolled member of the Osage Tribe of Indians, opposite Roll No. 669, and that during infancy, and on or about the 25th day of February, 1906, he departed this life, leaving surviving him his father, Clarence Gray and his mother, Jennie Gray, who, on April 14, 1911, was determined by the Secretary of the Interior, to be the sole and only heirs of the said Carl Gray, deceased, and to whom, as such heirs, there was allotted and deeded the lands mentioned in plaintiff's bill of complaint, and described as follows, to-wit:

- Surplus - The Southwest Quarter (SW4) of the Southeast Quarter (SE4); Northwest Quarter (NW4) of the Southeast Quarter (SE4) of Section Fourteen (14); Northwest Quarter (NW4) of the Northeast Quarter (NE4); South Half (S2) of the Northeast Quarter (NE4) of Section Twenty-three (23), all in Township Twenty-six (26) North, Range Ten (10) East; Lots Three (3) and Four (4) and the Southeast Quarter (SE4) of the Northwest Quarter (NW4) of Section Five (5), Township Twenty-eight (28) North, Range Twelve (12) East; West Half (W2) of West Half (W2); West Half (W2) of the Northwest Quarter (NW4) of the Southeast Quarter (SE4) of the Southwest Quarter (SW4) of Section Fourteen (14), Township Twenty-two (22) North, Range Ten (10) East.
- Homestead-South Half (S2) of Northeast Quarter (NE4); North east Quarter (NE4) of Southwest Quarter (SW4); Southeast Quarter (SE4) of Southwest Quarter (SW4) of Section Eighteen (18), Township Twenty-eight (28) North, Range Seven (7) East, all in Osage County, Oklahoma;

such heirs, aforesaid, at the time of said inheritance and the issuance of said patents covering said described land, being restricted Osage Indians of one-half degree or more Indian blood; and that under and by virtue of certain Acts of Congress said lands, aforesaid, were and are restricted against alienation or incumbrance, except by and through the approval of the Secretary of the Interior.

That on or about the 25th day of May, 1919, and before receiving a certificate of competency, the said Clarence Gray and the said Jennie Gray made, executed and delivered their two certain separate deeds, whereby they conveyed to the said W. H. Aaron, M. L. Levin, A. A. Smith, G. G. Martin and Robert Lamberton the lands herein described, the said separate deed of conveyance, aforesaid, covering the surplus lands, aforesaid, being of record in Book 2 of Miscellaneous Deeds, at Page 479, in the Register of Deeds office of said Osage County, Oklahoma; and the certain respective deed, aforesaid, covering the homestead lands, aforesaid, being recorded in Book 2 of Mis-

In the District Court of the United States in and for the

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PAWHUSKA, OKLAHOMA,

OKLAHOMA
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cellaneous Deeds, at Page 480, in the office of the "Register of Deeds of said Osage County, Oklahoma; and that thereafter, and before the institution of this suit, by certain mesne conveyances in the form of quit claim deeds, the said A. A. Smith, G. G. Martin and Robert Lambertson released and quit claimed to the said W. H. Aaron and M. L. Levin all their right, title and interest in and to said lands, and ceased to further assert or claim any right, title or interest therein.

The Court further finds that the lands herein described are and were restricted against alienation on the date of said deeds, aforesaid, and that neither of said heirs, aforesaid, had any capacity to convey the same, and that both of said deeds, aforesaid, are null and void and of no force and effect, and that said defendants, W. H. Aaron and M. L. Levin, nor either of them, has any right, title or interest in or to said lands. That the title in and to said lands is in the said Clarence Gray and the said Jennie Gray and should be accordingly quieted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said deeds, aforesaid, to the defendants, aforesaid, W. H. Aaron and M. L. Levin, as of record aforesaid, be and the same are hereby canceled, set aside and held for naught, and that said defendants, W. H. Aaron and M. L. Levin, nor either of them, has any right, title or interest of whatsoever nature in or to said lands. That the title thereto be, and hereby is quieted in and to the said heirs of the said Carl Gray, deceased, or their successors in interest, as the facts may be; and that said defendants, W. H. Aaron and M. L. Levin, and each of them, be and are hereby are permanently enjoined and barred from claiming or asserting any right, title or interest of whatsoever nature in or to said lands, aforesaid, To all of which said defendants and each of them, objects and excepts, which said exceptions are by the Court allowed, and said defendants, and each of them, in open Court, and in the presence of opposing counsel, gives notice of his intention to prosecute an appeal from such said judgment.

F. E. KENNAMER, Judge.

ENDORSED: Filed in United States Court, May 16, 1928.

UNITED STATES OF AMERICA,	Plaintiff,	}	No. 277-Equity.
vs.			
E. C. MULLENDORE, JR.,	Defendant.		

On this 16th day of May, 1928, comes on the above entitled cause for hearing and same was by the Court ordered stricken from the assignment.

UNITED STATES OF AMERICA,	Plaintiff,	}	No. 297-Equity.
v			
H. H. BRENNER, ET AL.,	Defendants.		

On this 16th day of May, 1928, it is by the Court ordered that the above entitled cause be stricken pending settlement.

UNITED STATES OF AMERICA,	Plaintiff,	}	No. 301-Equity.
v.			
B. T. RILEY, ET AL.,	Defendants.		

On this 16th day of May, 1928, it is by the Court ordered that the above entitled cause be stricken and parties herein submit Briefs.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, PAWHUSKA, OKLAHOMA, WEDNESDAY, MAY 16, 1928.

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v	)	No. 303-Equity.-
)	
OSAGE COUNTY MOTOR CO.,)	
A CORPORATION,)	
Defendant.)	

On this 16th day of May, 1928, comes on the above entitled cause for hearing and it appearing to the Court that same has been submitted by parties directed to file their Briefs herein, it is ordered that the cause be stricken from said assignment.

Court adjourned to May 17, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,
JAN 18 1928

District of
PAWNIUSKA, OKLAHOMA,

OKLAHOMA
THURSDAY, MAY 17, 1928.

Court convened pursuant to adjournment, Thursday,
May 17, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

GEORGE A. BROOKS,	Plaintiff,)	
v		)	No. 281-Equity.
F. O. YARBROUGH,)	
ET AL.,	Defendants.)	

On this 17th day of May, 1928, comes on for hearing the Demurrer in the above entitled cause. Same is taken under advisement by the Court and Plaintiff given Five (5) days to file Brief herein and Defendants Five (5) days thereafter to file their Brief.

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

JOHN H. DYKES, RECEIVER OF FIRST NATIONAL BANK OF BARNSDALL, OKLAHOMA, A CORPORATION,	Plaintiff,)	
vs.		)	No. 184-Equity.
MARY E. LITTLE,	Defendant.)	

O R D E R

On this 17th day of May, 1928, this cause comes on regularly for hearing pursuant to assignment upon the motion of the defendant Mary E. Little to dismiss the bill of complaint herein, plaintiff being present by his attorney, Robert B. Keenan, and defendant being present by her attorneys, Widdows & McCoy. After argument of counsel and the court being fully advised in the premises, the court finds that said motion should be sustained, and it is therefore

Ordered, that the motion of defendant Mary E. Little to dismiss plaintiff's bill of complaint be and it hereby is sustained, and the plaintiff elects to stand thereon and not plead further, and plaintiff's bill is dismissed with prejudice at his costs, and plaintiff take nothing by this action.

It is further ordered that said defendant Mary E. Little and her surety, Citizens Trust Company, be and they hereby are released from all liability on the bond filed in this cause.

To which orders of the court the plaintiff excepts and gives notice in open court of his intention to appeal from said orders of to the United States Circuit Court of Appeals for the Eighth Circuit.

F. E. KENNAMER,
United States District Judge.

ENDORSED: Filed in U. S. District Court, May 17, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, PAWUSKA, OKLAHOMA, THURSDAY, MAY 17, 1928.

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

A. M. WIDDOWS AND
FRANK T. McCOY, CO-PARTNERS
DOING BUSINESS UNDER THE
FIRM NAME AND STYLE OF
WIDDOWS & McCOY, Plaintiffs,

vs.

JOHN H. DYKES, RECEIVER
OF THE FIRST NATIONAL BANK
OF BARNSDALL, OKLAHOMA, Defendant.

No. 264-Equity.

O R D E R

On this 17th day of May, 1928, this cause comes on regularly for hearing pursuant to assignment upon plaintiff's motion to strike defendant's cross bill, plaintiffs appearing by John T. Craig, their attorney, and defendant appearing by Robert B. Keenan, his attorney. After argument of counsel and the court being fully advised in the premises, the court finds, that said motion should be sustained, and it is therefore

Ordered, that plaintiffs' motion to strike defendant's cross bill be and it hereby is sustained. To which order of the court the defendant excepts.

F. E. KENNAUER,

United States District Judge.

ENDORSED: Filed in U. S. Dist. Court, May 17, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, MAY 18, 1928.

Court convened pursuant to adjournment, Friday, May 18, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U.S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

FANNIE S. GARR, ET AL., Complainants,)
vs.) No. 91-Equity-
THE TULSA STREET RAILWAY)
COMPANY, A CORPORATION, Defendant.)

ORDER

NOW on this the 18th day of May, 1928, the above matter comes on for hearing upon the application of Breckenridge & Bostick, to withdraw as attorneys for Receiver and Complainants above named, and that the firm of Moss & Young be permitted to appear as attorneys for the Receiver, C. Kline, and S. J. Montgomery, be permitted to appear as attorney for Complainants above named, and the court, after hearing the application, and being fully advised in the premises, finds that said order should be made.

IT IS, THEREFORE, ORDERED AND DIRECTED That said Breckenridge & Bostick be, and they are hereby allowed to withdraw as attorneys for complainants above named, and for C. Kline, Receiver, and that Moss & Young be, and they are hereby permitted to appear as attorneys for the Receiver, and S. J. Montgomery, be, and he is hereby permitted to appear as attorney for the complainants above named.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 18, 1928.

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

C. M. OXLEY, Plaintiff,)
vs.) No. 302-Equity.
L. T. NEWLON, ET AL.,)
Defendants.)

ORDER

Now on this the 18th day of May 1928 this cause coming on for hearing on motion of the plaintiff to amend the petition of plaintiff by making R. B. Taylor a party defendant, and the court having heard said motion sustains the same. It is therefore ordered that the plaintiff be and is hereby granted leave to amend her petition by interlineation making said R. B. Taylor party defendant.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. Dist. Court, May 18, 1928.

Court adjourned until May, 19, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, MAY 19, 1928.

Court convened pursuant to adjournment Saturday, May 19, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

OKLAHOMA UTILITIES COMPANY,)
A CORPORATION,)
Complainant,)
vs.) No. 389-Equity.
L. E. GIBSON, H. C. BECKER,)
G. C. SPOUT, W. D. THARREL,)
AND M. E. THARREL, TRADING)
UNDER THE NAME GIBSON-BECKER)
OIL AND GAS COMPANY,)
Defendants.)

RESTRAINING ORDER
GRANTED PRIOR TO APPLICATION FOR TEMPORARY INJUNCTION

On reading the bill of complaint herein, it is considered by the court, and is now so adjudged and ordered, that the defendants, L. E. Gibson, H. C. Becker, G. C. Stout, W. D. Tharel and M. E. Tharel, trading under the name Gibson-Becker Oil and Gas Company, be, and they are hereby enjoined and restrained from disconnecting the gas well located on the

Southwest Quarter (SW¹/₄) of
Section 17, Township 17 North,
Range 7 East, Creek County,
Oklahoma,

from the pipe line of the Southwest Pipe Line Company, or in any way interfering with the flow of gas from said well into said line.

This restraining order shall continue in force until the motion can be entered and heard for a temporary injunction and until the further order of this court, and this cause is now set down upon motion of the complainant to grant a temporary injunction under the terms of this restraining order and under the terms of the prayer in the said bill of complaint, for the 24 day of May 1928, at Tulsa, Oklahoma, at 10 o'clock A. M. and service of a copy of this order upon the said L. E. Gibson, H. C. Becker, G. C. Stout, W. D. Tharel and M. E. Thare, trading under the name Gibson-Becker Oil and Gas Company, shall be sufficient notice thereof,

It appearing to the court that the disconnecting of said well from the line of the Southwest Pipe Line Company will leave the plaintiff and citizens of Drumright an adequate supply of gas for domestic use.

Dated this 19th day of May, 1928.

F. E. KENNAMER,
Judge.

ENDORSED: Filed in U. S. District Court, May 21, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA.

~~EQUITY~~ SESSION,

TULSA, OKLAHOMA,

SATURDAY, MAY 19, 1928.

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

J. T. SMITH AND
W. L. RANSOM,

Plaintiffs,

vs.

KATIE FIXICO, V. V. MORGAN,
GUARDIAN OF KATIE FIXICO,
NOW DANIELS, AN INCOMPETENT,
ET AL.,

Defendants.

No. 266-Equity..

JOURNAL ENTRY

Now, on this 19 day of May, 1928, this matter comes on for further hearing, on suggestion to the Court that Peter Deichman, guardian ad litem of the said defendant, Katie Fixico, now Daniels, an incompetent, be allowed a fee for his services, as such guardian ad litem, in this case, and, upon consideration of same and of the evidence offered in support thereof, the Court finds that the said guardian ad litem should be allowed a fee in the sum of \$1500 to be taxed herein as costs in this action.

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, DECREED AND ADJUDGED that the said Peter Deichman, as such guardian ad litem, be allowed a fee in the sum of \$1500 for his services herein, the same to be taxed as other costs in this case, and that execution issue therefor, in due course.

F. E. KENHAMER
Judge of the United States
District Court for the Northern
District of Oklahoma.

ENDORSED: Filed in U. S. District Court, May 19, 1928.

Court adjourned to Monday, May 21, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA.
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, MAY 21, 1928.

Court convened pursuant to adjournment, Monday, May 21, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

OKLAHOMA UTILITIES COMPANY,)
A CORPORATION,)
Complainant,)
-vs-) No. 389-E.
L. E. GIBSON, H. C. BECKER,)
G. C. STOUT, W. D. THAREL,)
AND M. E. THAREL, TRADING)
UNDER THE NAME, GIBSON-)
BECKER OIL AND GAS COMPANY,)
Defendants.)

ORDER GRANTING MOTION FOR CONTEMPT

Upon motion of the complainant it is ordered that a rule be issued on the defendants, L. E. Gibson, H. C. Becker, G. C. Stout, W. D. Tharel, and M. E. Tharel, to appear before this Court at 10:00 o'clock A. M. on Thursday, the 24th day of May, 1928, to show cause why they should not be committed for contempt for violation of temporary restraining order heretofore ordered and issued in this cause.

Dated this 21st day of May, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 21, 1928.

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

OKLAHOMA UTILITIES COMPANY,)
A CORPORATION,)
Complainant,)
-vs-) No. 389-E.
L. E. GIBSON, H. C. BECKER,)
G. C. STOUT, W. D. THAREL,)
AND M. E. THAREL, TRADING)
UNDER THE NAME, GIBSON-)
BECKER OIL AND GAS COMPANY,)
Defendants.)

RULE TO SHOW CAUSE

The President of the United States of America to L. E. Gibson, G. C. Stout, W. D. Tharel and M. E. Tharel:

YOU are hereby cited and admonished to appear before the District Court of the United States within and for the Northern District of the State of Oklahoma, on the 24th day of May, 1928, at 10:00 o'clock A. M. and show cause, if any you have, why the said L. E. Gibson, H. C. Becker, G. C. Stout, W. D. Tharel and M. E. Tharel should not be attached for contempt of court in failing to obey the restraining order heretofore allowed and issued by said court and served upon you on the 19th day of May, 1928.

It is ordered that the Marshal of this District make legal service, and due return of this rule, on or before the appearance day above noted.

DATED this 21st day of May, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 21, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,
258118

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, MAY 21, 1928.

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

HARRY B. BLESSING,)	
	Plaintiff,	
vs.	)	IN EQUITY
	)	NO. 380.
PEER OIL CORPORATION,)	
A CORPORATION,)	
	Defendant.	

JOURNAL ENTRY

Be it remembered that the above styled cause came regularly on for hearing before the undersigned judge on this 1st day of May, 1928, the plaintiff appearing by his attorney, Thos. J. Barrett, and the defendant having heretofore entered its appearance in said cause by its attorney, Rollin E. Gish, Esq., and the plaintiff having applied for the appointment of a receiver upon the grounds set forth in its Bill of Complaint and amendments thereto, the court having considered the pleadings and statements of counsel and the testimony of the witnesses called in behalf of the application of the receivership, finds that the Bill is without equity and should be dismissed and that the application for a receiver should be denied.

IT IS THEREFORE, considered, ordered and adjudged that the plaintiff's Bill be dismissed and that the application for receiver be denied and that all costs of this suit be taxed against the plaintiff. Exceptions are allowed to the plaintiff on each of the foregoing findings and judgment of the court.

WITNESS my hand this 21st day of May, 1928.

F. E. KENNAMER, Judge.

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

UNITED STATES,)	
	Plaintiff,	
vs.	)	No. 309-Equity,
)	
A. H. LAMB,)	
	Defendant.	

D E C R E E

Now on this 21st day of May, 1928, this matter coming on to be heard upon the plaintiff's Bill of Complaint herein, said plaintiff, the United States, now appearing by and through its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of Oklahoma, and the said defendant, A. H. Lamb, having been duly served with process herein, and having failed to plead or answer, as required by said process, and plaintiff herein having been granted an Order Pro Confesso, and since the entering of such said order more than 30 days having elapsed, and said defendant, A. H. Lamb, having been three times duly called in open Court, appeareth not, and is adjudged in default. And the Court, after hearing the evidence offered, and being fully advised in the premises, finds:

That sometime during the month of August, 1923, one Me-shah-e, a fullblood restricted member of the Osage Tribe of Indians, No. 475, died, intestate, domiciled in Osage County, State of Oklahoma, and under and by virtue of the laws of the State of Oklahoma, one W. E. McGuire was, by the County Court of Osage County, Oklahoma, duly and regularly appointed administrator of the estate of said deceased, and is now the duly qualified and acting administrator of such said estate; and that under and by virtue of the due and regular administration of said estate the said County Court of

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, MAY 21, 1928.

Osage County, Oklahoma, on or about the 23rd day of December, 1926, made and entered its decree of distribution, wherein it was determined that one Louise Baconrind Hunter, an Osage Indian of 13/16 degree Indian blood, and who has never received a certificate of competency, was an heir of such said estate, and that her distributive share thereof was and is in the approximate sum of \$1900.00; and that distribution to her by the administrator of said estate has never been made, for the reason of other litigation, the details of which are immaterial to this particular proceeding.

That under and by virtue of a part of Section 7 of an Act of Congress of April 18, 1912, it is provided:

"That no lands or moneys inherited from Osage allottees shall be subject to or be taken or sold to secure the payment of any indebtedness incurred by such heir prior to the time such lands and moneys are turned over to such heir."

That on or about the 23rd day of March, 1927, the above named defendant, A. H. Lamb, instituted in the District Court of Osage County, Oklahoma, a certain suit at law, wherein the said Louise Baconrind Hunter is defendant, numbered 11294, in the office of the Clerk of said Court, and wherein the said A. H. Lamb prays judgment against the said Louise Baconrind Hunter, because of a certain book account, beginning January 8, 1918, and continuing up to and including December 23, 1924, the alleged total sum being \$2635.29, and because of such said suit, and the proceedings thereunder, the said A. H. Lamb, on or about the 6th day of December, 1927, in said Court and said cause aforesaid, obtained a certain judgment against the said Louise Baconrind Hunter in the principal sum of \$2635.29, with interest thereon at the rate of 6% per annum until paid, from December 23, 1924, and the costs of said action, in the sum of \$11.00.

That notwithstanding said Act of Congress, aforesaid, herein quoted, and notwithstanding the fact that the indebtedness sued upon by the said A. H. Lamb, was incurred by the said Louise Baconrind Hunter prior to the time such lands and moneys were, or were due to be turned over to her, and notwithstanding the fact that they were inherited from a certain Osage allottee, herein mentioned, the said defendant, A. H. Lamb, on or about the 9th day of January, 1928, filed with the Court Clerk of said Osage County, Oklahoma, in said cause aforesaid, numbered 11294, a certain affidavit in garnishment, and thereon procured a certain garnishment summons directed against and duly served upon the said W. E. McGuire, as administrator of the estate of the said Me-shah-e, deceased, and upon his answer in connection therewith, and upon the trial of said cause and issues joined upon in said answer, and under date of January 20, 1928, the said A. H. Lamb procured, at the hands of the District Court of Osage County, Oklahoma, a certain judgment against the said W. E. McGuire, as such administrator, or executor, in the sum of \$1892.22, which said judgment is null and void, and of no force and effect, for the reasons hereinbefore stated, and by decree of this Court, should be canceled, set aside and held for naught,

That said plaintiff herein is without an adequate remedy at law, and that said defendant, A. H. Lamb, is a citizen of the town of Pawhuska, Osage County, and within the Northern District of the State of Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said plaintiff herein, the United States, do have and recover judgment against the defendant herein, the said A. H. Lamb, for the cancellation of a certain journal entry of judgment, made and entered by the District Court of Osage County, State of Oklahoma, on the 20th day of January, 1928, in Cause No. 11294, then pending in said Court, and styled A. H. Lamb vs. Louise Hunter, defendant, said judgment being against one W. E. McGuire, administrator of the estate of Me-shah-e, deceased, holding in his hands certain funds belonging to Louise Hunter, and said judgment having been against the said W. E. McGuire, as administrator of the estate of Me-shah-e, deceased, by virtue of a

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION, **District of** OKLAHOMA
TULSA, OKLAHOMA. MONDAY, MAY 21, 1928.

certain garnishment summons in said cause, aforesaid, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by said Court that the said defendant, A. H. Lamb, be and hereby is permanently enjoined from claiming or asserting any further right, title or interest against said administrator by virtue of said judgment.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 21, 1928.

Court adjourned to May 22, 1928.

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, MAY 22, 1928.

Court convened pursuant to adjournment, Tuesday, May 22, 1928, at 9:30 A. M.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
W. P. Warfield, Esq. Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered, to-wit:-

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

UNITED STATES,	Plaintiff,	}	
vs.		}	No. 383-Equity.
J. D. LONG,	Defendant.	}	

ORDER OF DISMISSAL

Now on this 22nd day of May, 1928, it being called to the Court's attention that the within cause is for an injunction against the above named defendant, J. D. Long, for interfering with the supervision of the Superintendent for the Osage Indian Agency over the lands described in plaintiff's bill of complaint. That in the meantime said premises have been vacated by said defendant, and the within cause should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said cause be and hereby is dismissed.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 22, 1928.

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL,	Complainant,	}{	Equity No. 330-
-vs-		}{	Ancillary to Missouri
MONROE DRILLING COMPANY, INC., A CORPORATION,	Defendants.	}{	Valley Bridge & Iron
		}{	Company vs. J. H. Middle-
		}{	ton, et al, Equity
		}	No. 284-E.

ORDER OF DISMISSAL

Now on this 22d day of May, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendant, The MONROE DRILLING COMPANY, Inc., a corporation, has paid to said Complainant the full amount asked for in said Bill of Complaint, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, May 22, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, MAY 22, 1928.

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

AMERICAN STEAMSHIP COMPANY,)	
)	
-against-	Plaintiff,	In Equity
)	
WICKWIRE SPENCER STEEL COMPANY,	)	No. 347-E
)	
Defendant.)	

ORDER AUTHORIZING RECEIVERS TO EMPLOY COUNSEL

Upon the petition of the Receivers herein, verified on the 16th day of May, 1928, and upon the affidavit of S. W. Hayes, verified on the 19th day of May, 1928, and upon all the papers and proceedings heretofore had and taken herein and the waiver of notice and consent thereto attached signed by the attorneys for all the parties who have appeared herein,

And it appearing therefrom that it is to the best interest of all concerned that this order be granted,

NOW, on motion of Hayes and Richardson, solicitors for the Receiver herein, it is hereby

ORDERED that said Receivers be and they hereby are authorized to employ as their solicitors and counsel the firm of Hayes and Richardson of Oklahoma City, Oklahoma.

Dated this 22 day of May, 1928.

F. E. KORNHAEGER,
United States District Judge

ENDORSED: Filed in U. S. District Court, May 22, 1928.

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

AMERICAN STEAMSHIP COMPANY,)	
)	
against	Plaintiff,	In Equity
)	
WICKWIRE SPENCER STEEL COMPANY,	)	No. 347-E
)	
Defendant.)	

ORDER REQUIRING PRESENTATION OF CLAIMS

This cause came on to be heard upon the petition of the Receivers, asking that all creditors and claimants of the defendant be directed to prove and file their claims, and

It appearing that a petition in similar form has been filed in the Receivership Proceedings involving the Wickwire Spencer Steel Company in the District Court of the United States for the Western District of New York, and that an order granting the prayers of said petition was entered therein on May 1, 1928, copies of said petition and order being annexed to the petition filed in this cause, and

It further appearing that the solicitors for the plaintiff and for the defendant in these proceedings assent to the entry of an order as prayed for, and

It appearing that it is for the best interests of the Receivership Estate that this order should be granted, now on motion of Hayes & Richardson, solicitors for the said Receivers, it is hereby

ORDERED that the said order entered on May 1, 1928, in the Receivership Proceedings of the Wickwire Spencer Steel Company in the

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA.
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, MAY 22, 1928.

District Court of the United States for the Western District of New York, be and hereby is affirmed; and it is further

ORDERED that all persons, firms and corporations having claims or demands against the defendant, Wickwire Spencer Steel Company, except holders of bonds secured by the following mortgages on defendant's property:

First Mortgage given by Wickwire Spencer Steel Corporation to Guaranty Trust Company of New York, Trustee, dated January 1, 1920;

Prior lien Collateral Refunding Mortgage given by Wickwire Spencer Steel Company to The Chase National Bank of the City of New York, as Trustee, dated February 19, 1925;

and except holders of notes of Wickwire Spencer Steel Corporation secured by the capital stock of American Wire Fabrics Corporation pledged by said Wickwire Spencer Steel Corporation to Columbia Trust Company, Trustee, by a collateral trust indenture dated September 1, 1922, file on or before July 1, 1928, their duly verified claims against said defendant with Edward C. Bowers and Charles L. Feldman, as Receivers, at the office of said Receivers, 41 East 42nd Street, New York City, or file said duly verified claims against said defendant with Edward C. Bowers and Charles L. Feldman, ancillary receivers of Wickwire Spencer Steel Company in this jurisdiction, at the office of Lawrence Mills, Tulsa Trust Building, Tulsa, Oklahoma, which said claims, among other things, shall set out the nature of the claims, the amount and nature of any security or lien held by the claimant, or to which the claimant is or claims to be entitled, and also any claim to preference or priority in payment to any other creditors of the defendant herein; and it is further

ORDERED that all persons, firms and corporation who shall fail to file their said claims on or before July 1st, 1928, be and they hereby are forever barred and foreclosed from making or asserting any claim against the defendant Company herein in any manner whatsoever, and from participating in the assets of the defendant herein, except upon the further order of the Court herein granted and entered for due cause shown upon proper application; and it is further

ORDERED that said Receivers shall cause a notice to be published prior to July 1, 1928, once each week for two successive weeks, in a newspaper of general circulation, published in the City of Tulsa, Oklahoma, and to be mailed at least thirty (30) days prior to July 1, 1928, to each creditor of the defendant herein in the Northern District of Oklahoma appearing upon its books, or who may be otherwise ascertained, directing and requiring all creditors of the defendant company herein to file their duly verified claims against said defendant with said Receivers, and that said notice shall be in substantially the following form:

Wickwire Spencer Steel Company

NOTICE TO CREDITORS

Pursuant to the provisions of an order of the United States District Court, for the Western District of New York, entered May 1, 1928, in the cause there pending, entitled American Steamship Company, plaintiff, v. Wickwire Spencer Steel Company, defendant, in Equity No. 1208-F, and of orders confirmatory thereof, entered in the proceedings ancillary to said cause now pending in the United States District Courts for the District of Massachusetts, the Northern District of Illinois, the Northern District of California, the Southern District of New York, the Western District of Oklahoma, the District of Kansas, the Northern District of Oklahoma, the Eastern District of Oklahoma, the Northern District of Texas, Amarillo Division, and the Western District of Texas, Pecos Division, copies of which orders are on file in the office of the respective clerks of said courts, all creditors of Wickwire Spencer Steel Company, the defendant herein, are hereby required to file their

In the District Court of the United States in and for the

NORTHERN
DISTRICT OF
OKLAHOMA

District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, MAY 22, 1928.

duly verified claims against said corporation with the undersigned Receivers appointed by said United States District Court, at the office of the Receivers, 41 East 42nd Street, New York City, or file said duly verified claims against said defendant with Edward C. Bowers and Charles L. Feldman, ancillary receivers of Wickwire Spencer Steel Company in this jurisdiction, at the office of Lawrence Mills, Tulsa Trust Building, Tulsa, Oklahoma, on or before the 1st day of July, 1928. Such claims among other things, shall set out the nature of the claim, the amount and nature of any security or lien held by the claimant, or to which the claimant is or claims to be entitled, and also any claim to preference or priority in payment to any other creditors.

Pursuant to the further provisions of said order, all creditors who shall fail so to file their claims on or before said date will be forever barred and foreclosed from making or asserting any claim against Wickwire Spencer Steel Company, and from participating in the assets of the defendant herein, except upon the further order of the Court herein, granted and entered for due cause shown upon proper application.

May 22, 1928.

Edward C. Bowers and
Charles L. Feldman,

as Receivers of Wickwire Spencer
Steel Company,

Address: 41 East 42nd Street,
New York City,

Edward C. Bowers and
Charles L. Feldman,

as Ancillary Receivers of Wickwire
Spencer Steel Company in the
Northern District of Oklahoma.

F. E. KENNAMER,

May 22, 1928.

United States District Judge.

ENDORSED: Filed in U. S. District Court, May 22, 1928.

BOARD OF COUNTY COMMISSIONERS OF
ROGERS COUNTY,

vs.

BRISTOW BATTERY CO., ET AL.,

Plaintiff,

Defendants.

}
} " No. 262-Equity.

On this 22nd day of May, 1928, comes on the above entitled cause for hearing. Both sides announce ready for trial and opening statements of counsel are heard at this time. At this time objection to introduction of testimony by defendant is overruled. Whereupon, plaintiff presents its evidence and proof and rests and at this time defendant demurs to the evidence of the plaintiff, which demurrer is heard by the Court and overruled and exceptions allowed; upon agreement of counsel herein it is by the Court ordered that the cause as to the Sapulpa Motor Company, Oklahoma Natural Company, and Bristow Battery Company be and the same is hereby dismissed. At this time the defendants herein present their evidence and proof and rests. Closing arguments of counsel are heard. Whereupon, the Court takes same under advisement, giving the plaintiffs ten days to file briefs herein and defendants ten days thereafter to file their answer brief therein and plaintiff five days thereafter to file their reply briefs to the answer brief of the defendants herein.

COURT ADJOURNED UNTIL MAY 23, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, MAY 24, 1928

Court convened pursuant to adjournment, Thursday, May 24, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

THE APARTMENT BUILDINGS COMPANY,)
A CORPORATION,)
Complainant,)
vs.) No. 308-Equity.
JOHN L. SMILNY, AS COUNTY TREASURER,)
D. A. ROWE, AS COUNTY ASSESSOR, AND)
THE BOARD OF COUNTY COMMISSIONERS, OF)
TULSA COUNTY, OKLAHOMA,)
Respondents.)

FINAL DECREE DISMISSING BILL

Now, on this 24th day of May, A. D. 1928, this cause having come on for hearing, and having been heard on the 16th ulto., when proofs were taken herein, Mr. James Harrington and Mr. John Rogers appearing for Complainant, and Mr. Hugh Webster, Assistant County Attorney appearing for Respondents, and due deliberation having been had,

IT IS ORDERED, ADJUDGED AND DECREED that Complainants' bill of Complaint herein be, and the same is hereby dismissed with costs to Respondents to be taxed.

To all of which Complainants except.

DONE IN OPEN COURT, this 24th day of May, A. D. 1928.

F. E. KENNAMER, District Judge.

ENDORSED: Filed May 24, 1928.

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

OKLAHOMA UTILITIES COMPANY,)
A CORPORATION,)
Complainant,)
vs.) No. 389-Equity.
L. E. GIBSON, ET AL.,)
Defendants.)

O R D E R

On this 24th day of May, 1928, this cause comes on for hearing, upon the application of the plaintiff for an interlocutory injunction against the defendants herein and the return of the order of this Court made and entered on the 19th day of May, 1928, temporarily restraining the defendants from disconnecting the gas line from the gas well of the said defendants in said order described, and from interfering with the flow of gas from said well into the said gas line, and the plaintiff appearing by its attorney, R. E. McNeill, Esq., and the defendants appearing by their attorneys, Hagan & Gavin and Hughes & Klinghausen, thereupon, upon application of the United States of America, through the United States District Attorney, John L. Goldsberry, Esq., at the direction of the Attorney General of the United States, is granted leave to intervene herein, and the application for leave to intervene is, by leave of parties, treated as the intervening petition by the Government in this cause.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

WORTHY SESSION

TULSA, OKLAHOMA,

THURSDAY, MAY 24, 1928.

And thereupon, after the hearing of statements of counsel, IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT, that the temporary restraining order heretofore issued on the 19th day of May, 1928, be and the same is hereby vacated and set aside.

IT IS FURTHER ORDERED BY THE COURT that the said defendants be and they are hereby required to permit said plaintiff to connect its pipeline to the separator used in connection with said well for the purpose of taking gas therefrom, in the event the plaintiff desires so to do, and that said Order remain in force pending the further hearing of this cause.

IT IS FURTHER ORDERED BY THE COURT upon the application of the defendants that they be permitted and they are hereby required to file a response, in the form of an affidavit, to the application of the plaintiff for the defendants to show cause why they should not be dealt with for contempt of this Court for violation of the restraining order heretofore issued herein, and that said Response be filed within ten days of this date.

IT IS FURTHER ORDERED BY THE COURT, upon application of the plaintiff, that said plaintiff be and it is hereby given thirty days from this date to file an amended or supplemental bill of complaint herein, and that the defendants and intervener herein be not required to plead herein until such time as said amended or supplemental bill shall have been served upon them or until such time as they have been notified by the plaintiff that it is not its intention to file said amended or supplemental bill, and that in either event said defendants shall have ten days from the time of said service or said notification within which to plead herein.

F. M. HENNINGER,

Judge of the U. S. District Court.

O.K.

A. L. McNeill
Attorney for Plaintiff

Ragen and Gavin
Hughes and Willingham
Attorneys for Defendants.

RECORDED: Filed May 24, 1928.

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

JESSE BRITNER, Plaintiff,)

vs.)

No. 510-Dequity.)

R. M. CHAMBERS, L. W. McEWEN,
G. H. FOSTER, ED ABRAMS,
AND W. ARTHUR WILSON AS SHERIFF
OF GRANT COUNTY, OKLAHOMA,)

Defendants.)

C O R D E R

Now on this 24th day of May, 1928, the above entitled matter comes on for hearing before me, Franklin M. Henninger, Judge of the United States District Court for the northern District of Oklahoma, upon the application of the defendants, L. W. McEwen and G. H. Foster, to dissolve and set aside the restraining order heretofore issued out of this court and directed to said defendants, on the 19th day of May, 1928,

and it appearing to the court that said defendants have not heretofore, and do not now intend to, relating plaintiff's lease thereon, in any manner, in the management of his property and estate, and that no reason exists for continuing said order in force and effect, and that said defendants and it further appearing to the court that it has been agreed by counsel and defendants, attorneys for plaintiff herein, that said restraining order may be dissolved and said defendants, L. W. McEwen and G. H. Foster.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

~~RECEIVED~~

MISSA, OKLAHOMA,

WEDNESDAY, MAY 24, 1938.

IT IS HEREBY ORDERED, RECORDED AND DECLARED by the court, that said restraining order heretofore issued out of this court, on the 23rd day of Feb. 1938, be, and the same is hereby dissolved and set aside, as to the defendants G. H. Foster and L. W. Melton, and both of said defendants are hereby released from the same.

F. S. HENDERSON

Judge of the United States District
Court for the Northern District of
Okla.

G. K.

Founders & Founders
Attys for Plaintiff

FORWARDED: Filed May 24, 1938.

Court adjourned until May 25, 1938.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

WHEATON, OKLAHOMA, TULSA, OKLAHOMA, FRIDAY, MAY 25, 1936.

Court convened pursuant to adjournment, Friday, May 25, 1936.

Present: Hon. F. E. Kenamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

HARRIET HOSNY, ET AL., Plaintiffs,
vs. Deuty No. 238.
JAMES A. CHATMAN, ET AL., Defendants.

ORDER

Now on this 25th day of May, 1936, it is ordered by the Court that the intervenors, Charlie Brown et al be and they are hereby required and directed to deposit with the Special Master heretofore appointed in this case, the sum of Four Hundred and Fifty Dollars to apply on costs and expenses, within five days from this date and the intervenors Henry Buckley et al be and they are hereby required and directed to deposit with the Special Master heretofore appointed in this case the sum of Four Hundred and Fifty Dollars to apply on costs and expenses, within five days from this date.

F. T. DEBBARD, Judge.

RECORDED: FILED May 25, 1936.

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

J. P. WYERS, Plaintiff,
vs. No. 239-Deputy..
WALTER SHARFIELD, ET AL., Defendants.

JOURNAL ENTRY

Now on this 25th day of May, 1936, the above cause comes on for final hearing on the cross-petition of Willie Chatfield, Bertie Chatfield, Curtis Chatfield, Ieland Miller, Willie Chatfield, Lester Miller, Mary Anderson, Gertie McCintion and Ben Miller, for partition of the lands involved in the above entitled cause, and it appearing to the court that one of the defendants and co-owners of the lands involved, Jessie Rockwood, has elected and filed with the clerk of this court a written election to purchase the lands at the appraised value fixed by the commissioners on partition, and at the value placed thereon by said commissioners in their written report heretofore filed by said commissioners; and it further appearing to the court that none of the other parties to said cause, or owners of said land, has filed an election to take said lands at the value fixed by said commissioners;

It is therefore ordered, adjudged and decreed by the court that the election of Jessie Rockwood to take the lands and premises involved in said petition, to-wit:

The East one-half (E1/2) (except that part owned by the Oklahoma-Southwestern Railway Company) of the Northeast Quarter (NE1/4) and the Northwest Quarter (NW1/4) of the Northeast Quarter of Section Twenty (20), and the East one-half (E1/2) of the Northwest Quarter (NW1/4), and the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Twenty-nine (29), and in Townships Fifteen (15) North, Range Ten (10) East, West of County, Oklahoma.

And the same is hereby confirmed, and the same is hereby ordered to be recorded.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

WILSON, OKLAHOMA,

CHIEF, OKLAHOMA,

FRIDAY, MAY 25, 1928.

to-wit: Mintie Chatfield, Alfred Chatfield, Curtis Chatfield, Lilly Chatfield, Millie Chatfield, Blanche Stuckey, Inez Strickland, Florence Galloway, Verdie Basket, Ben Miller, Bertie McClinton, Lester Miller, Leland Miller, Mary Anderson, and J. P. Evers are hereby directed to execute deeds to the lands involved covering their interests therein, subject to one-eighth oil and gas rights of the said Charles B. Rockwood and Edward M. Lotridge, as heretofore fixed by the decree of partition, within sixty days from date hereof, and that on the failure of said parties to execute said deeds, as provided in this decree, and on payment into the office of the Clerk of this Court of the appraised value of said lands by the said Jessie Rockwood, the Marshal of this court is directed to execute the necessary deeds and instruments of conveyance in lieu thereof, for each defaulting parties.

It is further ordered, adjudged and decreed by the court that on payment of the money to the Clerk of this Court by the said Jessie Rockwood, as provided in this decree, that the Clerk of this court shall distribute said monies so paid by the said Jessie Rockwood to each of the parties and owners of said lands as their interests appear and are fixed by this court in the decree of partition heretofore entered, to-wit:

J. P. Evers	25/140
Mintie Chatfield	15/140
Curtis Chatfield	15/140
Lilly Chatfield	15/140
Millie Chatfield	15/140
Inez Strickland	5/140
Blanche Stuckey	5/140
Verdie Basket	5/140
Florence Galloway	5/140
Bertie McClinton	3/140
Mary Anderson	3/140
Leland Miller	3/140
Lester Miller	3/140
Ben Miller	3/140

It is further ordered, adjudged and decreed that the cost of this action be divided among the parties and paid by them as their interests appear in said lands.

DONE in open court the day and year first above written.

O.K. J.P. Evers.

F. M. DEWATER, Judge

ENDORSED: Filed May 25, 1928.

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

FIRST NATIONAL BANK OF TULSA,
OKLAHOMA, A CORPORATION,

Plaintiff,

vs.

Equity No. 39.

NATIONAL HARDWOOD COMPANY, A
CORPORATION, ET AL.,

Defendants.

ORDER ALLOWING COMPENSATION TO ATTORNEY
FOR RECEIVER

Now on this 25th day of May, 1928, the application of Leonard E. Roach as Attorney for the Receiver of the defendant, National Hardwood Company, for allowance of compensation for services rendered in connection with his duties as attorney and for services rendered in connection therewith, came on regularly for hearing and after considering said application and hearing the evidence offered in support thereof and being fully advised in the premises the Court finds:

That said applicant has faithfully performed and discharged the duties of his Trust as attorney for G. H. Smith, Receiver of the National Hardwood Company, and is entitled to a reasonable partial compensation, therefore that the sum of \$500.00 Dollars is a reasonable compensation for the services performed by said applicant.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

REGULAR SESSION,

TULSA, OKLAHOMA,

FRIDAY, MAY 25, 1926.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED by this Court that the sum of Five Hundred Dollars be allowed the said Leonard E. Roach as attorney for the Receiver of the National Hardwood Company, G. H. Smith, in connection with his services rendered as such attorney in the matters pertaining to the affairs of the National Hardwood Company, defendants in said cause, and the Receiver of the National Hardwood Company is hereby authorized and directed to pay the said Leonard E. Roach said sum from funds now on hand.

M. H. McHAUGHY,
U. S. District Judge.

ENDORSED; Filed May 25, 1926.

Court adjourned UNTIL May 26, 1926

In the District Court of the United States in and for the

NORTHERN
DISTRICT OF

District of
TULSA, OKLAHOMA

OKLAHOMA
SATURDAY, MAY 26, 1928.

Court convened pursuant to adjournment, Saturday, May 26th, 1928.

Present; Hon. F. E. Kennamer, Judge of U. S. District Court
H. E. Wardfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

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

HUGHES TOOL COMPANY, Plaintiff, }

vs. }

INTERNATIONAL SUPPLY
COMPANY, Defendant. }

No. 275 - In Equity.

ORDER OF COURT REGARDING TIME FOR FILING
RECORD ON APPEAL.

It appearing to the court that the record on the appeal of the above styled and numbered cause is lengthy, and that counsel reside at great distance from each other and some of them at great distance from this court, and that other good and sufficient reasons exist therefor, it is upon application of Hughes Tool Company, plaintiff in the above styled and numbered cause, ordered and decreed that the time within which plaintiff, appellant, may file its record on this appeal may be and the same is hereby extended to and including July 26th, 1928.

F. E. KENNAMER,

United District Judge.

ENDORSED: Filed May 26, 1928.

Court adjourned until May 28, 1928

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

BRITTY DUBSIRN,

TULSA, OKLAHOMA,

MONDAY, MAY 28, 1928

Court convened pursuant to adjournment, Monday, May 28th, 1928.

Present: Hon. F. W. Henderson, Judge of U. S. District Court
W. T. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

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

BRITTY DUBSIRN, Plaintiff,)
vs.) No. 286-Equity-
GEORGE W. NIERED, Defendants.)
MRS. E. SHEA,

ORDER SETTING CAUSE FOR TRIAL

Now on this 28th day of May, 1928, at the instance and request, and upon agreement of the parties hereto, the within cause is hereby set down for trial on Friday, June 1, 1928.

F. W. HENDERSON, Judge.

RECORDED: Filed May 28, 1928.

GEORGE A. BROOKS, Plaintiff,)
vs.) No. 281-Equity.
E. C. YARBROUGH, Defendants.)
ET AL.,

On this 28th day of May, 1928, it is by the Court ordered that plaintiff in the above entitled cause, be and is hereby granted leave to amend her petition by interlineation.

ANNA BEAVER LETTERMAN, Plaintiff)
vs.) No. 102-Equity.
BOB T. WELLS, ET AL., Defendants.)

On this 28th day of May, 1928, comes on the above entitled cause for hearing. At this time, upon stipulation of parties herein, it is ordered that the trial proceed without the presence of Anna Beaver Letterman Mallam, plaintiff herein, and that her testimony be taken at a later date and at this time both sides announce ready for trial. Plaintiff is represented by Mr. Howell and the defendants by Messrs. Scott, Thompson and Adams. At this time documentary evidence is introduced and the hour of adjournment having arrived, it is ordered said cause be continued until May 29, 1928.

Court adjourned until May 29, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
SOUTHERN DISTRICT, OKLAHOMA, DISTRICT OF OKLAHOMA, DISTRICT OF OKLAHOMA.

Court convened pursuant to adjournment, Tuesday, May 22nd, 1928.

Present: Hon. F. J. Monaghan, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

ALMA BEAVER WETTERMAN, Plaintiff, }
vs. } No. 102-Equity.
WYLLIE W. WILLS, ET AL., Defendants, }

On this 29th day of May, 1928, comes on the above entitled cause for trial, parties and counsel present as before. At 8 o'clock, plaintiff presents her evidence and proof and rests. Thereupon, the defendants present their evidence and proof. At this time plaintiff puts on rebuttal testimony and the hour of adjournment having arrived, said cause is ordered continued until June 2, 1928.

PRACICE FOR ORDER PRO CONFESSO

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

UNITED STATES, Plaintiff, }
vs. } No. 323-Equity,
FRED H. FANNIN, ET AL., Defendants. }

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against Fred H. Fannin, E. M. Frye & Roy Frye, Carl Poos, J. A. Check and E. L. Check, for failure to plead or answer.

Dated this 29th day of May 1928.

H. P. WARFIELD, Clerk

By J. T. Ward, Deputy Clerk

PRACICE

To the Clerk of said Court:

Enter the above in the Order Book in Equity of said Court:

Louis H. Stivers
Solicitors for Complainant.

ENDORSED: Filed May 29, 1928.

PRACICE FOR ORDER PRO CONFESSO

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

UNITED STATES, Plaintiff, }
vs. } No. 345-Equity.
WYLLIE W. WILLS, et al., Defendants. }

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

REGULAR SESSION, TULSA, OKLAHOMA, WEDNESDAY, MAY 29, 1938.

take order pro confesso against James Bendabout, Charles Bendabout, Carlise Boleyn and Lydia Leach, now deceased, for failure to plead or answer.

Dated this 29th day of May 1938.

H. P. WAGNER, Clerk

By H. W. Jones, Deputy

TRANSITS

To the Clerk of said Court:

Enter the above in the Order Book in Equity of said Court:

Louis H. Stivers,
Solicitors for Complainant.

ENDORSED: Filed May 29, 1938.

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

JAMES T. BELMONT, TRUCKER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS INDUSTRIAL,	{	Equity No. 358.
Complainant.	{	Ancillary to Missouri Valley
vs.	{	Bridge & Iron Company, vs.
MRS. ANNA R. APPELMAN, Defendant.	{	J. R. Middleton, et al.,
	{	Equity No. 284-B.

ORDER OF DISMISSAL

Now on this 29th day of May, 1938, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendant, Mrs. Anna R. Appelman, an individual, has paid to said Complainant the full amount asked for in said Bill of Complaint, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

T. H. WENDLAND

ENDORSED: Filed May 29, 1938.

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

JOHN K. PIERCE,	Plaintiff,	}
vs.		}
		No. 111-Equity.
INTERNATIONAL SUPPLY COMPANY,		}
ATLAS SUPPLY COMPANY,		}
FRANKLIN VALVELESS ENGINE COMPANY,	Defendants.	}

DECREE

This cause having heretofore come on to be heard upon pleadings and proofs, on the 5th day of January, 1938, and counsel for the respective parties having been heard, and the cause not having been fully considered by the court, it is hereby ordered, adjudged and decreed as follows:

That the patent sued on, Patent No. 1,876,111, granted on

In the District Court of the United States in and for the

NORTHERN
CITY SESSION,
1936

District of

OKLAHOMA

TULSA, OKLAHOMA,

TUESDAY, MAY 29, 1936.

August 15, 1928 to the plaintiff, John E. Pierce, for Improvements in Clutch Mechanism, is void, and the bill of complaint is hereby dismissed, with costs to be paid by the said plaintiff to the defendants, International Supply Company and Atlas Supply Company.

Dated this 29th day of May, 1936.

F. H. YENNERLIER

Approved as to form:

Booth, Bailey & Gernert,
Solicitors for Plaintiff

Sector, Hibben, Davis and MacCauley of Chicago
Carroll & Jameson
Solicitors for Defendants,
International Supply Company
and Atlas Supply Company.

ENDORSED: Filed May 29, 1936.

Court adjourned until May 31, 1936.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, MAY 31, 1928.

Court convened pursuant to adjournment, Thursday, May 31, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

STANDARD ASBESTOS MANUFACTURING)
COMPANY, A CORPORATION, ET AL.,)
)
) Plaintiffs,)
 vs.) No. 315-Equity.
)
SOUTHWEST FLEXIBLE FORM COMPANY,)
A CORPORATION, ET AL.,)
) Defendants.)

On this 31st day of May, 1928, comes on the above entitled cause for hearing and it is by the Court ordered that plaintiff have until June 4th to amend his Bill of Complaint heretofore filed herein, and it is further ordered that his motion for better statement, heretofore filed herein, be, and same is hereby overruled.

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

JOHN H. DYKES, RECEIVER OF)
THE FIRST NATIONAL BANK OF)
SAPULPA, OKLAHOMA)
) Plaintiff,)
 vs.) No. 45-Equity.
)
F. B. REED, ET AL.,)
) Defendants.)

O R D E R

IT IS ORDERED that briefs of all defendants, in the above styled cause be filed on or before June 10, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed May 31, 1928.

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

A. M. WIDDOWS AND FRANK T. McCOY)
CO-PARTNERS DOING BUSINESS UNDER)
THE FIRM NAME AND STYLE OF WIDDOWS)
AND McCOY,)
) Plaintiffs,)
 vs.) No. 264-Equity.
)
JOHN H. DYKES, RECEIVER OF THE)
FIRST NATIONAL BANK OF BARNSDALL,)
OKLAHOMA,)
) Defendant.)

JOURNAL ENTRY

This cause comes on for final hearing on this 31st day of May, 1928, pursuant to the regular assignment, plaintiffs appearing in person and by their counsel, John T. Craig, and the defendant appearing by his counsel, Robert B. Keenan. Thereupon plaintiffs introduce their evidence and rest, to which the defendant demurs, and after consideration of the court, said demurrer is overruled. To which order the defendant excepts. Defendant then announces that he has no evidence to offer, and the evidence in said case is closed.

After argument of counsel, and the court being fully advised

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,
1928

TULSA, OKLAHOMA,

THURSDAY, MAY 31, 1928.

In the premises, the court finds that the plaintiffs are entitled to prevail in this cause, and that said defendant should endorse the claims sued on herein, as a valid claim against the assets of the First National Bank of Barnsdall, Oklahoma, endorse his allowance on the receiver's certificate sued upon herein, and certify same to the Comptroller of the Currency, and pay plaintiffs their pro rata share of the assets of said bank, including dividends heretofore declared.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiffs are entitled to have the receiver, and he is hereby ordered to, endorse the allowance of said claims on his records, endorse the certificate as allowed, certify the same to the Comptroller of the Currency and pay plaintiffs their pro rata share of all of the assets of said bank, including dividends heretofore paid, and for all costs of this proceeding.

To which decree of the court the defendant excepts and gives notice in open court of his intention to appeal to the Circuit Court of Appeals for the Eighth Circuit, and asks that the execution be stayed for a period of twenty days to permit the obtaining of an authorization from the Comptroller of the Currency directing such appeal and, in accordance therewith, permitting stay pending appeal without bond.

IT IS FURTHER ORDERED by the court that the receiver withhold sufficient funds to pay this judgment in the event same is affirmed, together with all costs of this action.

IT IS FURTHER ORDERED by the court that plaintiff be given time prayed, and stay is ordered in compliance with such request upon the condition aforesaid.

F. E. KENNAMER, Judge.

ENDORSED: Filed May 31, 1928.

JOHN H. DYKES, RECEIVER OF
FIRST NATIONAL BANK OF
BARNSDALL, OKLAHOMA, Plaintiff,)

vs.)

G. R. LITTLE, ET AL., Defendants.)

No. 187-Equity..

On this 31st day of May, 1928, it is by the Court ordered that the defendants in above entitled cause be granted an additional Thirty (30) days from this date in which to file amended answer.

Court adjourned until June 1, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION.

TULSA, OKLAHOMA,

FRIDAY, JUNE 1, 1928.

Court convened pursuant to adjournment, Friday, June 1st, 1928.

Present: Hon. F. E. Kernamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES OF AMERICA, Plaintiff,)

vs.)

No. 306-Equity.)

C. G. SHULL, BANK COMMISSIONER
OF THE STATE OF OKLAHOMA,)

Defendant,)

PERMANENT INJUNCTION

Now on this 1st day of June, 1928, this matter coming on to be heard upon defendant's motion herein to dismiss the plaintiff's Bill of Complaint, said motion to dismiss being a part of the defendant's answer herein, and said plaintiff now appearing by its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of the State of Oklahoma, and the said defendant, C. G. Shull, Bank Commissioner of the State of Oklahoma, appearing by and through its solicitor, the Honorable Kirby Fitzpatrick, and the Court, after hearing the argument of counsel, and being fully advised in the premises, finds that said motion to dismiss, as aforesaid, should be and hereby is overruled, to the overruling of which motion the said defendant objects and excepts, and said exceptions are by the Court duly allowed;

And Whereupon, the said defendant, C. G. Shull, Bank Commissioner of the State of Oklahoma, by and through its solicitor, aforesaid, declines to plead further in the within cause, and elects to stand upon said motion to dismiss, aforesaid; And Whereupon, and upon said election, and after argument of counsel, the Court finds all the allegations contained in plaintiff's Bill of Complaint to be true and correct, and finds the issues in the within cause in favor of said plaintiff.

The Court further finds that by virtue of said plaintiff's first and second cause of action it has a preferred claim against the First State Bank of Jenks, Oklahoma, in the sum of \$430.42.

That by virtue of its third cause of action it has a preferred claim against the Fidelity Bank, Grove, Oklahoma, in the sum of \$468.77.

That by virtue of its fourth cause of action it has a preferred claim against the Oklahoma State Bank, Jennings, Oklahoma, in the sum of \$520.90.

That by virtue of its fifth cause of action it has a preferred claim against the Bank of Apperson, Apperson, Oklahoma, in the sum of \$920.19.

That by virtue of its sixth cause of action it has a preferred claim against the Citizens State Bank, Ramona, Oklahoma, in the sum of \$128.19.

The Court further finds that the plaintiff herein hereby expressly waives interest on any and all of said claims, aforesaid, and the sums therein involved.

The Court further finds that the said defendant herein, C. G. Shull, Bank Commissioner of the State of Oklahoma, has and still refuses to honor any of said claims, aforesaid, as preferred, and declines now to make payment of any of said claims aforesaid.

The Court further finds that each and every one of said claims, aforesaid, are preferred claims, as aforesaid, under and by virtue of

In the District Court of the United States in and for the

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NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, JUNE 1, 1928.

Indian, enrolled opposite No. 2768, as his homestead and surplus allotments, and that patents therefor, issued in favor of the said Willie Brown, were duly executed by the Principal Chief of the Muskogee (Creek) Nation, and were approved by the Secretary of the Interior on May 8, 1903.

That the land so allotted, patented and described is, and was at all times hereinafter mentioned, reserved by law from alienation or incumbrance, and has not at any time been, and is not now subject to alienation or incumbrance by the allottee or any other person, except by and with the approval of the Secretary of the Interior, after the removal of restrictions therefrom.

That on or about the 6th day of September, 1905, there was filed for, and is now of record in the office of what is now the County Clerk of Creek County, Oklahoma, in Volume 6, Miscellaneous, at Page 319 of the present records of that office, a certain instrument in writing, dated the 5th day of September, 1905, executed by Jessie McGee, nee Coleman, and Razz McGee, her husband, purporting to be a warranty deed, conveying to W. E. Wood and J. G. Elred, their heirs, successors and assigns the certain described land set out above. That the said J. G. Elred is now deceased, and left surviving him as his sole and only heir at law the above named defendant, Clara N. Elred, who is claiming and asserting the same rights and privileges in and to said land, by virtue of said warranty deed, as did the said deceased, but that the said W. E. Wood has quit claimed his interest in said land to the said allottee, Willie Brown, Creek Roll No. 2768.

That on or about the 4th day of May, 1906, there was filed for and is now of record in the office of what is now the County Clerk of Creek County, Oklahoma, in Miscellaneous Record, No. 5, at Page 266 of the present records of said office, a certain instrument in writing, dated the 4th day of May, 1906, executed by Sissie Lee, formerly Bigpond, and Gano Lee, her husband, purporting to be a warranty deed, conveying to the said defendant, E. Shea, his heirs, successors and assigns the certain described land set out above.

That the plaintiff is without adequate remedy at law, and without further knowledge of the claim or claims of the said defendants to the land hereinbefore described, and calls upon them to disclose the same, if any they have, as the said land was, at the time of the execution and recording of said pretended warranty deeds, and at all times heretofore and since, restricted and alienable, and that said pretended warranty deeds are void and of no force and effect, but that the same remain of record, and that the execution and recording thereof constitutes a cloud upon the title of the plaintiff herein, and of the said Willie Brown to the land hereinbefore described, which said cloud, by decree of this Court, should be forever removed.

That said defendants are citizens of the United States, the said defendant, E. Shea, alleged to be a resident of Creek County, Oklahoma, and the defendant, Clara N. Elred being a resident of the City of Pittsburgh, Alle County, Pennsylvania.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said purported warranty deed filed for record on the 6th day of September, 1905, in the office of the County Clerk of Creek County, Oklahoma, in Volume 6 of Miscellaneous Records, at Page 319, dated the 5th day of September, 1905, executed by Jessie McGee, nee Coleman, and Razz McGee, her husband, to W. E. Wood and J. G. Elred; and the purported warranty deed filed for record on the 4th day of May, 1906, in the office of the County Clerk of Creek County, Oklahoma, in Miscellaneous Records No. 5, at Page 266, dated the 4th day of May, 1906, executed by Sissie Lee, formerly Bigpond, and Gano Lee, her husband, to the defendant E. Shea, be and hereby are canceled , set aside and held for naught, and that said defendants, and each of them are hereby decreed to have no right, title, or interest in and to the following described land, to-wit:

Southeast Quarter (SE¹/₄) of Section Twenty-one (21), Township Eighteen (18) North, Range Twelve (12) East, Creek County, Oklahoma,

the title to which the Court finds to be in Willie Brown, a three-fourths blood Creek Indian, Roll No. 2768, and that the title thereto is accordingly quieted in the said Willie Brown, aforesaid, subject to the supervision of this plaintiff in connection therewith, and that said

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, JUNE 1, 1928.

defendants, and each of them are hereby barred and enjoined from further asserting or claiming any right, title or interest in and to said lands, aforesaid.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 1, 1928.

Court adjourned until June 2, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA. SATURDAY, JUNE 2, 1928.

Court convened pursuant to adjournment, Saturday, June 2nd, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

ANNA BEAVER LETTERMAN, Plaintiff, }
vs. } No. 103-Equity..
DON P. WILLS, ET AL., Defendants. }

On this 2nd day of June, 1928, it is by the Court ordered that above entitled cause be continued for further hearing until further order of the Court.

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

UNITED STATES, Plaintiff, }
vs. } No. 322-Equity.
FLORA D. ARMSTRONG, Defendant. }

D E C R E E

Now on this 2nd day of June, 1928, this matter coming on to be heard upon plaintiff's Bill of Complaint herein, and said plaintiff now appearing by and through its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of the State of Oklahoma, and the said defendant, Flora D. Armstrong, having been duly served with summons herein, and having failed to plead, as required by law, and an Order Pro Confesso in favor of said plaintiff having been duly entered, heretofore, more than 30 days prior to this decree, and said defendant, Flora D. Armstrong, having been three times duly called in open Court, appeareth not, and is adjudged in default; and the Court, after hearing the evidence offered, and being fully advised in the premises, finds:

That under the provisions of the laws of the United States the following described land, to-wit:

The Northeast Quarter (SE4) of the Northwest Quarter (NW4) of the Southeast Quarter (SE4); and the Northeast Quarter (NE4) of the Southeast Quarter (SE4) of Section Twenty-six (26), Township Twenty-seven (27) North, Range Fifteen (15) East,

situate in Nowata County, Oklahoma, was allotted to Byveian Sarcoxie, now Myers, a seven-eighths blood Cherokee Indian, enrolled opposite Roll No. M-577, as surplus, and that the patent therefor, issued in favor of the said Byveian Sarcoxie, now Myers, was duly executed by the Principal Chief of said Nation, and duly approved by the Secretary of the Interior; and that the following described land, to-wit:

The South Half (S2) of the Northwest Quarter (NW4) of the Southeast Quarter (SE4); and the Northwest Quarter (NW4) of the Northwest Quarter (NW4) of the Southeast Quarter (SE4) of Section Twenty-six (26), Township Twenty-seven (27), North, Range Fifteen (15) East,

situate in Nowata County, Oklahoma, was allotted to the said Byveian Sarcoxie, now Myers, as homestead, and that the patent therefor, issued in favor of the said Byveian Sarcoxie, now Myers, was duly executed by the Principal Chief of said Nation, and duly approved by the Secretary of the Interior.

That the land so allotted, patented and described is, and was at all times hereinafter mentioned, reserved by law from alienation or encumbrance, and has not at any time been, and is not now subject to

In the District Court of the United States in and for the

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District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JUNE 2, 1928.

alienation or encumbrance by the allottee or any other person, except by and with the approval of the Secretary of the Interior, after the removal of restrictions.

That notwithstanding said restrictions against alienation, and on or about the 17th day of December, 1910, there was filed for, and is now of record in the office of the County Clerk of Nowata County, Oklahoma, in Volume 62, at Page 344 of the records of that office, a certain instrument in writing, dated the 4th day of October, 1910, executed by Jefferson D. Sarcoxie, and purporting to be a bill of sale, conveying to the defendant, Flora D. Armstrong, the certain described land set out above.

That the plaintiff is without adequate remedy at law, and without further knowledge of the claim or claims of the defendant to the land hereinbefore described, and calls upon her to disclose the same, if any she has, for the reason that the said pretended instrument herein set out is void and of no force, and effect, but the same remains of record, as hereinbefore stated, and the execution and recording thereof constitutes a cloud upon the title of this plaintiff and of the said Byveian Sarcoxie, now Myers, to the said described land, which cloud should, by decree of this Court, be forever removed.

That the defendant is a citizen of the United States, and that the property hereinbefore described, and each part and parcel thereof, all of which is the subject matter of this suit, is situate in the Northern District of the State of Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the certain purported Bill of Sale filed for record on the 17th day of December, 1910, in the office of the County Clerk of Nowata County, Oklahoma, in Volume 62, at Page 344 of the records of that office, bearing date of October 4, 1910, and executed by Jefferson D. Sarcoxie to the defendant, Flora D. Armstrong, and covering the following described land, to-wit:

Surplus - The Northeast Quarter (NE4) of the North west Quarter (NW4) of the Southeast Quarter (SE4); and the Northeast Quarter (NE4) of the Southeast Quarter (SE4) of Section Twenty-six (26), Township Twenty-seven (27) North, Range Fifteen (15) East, Nowata County, Oklahoma;

Homestead - The South Half (S2) of the Northwest Quarter (NW4) of the Southeast Quarter (SE4); and the Northwest Quarter (NW4) of the Northwest Quarter (NW4) of the Southeast Quarter (SE4) of Section Twenty-six (26), Township Twenty-seven (27) North, Range Fifteen (15) East, Nowata County, Oklahoma,

be, and the same is hereby canceled, set aside and held for naught, and the said defendant, Flora D. Armstrong is hereby decreed to have no right, title or interest of whatsoever nature in and to said land, and is hereby barred and enjoined from claiming or asserting any such right, title or interest therein, and that the title to said land is hereby quieted in the said Byveian Sarcoxie, now Myers, subject to the supervision of this plaintiff.

F. E. KENNAMER,

Judge.

ENDORSED: Filed June 2, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JUNE 2, 1928.

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

BARNSDALL STATE BANK OF BARNSDALL,
OKLAHOMA, A CORPORATION,

Complainant,

vs.

JOHN W. BYRDS, RECEIVER OF THE
FIRST NATIONAL BANK OF BARNSDALL,
OKLAHOMA, A CORPORATION,

Defendant.

No. 223-Equity.

JOURNAL ENTRY

On this 2nd day of June, 1928, this cause came on to be further heard upon defendant's motion to dismiss, same having been heretofore briefed and argued by counsel; and therefore upon consideration thereof, IT IS ORDERED, ADJUDGED AND DECREED as follows:

That defendant's motion to dismiss is hereby sustained, and complainant having elected to stand thereon and not plead further, said bill of complaint of complainant is hereby dismissed, with prejudice, at its cost, and complainant shall take nothing by this action.

To all of which, complainant excepts, and gives notice in open court of its intention to appeal from said order to the United States Circuit Court of Appeals for the Eighth Circuit.

F. H. HENNINGER,

Judge.

WITNESSED: Filed June 2, 1928.

Court adjourned until June 4, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

BARTLESVILLE, OKLAHOMA,

MONDAY, JUNE 4, 1928.

Court convened pursuant to adjournment, Monday, June 4th, 1928,

Present; Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

MANDATE - No. 45-Equity.

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

((SEAL))

TO THE HONORABLE THE JUDGES OF THE DISTRICT
COURT OF THE UNITED STATES FOR THE NORTH-
ERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between J. E. Shaffer Company and John E. Shaffer, Plaintiffs, and Smith Separator Company and M. F. Waters, Defendants, No. 45, in Equity, wherein the decree of the said District Court in said cause, entered on the 1st day of February, A. D. 1926, was in the following words, viz:

" This cause coming on to be heard on this the 1st day of February, 1927, and complainant being present in person and by its solicitors, A. L. Jackson and C. R. Thurlwell, and defendant being present by its general manager, M. F. Waters, and its solicitors, George A. Prevost, George M. Prevost and Hagin & Gavin, and the complainant and defendant in said cause having announced ready for trial, and witnesses having been sworn in open court, and their testimony having been heard, and the solicitors for plaintiff and defendant having argued said cause to the court, and the issues therein being presented to the court for decision, and the court being fully advised in the premises and finding that he has jurisdiction to hear and determine said cause, and having concluded that the issues in said cause should be decided in favor of the defendant and against the complainant,

It is hereby ordered, adjudged, considered and decreed that judgment in said cause should be awarded to the defendant, and that the bill of complaint in said cause be and is hereby dismissed; to all of which the complainant excepts, and said exception is duly noted of record;

Whereupon, the complainant gave notice in open court of its intention to appeal to the Circuit Court of Appeals, and for said purpose it is granted an extension of thirty (30) days within which to prepare and file its transcript or record in said cause.

F. E. KENNAMER
United States District Judge"

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of a writ of error, agreeably to the act of Congress, in such case made, and provided, fully and at large appears;

AND WHEREAS, at the December term, in the year of our Lord one thousand nine hundred and twenty-seven, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause, be, and the same is hereby affirmed with costs; and that the Smith Separator Company and M. F. Waters have and recover against the J. E. Shaffer Company and John E. Shaffer the sum of Twenty Dollars for their costs herein and have execution therefor.

ENDORSED: Filed June 4, 1928.

March 27, 1928 -----

COURT ADJOURNED UNTIL JUNE 5, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

BARTLESVILLE, OKLAHOMA,

TUESDAY, JUNE 5, 1928.

Court convened pursuant to adjournment, Tuesday, June 5th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA, Plaintiff,	}	
vs.	}	No. 293-Equity
JACK ROGERS, Defendant,	}	

On this 5th day of June, 1928, the above entitled cause coming on for hearing of contempt charges filed heretofore against said defendant, and after hearing the statements of said defendant, Jack Rogers, and being fully advised in the premises, the Court orders that said contempt charges be, and same are hereby dismissed

Court adjourned until June 6, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

BARTLESVILLE, OKLAHOMA,

WEDNESDAY, JUNE 6, 1928

Court convened pursuant to adjournment, Wednesday, June 6th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

FANNIE FULSOM, ET AL.,

Plaintiffs,

vs.

QUAKER OIL & GAS COMPANY,
ET AL.,

Defendants.

No. 319-Equity..

Come now the plaintiffs in the above styled cause, on this the 6th day of June, 1928, and move the court to extend the time for filing their reply and pleadings to the answer of the defendants in the above styled cause for twenty (20) days from this date, said answer of said defendants having been filed on May 23, 1928, which motion being heard is this day granted by the court, and said plaintiffs are hereby given leave to file their replication to said answer and such other pleadings as they deem proper, within the next twenty (20) days.

F. E. KENNAMER,

Judge.

ENDORSED: Filed in Open Court, June 6, 1928.

Court adjourned until June 7, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, BARTLESVILLE, OKLAHOMA, THURSDAY, JUNE 7, 1928

Court convened pursuant to adjournment, Thursday, June 7th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.	)	No. 390-Equity..
A. W. CURREY, MABEL S. ELAM,)	
RICHARD ELAM, W. H. WARD, NEVA)	
WARD (NEVA P. WARD). LEANDER)	
DIXON AND DOROTHY DIXON,)	
Defendants.)	

ORDER

And now on this the 7th day of June, 1928, the same being a regular day of the June 1928 Bartlesville term of said Court, the above entitled matter coming on for hearing upon the application of the Plaintiff for the appointment of a Receiver, the Plaintiff appearing by the United States District Attorney, and the Court having heard the evidence and being fully advised in the premises, finds,

That said Defendants were duly notified of the hearing of the application for the appointment of a Receiver by person service in the Northern District of Oklahoma, and that said Defendants came not but wholly made default and each of said Defendants were three times called aloud at the bar of the court.

The Court further finds that the said Defendants have failed to pay the taxes on the lands involved herein, to-wit:

Beginning at a point 761.5 feet South of the Northwest corner of the Southwest 1/4 of Section 35, Township 26, Range 9; and extending South along said Section line 241 feet; thence East 361.5 feet; thence North 241 feet, thence west 361.5 feet to the point of beginning, containing approximately 2 acres, more or less,

for the year 1927, that the principal value of the property involved herein is the improvements thereon, that said improvements are not insured, and that should said improvements be destroyed by fire or otherwise, that the Plaintiff will be irreparably damaged.

That that mortgage involved herein contains a stipulation providing that the mortgagee shall be entitled to possession of said premises should suit be filed thereon.

That W. E. McGuire is a suitable person to be appointed Receiver for said property.

It is therefore, ordered, adjudged and decreed that a Receiver be appointed for said property herein above described, and that W. E. McGuire be appointed as such Receiver and his bond fixed in the sum of \$500.00.

It is further, ordered, adjudged and decreed that said Receiver pay or cause to be paid the taxes now due and delinquent on said property.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

BARTLESVILLE, OKLAHOMA,

THURSDAY, JUNE 7, 1928.

That said Receiver insure or cause to be insured, said property in some reputable and reliable Insurance Company.

That said Receiver collect a reasonable rent from the occupants of said premises until said matter is finally disposed of.

It is further, ordered, that said Receiver apply from time to time for further orders and directions in the handling of said property, and that said Receiver do such other and further things as may be necessary for the full protection and preservation of the property involved herein.

F. E. KENNAMER,

United States District Judge.

O. K. Harry Seaton

ENDORSED: Filed in U. S. District Court, June 7, 1928.

Court adjourned until June 9, 1928.

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, DAY TODAY, JUNE 9, 1928.

Court convened pursuant to adjournment, Saturday, June 9th, 1928.

Present: Hon. F. N. Kennamer, Judge of U. S. District Court
 H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

JAMES W. GULLETT, RECEIVER, ET AL.,	}	
Complainant,	}	
vs.	}	No. 371-Equity..
G. R. RICHEY,	}	
Defendant.	}	

ORDER EXTENDING TIME TO PLEAD.

Now on this 9th day of June, 1928, on application of G. R. Richey, defendant, and for good cause shown it is ordered that said defendant have 15 days from this date in which to plead.

G.K. James P. Melone Atty for Complainant	F. N. KENNAMER, U. S. District Judge.
G.K. H. P. White Atty for Defendant.	

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

THE FISHER GOVERNOR COMPANY, (INC.), A CORPORATION,	}	
Plaintiff,	}	
vs.	}	Equity No. 492.
G. F. SALT COMPANY, A CORPORATION,	}	
Defendant.	}	

O R D E R

Upon agreement of counsel, and for good cause shown, it is hereby ordered that defendant be and hereby is given fifteen (15) days, in addition to the time heretofore fixed by the Court, within which to file brief in support of its defense.

G.K. Mason & Williams Stewart Lynch Attorneys for Plaintiff	F. N. KENNAMER, Judge.
G.K. Aby & Tucker Edward Sherer - Welburn Mayoeh Attorneys for Defendant.	

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

JAMES W. GULLETT, RECEIVER FOR RECEIPTS OF AN ASSOCIATED LITHOGRAPH COMPANY, Complainant,	}	
-vs-	}	Equity No. 328.
FRANK J. FEYERHERM AND TONY A. BROWN, OWNERS, LEVING BUSINESS AS NICHOLS TRANSFER AND STORAGE CO. ET AL., Defendants.	}	Auxiliary to Missouri Trilley Bridge & Iron Company, vs. F. H. Lullston, et al., Equity No. 264-1.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

REGULAR SESSION,

TULSA, OKLAHOMA,

SATURDAY, JUNE 9, 1928.

ORDER OF DISMISSAL

Now on this 9th day of June, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendants, Fred J. Feyerherm and Tony A. Eaton, Partners, doing business as NICHOLS TRAFFICER and STORAGE COMPANY, has paid to said Complainant the full amount asked for in Bill of Complaint, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

F. E. KENNAMER, Judge.

ENDORSED: Filed June 7, 1928.

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

JOHN H. DYKES, RECEIVER OF THE FIRST NATIONAL BANK OF BARNSDALL, OKLAHOMA, A CORPORATION,

Plaintiff,

vs.

MARY E. LITTLE, MARY E. LITTLE EXECUTRIX OF THE ESTATE OF G. R. LITTLE, DECEASED, AND H. R. LITTLE,

Defendants.

No. 184-Equity..

ORDER PERMITTING APPEAL WITHOUT BOND.

It appearing that John H. Dykes, receiver of the First National Bank of Barnsdall, Oklahoma, a corporation, plaintiff, above styled, has been directed by the Comptroller of Currency, to prosecute an appeal from the order and judgment entered in this case on May 17, 1928, to the Circuit Court of Appeals for the Eighth Circuit. It is therefore ordered that such appeal be prosecuted without bond. It is further ordered that the order entered May 17, 1928, be stayed pending the perfection of such appeal, and in the event an appeal is filed in said appellate court, pending a determination of said cause by said court. It is further ordered that Mary E. Little and surety on her bond to repond for rents upon property involved herein, during the pendency of this action, abide such stay.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 9, 1928.

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

JOHN H. DYKES, RECEIVER OF THE FIRST NATIONAL BANK OF BARNSDALL, OKLAHOMA, A CORPORATION,

Plaintiff,

vs.

MARY E. LITTLE, MARY E. LITTLE EXECUTRIX OF THE ESTATE OF G. R. LITTLE, DECEASED, AND H. R. LITTLE,

Defendants.

No. 184-Equity.

ORDER ENLARGING TIME TO FILE APPEAL

For good cause shown, time is enlarged, within which to file appeal with the Clerk of the United States Circuit Court of Appeals for the Eighth Circuit, to sixty days from this date. Dated this 9th day of June, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 9, 1928.

Court adjourned until June 13, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, JUNE 13, 1928

Court convened pursuant to adjournment, Wednesday, June 13, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

GERALDINE HEMMITT, Plaintiff,
vs.
J. O. DENTON AND W. E. GAGE, Defendants.
No. 152.

JOURNAL ENTRY OF JUDGMENT

This cause having been regularly set came on for trial on the 5th day of January, 1928. The plaintiff was present in person and by her attorneys J. S. Summers, H. S. Williams, John R. Miller and R. E. Stephenson. The defendant J. O. Denton appeared in person and by his attorneys, T. L. Blakemore and W. L. Eagleton; Plaintiff and defendant introduced evidence and the hour of adjournment arriving and the trial not having been completed same was continued. The same was recessed to January 6th, 1928, at which time the same appearances were made and the taking of evidence was completed. After argument made the court took the matter under advisement and gave the plaintiff fifteen days in which to file brief and defendant 15 days thereafter in which to file response brief. Both briefs were filed.

Thereafter on the 13th day of June, 1928, the court having been fully advised as to the facts, examined the records and files and the briefs submitted, found that judgment should be entered for the defendant J. O. Denton and that plaintiff's bill should be dismissed with prejudice.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED that judgment be entered for the defendant J. O. Denton and against the plaintiff Geraldine Hemmitt and plaintiff's bill of complaint be, and the same hereby is dismissed with prejudice.

To which order the plaintiff asked and was allowed her exceptions.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 13, 1928.

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

FIRST NATIONAL BANK OF TULSA, OKLAHOMA, Plaintiff,
vs.
NATIONAL HARDWOOD COMPANY, Defendant.
No. 39-Equity.

ORDER ALLOWING INTERVENTION

Now on this 13th day of June, 1928, comes George J. Thomson, through his attorney, Arthur B. Honnold, and presents his motion for permission to intervene herein, and the court having examined said motion and the proposed bill in intervention, and it appearing that good cause exists therefor,

IT IS ORDERED that leave be, and is, hereby granted to file

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, JUNE 13, 1928.

the said bill in intervention, and leave is further granted to all others in like situation to intervene by joining in the said bill.

F. E. KENNAMER

United States District Judge

ENDORSED: Filed in U. S. Dist. Court, June 13, 1928.

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

FIRST NATIONAL BANK OF
TULSA, OKLAHOMA,

Plaintiff,

vs.

NATIONAL HARDWOOD
COMPANY,

Defendant.

No. 39-Equity.

ORDER APPOINTING RECEIVER.

This cause coming on for hearing this 13th day of June, 1928, before the undersigned Judge, upon the application of George J. Thomson and others, interveners herein, for the appointment of a receiver to take charge of all the properties, assets and business of the defendant, National Hardwood Company, a corporation, which are located in the State of Oklahoma, same being covered by the mortgages set out in the bill in intervention, and to appoint and confirm the appointment of G. H. Smith as Receiver of all of said properties and to confirm the appointment heretofore made on application of the plaintiff herein of G. H. Smith as Receiver of all of said properties of the defendant corporation, and it appearing to the court that the said mortgaged property is in danger of being lost, removed and materially injured; that the conditions of the mortgages have not been performed, and that the mortgaged property is insufficient to discharge the mortgage debt; and that it is necessary and for the best interests of the interveners and all others in like situation, in order that the said property and their rights as the owners and holders of bonds secured by the said mortgages covering the said properties shall be protected and preserved, that a Receiver be appointed, and that the appointment heretofore made be confessed;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that G. H. Smith of the city of Tulsa, Tulsa County, state of Oklahoma, in this judicial district, be, and he is, hereby appointed as receiver under the oath and bond heretofore made and given by him, of all of the properties of the said defendant, National Hardwood Company, a corporation, which are located in the state of Oklahoma; and that the appointment, heretofore made, be, and is, hereby confirmed, and the said G. H. Smith is hereby ordered to immediately take into his possession and under his control all of the property and assets of the said defendant, National Hardwood Company, a corporation, within the state of Oklahoma, and to collect, hold and manage the said assets and to protect same under the orders of this court, and to make report of his proceedings hereunder within 90 days from this date or when ordered so to do by this court or by the Judge thereof.

IT IS FURTHER ORDERED that all of the provisions of, and authority conferred upon the said Receiver by, the order heretofore made on the 6th day of August, 1927, be extended and made a part of this order insofar as they may be applicable to the situation created by this appointment and the confirmation of the appointment heretofore made of the said G. H. Smith as Receiver herein.

BY THE COURT.

F. E. KENNAMER

United States District Judge.

ENDORSED: Filed June 13, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, JUNE 13, 1928.

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

UNITED STATES,

Plaintiff,

vs.

No. 320-Equity.

CHAS. W. MANDLER,
ET AL.,

Defendants.

ORDER AUTHORIZING AMENDMENT OF PLAINTIFF'S REPLY BY INTERLINEATION

Now on this 13th day of June, 1928, for good cause shown, the plaintiff herein is hereby authorized to amend by interlineation its reply herein, as follows:

And that the name of Nan-pe-chee Polecat, entered upon the Creek Rolls opposite Roll No. 9125, should, by decree of this Court, be stricken therefrom, for the reasons herein stated, and that the patent issued to Nan-pe-chee Polecat, pursuant to such enrollment, and shown as an exhibit to this Reply, should be canceled, set aside and held for naught, for the reason that the same was issued without authority of law, and is null and void.

The prayer of said Reply to be amended by adding to, and as a continuation of the present prayer, the following words:

And that the name of Nan-pe-chee Polecat, entered upon the Creek Rolls opposite Roll No. 9125, be stricken, for the reasons hereinbefore stated, and that the patent issued to said Nan-pe-chee Polecat, and exhibited in the within Reply, be canceled, set aside and held for naught.

F. E. KENNAMER, Judge.

ENDORSED: Filed in U. S. District Court, June 13, 1928.

Court adjourned until June 15, 1928

In the District Court of the United States in and for the

NORTHERN

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OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, JUNE 15 1928.

Court convened pursuant to adjournment, Friday, June 15th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

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

J. T. O'REILLY,	Plaintiff,)	
vs.		)	No. 348-Equity-
H. & H. OIL CORPORATION, A CORPORATION, AND A. L. HAWES,	Defendants.)	

ORDER PERMITTING S. J. McGONIGAL TO INTERVENE
AND FILE A BILL OF INTERVENTION

Upon showing being made in open court that S. J. McGonigal claims an interest in the subject matter, and upon his application to intervene, herein, it is ordered and adjudged that the said S. J. McGonigal be, and he is hereby, given permission to intervene in this cause and to file a bill of intervention within five days from this date.

Dated this 15th day of June, 1928.

F. E. KENNAMER

United States District Judge

O.K. Leahy, Maxey, McDonald

Breckinridge & Bostick
Attys for Pltff.

ENDORSED: Filed June 15, 1928.

J. T. O'REILLY,	Plaintiff,)	
vs.		)	No. 348-Equity.
H. & H. OIL CORPORATION, A CORPORATION, AND A. L. HAWES,	Defendants.)	

On this 15th day of June, 1928, comes on the above entitled cause for hearing. The plaintiff in person and by counsel, M. A. Breckenridge; defendants in person and by counsel Frank Lee and P. A. Rittenhouse and the Intervenor by his counsel, J. H. Maxey.

At this time the plaintiff presents his evidence and proof. Whereupon judgment is agreed upon by parties herein in the sum of \$20,833.40.

At this time said cause is continued for service on defendant, A. L. Haws, and leave was granted to H. & H. Oil Company to file their

In the District Court of the United States in and for the

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EQUITY SESSION,

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FRIDAY, JUNE 15, 1928.

cross petition against the said S. J. McGonigal.

At this time motion of S. J. McGonigal, the Court being well and fully advised, it is ordered that the said S. J. McGonigal be and is hereby permitted to file his intervenor within Five (5) days from this date.

Court adjourned until June 18, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, JUNE 18, 1928

Court convened pursuant to adjournment, Monday, June 18, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

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

HANNAH M. SMITH, ADMINISTRATRIS,
OF THE ESTATE OF OWEN P. SMITH,

Plaintiff,

vs.

MAGIC CITY KENNEDL CLUB, A
CORPORATION OF OKLAHOMA,
JOHN SHAUGHNESSY, GEORGE
HURFORD, JOHN J. O'BRIEN AND
J. W. COLLEY,

Defendants.

In Equity No. 271.

Patent Nos.

1,379,224

1,507,439

1,507,440

1,630,811

1,630,812

ORDER APPOINTING SPECIAL MASTER

This cause coming on to be heard upon the application of both parties to refer the issues both of law and fact to a master for his investigation and decision, and it appearing to the Court that said cause is at issue and both parties are present consenting to the reference,

It is, therefore, ORDERED, ADJUDGED and AGREED that said cause, with its pleadings, evidence and exhibits be referred to Joe T. Dewberry to hear and determine the issues of law and fact arising in this case;

And it is further ORDERED, ADJUDGED and AGREED that the said Joe T. Dewberry shall report his conclusions of law and fact and his judgment thereof, together with the evidence upon which he founds his conclusions to this court by the 18 day of July 1928, and the same shall be filed to wait the further act of this Court.

F. E. KENNAMER

Judge of United States District
Court, Northern District

Tulsa, Oklahoma
May 24, 1928

OATH OF SPECIAL MASTER

I, Joe T. Dewberry, having heretofore been duly appointed special master in the above entitled cause, do solemnly swear that I will faithfully and impartially perform my duties as such master, agreeable to the order of the Court, to the best of my ability and understanding. So help me God.

JOE T. DEWBERRY

Sworn to before me and signed in my presence this 18th day
of June, 1928.

F. E. KENNAMER
Judge of the District Court of the
United States, for the Northern
District of Oklahoma.

ENDORSED: Filed June 18, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, JUNE 18, 1928.

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

CITY OF PAWHUSKA, OKLAHOMA,
A MUNICIPAL CORPORATION EX REL
J. B. GRAHAM,

Plaintiff,

vs.

MIDLAND VALLEY RAILROAD COMPANY,
A CORPORATION,

Defendant.

No. 227 Equity.

ORDER ALLOWING APPEAL

Now on this 18th day of June, 1928, on consideration of the petition for appeal filed herein by the plaintiff, it is ordered that the appeal be allowed; that said appeal shall be returnable to the United States Circuit Court of Appeals for the Eighth Circuit; that the plaintiff execute a bond in the penal sum of Five Hundred (\$500.00) Dollars, and file same within twenty (20) days from this date, which bonds shall operate as a cost bond and shall further suspend the effectiveness of the judgment and decree pending the appeal, and that a transcript of record, including all Exhibits offered in evidence by either party, be filed in the United States Circuit Court of Appeals, according to law.

F. E. KENNEDY, Judge.

ENDORSED: Filed June 18, 1928.

Court adjourned until June 19, 1928.

In the District Court of the United States in and for the
District of

V O I D

In the District Court of the United States in and for the

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OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JUNE 19, 1928.

Court convened pursuant to adjournment, Tuesday, June 19th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES,

Plaintiff,)

vs.)

OPAL MAY DAVENPORT MOSS,
E. H. DAVENPORT, MARY E. WALLACE,
C. W. DAVENPORT, KATE GUYN,
J. T. DAVENPORT, J. R. DAVENPORT,
ALICE HAGGIN AND A. P. DAVENPORT,

Defendants.)

No. 314-Equity.

D E C R E E

Now on this 19th day of June, 1928, this matter coming on to be heard upon the Bill of Complaint filed herein, and each and every one of said defendants having entered a general appearance herein, and filed their joint disclaimer, and waived further time in which to plead, and said defendants, and each of them, having been duly served with process in the within cause, and the time in which to plead, therein specified, having expired, and they, and each of them having been three times duly called in open court, appeareth not, and are adjudged in default; and the Court, after hearing the evidence offered, and being fully advised in the premises, finds:

That, under the provisions of the laws of the United States, the following described land, to-wit:

The Southeast Quarter (SE4) of the Southeast
Quarter (SE4) of Section Four (4), Township
Thirteen (13) North, Range Eight (8) East,

situate in Okfuskee County, in the Northern District of the State of Oklahoma, was duly allotted to Malissa Colbert, now Carney, a half-blood Creek Indian, enrolled as such opposite Roll No. 8737, as her homestead allotment, and that the patent therefor, issued in favor of the said Malissa Colbert, now Carney, was duly executed by the Principal Chief of the said Creek Nation, and approved by the Secretary of the Interior April 3, 1903.

That the land so allotted and patented and described is, and was at all times hereinafter mentioned, reserved by law from alienation and encumbrance, and has not at any time been, and is not now, subject to alienation or encumbrance by the allottee or any other person, except by and with the approval of the Secretary of the Interior, after the removal of restrictions therefrom.

That on or about the 20th day of September, 1912, there was filed for, and is now of record in the office of the County Clerk of Okfuskee County, Oklahoma, in Book D-16, at Page 3, of Deed Records of that office, a certain instrument in writing, dated September 20, 1912, executed by the said Malissa Colbert, now Carney, and Jonas Carney, her husband, purporting to be a warranty deed conveying to one R. G. Davenport, his heirs, successors and assigns the certain described land set out in the Bill of Complaint herein. That the said R. G. Davenport is now deceased, and left surviving him, as his sole and only heirs at law the above named defendants, Opal May Davenport Moss, E. H. Davenport, J. R. Davenport, Mary E. Wallace, C. W. Davenport, Kate Guyn, J. T. Davenport, Alice Haggin and A. P. Davenport, who are claiming and asserting the same rights and privileges in and to said land by virtue of said warranty deed, as did the said deceased.

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EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JUNE 19, 1928.

That the plaintiff is without adequate remedy at law, and without further knowledge of the claim or claims of the said defendants to the land hereinbefore described, and calls upon them to disclose the same, if any they have, for the said land, hereinbefore described, was, at the time of the execution and recording of said pretended warranty deed, and at all times theretofore and since, restricted and inalienable, and the said pretended warranty deed is void and of no force and effect, but that the same remains of record, as herein stated, and that the execution and recording thereof constitutes a cloud upon the title of the plaintiff herein, and of the said Malissa Colbert, now Carney, to the land hereinbefore described, which cloud should, by decree of this Court, be forever removed,

That the said defendants are citizens of the United States, and reside as follows:

Opal May Davenport Moss,	1714- ¹ / ₂ Broadway,	Oklahoma City, Okla.
E. H. Davenport,	228 E. 11th St.	" " "
Mary E. Wallace	1801 W. 34th St.	" " "
C. W. Davenport	5309 No. Western	" " "
Kate Guyn	228 E. 11th St.	" " "
J. T. Davenport		Minden, Ia.
J. R. Davenport		Cedar Rapids, Iowa
Alice Haggin		Wilmore, Kentucky
A. P. Davenport,		Chicago, Illinois.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that said plaintiff herein, the United States, do have and recover judgment against said defendants, Opal May Davenport Moss, E. H. Davenport, Mary E. Wallace, C. W. Davenport, Kate Guyn, J. T. Davenport, J. R. Davenport, Alice Haggin and A. P. Davenport, and each of them, for the cancellation of a certain warranty deed dated September 20, 1912, executed by the said Malissa Colbert, now Carney, and Jonas Carney, her husband, to one R. C. Davenport, now deceased, filed for record on the 20th day of September, 1912, in the office of the County Clerk of Okfuskaa County, Oklahoma, and recorded in Book D-16, page 3 of Deed Records of such office, and that said defendants, Opal May Davenport, E. H. Davenport, Mary E. Wallace, C. W. Davenport, Kate Guyn, J. T. Davenport, J. R. Davenport, Alice Haggin and A. P. Davenport, and each of them be and hereby are permanently enjoined from further claiming or asserting any right, title or interest in or to the following described land, to-wit:

The Southeast Quarter (SE⁴) of the Southeast Quarter (SE⁴) of Section Four (4), Township Thirteen (13) North, Range Eight, (8) East,

situate in Okfuskee County, in the Northern District of the State of Oklahoma, and that the title in and to said lands, aforesaid, be and hereby is quieted in and to said allottee, Malissa Colbert, now Carney, subject only to the restrictions and supervision as now provided by law.

F. E. KENNAMER, Judge.

ENDORSED. Filed in Open Court June 19, 1928.

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

SUPREME FOREST WOODSMEN CIRCLE, Plaintiff,)

vs.)

MRS. G. (GERTIE) A. LYFORD,
AND CLYDE SANDERS, Defendants.)

In Equity - No. 385.

ORDER

On this 19th day of June, 1928, it appearing to the court that the defendant, Clyde Sanders, has not been served with process in this case and that such service is necessary to an adjudication of the rights of the parties under the plaintiff's bill in interpleader, and that the plaintiff has deposited in this court the sum of Five Hundred (\$500.00) Dollars, the payment of which is to abide the order of this court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the clerk of this court shall pay out of said Five Hundred (\$500.00) Dollars, de-

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JUNE 19, 1928.

posited by the plaintiff, to the United States Marshal for the Northern District of Indiana such sum as may be necessary to secure proper service of process on the defendant, Clyde Sanders.

F. E. KENNAMEY

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

O.K. Randolph, Haver, Shirk & Bridges,
Attorneys for G. (Gertis) A. Lyford.

ENDORSED: Filed June 19, 1928.

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

A. M. WIDDOWS AND FRANK T.)
McCOY, CO-PARTNERS DOING)
BUSINESS UNDER THE FIRM NAME)
AND STYLE OF WIDDOWS & McCOY,)
Plaintiffs,)

vs.

No. 264-Equity.

JOHN H. DYKES, RECEIVER OF)
THE FIRST NATIONAL BANK OF)
BARNSDALL, OKLAHOMA,)
Defendant.)

ORDER PERMITTING APPEAL WITHOUT BOND

It appearing that John H. Dykes, Receiver of the First National Bank of Barnsdall, Oklahoma, a corporation, defendant in the above styled cause, has been directed by the Comptroller of the Currency of the United States to prosecute an appeal from the order and judgment entered in this case on the 31st day of May, 1928, to the Circuit Court of Appeals for the Eighth Circuit.

IT IS THEREFORE ORDERED that such appeal be prosecuted, without bond.

IT IS FURTHER ORDERED that the order entered May 31, 1928, be stayed pending the perfection of such appeal, and in the event an appeal is filed in said appellate court, pending a determination of said cause by said court.

F. E. KENNAMEY, Judge.

ENDORSED: Filed June 19, 1928.

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

A. M. WIDDOWS AND FRANK T.)
McCOY, CO-PARTNERS DOING)
BUSINESS UNDER THE FIRM NAME)
AND STYLE OF WIDDOWS & McCOY,)
Plaintiffs,)

vs.

No. 264-Equity.

JOHN H. DYKES, RECEIVER OF)
THE FIRST NATIONAL BANK OF)
BARNSDALL, OKLAHOMA,)
Defendant.)

ORDER ENLARGING TIME TO FILE APPEAL

For good cause shown, time is enlarged within which to file appeal with the Clerk of the United States Circuit Court of Appeals

In the District Court of the United States in and for the

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EMPTINESS SESSION,

TULSA, OKLAHOMA,

TUESDAY, JUNE 19, 1928.

for the Eighth Circuit to sixty days from this date.

Dated this 19th day of June, 1928.

F. E. KENHAMER, Judge.

RECORDED: Filed June 19, 1928.

Court adjourned until June 20, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION TULSA, OKLAHOMA, WEDNESDAY, JUNE 20, 1928.

Court convened pursuant to adjournment, Wednesday, June 20, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

FANNIE S. CARR, ET AL., Complainants,
vs. No. 91-Equity
THE TULSA STREET RAILWAY COMPANY, A CORPORATION, Defendant.

ORDER

NOW on this the 20th day of June, 1928, the above cause comes on for hearing upon the application of C. Kline, receiver of The Tulsa Street Railway Company, for an order of court authorizing, permitting and directing him, as such receiver, to file all necessary pleadings and to take such other proceedings in the premises before the State Corporation Commission of the State of Oklahoma, for the purpose of procuring and obtaining from the said State Corporation Commission an order authorizing said receiver to charge a cash fare of .05¢ for hauling school children in the City of Tulsa, in lieu of the former charge of .02 1/2¢ and .03¢ now in force.

Said receiver appears by his attorneys, Breckinridge & Bostick, and the court after reading said application, and being fully advised in the premises, finds that said order should be made as prayed for, because it appears that the Oklahoma Union Railway Company and the Union Transportation Company, operating in the City of Tulsa, and as competitors of said receiver, are making said charge.

IT IS, THEREFORE, ORDERED That said receiver be, and he is hereby authorized to make an application to the State Corporation Commission of the State of Oklahoma for the purpose of obtaining from said Corporation Commission an order authorizing and empowering said receiver to place in effect in the operation of said property a rate of .05¢ cash fare for children under twelve years of age, and school children, and said receiver is hereby authorized and directed to file all necessary applications and pleadings, and to introduce all necessary proof, and to take such other steps as may be necessary for the purpose of making said showing before the said State Corporation Commission, and to do all things necessary and proper for presenting his said application to said Commission for the purpose of obtaining said raise in fare, as aforesaid.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 20, 1928.

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

CITY OF PAWBUSKA, OKLAHOMA,
A MUNICIPAL CORPORATION EX REL
J. B. GRAHAM, Plaintiff,
vs. No. 227-Equity.
MIDLAND VALLEY RAILROAD COMPANY,
A CORPORATION, Defendant.

ORDER FIXING APPEAL BOND

Now on this 20th day of June, 1928, it appearing that the plaintiff has filed herein its notice of appeal, returnable to the

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, JUNE 20, 1928.

United States Circuit Court of Appeals for the Eighth Circuit, it is hereby ORDERED that plaintiff execute a bond in the penal sum of Five Hundred (\$500.00) Dollars, and file same within twenty (20) days from this date, which bond shall operate as a cost bond, and it is FURTHER ORDERED that a transcript of the records, including all exhibits offered in evidence, be filed in the United States Circuit Court of Appeals according to law.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 20, 1928.

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 293-Equity.
MADGE KARNES, Defendant.)

RULE TO SHOW CAUSE

THE PRESIDENT OF THE UNITED STATES OF AMERICA, to MADGE KARNES:

An accusation charging you with contempt of court having this day been filed under the direction and order of this court, charging you with certain acts in contempt of this court in a certain hearing or trial held in the above styled court at Vinita, Oklahoma on March 5, 1928, in that in said hearing and trial, certain facts were stated by you while testifying as a witness which were false and untrue and further seeking to offer in evidence certain instruments, to-wit, a purported lease from Madge Karnes to A. C. Rush, a letter purporting to have been written by A. C. Rush to Madge Karnes, a certain Postal Money Order purporting to have been sent by A. C. Rush to Madge Karnes and a certain envelope purporting to have contained said letter and said Postal Money Order, which were stated by you to have been signed and executed by said A. C. Rush, and it being charged in said accusation that said instruments were not executed by said A. C. Rush, but that said A. C. Rush was a fictitious person and name and that said instruments were false and untrue and were then and there known by the said Madge Karnes to be false and untrue at the time same were offered in evidence; and it being further shown that the said instruments and evidence were offered for the purpose of influencing the opinion of the Judge of the United States District court for the Northern District of Oklahoma, and it being further alleged that said acts as charged in said accusation were in wilful contempt of said court.

YOU ARE THEREFORE hereby commanded and admonished to be and appear before this court on Friday, at 9:00 o'clock A. M., June 29, 1928, in Tulsa, Oklahoma, in said Northern District of Oklahoma, then and there to show cause, if any you may have, why you should not be adjudged in contempt of court and dealt with accordingly by reason of the matters and things stated in said accusation so filed against you as aforesaid,

F. E. KENNAMER,

United States District Judge

ENDORSED: Filed June 20, 1928.

Court adjourned until June 23, 1928.

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION TULSA, OKLAHOMA, SATURDAY, JUNE 23, 1928.

Court convened pursuant to adjournment, Saturday, June 23rd, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

THE FISHER GOVERNOR COMPANY, (INC.), A CORPORATION,)	
)	
vs.	Plaintiff,	) No. 292-Equity.
)	
C. F. CAMP COMPANY, A CORPORATION,)	
)	
	Defendant.)

O R D E R

UPON agreement of counsel, and for good cause shown, it is hereby ordered that defendant be and hereby is given five (5) days, in addition to the time heretofore fixed by the Court, within which to file brief in support of its defense.

F. E. KENNAMER, Judge

O. K. Mason & Williams
Attorneys for Plaintiff

O.K. Aby & Tucker,
Attorneys for Defendant.

ENDORSED: Filed in U. S. District Court, June 23, 1928.

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

THE PRAIRIE OIL & GAS COMPANY, A CORPORATION,)	
)	
vs.	Complainant,	) No. 294-Equity.
)	
E. E. PARSONS AND OLA K. PARSONS, HIS WIFE, ET AL.,)	
)	
	Defendants.)

O R D E R

Now, on this 23 day of June, 1928, the above cause coming on for hearing upon the Motion of the plaintiff to dismiss the same as against the defendants, and the Court being fully advised, finds that the same should be and is hereby dismissed as against the defendants without prejudice at the cost of the plaintiff.

F. E. KENNAMER
Judge of said District Court.

O.K. T. J. Flannelly
Paul B. Mason
Attorneys for Plaintiff.

ENDORSED: Filed June 23, 1928.

Court adjourned until June 25, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, JUNE 25, 1928.

Court convened pursuant to adjournment, Monday, June 25th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered,
to-wit:
ORDER TO FILE AND SPREAD OF RECORD, MANDATE, NO. 85-Equity.

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

((SEAL))

To the Honorable The Judges of the District
Court of the United States for the North-
ern District of Oklahoma.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between The First National Bank of Kansas City, Kansas City, Missouri, a Corporation, plaintiff, and the Security State Bank, of Miami, Oklahoma, a Corporation, defendant, No. 85, In Equity, wherein the decree of the said District Court in said cause, entered on the 5th day of April, A. D. 1927, was in the following words, viz:

" This cause having previously come on for hearing before the court on plaintiff's amended petition and the defendant's answer, the plaintiff appearing by counsel and the defendant appearing by its president and its counsel, the court after the conclusion of all the testimony and having heard the argument of counsel and being duly advised in the premises, doth find, order and decree as follows:

1. The court finds that on the date of the filing of the petition, in this cause the plaintiff was and at all times since then has been a national banking corporation and a citizen and resident of Kansas City, Jackson County, Missouri; and that at all such times the defendant was and is a banking corporation organized under the laws of the State of Oklahoma, and a citizen and resident of the City of Miami, Ottawa County, Oklahoma.
2. That the amount in controversy herein, exclusive of interests and costs, exceeds the sum and value of three thousand dollars.
3. That on or about May, 19, 1922, the First State Bank of Miami, Oklahoma, a banking corporation, executed and delivered to D. N. Fink, its certificate of deposit, payable to the order of said Fink, in the sum of three thousand two hundred and fifty dollars (\$3250.00); that said certificate of deposit of like import for the same amount of money and payable to the order of said D.N. Fink; that said original certificate of deposit, before the maturity thereof and for a valuable consideration, was endorsed and delivered by said D. N. Fink to the plaintiff, and that the plaintiff purchased the same from said Fink as a bona fide purchaser and for value without notice of any defect or defense thereto, and that the plaintiff has always been and is now the owner and holder of the certificate of deposit of date May 19, 1922; to which finding of the court the defendant at the time duly excepted.
4. That on or about December 7, 1922, the defendant took over all the assets of the said First State Bank of Miami, and impliedly assumed all of the valid obligations of said bank; that in taking over said assets defendant did not purchase the same, but they were merely transferred to the defendant as the succeeding corporation of said First State Bank of Miami; to which finding of the court the defendant at the time duly excepted.
5. That the assest of said First State Bank of Miami so taken over by the defendant on said December 7, 1922, were approximately equal in value to the obligation of said First State Bank of Miami, and greater in value than the amount of the plaintiff's claim, and that of said assets so taken over by the defendant

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, JUNE 25, 1928.

more of them in value than the amount of plaintiff's claim were converted by the defendant to its own use; to said finding the defendant at the time duly excepted.

6. The court further finds that the order of the District Court of Ottawa County, Oklahoma, made and entered on December 7, 1922, was and is not binding on the plaintiff, and to the extent that it affects or attempts to affect the rights of the plaintiff in the premises, the same is hereby vacated and set aside; to which finding of the court the defendant at the time duly excepted.

7. The court further finds that on the day that said assets were taken over by the defendant, that the said First State Bank of Miami ceased to transact business as a corporation, and was dissolved, and that from and after the transfer of said assets there were no assets of said First State Bank of Miami remaining from which any creditor could obtain payment of his claim.

8. The court further finds that the defendant was not guilty of fraud in taking over the assets of said First State Bank of Miami; to which finding the plaintiff at the time duly excepted.

9. The court further finds that no part of the plaintiff's claim has ever been paid and that payment thereof was refused by the said First State Bank of Miami on November 20, 1922, and that plaintiff is entitled to recover from the defendant the sum of three thousand two hundred and fifty dollars (\$3250.00), together with interest from November 20, 1922, at the rate of four per centum per annum, being the sum of \$3818.76; to which finding of the court the defendant at the time duly excepted.

The court therefore decrees that the plaintiff have and recover from the defendant the sum of \$3818.76, together with the costs of the cause, and that this decree be enforced in accordance with the usual practice in equity.

Thereupon the defendant at the time duly excepted to the judgment and decree herein rendered and served notice in open court of its intention to appeal from the judgment and findings of the court, and asked that the court fix a supersedeas bond, and the court doth therefore fix such bond in double the amount of such judgment, which shall be filed herein subject to the approval of the clerk within thirty days, and during said period of time the judgment herein rendered is stayed from execution.

Dated this 5th day of April, 1927.

F. E. KENNAMER, Judge. "

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the December term, in the year of our Lord one thousand nine hundred and twenty-seven, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, affirmed with costs; and that the First National Bank of Kansas City, Missouri, have and recover against the Security State Bank of Miami, Oklahoma, the sum of twenty Dollars for its costs herein and have execution therefor.

April 20, 1928. -----

You, therefore, are hereby commanded that such execution and proceedings be had in said cause, as according to right and justice,

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, JUNE 25, 1928.

and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the twenty-second day of June, in the year of our Lord one thousand nine hundred and twenty-eight.

COSTS OF Appellee:

Clerk,	Paid by	E. E. KOCH
	Appellee	Clerk of the United States
Printing Record, -	Printed below	Circuit Court of Appeals,
		Eighth Circuit.
Attorney,	<u>\$20.00</u>	
	\$20.00	

ENDORSED: Filed in U. S. District Court, June 25, 1928.

Court adjourned until June 26, 1928.

In the District Court of the United States in and for the

426

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JUNE 26, 1928.

Court convened pursuant to adjournment, Tuesday, June 26th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES,	Plaintiff,	}	No. 350-Equity.
vs.			
CALVIN A BEARD, TRESSIE J. BEARD, BIRTIE STEEL AND R. M. STEEL,	Defendants.	}	

D E C R E E

Now on this 26th day of June, 1928, this matter coming on to be heard upon the plaintiff's Bill of Complaint herein, and said plaintiff now appearing by its solicitor, Louis W. Stivers, Assistant United States Attorney in and for the Northern District of the State of Oklahoma, and the defendants Tressie J. Beard, Birtie Steel and R. M. Steel having each been duly served with process herein, and having thereafter filed and entered in the within cause their disclaimer with reference to the land in question, and the said defendant, Calvin A. Beard having been duly and regularly served by warning order, as by law provided, and each of said defendants having failed to appear and plead, except as herein stated, and each having been three times duly called in open court and appeareth not, and are adjudged in default; and the Court, after hearing the evidence offered, and being fully advised in the premises, finds:

That under the provisions of the laws of the United States the following described land, to-wit:

The Southwest Quarter (SW4) of the Southeast Quarter (SE4); and the East Half (E2) of the Southeast Quarter (SE4) of the Southwest Quarter (SW4) of Section Eight (8); and the Northeast Quarter (NE4) of the Northeast Quarter (NE4), and the East Half (E2) of the Northwest Quarter (NW4) of the Northeast Quarter (NE4) of Section Seventeen (17), Township Twenty-four (24) North, Range Thirteen (13) East,

situate in Washington County, State of Oklahoma, was allotted to Julia Hall, a full-blood Delaware-Cherokee Indian, enrolled opposite Roll No. D-61, and that the patent therefor, issued in favor of the said Julia Hall, was duly executed by the Principal Chief of said Nation, and duly approved by the Secretary of the Interior.

That the said land, so allotted, patented and described is, and was at all times hereinafter mentioned, reserved by law from alienation and encumbrance, and has not at any time been, and is not now subject to alienation or encumbrance by the allottee or any other person, except by and with the approval of the Secretary of the Interior, after the removal of restrictions.

That notwithstanding said restrictions against alienation, and on or about the 5th day of January, 1916, there was filed for, and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record 29, at page 618, of the records of that office, a certain instrument in writing, dated the 3rd day of November, 1915, executed by Birtie Steel and R. M. Steel, her husband, and purporting to be a warranty deed conveying to the defendant Calvin A. Beard the certain described land set out in this decree.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JUNE 26, 1928.

That notwithstanding said restrictions against alienation, and on or about the 28th day of July, 1916, there was filed for, and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Mortgage Record No. 31, at page 446 of the records of that office a certain instrument in writing, dated the 26th day of July, 1916, executed by Calvin A. Beard, and purporting to be a real estate mortgage conveying to the said defendant, Tressie J. Beard, the certain described land set out in this decree.

That the plaintiff is without an adequate remedy at law, and without further knowledge of the claim or claims of the defendants to the land hereinbefore described, and calls upon them to disclose the same, if any they have, for the reason that the said pretended instruments herein set out are void and of no force and effect, but that the same remain of record, as heretofore stated, and the execution and recording thereof constitutes a cloud upon the title of this plaintiff and of the said Julia Hall to the land described in this decree, which said cloud should, by decree of this Court, be forever removed.

That the said defendants are citizens of the United States, and that the property hereinbefore described, and each part and parcel thereof, all of which is the subject matter of this suit, is situate in the Northern District of the State of Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the certain purported warranty deed, filed for record on the 5th day of January, 1916, and recorded in the office of the County Clerk of Washington County, Oklahoma, in Deed Book 29, at Page 618 of the records of that office, dated the 3rd day of November, 1915, and executed by Birtie Steel and R. M. Steel, her husband, to the defendant, Calvin A. Beard; and the certain purported real estate mortgage filed for record on the 28th day of July, 1916, and now of record in the office of the County Clerk of Washington County, Oklahoma, in Mortgage Record No. 31, at Page 446 of the records of that office, dated the 26th day of July, 1916, executed by the defendant, Calvin A. Beard to the said defendant, Tressie J. Beard, be canceled, set aside and held for naught, insofar as they relate to, cover or purport to convey any right, title or interest in or to, or in any manner encumber the following described land, to-wit:

The Southwest Quarter (SW4) of the Southeast Quarter (SE4); and the East Half (E2) of the Southeast Quarter (SE4) of the Southwest Quarter (SW4) of Section Eight (8); and the Northeast Quarter (NE4) of the Northeast Quarter (NE4), and the East Half (E2) of the Northwest Quarter (NW4) of the Northeast Quarter (NE4) of Section Seventeen (17), Township Twenty-four (24) North, Range Thirteen (13) East,

situate in Washington, County, State of Oklahoma, and that said defendants and each of them be, and hereby are decreed to have no right, title or interest of whatsoever nature in and to said land, and are hereby enjoined and barred from further claiming or asserting any right, title or interest therein.

The Court further finds that the said Julia Hall, in whose interests said cause is instituted, is the owner in fee simple of said described land, subject only to the restrictions imposed by law, and the guardianship of this plaintiff over said ward, and that the title thereto is hereby quieted in the said allottee, the said Julia Hall.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 26, 1928.

Court adjourned until June 27, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, JUNE 27, 1928.

Court convened pursuant to adjournment, Wednesday, June 27th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

IN THE DISTRICT COURT OF THE UNDIRED STATES
FOR THE NORTHERN DISTRICT OF OKLAHOMA
SITTING IN TULSA, OKLAHOMA.

EXCHANGE TRUST COMPANY,
A CORPORATION,)
Plaintiff,)
vs.) No. 392-Equity.
UNITED STATES OF AMERICA,
L. F. ASKEW AND)
GRACE ASKEW,)
Defendants.)

O R D E R

This cause coming on to be heard on petition of the plaintiff for permission to file its Bill of Complaint in this action, came the party plaintiff and the defendant, United States of America, by their respective attorneys, and made argument to the Court thereon:

WHEREUPON, the Court being fully advised, it is ordered that the petition of plaintiff be granted, and that it be permitted to file its Bill of Complaint in this case, naming as defendants therein the United States of America and L. F. Askew and Grace Askew.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 27th, 1928.

Court adjourned until June 28, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, JUNE 28, 1928.

Court convened pursuant to adjournment, Thursday, June 28, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered,
to-wit:

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

H. F. HAUSERMAN, Plaintiff,)
vs.) In Equity - No. 2417
MARY OIL & GAS COMPANY,)
WASH E. HUDSON, ET AL., Defendants.)

O R D E R

Now, on this 28th day of June, 1928, this matter coming on for hearing on the verified application of defendant, Wash E. Hudson, for an order directing the Clerk to issue a subpoena duces tecum. And the court being fully advised in the premises, finds that said application should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that H. P. Warfield, Clerk of this Court, be, and he is hereby directed to issue a subpoena duces tecum or other process to O. H. Orman of the First National Bank of Tulsa, Oklahoma, directing said witness to appear at 9 o'clock on July, 2, 1928, and bring with him and produce in court, all books and records showing the receipt and payment of collection items, numbered 135279, 135698, 134727, and 136175, of the First National Bank of Tulsa, Oklahoma.

Done in open court on the day and year above written.

F. E. KENNAMER, Judge.

ENDORSED: Filed June 28, 1928.

Court adjourned until June 29, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, JUNE 29, 1928.

Court convened pursuant to adjournment, Friday June 29th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA, Plaintiff,)
vs.) NO. 293-Equity.
MADGE HILL KARNES, Defendant.)

On this 29th day of June, 1928, comes on the above entitled cause for hearing. Plaintiff is represented by Harry Seaton and W. B. Blair, Assistant United States Attorneys, and defendant in person and by his counsel J. T. Harley and Frederick G. Apt. At this time, defendant herein files application to disqualify Judge Franklin E. Kennamer, which is heard by the Court and overruled and exceptions allowed. Whereupon the defendant's demurrer to accusation herein is presented to the Court and heard and overruled and exceptions allowed. At this time defendant files her answer herein; plaintiff presents its evidence and proof and rests and at this time defendant demurs to the evidence of the plaintiff, which demurrer is heard by the Court and same is overruled and exceptions allowed. Whereupon the defendant presents her evidence and proof and rests. Arguments of counsel are heard and the Court being well and fully advised in the premises adjudges the defendant herein in contempt of Court and imposes the following sentence, to-wit:

Judgment and sentence: A fine of \$150.00

At this time, defendant asks and is granted Five (5) days within which to pay said fine.

Court adjourned until June 30, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JUNE 30, 1928.

Court convened pursuant to adjournment, Saturday, June 30th, 1928.

Present: Hon. F. E. Kemmamer, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES, Plaintiff,)
vs.) No. 323-Equity.
FRED H. FANNIN, E. M. FRYE,)
ROY FRYE, CARL POOS,)
J. A. CHEEK AND M. L. CHEEK, Defendants.)

D E C R E E

Now on this 30th day of June, 1928, this matter coming on to be heard upon the Bill of Complaint filed herein by the plaintiff, the United States, who now appears by and through its solicitor, Louis N. Stivers, Assistant United States Attorney, in and for the Northern District of the State of Oklahoma, and said defendants, Fred H. Fannin, E. M. Frye, Roy Frye, Carl Roos, J. A. Cheek and M. L. Cheek, and each of them having been duly and regularly served with process herein, and an order Pro Confesso having been duly entered against said defendants, and each of them, more than 30 days heretofore, for the reason that no appearance or pleading had been made or filed herein by any of said defendants, and said defendants, and each of them having at this time failed to plead in the within cause, and each having been three times duly called in open court and appeareth not, are adjudged in default; and the Court, after hearing the evidence offered, and being fully advised in the premises, finds:

That under the provisions of the laws of the United States the following described land, to-wit:

The East Half (E2) of the Southeast Quarter (SE4) of the Northeast Quarter (NE4) and the Southwest Quarter (SW4) of the Southeast Quarter (SE4) of the Northeast Quarter (NE4) of Section Eleven (11), Township Twenty-three (23) North, Range Thirteen (13) East,

situate on Washington County, Oklahoma, in the Northern District of Oklahoma, was among other lands duly allotted to James Sanders, a full-blood Cherokee Indian, enrolled as such opposite Roll No. 18773, as his homestead allotment, and that the patent therefor, issued in favor of the said James Sanders, was duly executed by the Principal Chief of said Nation, and was approved by the Secretary of the Interior on January 2, 1906.

That under and by virtue of Section 9 of an Act of Congress of May 27, 1908, it is provided as follows:

"Provided further, That if any member of the Five Civilized Tribes of one-half or more Indian blood shall die leaving issue surviving, born, since March fourth, nineteen hundred and six, the homestead of such deceased allottee shall remain inalienable, unless restrictions against alienation are removed therefrom by the Secretary of the Interior in the manner provided in Section one hereof, for the use and support of issue, during their life or lives, until April twenty-sixth, nineteen hundred thirty-one."

And said plaintiff further represents to the Court that the said James Sanders, aforesaid, departed this life on or about December 25, 1919, and left surviving him his certain child, Bessie Sanders, born

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, JUNE 30, 1928.

since March 4, 1906, and that the said land so allotted, patented and described in this decree is, and was at all times hereinafter mentioned, reserved by law from alienation and encumbrance, and has not at any time been, and is not now subject to alienation or encumbrance by the allottee or any other person, except by and with the approval of the Secretary of the Interior, after removal of restrictions therefrom.

That notwithstanding said restrictions against alienation, and on or about the 29th day of November, 1920, there was filed for and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record No. 44, at Page 256 of the records of that office, a certain instrument in writing, dated November 24, 1920, executed by Mla Langham, nee Sanders, and L. L. Langham, her husband, and purporting to be a warranty deed conveying to the defendant, Fred H. Fannin, the certain described land set out in this decree.

That notwithstanding said restrictions against alienation, and on or about the 11th day of September, 1926, there was filed for and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record Book No. 58, at Page 366 of the records of that office, a certain instrument in writing, dated September 8, 1926, executed by J. A. Check and M. L. Check, his wife, and purporting to be a warranty deed conveying to the defendant, Carl Poo, the certain described land set out in this decree.

That notwithstanding said restrictions against alienations, and on or about the 31st day of March, 1923, there was filed for and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record No. 49, at Page 191 of the records of that office, a certain instrument in writing, dated November 27, 1922, executed by Bessie Sanders, and purporting to be a warranty deed conveying to the defendants, E. M. Frye and Roy Frye the certain described land set out in this decree.

That notwithstanding said restrictions against alienation, and on or about the 16th day of April, 1920, there was filed for and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record No. 44, at Page 27 of the records of that office, a certain instrument in writing, dated April 12, 1920, executed by Dora Vance, nee Sanders, and purporting to be a warranty deed conveying to the defendants, E. M. Frye and Roy Frye the certain described land set out in this decree.

That notwithstanding said restrictions against alienations, and on or about the 31st day of March, 1923, there was filed for and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record No. 49, at Page 190 of the records of that office, a certain instrument in writing, dated January 2, 1923, executed by Jesse Sanders, and purporting to be a warranty deed conveying to the defendants, E. M. Frye and Roy Frye the certain described land set out in this decree.

That notwithstanding said restrictions against alienation, and on or about the 31st day of March, 1923, there was filed for and is now of record in the office of the County Clerk of Washington County, Oklahoma, in Deed Record No. 49, at Page 192 of the records of that office, a certain instrument in writing, dated November 27, 1922, executed by Mary Sanders, and purporting to be a warranty deed conveying to the defendants, E. M. Frye, and Roy Frye the certain described land set out in this decree.

That the plaintiff is without an adequate remedy at law, and without further knowledge of the claim or claims of the defendants to the land hereinbefore described, and calls upon them to disclose the same, if any they have, for the reason that the land herein described was at the time of the execution and recording of said pretended warranty deeds, and at all times theretofore and since restricted and inalienable, and that the said pretended warranty deeds are void and of no force and effect, but that the same remain of record, as heretofore stated, and that the execution and recording thereof constitute a cloud upon the title of the plaintiff herein, and of the minor heir of the said James Sanders, deceased, to the land described and set out in this decree, which said cloud should, by decree of this Court, be forever removed.

That the said defendants are citizens of the United States, and that the property hereinbefore described, and each part and parcel thereof, all of which is the subject matter of this suit, is situate, as

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JUNE 30, 1928

having been duly served with process herein, and the said defendant, Ewing Halsell, having made his general appearance herein and filed a general denial, and an order Pro Confesso having been taken against the other defendants herein more than 30 days heretofore, for the reason that they had not appeared and plead herein, and said defendants and each of them having failed to plead further than herein mentioned, and having been three times duly called in open court, and appearing not, are adjudged in default; and the Court, after hearing the evidence offered, and being fully advised in the premises, finds:

That under the laws of the United States the following described land, to-wit:

The North Half (N2) of the Southeast Quarter
(SE4) of the Northeast Quarter (NE4) of Section
Twenty (20), Township Twenty-seven (27) North,
Range Seventeen (17) East,

situate in Nowata County, Oklahoma, was, among other lands, allotted to Blunt Bendabout, a full-blood Cherokee Indian, enrolled opposite Roll No. 20203, as surplus, and that the patent therefor, issued in favor of the said Blunt Bendabout, was duly executed by the Principal Chief of said Nation, and duly approved by the Secretary of the Interior.

That said allottee, aforesaid, on or about the 19th day of June, 1907, died, intestate, domiciled in what is now Cherokee County, State of Oklahoma, and left surviving him as his sole heirs at law the said Jensie Hummingbird, nee Bendabout, and Judge Bendabout, referred to in the Bill of Complaint filed herein, who, upon the death of said deceased, became the owners in fee simple, in equal shares, of the said described land, aforesaid.

That the land so allotted, patented and described is, and was at all times hereinafter mentioned, reserved by law from alienation and encumbrance, and has not at any time, and is not now subject to alienation or encumbrance by the allottee, or any other person, except by and with the approval of the Secretary of the Interior, after the removal of restrictions, before the death of said allottee, and thereafter be deed of conveyance from the heirs of said deceased, approved by the County Court having jurisdiction of the settlement of the estate of said deceased, and that no such deed of conveyance from said heirs has been so executed and approved.

That notwithstanding said restrictions against alienation, and on or about the 6th day of March, 1926, there was filed for and is now of record in the office of the County Clerk of Nowata County, Oklahoma, in Book 209, at Page 468 of the records of that office, a certain instrument in writing, dated the 13th day of January, 1926, executed by the First National Bank of Muskogee, Oklahoma, and purporting to be a warranty deed conveying to the said defendant, Ewing Halsell, the certain described land set out in this decree.

That on or about the 6th day of March, 1926, there was filed for and is now of record in the office of the County Clerk of Nowata County, Oklahoma, in Book 217, at Page 77 of the records of that office, a certain instrument in writing, dated the 1st day of February, 1926, executed by H. H. Ogden, and purporting to be a quit claim deed to Ewing Halsell, covering the certain described land set out in this decree.

That said defendants, James Bendabout, Charles Bendabout, Warlice Bolyn, or Wankiller, and Lydia Beach, claim some right, title or interest in and to said land, aforesaid, the exact nature of which is unknown to this plaintiff.

That the plaintiff is without an adequate remedy at law, and without further knowledge of the claim or claims of the defendants to the land hereinbefore described, and calls upon them to disclose the same, if any they have, for the reason that said pretended instruments herein set out are null and void and of no force and effect, but that the same remain of record, as hereinbefore stated, and that the execution and recording thereof constitute a cloud upon the title of this plaintiff and of the said Jensie Hummingbird, nee Bendabout, and Judge Bendabout to the land hereinbefore described, which cloud, by decree of this Court should be forever removed.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, JUNE 30, 1928.

That the said defendants are citizens of the United States, and that the property hereinbefore described, and each part and parcel thereof, all of which is the subject matter of this suit, is situate in the Northern District of the State of Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the certain purported warranty deed filed for record on the 6th day of March, 1926, in the office of the County Clerk of Nowata County, Oklahoma, and recorded in Book 209, at Page 468 of the records of that office, dated the 13th day of January, 1926, executed by the First National Bank of Muskogee, Oklahoma, to the defendant, Ewing Halsell, and the certain purported quit claim deed filed for record on the 6th day of March, 1926, in the office of the County Clerk of Nowata County, Oklahoma, and recorded in Book 217, at Page 77 of the records of that office, dated the 1st day of February, 1926, executed by H. H. Ogden to the defendant, Ewing Halsell, be canceled, set aside and held for naught insofar as they relate to, cover or purport to convey any right, title or interest in and to, or in any manner encumber the following described land, to-wit:

The North Half (N2) of the Southeast Quarter
(SE4) of the Northeast Quarter (NE4) of Section
Twenty (20), Township Twenty-seven (27) North,
Range Seventeen (17) East,

situate in Nowata County, State of Oklahoma, and in the Northern District of the State of Oklahoma.

It is further Ordered, Adjudged and Decreed that said defendants, nor either of them has any right, title or interest of whatsoever nature in and to said land, and they, and each of them is hereby enjoined and barred from further claiming or asserting any such right, title or interest.

It is further Ordered, adjudged and decreed that Jennie Stunnebird, nee Bendabout, full blood Cherokee Indian, Roll No. 20198, and Judge Bendabout, full blood Cherokee, Roll No. 20199, wards of this plaintiff, are the sole and only heirs of the said Blunt Bendabout, Cherokee, Roll No. 20203, now deceased, and that they are the owners in fee simple of the said described land, and that the title thereto is hereby duly quieted in them, subject only to the restrictions imposed by law, and the supervision of this plaintiff.

F. E. KENNAMER,

Judge.

ENDORSED: Filed June 30, 1928.

Court adjourned until July 2, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, JULY, 2, 1928.

Court convened pursuant to adjournment, Monday, July 2nd., 1928.

Present: Hon. EDGAR S. VAUGHT, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

APARTMENT BUILDINGS COMPANY, A CORPORATION,)	
Plaintiff,)	
vs.	)	No. 308-Equity.
JOHN L. SMILEY, AS COUNTY TREASURER, ET AL.,)	
Defendants.)	

On this 2nd day of July, 1928, it is by the Court ordered that time, heretofore granted, be extended as to both parties, to file briefs.

PRAECIPE FOR ORDER PRO CONFESSO

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

UNITED STATES OF AMERICA,)	
Plaintiff,)	
vs.	)	No. 390-Equity.
A. W. CURREY, ET AL.,)	
Defendants.)	

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against A. W. Currey, Mabel S. Elam, W. H. Ward, Neva Ward, Richard Elam, all of Pawhuska, Oklahoma, for failure to plead or answer.

Dated this 2nd day of July, 1928.

(SEAL) H. P. WARFIELD, Clerk
By W. T. James, Deputy

PRAECIPE

To the Clerk of said Court:

Enter the above in the Order Book in Equity of said Court.

HARRY SEATON
Solicitors for Complainant.

ENDORSED: Filed July 2, 1928.

Court adjourned until July 3, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JULY 3, 1928.

Court convened pursuant to adjournment, Tuesday, July 3rd, 1928.
Present: Hon. F. E. KENNAMER, Judge of U. S. District Court.
Hon. EDGAR S. VAUGHN, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

H. F. HAUSERMAN, Plaintiff,)
vs.) No. 241-Equity.
MARY OIL & GAS COMPANY,)
A CORPORATION, ET AL.,)
Defendants.)

On this 3rd day of July, 1928, it is by the Court ordered that above entitled cause be stricken from this assignment and same to be set for hearing sometime in September, or October, upon ten (10) days' notice to attorneys.

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

J. T. O'REILLY, Plaintiff,)
V.) No. 348-Equity.
H. AND H. OIL CORPORATION,)
A CORPORATION, AND)
A. L. HAWSE,)
Defendants.)

ORDER

This matter came on this 3rd day of July, 1928, upon the motion of the plaintiff herein to make Randolph Laughlin a party defendant herein, and it appearing to the court from the plaintiff's motion that the plaintiff is entitled to said order.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED, That the plaintiff be permitted to implead herein the aforesaid Randolph Laughlin as a party defendant, and that the proceedings hereafter be conducted under the style of J. T. O'Reilly, Plaintiff, vs. H and H Oil Corporation, A. L. Hawse and Randolph Laughlin, Defendants.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 3, 1928.

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

J. T. O'REILLY, Plaintiff,)
vs.) No. 348-Equity.
H AND H OIL CORPORATION, A)
CORPORATION, A. L. HAWSE, AND)
RANDOLPH LAUGHLIN,)
Defendants,)

WARNING ORDER

NOW On this 3rd day of July, 1928, the above cause comes on for hearing upon the application of the plaintiff, J. T. O'Reilly, for the issuance by this court of a warning order to the said defendant, Randolph Laughlin, a non-resident of this State and District, said application being supported by the affidavit of said plaintiff.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JULY 3, 1928.

The court after hearing said application and the affidavit in support thereof, and being fully advised in the premises, finds that the said defendant, Randolph Laughlin, is a resident of the city of St. Louis, in the State of Missouri, and that personal service of subpoena cannot be had upon said Randolph Laughlin within this State and District, and that this is an action seeking the foreclosure of a lien upon an oil and gas lease, together with the oil and gas wells, machinery and equipment covering the following described property:

Lots One (1), Two (2), Three (3), and the North 10.57 acres, less 80/100 acres occupied by the Missouri, Kansas & Oklahoma Railway, and the North Half (N/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4), and the North Half (N/2) of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of Section Four (4), Township Nineteen (19) North, Range Ten (10) East, in Tulsa County, Oklahoma;

also seeking to bar the said defendant, Randolph Laughlin, from any right, title or interest therein, and that plaintiff is entitled to the issuance of an order commanding the said Randolph Laughlin to appear, plead, answer or demur to plaintiff's bill.

IT IS, THEREFORE, ORDERED That the said Randolph Laughlin be, and he is hereby ordered, directed and required to appear, plead, answer or demur to plaintiff's bill on or before the 20th day of August, 1928, and in default of a plea, answer or demurrer on behalf of the said Randolph Laughlin, said bill will be taken as confessed as to him, and judgment rendered debarring and foreclosing him from any right, title, interest or estate in or to said property described in said bill, and

IT IS FURTHER ORDERED That a certified copy of this order be served upon the said defendant, Randolph Laughlin, by the United States Marshal for the Eastern District of Missouri, by delivering to the said Randolph Laughlin a certified copy of this order, and said Marshal shall make his verified return of said service upon a certified copy of this order.

WITNESS The HON. FRANKLIN E. KENNAMER, United States District Judge for the Northern District of Oklahoma, this 3rd day of July, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 3, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, JULY 9, 1928.

Court convened pursuant to adjournment, Monday, July 9th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq. Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

ORDER TO SPREAD MANDATE OF RECORD

WALBRIDGE-ALDINGER COMPANY, A CORPORATION,)	
)	
Plaintiff,	)	No. 19-Equity.
vs.)	
A. J. RUDD, ET AL.,)	
)	
Defendants.)	

On this 9th day of July, 1928, it is by the Court ordered that the Clerk of this Court, file and spread Mandate of Record in the above entitled cause, same being in words and figures, as follows:

MANDATE -

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

((SEAL))

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA. ---

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between the Walbridge-Aldinger Company, a Corporation, Plaintiff, and the City of Tulsa, a Municipal Corporation, A. J. Rudd, Grant R. McCullough, Cyrus S. Avery, A. L. Farmer, and H. L. Standeven, as the Water Commission of the City of Tulsa, and Lock Joint Pipe Company, a corporation, and Oklahoma Union Railway Company, a corporation, Defendants, and John N. Pitts and Carter-Halls-Aldinger Company, a corporation, doing business under the name of Pitts-Bateman Company, Intervener, No. 3108, In Equity, wherein the decree of the said District Court in said cause, entered on the 1st day of April, A. D. 1927, was in the following words, viz:

" Pursuant to the decision of this court filed on the 1st day of April, 1927, affirming the report of the Hon. O. L. Rider, Special Master, heretofore filed in this case:

It is ordered, adjudged and decreed that the defendant, City of Tulsa, have and recover of and from the plaintiff, Walbridge-Aldinger Company, a corporation, the sum of \$111,947.65, with interest thereon at the rate of 6% per annum from the date of this decree.

It is further ordered, adjudged and decreed that the defendant City of Tulsa, have and recover of and from John N. Pitts and Carter-Halls-Aldinger Company, a corporation, doing business under the name of Pitts-Bateman Company, the sum of \$10,278.69, with interest thereon at the rate of 6% per annum from this date.

It is further ordered, adjudged and decreed that the prayer of the plaintiff's petition be in all things denied and that said plaintiff recover nothing against said defendant City of Tulsa.

It is further ordered, adjudged and decreed that the prayer of the petition of said Intervener be in all things denied, and that said Intervener recover nothing against said defendant City of Tulsa, Oklahoma.

It is further ordered, adjudged and decreed by the court that the costs herein be taxed against and paid by the plaintiff

In the District Court of the United States in and for the

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OKLAHOMA

EQUITY SESSION,

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MONDAY, JULY 9, 1928.

and the said Intervener, to all of which plaintiff excepts.

Dated this 1st day of April, 1927.

JOHN C. POLLOCK,
District Judge. "

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May term, in the year of our Lord one thousand nine hundred and twenty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, modified in accordance with the opinion of this Court and this cause is hereby remanded to the said District Court with directions to sustain appellant's exception No. 10 to the report of the master, and to determine and allow the contractor the fair value of the extra work therein mentioned and to modify its decree accordingly.

And it is further ordered that the appellants, Walbridge-Aldinger Company, a Corporation, have and recover against A. J. Rudd, G. R. McCullough, C. S. Avery, R. L. Stephenson and A. L. Farmer as the Water Commission of the City of Tulsa, and the City of Tulsa, a Municipal Corporation, one-fourth of the costs in this Court and one-fourth of the cost of printing the record on the appeal to this Court, to be collected according to law but that no attorneys' fee will be taxed in favor of either of the parties in this Court. ---

May 7, 1928.

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and decree of this Court as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the fifth day of July, in the year of our Lord one thousand nine hundred and twenty-eight.

COSTS TAXED IN CASE:

Clerk \$ 30.65
Printing Record, Printed below.

\$ 30.65

One-fourth to be recovered by
Appellant.

E. E. KOCH
Clerk of the United States
Circuit Court of Appeals,
Eighth Circuit.

ENDORSED: Filed July 9, 1928.

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

WALTER LEE MOSIER, AND E. L.)
GAY AS GUARDIAN OF WALTER)
LEE MOSIER,)
Plaintiffs,)
vs.)
JOHN KENNEDY AND)
ED. T. KENNEDY,)
Defendants.)

No. 300-Equity.

O R D E R

On this 9th day of July, 1928, this cause comes on to be heard

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, JULY 9, 1928.

on motion to dismiss filed by the defendants herein, plaintiffs appearing by their attorneys, Ford & Montgomery, and defendants being present by their attorneys, Widdows & McCoy. Upon consideration of said motion to dismiss and the court being fully advised in the premises, the court finds that said motion is not well taken and should be overruled, and it is therefore,

Ordered, that defendants' motion to dismiss plaintiffs' bill of complaint be and the same hereby is overruled. To which ruling and order of the court said defendants except, and their exceptions are allowed.

It is further ordered by the court that said defendants be and they hereby are granted twenty days from this date within which to file answer herein.

F. E. KENNAMER,
United States District Judge.

ENDORSED: Filed July 9, 1928.

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

THE SEABOARD NATIONAL BANK OF
THE CITY OF NEW YORK, TRUSTEE, Complainant, }

vs. }

No. 388-Equity.

THE TULSA STREET RAILWAY COMPANY,
A CORPORATION, THE DAYTON SAVINGS
& TRUST COMPANY, A CORPORATION, AND
FANNIE S. CARR, HELEN R. BAILEY,
OLIVE R. REIS, C. H. BOSLER, ALLAMAN,
FUNKHOUSER & MURR, A CO-PARTNERSHIP
COMPOSED OF D. W. ALLAMAN, C. A. FUNK-
HOUSER AND BYRON MURR, D. W. ALLAMAN
AND C. KLINE, Defendants. }

WARNING ORDER.

NOW on this 9th day of July, 1928, the above cause comes on for hearing upon the application of the complainant, supported by affidavit, for the issuance by this court of a warning order to the said defendant, The Dayton Savings & Trust Company, a non-resident of the State of Oklahoma, and of this judicial district, and resident of the City of Dayton, and the State of Ohio.

The court after hearing the application, and the affidavit in support thereof, and being fully advised in the premises, finds that the said defendant, The Dayton Savings & Trust Company, is a non-resident of the State of Oklahoma, and of this judicial district, and is a resident of the City of Dayton, in the State of Ohio, and that personal service of subpoena cannot be had upon the said The Dayton Savings & Trust Company within this State and district, and that this is an action seeking to foreclose a lien upon the following described real and personal property, located and situated in Tulsa County, State of Oklahoma, to-wit:

PARCEL I.

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), and Seven (7), in Block Forty-Four (44), Owen Addition to the City of Tulsa.

PARCELL II.

Lot Seven (7), in Block One Hundred Twenty-eight (128), in the City of Tulsa, Oklahoma, according to the official plat thereof.

PARCEL III.

Lots One (1) and Two (2), in Block Twenty-two (22), of College Addition to the City of Tulsa, aforesaid;

PARCEL IV

A triangular strip of land beginning at the Southwest corner of

In the District Court of the United States in and for the

NORTHERN

District of

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EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, JULY 9, 1928.

Lot Two (2), in Block Three (3), of Factory Addition to Tulsa, aforesaid, running thence North along Quincy Avenue, a distance of One Hundred Fifty feet (150'), thence in a Southwesterly direction One Hundred Sixty-seven and Seven Hundred Four Thousandths feet (167.704) feet, thence West along Birch Street Seventy-five feet (75) to the point of beginning, and containing Five Thousand Six Hundred Twenty-five (5,625) square feet, more or less.

Those street railway lines described as follows:

1. Commencing at Kendall College and extending westerly in and along Seventh Street to Lewis Avenue, thence northerly in and along Lewis Avenue to First Street, thence westerly in and along First Street to Peoria Avenue.
2. Commencing at the intersection of First Street and Peoria Avenue, running north to King Street.
3. Commencing at Peoria Avenue at First Street, and running west to Madison Avenue, thence southerly in and along Madison Avenue to Fifth Street, thence easterly in and along Fifth Street to Quincy Avenue, and then southerly in and along Quincy Avenue to Fifteenth Street.
4. Commencing at the intersection of Madison Avenue and Third Street, and thence westerly in and along Third Street to Nogales Ave., and thence northerly in and along Nogales Avenue to Easton St.
5. Commencing at the intersection of Eighteenth Street and Main Street and running thence northerly in and along Main Street to Cameron Street and thence westerly in and along Cameron Street to Cheyenne Avenue and thence northerly in and along Cheyenne Avenue to Pine Streets.
6. Commencing at the intersection of Main Street and Fifth Street, and thence running westerly in and along Fifth Street to Lawton Street, and thence southerly along Lawton Street to Eleventh Street.
7. Commencing at the intersection of Fifth Street and Frisco Avenue, and running thence southerly in and along Frisco Avenue to Fifteenth Street.
8. And all other railway or railway lines in, along or upon any of the streets or highways within the corporate limits of the City of Tulsa, aforesaid.

Also all tracks, rails, sidings, spurs, turn-outs, connections, wyes, roadbeds, trestles, rolling stock, bridges, viaducts, culverts, buildings, shops, improvements, plants, works, machinery, engines, boilers, dynamos, generators, fixtures, apparatus, lines, poles, wires, cables, conduits, transformers, pumps, pipes, mains, valves, meters, tools, instruments, equipment, and appliances, materials, supplies, books, papers, records, accounts, franchises, licenses, agreements, contracts, rights, easements, privileges and immunities, and all other property and property rights of whatsoever character or nature and wherever situate, real, personal or mixed, now owned or at any time hereafter acquired, owned, held, possessed or enjoyed by, or in any manner conferred upon the Company; and the reversion and reversions, remainder and remainders, revenues, rents, issues and profits thereof; and also all the estate, right, title and interest, property, possession, claims, and demands whatsoever, as well in equity as at law, of the Company, and any and every part thereof; also any and all bonds, obligations, securities and shares of stock of any corporation or corporations which the Company now owns and which it may at any time hereafter acquire; also all books, records, furniture and office supplies, and devices, appliances and equipment which the company now owns and which it may hereafter acquire; it being intended and agreed, that all of the property, of every kind, now owned, possessed or enjoyed, and which may hereafter be in anywise acquired, owned, possessed, or enjoyed, by the Company, of for the Company, shall be as fully embraced within the provisions hereof, and subject to the lien hereby created, as if the said property were now owned by the Company and were specifically described herein and specifically mortgaged, pledged, conveyed, transferred and assigned hereby,

and also seeking to have the lien of the said complainant declared to be a first prior lien upon said property, and to adjudge that any right, title, claim or interest of the said defendant, The Dayton Savings & Trust Company, is secondary, subject and inferior to the lien of the complainant.

In the District Court of the United States in and for the

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OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, JULY 9, 1928.

and to bar and foreclose any lien, right or title of the said The Dayton Savings & Trust Company, and the court finds that said complainant is entitled to the issuance of said warning order.

IT IS, THEREFORE, ORDERED That the said The Dayton Savings & Trust Company be, and it is hereby ordered, directed and required to appear, plead answer or demur to the complainant's bill on or before the 10th day of August, 1928, and in default of a plea, answer or demurrer on behalf of the said defendant, The Dayton Savings & Trust Company, said bill will be taken as confessed as to it, and judgment rendered barring and foreclosing it from any right, title, interest or estate in or to the property described in said bill, and

IT IS FURTHER ORDERED That a certified copy of this order be served upon the said defendant, The Dayton Savings & Trust Company, by the United States Marshal for the Southern District of the State of Ohio, be delivering to the said The Dayton Savings & Trust Company a true and certified copy of this order, and said Marshal shall make his return of said service upon said certified copy of this order.

WITNESS The HON. F. E. KENNAMER, Judge of the United States District Court for the Northern District of the State of Oklahoma, this 9th day of July, 1928.

F. E. KENNAMER, JUDGE.

ENDORSED: Filed July 9, 1928.

Court adjourned until July 10, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION TULSA, OKLAHOMA, TUESDAY, JULY 10, 1928.

Court convened pursuant to adjournment, Tuesday, July 10th., 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

MARGARET COLLINS, Plaintiff,)
vs.) No. 298-Equity.
ROXANA PETROLEUM CORPORATION,)
A CORPORATION, AND THE MARLAND)
OIL COMPANY, OF OKLAHOMA, A)
CORPORATION,)
Defendants.)

O R D E R

This cause comes on for hearing this 10th day of July, 1928, the parties appearing by their counsel, and the same having been presented and the court being fully advised in the premises it is by the court

Ordered, adjudged and decreed that the motions of the plaintiff to strike certain matters from the answers of the defendants be and the same are in all things overruled, to which the plaintiff excepts and such exceptions are by the court allowed.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 10, 1928.

MARGARET COLLINS, Plaintiff,)
vs.) No. 298-Equity.
ROXANA PETROLEUM CORPORATION,)
A CORPORATION, AND THE MARLAND)
OIL COMPANY, OF OKLAHOMA, A)
CORPORATION,)
Defendants.)

On this 10th day of July, 1928, it is by the Court ordered that plaintiff have and is granted twenty (20) days to file Reply to answer.

IN THE DISTRICT COURT OF THE UNITED STATES
OF AMERICA, NORTHERN DISTRICT OF OKLAHOMA.

JOHN H. DYKES, RECEIVER
OF THE FIRST NATIONAL BANK
OF BARNSDALL, OKLAHOMA, Plaintiff,)
vs.) No. 305-Equity.
IDA BAUCOM, H. L. BAUCOM AND
THE NATIONAL BUILDING & LOAN
ASSOCIATION OF PATHUSKA, Defendants.)

O R D E R

Now on this 10th day of July, 1928, this cause came on for hearing on the motion to quash service of process by defendant, and ap-

In the District Court of the United States in and for the

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TULSA, OKLAHOMA,

TUESDAY, JULY 10, 1928

peared H. M. Curnutt for the defendants and Robert B. Keenan for plaintiff.

And thereupon counsel for defendant withdrew motion to quash and requested additional time in which to answer.

IT IS THEREFORE ORDERED that the defendant be permitted to withdraw the motion to quash, and is granted twenty days from this in which to answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 10, 1928.

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

HANNAH M. SMITH, ADMINISTRATRIX, OF THE ESTATE OF OWEN P. SMITH, Plaintiff, vs. MAGIC CITY KENNEL CLUB, INCORPORATED, JOHN SHRUGHNESSY, Defendants. No. 271- In Equity.

ORDER EXTENDING TIME FOR SPECIAL MASTER'S REPORT.

On this the 10th day of July, 1928, upon application of the Special Master herein for an extension of time for his report, the Court having considered said application and being fully advised in the premises:

IT IS ORDERED by the Court that the time for filing the report of the Special Master herein be, and the same is, hereby extended for a period of sixty days subsequent to July 18, 1928, or to the 18th day of September, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 10, 1928.

MARY SPECK HOUSTON, ET AL., Plaintiffs, vs. LOUIS G. BEREOLAS, ET AL., Defendants. No. 401-Equity.

On this 10th day of July, 1928, it is by the Court ordered that hearing on motion to strike be set set for Thursday, July 12, 1928.

FANNIE S. CARR, ET AL., Plaintiffs, vs. THE TULSA STREET RAILWAY COMPANY, A CORPORATION, Defendants. No. 91-Equity.

On this 10th day of July, 1928, it is by the Court ordered that above entitled cause be stricken from this assignment, same having already been submitted on Briefs.

J. P. EVERS, Plaintiff, vs. MINTIE CHATFIELD, ET AL., Defendants. No. 233-Equity.

On this 10th day of July, 1928, comes on for hearing motion to confirm, which motion is heard by the Court and ordered sustained.

In the District Court of the United States in and for the

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EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JULY 10, 1928

C. E. WALKER, Plaintiff,)
 vs.) No. 252-Equity.
 A. W. LOHMAN, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that above entitled cause be passed to July 12, 1928, for hearing.

H. C. SPEER & SONS COMPANY,)
 Plaintiff,)
 vs.) No. 254-Equity.
 THE CITY OF SHIDLER,)
 Defendant.)

On this 10th day of July, 1928, comes on for hearing Motion to dismiss. At this time the Court takes said motion under advisement and parties herein are to submit Briefs.

J. T. SMITH, Plaintiff,)
 vs.) No. 266-Equity.
 KATIE FIXICO, ET AL.)
 Defendants.)

On this 10th day of July, 1928, the above entitled matter came on for hearing on the Motion of Plaintiff to vacate order heretofore made, and on agreement of counsel, same is stricken from the assignment.

UNITED STATES OF AMERICA, Plaintiff,)
 vs.) No. 303-Equity.
 OSAGE COUNTY MOTOR COMPANY,)
 A CORPORATION,)
 Defendant.)

On this 10th day of July, 1928, comes on for hearing Motion to Dismiss, and the Court being well and fully advised in the matter, it is ordered that said motion be, and same is hereby sustained, and exceptions allowed; whereupon Plaintiff, in open court, gives notice of appeal.

UNITED STATES OF AMERICA, Plaintiff,)
 vs.) No. 301-Equity.
 B. T. RILEY, ET AL.,)
 Defendants.)

On this 10th day of July, 1928, comes on the above entitled cause for hearing on Motion to Dismiss by Defendant, and the Court being well and fully advised in the premises orders said cause to abide by decision in case No. 303-Equity, United States of America, vs. Osage County Motor Company, a Corporation.

C. M. OXLEY, Plaintiff,)
 vs.) No. 302-Equity.
 L. T. NEWLON, ET AL.,)
 Defendants.)

On this 10th day of July, 1928, comes on for hearing the Motion in above entitled cause to quash and the Court being well and fully advised in the matter, it is ordered that said motion be, and the same hereby, is, sustained.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JULY 10, 1928.

CHARLES D. McINTOSH, Plaintiff,)
 VS.) No. 316-Equity..
 ANDY PANOSKE, ET AL., Defendants.)

On this 10th day of July, 1928, this cause coming on for hearing on motion of defendants to make additional parties defendant, and the Court having heard said motion and being well and fully advised in the premises, it is ordered that said cause be stricken from the assignment.

ELIA KING, Plaintiff,)
 vs.) No. 317-Equity.
 C. T. PRUITT, ET AL., Defendants.)

On this 10th day of July, 1928, comes on for hearing various Motions to Dismiss. At this time said various motions are taken under advisement by the Court, and it is ordered that both parties be granted ten (10) days to submit Briefs; and five (5) days thereafter to file reply briefs.

FREERLAND WOLF, Plaintiff,)
 vs.) No. 318-Equity.
 R. A. HACKENSMITH, ET AL., Defendants.)

On this 10th day of July, 1928, comes on for hearing various Motions to Dismiss. At this time said various motions are taken under advisement by the Court, and it is ordered that both parties herein be granted ten (10) days to submit and file briefs; and five (5) days thereafter to file reply briefs.

UNITED STATES OF AMERICA, Plaintiff,)
 vs.) No. 320-Equity.
 CHARLES W. MANDLER, ET AL., Defendants.)

On this 10th day of July, 1928, comes on the above entitled cause for hearing on several motions to dismiss. At this time, the Court being well and fully advised in the matter, it is ordered that said motions be submitted on briefs and that plaintiff be permitted to amend its petition heretofore filed herein; and it is further ordered that said cause be tried as to its merits.

JAMES W. GULIETT, RECEIVER, Plaintiff,)
 vs.) No. 326-Equity..
 TULSA TRIBUNE COMPANY, Defendant.)
 A CORPORATION,

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed herein, be overruled and Defendant granted twenty (20) days in which to answer.

FLORENCE MacDONALD, NEE HICKMAN, Plaintiff,)
 vs.) No. 386-Equity..
 ROXANA PETROLEUM CORPORATION, A CORPORATION, AND MARLAND REFINING COMPANY, A CORPORATION, Defendants.)

On this 10th day of July, 1928, comes on for hearing Motion

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 EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JULY 10, 1928.

to Dismiss, heretofore filed herein by Marland Refining Company, to dismiss the above styled and numbered cause. At this time, upon agreement of counsel of both parties herein, it is by the Court ordered that said Motion be stricken. And at this time, it is by the Court ordered that Motion to Quash summons as to Roxana Petroleum Corporation, be, and same is hereby sustained.

 UNITED STATES OF AMERICA, Plaintiff,)
 vs.) No. 342-Equity.
 THE GENEVA OIL COMPANY,)
 A CORPORATION,)
 Defendant.)

On this 10th day of July, 1928, comes on for hearing defendant's motion to dismiss, heretofore filed herein. At this time said motion is taken under advisement and it is ordered that said motion to dismiss be submitted on briefs and that forty (40) days be granted to make and file said briefs.

 JAMES W. GULLET, RECEIVER, Plaintiff,)
 vs.) No. 327-Equity.
 RIVERSIDE OIL & REFINING)
 COMPANY, A CORPORATION, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled, and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 332-Equity.
 HUTCHISON LUMBER COMPANY,)
 A CORPORATION, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled, and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 335-Equity.
 DOUGLAS OIL COMPANY,)
 A CORPORATION, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled, and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 339-Equity.
 C. A. BUZZARD, ET AL.,)
 Defendants.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled, and defendant granted thirty (30) days in which to answer.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JULY 10, 1928.

JAMES W. GULLETT, RECEIVER,)
Plaintiff,)
vs.)
AMERICAN GAS COMPANY,)
A CORPORATION,)
Defendant.)

No. 351-Equity.

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.)
BARNSDALL-FOSTER COMPANY,)
A CORPORATION, Defendant.)

No. 353-Equity.

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.)
BAXTER SPRINGS GAS COMPANY,)
A CORPORATION, Defendant.)

No. 354-Equity.

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.)
J. J. FITZSTEPHENS, Defendant.)

No. 360-Equity.

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.)
F. L. DUNN, AND JAMES C. O'CONNOR,)
PARTNERS, DOING BUSINESS AS)
LEE DRILLING COMPANY,)
Defendants.)

No. 363-Equity.

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, Plaintiff,)
vs.)
W. J. MATYCH, Defendant.)

No. 365-Equity.

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and

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same is hereby overruled and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 366-Equity.
 M. S. MENTZER, ET AL., Defendants.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 367-Equity-
 G. D. MORROW, AND W. O. MORROW,)
 PARTNERS, DOING BUSINESS AS)
 G. D. MORROW & SON, Defendants.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 371-Equity.
 C. R. RICHEY, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 373-Equity.
 RUTH FUEL COMPANY,)
 A CORPORATION, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

 JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 374-Equity.
 SAVOY DRILLING COMPANY,)
 A CORPORATION, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days, in which to answer.

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EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JULY 10, 1928.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.) No. 375-Equity.
SAVOY OIL COMPANY, Defendant.)
A CORPORATION,

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.) No. 376-Equity.
SAVOY OIL COMPANY, INCORPORATED, A CORPORATION, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled, and defendant granted thirty (30) days in which to answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
vs.) No. 377-Equity.
R. H. SIMPSON, Defendant.)

On this 10th day of July, 1928, it is by the Court ordered that the Motion to Dismiss, heretofore filed in above entitled cause, be, and same is hereby overruled, and defendant granted thirty (30) days in which to answer.

Court adjourned until July 11, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, JULY 11, 1928.

Court convened pursuant to adjournment, Wednesday, July 11th, 1928.

Present: Hon. F. E. KENHAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

CONTACT FILTRATION COMPANY, A CORPORATION, AND MAX B. MILLER & COMPANY, INC., A CORPORATION, Plaintiffs, vs. PIERCE PETROLEUM CORPORATION, A CORPORATION, Defendant. No. 280-Equity.

O R D E R

On this 11th day of July, A. D., 1928, comes on to be heard the application of complainants, Contact Filtration Company, a corporation, and Max B. Miller & Company, Inc., a corporation, for an enlargement of time to and until the 13th day of August, A. D., 1928, within which to prepare and file its interrogatories for discovery of material facts and documents in accordance with Equity Rule 58; both complainants and defendant herein appearing by their solicitors and counsel; and the defendant in open court consenting thereto;

IT IS THEREFORE BY THE COURT considered, adjudged and ordered, that said application be, and the same is, hereby granted; and that the said complainants be and they are hereby allowed an enlargement of time to and until the 13th day of August, A. D., 1928, for filing their interrogatories for discovery of material facts and documents in accordance with Equity Rule 58.

Done at Tulsa, Oklahoma, this 11th day of July, 1928, A. D., 1928.

F. E. KENHAMER, Judge.

O.K: R. A. Kleinschmidt.

ENDORSED: Filed July 11, 1928.

UNITED STATES OF AMERICA, Plaintiff, vs. OSAGE COUNTY MOTOR COMPANY, A CORPORATION, Defendant. No. 303-Equity.

On this 11th day of July, 1928, it is by the Court ordered that the Court's order as of July 10, 1928, sustaining motion of defendant herein, to dismiss said cause, be, and same is hereby vacated and set aside.

UNITED STATES OF AMERICA, Plaintiff, vs. MARSHAL L. MOTT, Defendant. No. 343-Equity.

This cause comes on for hearing this 11th day of July, 1928, on Motion of Defendant to Dismiss said cause, and the Court being well and fully advised in the premises, it is ordered that said motion to

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be submitted on briefs and that defendant have ten (10) days to file his brief herein and the Government ten (10) days thereafter to file its Reply thereto.

ANNA BEAVER LETTERMAN,	Plaintiff,	} No. 103-Equity.
vs.		
DON P. WILLS, ET AL.,	Defendants.	

On this 11th day of July, 1928, comes on the above entitled cause for further hearing, counsel present as before. At this time the testimony of Anna Beaver Letterman Hallam is taken and plaintiff rests. Thereupon, defendants introduce their evidence and rest. Rebuttal testimony of Plaintiff is then introduced, and both sides rest. At this time the Court takes said cause under advisement and it is ordered that plaintiff herein file her brief within thirty (30) days and that said cause be set down for oral argument sometime in September.

Court adjourned until July 12, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, JULY 12, 1928

Court convened pursuant to adjournment, Thursday, July 12, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
 H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

JOE EDGAR, Plaintiff,)
 vs.) No. 344-Equity.
 EDWIN I. REESER, Defendant.)

On this 12th day of July, 1928, it is by the Court ordered that defendant's motion to dismiss, filed in above entitled cause, be and same is hereby overruled, and exceptions allowed, and it is further ordered by the Court that defendant be granted thirty (30) days in which to answer.

 J. F. AYERS, ADMINISTRATOR OF)
 ESTATE OF J. WHITE JOHNSON,)
 DECEASED,) Plaintiff,)
 vs.) No. 384-Equity.
 ROXANA PETROLEUM COMPANY OF)
 OKLAHOMA, A CORPORATION,)
 ET AL.,) Defendants.)

On this 12th day of July, 1928, it is by the Court ordered that all motions heretofore filed herein be overruled and defendants be allowed ten (10) days to plead or twenty (20) days to answer; and it is further ordered that Transcript from Creek County be corrected to show impression of seal on copy of summons.

 RAYMOND WILLIAMS AND E. COBB,)
 GUARDIAN OF RAYMOND WILLIAMS,)
 AN INCOMPETENT,) Plaintiffs,)
 vs.) No. 387-Equity..
 DARWIN FILTSCH, ET AL., Defendants.)

On this 12th day of July, 1928, comes on for hearing separate motion of Darwin Filtsch, which motion is by the Court overruled and exceptions allowed and defendant granted thirty (30) days to answer.

 C. E. WALICER, Plaintiff,)
 vs.) No. 252-Equity.
 A. W. LOHMAN, Defendant.)

On this 12th day of July, 1928, it is by the Court ordered that defendant's motion for better statement, be, and same is hereby overruled and exceptions allowed, and it is further ordered that Plaintiff be granted ten (10) days to plead or twenty (20) days to answer.

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

SAFESA POLECAT, WILLIAM)
 POLECAT AND JIM TIGER,) Plaintiffs,)
 vs.) No. 349-Equity.
 NORRIS, THE N. F. WILCOX OIL)
 & GAS COMPANY, A CORP., AND THE)
 UNITED STATES OF AMERICA)

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

THURSDAY, JULY 12, 1928.

JOURNAL ENTRY

Now on this the 12th day of July, 1928, this cause came on regularly for hearing on the motion of defendant, H. F. Wilcox Oil & Gas Company, a corporation, to dismiss the petition for want of sufficient facts. The plaintiffs appeared by their attorneys of record, Dawes & Kyle and the defendant, H. F. Wilcox Oil & Gas Company, appeared by its attorneys of record, Horace B. Clay and Davidson & Williams. The defendant, H. F. Wilcox Oil & Gas Company asked leave to attach to its motion to dismiss, as an exhibit, a certified copy of the following instruments or documents: Citizenship certificate to Polecat; letters dated 9/25/03, 9/29/03, 11/12/03, 12/30/03, 1/4/04, 1/7/04, 1/26/04, 3/4/04, 3/23/04, 3/29/04; Plat; and Arbitrary Application for allotment in re: the allotment of land for Polecat, Creek Roll No. 9123; The letters of the exhibit being the correspondence referred to in the plaintiff's petition as the correspondence beginning in 1903 between the Dawes Commission, or the Commissioner to the Five Civilized Tribes, the Commissioner of Indian Affairs and the Secretary of the Interior, relative to the alleged right and status of Polecat, a Creek citizen, enrolled opposite roll No. 9123, to hold and maintain his rights, if any, and his allotment, if any, as such citizen of the Creek Nation, because of the fact that he had been enrolled as a member of the absentee band of Shawnee Indians and because he had received an allotment of land, of and among, said absentee band of Shawnee Indians.

To this motion, the plaintiffs offered objection; the Court overruled said objection, to which ruling plaintiffs excepted and thereupon the Court permitted said instruments or documents to be filed with, and as a part of, said motion to dismiss, which was accordingly done, and said instruments or documents were made a part of said motion to dismiss, to all of which plaintiffs excepted.

The cause was then heard on the motion of the defendant, H. F. Wilcox Oil & Gas Company, to dismiss, and the Court being advised, finds from the plaintiff's petition and its exhibits and from the motion to dismiss, with its exhibits, that Polecat, on or about October 30, 1903, announced to Superintendent Thackery, Superintendent of and for the Shawnee Indians, that he wanted to retain his Shawnee allotment and not his alleged Creek allotment and that he elected or chose the Shawnee allotment as against his alleged Creek allotment. The Court further finds that said Polecat selected and chose the Shawnee allotment and refused to relinquish the same and that in choosing the Shawnee allotment, he abandoned whatever right, title and interest, if any, he had in the Creek allotment and that he was thereafter in no wise entitled to any right, title or interest in or to the alleged Creek allotment; that these facts appear especially from the letter of November 12, 1903, written by W. A. Jones, Commissioner of Indian Affairs, at that time to the Secretary of the Interior of the United States, which letter is a part of the exhibit filed with the defendant's motion to dismiss and is a part of the correspondence referred to by them in their petition.

WHEREFORE, it is now ordered and adjudged by the Court that said motion to dismiss be, and it is hereby, sustained, and the plaintiffs' petition be, and it is hereby, dismissed and that the defendants and each of them recover of the plaintiffs their costs herein expended.

To so much of this judgment as dismisses the plaintiffs' petition, the plaintiffs, and each of them, except and in open Court give notice of appeal to the United States Circuit Court of Appeals for the Eighth Circuit.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 12, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, JULY 12, 1928.

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

A. B. C. DAGUE, Plaintiff, }
v. } No. 70-Equity.
AZTEC OIL COMPANY, ET AL., Defendants, }
OIL WELL SUPPLY COMPANY, Intervenor, }

O R D E R

Now on this 12th day of July, 1928, it appearing that the Receiver herein has been unable to wind up said receivership and make final distribution of the funds on hands because of the pendency of certain claims and settlements which have not been adjusted, said Receiver is hereby authorized to continue the rental of the office now occupied by the receivership and to incur expense not to exceed \$150.00 per month until such time as said receivership may be ready for termination

F. E. KENNAMER, District Judge.

ENDORSED: Filed July 12, 1928.

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

H. C. SPEER & SONS COMPANY, Plaintiff, }
vs. } No. 254-Equity.
CITY OF SHIDLET, ET AL., Defendants. }

O R D E R

IT IS HEREBY ORDERED That the Supreme Lodge Knights of Pythias, a corporation, and the Board of County Commissioners, of McCurtain County, Oklahoma, be and they are hereby permitted to intervene in this cause.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 12, 1928.

IN THE UNITED STATES DISTRICT COURT OF
THE NORTHERN DISTRICT OF OKLA.

H. C. SPEAR & SONS CO., Plaintiff, }
vs. } No. 254-Equity.
THE CITY OF SHIDLER, ET AL., Defendants., }

JOURNAL ENTRY

This cause comes on for hearing in the United States District Court for the Northern District of Oklahoma on July 12, 1928, upon the motion of the defendants to dismiss the bill of the complainant and the petitions of intervention, pursuant to assignment. The plaintiff is present by its attorneys, Raney, Flynn, Green and Anderson. The defendants are present by their attorneys, Holcombe & Lohman. After the argument of counsel and being advised in the premises, the court finds that the motions of the defendant are not well taken and should be overruled.

IT IS THEREFORE, considered, ordered and adjudged that all motions of the defendants be, and the same hereby are, overruled, to which the defendants, and each of them, except and their exceptions are allowed.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, JULY 12, 1928.

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

MARY SPICK HOUSTON, ET AL., Plaintiffs,)
 vs.) No. 401-Equity.
 LOUIS G. BERELOS, ET AL., Defendants.)

ORDER DISMISSING CAUSE AS TO JOHN H. MILLER AND
 JOHN H. MILLER, TRUSTEE.

On this the 12th day of July, 1928, this matter came on for hearing on the motion of John H. Miller and John H. Miller, Trustee, to dismiss this cause as to Movants, and on the motion of the Plaintiffs to dismiss this cause as to said John H. Miller and John H. Miller, Trustee, and the motion of the Plaintiffs to dismiss as to Louis G. Bereolos, Administrator, all of said parties having been made additional parties defendant by order of this Court made on the 20th day of June, 1928.

All of the parties appeared by their respective counsel, and the Court having heard said motions and being fully advised, finds that same should be sustained as to the said John H. Miller and John H. Miller, Trustee, and overruled as to Louis G. Bereolos, Administrator.

IT IS, THEREFORE, ORDERED BY THE COURT, that said motions be and the same are hereby sustained in so far as the same affect John H. Miller and John H. Miller, Trustee, and that this cause be and the same is hereby dismissed as to the said John H. Miller and John H. Miller, Trustee. To the ruling of the Court Louis G. Bereolos excepts and the exception is allowed.

IT IS FURTHER ORDERED BY THE COURT that the motion of the Plaintiffs to dismiss as to Louis G. Bereolos, Administrator, be and the same is hereby overruled.

F. E. KENNAMER, Judge.

O.K: Joe T. Dewberry
 Atty for John H. Miller and John H. Miller, Trustee.
 O.K: Hunt & Bagleton,
 Attys for Plaintiffs.

ENDORSED: Filed July 12, 1928.

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

MARY SPICK HOUSTON, ET AL., Plaintiffs,)
 vs.) No. 401-Equity.
 LOUIS G. BERELOS, ET AL., Defendants.)

ORDER MAKING ADDITIONAL PARTIES PLAINTIFF.

Now on this 12th day of July, 1928, this matter coming on for hearing on application of the plaintiffs and for good cause shown;

IT IS ORDERED, that C. L. Swim, P. H. Reisher, D. D. Finley and Georgia A. Finley, his wife, be made additional parties plaintiff and that plaintiffs be allowed to file instant amendment to petition.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 12, 1928.

Court adjourned until July 13, 1928.

In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
FRIDAY, JULY 13, 1928.

Court convened pursuant to adjournment, Friday, July 13th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

S. W. BROWN, JR., AND JAMES J. MARS,
EXECUTORS OF THE ESTATE OF LUSANNA
BRINK, DECEASED; KATIE ROUBEDEAUX,
LEZZIE GIBBS, NEE BRINK, JOHN T.
SMITH, R. L. WILKINSON AND EUGENE
B. SMITH,
Plaintiffs,

vs.

No. 403-Equity.

N. V. V. FRANCHOT, D. W. FRANCHOT,
D. A. McDUGAL, L. O. LYTEL,
ADA JACK, MALINDA JACK, A MINOR;
ADA JACK, GUARDIAN OF ESTATE OF
MALINDA JACK, A MINOR; JOSEPH
BRUNER, ADMINISTRATOR OF THE
ESTATE OF LOLLY JACK, DECEASED;
JOHN M. CHICK, JOHN M. CHICK, TRUSTEE;
W. V. PRYOR, C. B. ROCKWOOD,
C. J. WRIGHTSMAN, G. M. CANTERBURY,
WALTER P. COOK, BERTHA H. GUNSBURG,
AND RAPHL HOCH STETTER, EXECUTORS AND
ADMINISTRATOR, RESPECTIVELY, OF THE
ESTATE OF DAVID GUNSBURG, DECEASED;
CUSHING GASOLINE COMPANY, A CORPOR-
ATION; THE PURE OIL COMPANY, A CORPOR-
ATION; OHIO CITIES GAS COMPANY, A COR-
PORATION; SOUTHWESTERN PETROLEUM COM-
PANY, A CORPORATION; COSDEN PIPE LINE
COMPANY, A CORPORATION; CPSDEN & COMPANY,
A CORPORATION; INLAND REFINING COMPANY,
A CORPORATION; THE EXETER OIL COMPANY,
A CORPORATION; PURE OIL PIPE LINE COM-
PANY, A CORPORATION;
MID-CONTINENT PETROLEUM CORPORATION,
A CORPORATION, AND THE TEXAS COMPANY,
A CORPORATION,
Defendants.

ORDER OF DISMISSAL

This cause came on for hearing on this, the 13th day of July, 1928, same being a regular day of a term of this court at Tulsa, Oklahoma, Honorable F. E. Kennamer, regular judge presiding, whereupon plaintiffs appeared by their counsel of record, John T. Smith, Eugene B. Smith and R. L. Wilkinson, and defendants, Southwestern Petroleum Company, The Pure Oil Company, Cushing Gasoline Company, Cosden & Company, now known as Mid-Continent Petroleum Corporation, N. V. V. Franchot and D. W. Franchot appeared by their counsel, Geo. S. Ramsey and P. C. West, and it appearing to the court that one of the plaintiffs, S. W. Brown, Jr., an executor of the estate of Lusanna Brink, deceased, resigned his executorship after the commencement of this action and that the county court of Creek County appointing said S. W. Brown, Jr., and James J. Mars, Executors of the estate of Lusanna Brink, deceased, did on the 19th day of May, 1928, enter an order accepting the resignation of said S. W. Brown, Jr., as such executor and continuing James J. Mars as sole executor of said estate,

IT IS NOW ORDERED, CONSIDERED AND DECREED that James J. Mars, as sole executor be and is hereby substituted as plaintiff for S. W. Brown, Jr., and James J. Mars, executors of the estate of Lusanna Brink, deceased, and said cause shall proceed accordingly. And thereupon said Counsel appearing submitted to the court a compromise and settlement agreement entered into between S. W. Brown, Jr., and James J. Mars, as executors of the Estate of Lusanna Brink, deceased, on the one hand, and

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FRIDAY, JULY 13, 1928.

defendants, The Pure Oil Company, Mid-Continent Petroleum Corporation, Cushing Gasoline Company, Southwestern Petroleum Company, N. V. V. Franchot and D. W. Franchot, on behalf of themselves and their assignors, executed May 8th, 1928, by said executors, authorized and consented to in writing by the sole heirs and devisees of Lusanna Brink, deceased, and approved on May 9th, 1928, by plaintiffs' counsel and approved on May 23rd, 1928, by counsel for John Givens, one of the parties claiming to be an heir of Lusanna Brink, deceased, and approved on May 9th, 1928, by the County Court of Creek County, the court appointing said S. W. Brown, Jr., and James J. Mars, executors of the estate of Lusanna Brink, deceased, and approved by the Secretary of the Interior on June 30th, 1928, and counsel having moved the court to approve said compromise and settlement and dismiss this case with prejudice as against said compromising defendants and their assignors and said motion to dismiss with prejudice and said compromise agreement having been duly considered,

IT IS THEREFORE ORDERED, ADJUDGED, CONSIDERED and DECREED that said compromise agreement is hereby approved and said motion sustained and said cause is hereby ordered, considered and decreed dismissed with prejudice against the defendants, G. M. Canterbury, Charles J. Wrightsman, Walter P. Cook, Bertha H. Gunsburg and Ralph Hochstetter, executors and administrator respectively of the Estate of David Gunsburg, deceased, Cushing Gasoline Company, The Pure Oil Company, Cosden & Company, Inland Refining Company, Exeter Oil Company, The Pure Oil Pipe Line Company, Mid-Continent Petroleum Corporation, Southwestern Petroleum Company, N. V. V. Franchot, D. W. Franchot, The Texas Company and Cosden Pipe Line Company, and all the cost is taxed to plaintiffs, for all accrued and unpaid part of which execution may issue.

Made and ordered entered this 13th day of July, 1928.

F. E. KENHAMER, Judge

O.K. J. T. Smith
R. L. Wilkinson,
Eugene B. Smith
Attys for Pltffs.

Geo. S. Ramsey
Preston C. West
Attys for Dfts.

ENDORSED: Filed July 13, 1928, in Open Court.

Court adjourned until July 14th, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, JULY 14, 1928.

Court convened pursuant to adjournment, Saturday, July 14, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

WALBRIDGE, ALDINGER COMPANY,)
A CORPORATION,)
Plaintiff,)
vs.) No. 19-In Equity.
A. J. RUDD, ET AL.,)
Defendants.)

ORDER APPOINTING SPECIAL MASTER

Now on this 14th day of July, 1928, the same being a regular day of the July Term of this court, the above cause comes on for hearing upon the question of appointing a Special Master to try the issue left open and submitted for further testimony by the Circuit Court of Appeals in the last appeal of this case, which decision was handed down on the 7th day of May, 1928. The plaintiff appears by Stuart, Coakley, & Doerner, and Everett Petry, its attorneys, and defendants appear by M. C. Spradling, City Attorney, and J. A. Duff, special counsel. Thereupon it is agreed in open court that the Hon. O. L. Rider may be appointed to try the issues on the question left open for further hearing by said decision.

It is therefore, ordered, adjudged and decreed by the court that the Hon. O. L. Rider, of Vinita, Oklahoma, be and he is hereby appointed Special Master to take testimony and determine the fair value of excavating the material mentioned in plaintiff's Exception No. 10 to the original findings and report of the Master herein, and report the evidence taken, to this court with his findings thereon, and allow the plaintiff the fair value of said extra work.

The Special Master is further ordered and decreed to report his findings of fact and conclusions of law with recommendations for judgment to this court within thirty days from this date.

F. E. KENNAMER,
U. S. District Judge.

O.K: Charles A. Coakley,
Attorneys for Plaintiff

O.K: J. A. Duff
Special Counsel for Defendants.

ENDORSED: Filed July 14, 1928.

Court adjourned until July 16, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, JULY 16, 1928.

Court convened pursuant to adjournment, Monday, July 16th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR
FOR THE NORTHERN DISTRICT OF OKLA-
HOMA.

JOHN-MANVILLE CORPORATION, Plaintiff,)
-vs-) No. 313-Equity..
NATIONAL TANK SEAL COMPANY, Defendant.)

O R D E R

Upon application of Johns-Manville Corporation, plaintiff herein and good cause appearing therefor, it is ordered that the plaintiff may and it is hereby authorized to withdraw certified copy of patent and assignments thereof of United States Letters Patent Tardon 1184673, the same having been heretofore filed by order of Court in Cause No. 313 in Equity, the same being captioned Johns-Manville Corporation v. National Tank Seal Company.

Dated this 16th day of July, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 16, 1928.

Court adjourned until July 17, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JULY 17, 1928.

Court convened pursuant to adjournment, Tuesday, July 17th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

G. A. MAIER,	Complainant,)	
-vs-		)	No. 406-Equity
THE DUMARKS MINING CORPORATION,	Defendant.)	

O R D E R

Now on this 17th day of July, 1928, the complainant, G. A. Maier, having filed his bill of complaint asking for a temporary restraining order and for the appointment of a Receiver for the defendant, The Dumarks Mining Corporation, and said cause coming regularly on for hearing on said application, the court finds that ten days notice should be given for the hearing of said application for a temporary restraining order.

It is, therefore, ordered, adjudged and decreed by the court that a notice of said hearing be issued, served and returned in like manner as subpoenas from this court, and that said hearing on application for a temporary restraining order be set for Saturday, July 28, 1928, at 10 o'clock A. M., at Tulsa, Oklahoma, or as soon thereafter as the same may be heard.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 17, 1928.

Court adjourned until July 21, 1928.

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JULY 21, 1928

Court convened pursuant to adjournment, Saturday, July 21st, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered,
to-wit:

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

MARY SPICK HOUSTON, JAMES A. MORGAN,)
JAMES GRANT, ARTA MASON, E. C. CALLAHO,)
LILLIE -dee CALLAHAN, L. E. CRIME, JOHN)
C. GREENSTREET, GEORGE O. HOWARD, FLORENCE)
HOWARD, LOIS L. PROTHERO, MARGUERITE WOOD,)
V. E. RABORN, LOUISE RABORN, S. S. MATOFSKY,)
J. J. CADAGAN, M. P. FOLIARD, JANET POL-)
LARD, GRETTA RYAN, GEORGE M. GLOSSOP, G. E.)
OGILVIE, L. C. BROCK, MICHAEL J. McKELLAR,)
MYRL McKELLAR, ROSS A. HOOTS, AGNESS FREEMAN,)
MOORE INVESTMENT COMPANY, A CORPORATION,)
H. F. STOVER, ARTHUR V. LONG, ALBERT H.)
BELL, RAY S. FELLOWS, MARGARETE E. CONNEELY,)
C. T. ROSS, L. R. CHAMBERS, ANNIE M. CHAMBERS,)
C. A. O'DONOVAN, JAMES A. MALRONNEY, L. E.)
KENNEDY, BLANCH J. FELLOWS, O. J. MILLER,)
LUELLA MAY BARCLAY, MATT STEIL, STANLEY CAMPBELL,)
NANCY LEE ROUGH, LOIS H. STEINER, A. W. RUSH,)
G. B. CHENOWETH, OLIVE ALCOCK, W. H. MAINWARING,)
CLYDE F. HAWKINS, J. C. WATSON, BELLE VICKERY)
MATTHEWS, WILLIAM A. RYAN, ROSE E. CASLER,)
MARGARET HAYS B. MORGENSTERN, WILLIAM FRASHER,)

Plaintiffs,

-vs-

LOUIS G. BEREOLOS, AND LOUIS G. BEREOLOS, AD-)
MINISTRATOR OF THE ESTATE OF)
ALEX G. BEREOLOS, DECEASED,)
Defendants.)

No. 401-Equity.

O R D E R

NOW, On this 21st day of July, 1928, there coming on to be heard the motion of John A. Haver to file herein his petition in intervention, and the Court having heard the same and considered all things in the premises, sustains said motion.

IT IS THEREFORE ORDERED AND ADJUDGED that John A. Haver be, and he hereby is, given leave to file herein his petition in intervention instanter; and that the defendant and other parties to this action be, and they hereby are, required to plead to said petition in intervention within twenty (20) days from this date.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 21, 1928.

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

HUGHES TOOL COMPANY, Plaintiff,)

vs.)

INTERNATIONAL SUPPLY)
COMPANY, Defendant.)

No. 279-In Equity.

ORDER OF COURT EXTENDING TIME
FOR FILING RECORD ON APPEAL

It appearing to the court that the record on the appeal of the above styled and numbered cause is lengthy, and that counsel reside at

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JULY 21, 1928.

great distance from each other and some of them at great distance from this court, and that other good and sufficient reason exists therefor, it is upon application of Hughes Tool Company, plaintiff in the above styled and numbered cause, and upon stipulation of the parties filed therein, ordered and decreed that the time within which plaintiff, appellant, may docket this case in the Honorable United States Circuit Court of Appeals for the Eighth Circuit and file its record on this appeal may be and the same is hereby extended to and including September 26th, 1928.

F. E. KENNAMER,
United States District Judge.

ENDORSED: Filed July 21, 1928.

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

MARY SPICK HOUSTON, JAMES A. MORGAN,)
JAMES GRANT, ARTA MASON, E. C. CALLAHN,)
LILLIE -dee CALLAHAN, L. E. CRUCE, JOHN)
C. GREENSTREET, GEORGE O. HOWARD, FLORENCE)
HOWARD, LOIS L. PROTHERO, MARGUERITE WOOD,)
V. E. RABORN, LOUISE RABORN, S. S. MATOFSKY,)
J. J. CADAGAN, M. P. POLLARD, JANET POL-)
LARD, GRETTA RYAN, GEORGE M. GLOSSOP, G. E.)
OGILVIE, L. C. BROCK, MICHAEL J. MCKELLAR,)
MYRL MCKELLAR, ROSS A. HOOTS, AGNESE FREEMAN,)
MOORE INVESTMENT COMPANY, A CORPORATION,)
H. F. STOVER, ARTHUR V. LONG, ALBERT H.)
BELL, RAY S. FELLOWS, MARGARETE E. CONNEELY,)
C. T. ROSS, L. R. CHALMERS, ANNIE M. CHALMERS,)
C. A. O'DONOVAN, JAMES A. MALRONEY, L. E. KENNEDY,)
BLANCH J. FELLOWS, O. J. MILLER, LUELLA MAY)
BARCLAY, MATT STELL, STANLEY CAMPBELL,)
NANCY LEE HOUGH, LOIS H. STEINER, A. W. RUSH,)
G. B. CHENOWETH, OLIVE ALCOCK, W. H. MAINWARING,)
CLYDE F. HAWKINS, J. C. WATSON, BELLE VICKERY)
MATHEWS, WILLIAM A. RYAN, ROSE E. CASLER,)
MARGARET HAYS B. MORGENSTERN, WILLIAM FRASHER,)

Plaintiffs,)

- vs -)

No. 401-Equity.)

LOUIS G. BEREOLIOS, AND LOUIS B. BEREOLIOS, AD-)
MINISTRATOR OF THE ESTATE OF ALEX G. BEREOLIOS,)
DECEASED,)

Defendants.)

O R D E R

NOW, On this 21st day of July, 1928, there coming on to be heard the motion of Frank A. Haver to file herein his petition in intervention, and the Court having heard the same and considered all things in the premises, sustains said motion.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Frank A. Haver be, and he hereby is, given leave to file herein his petition in intervention instant, and that the defendant and other parties to this action be, and they hereby are, required to plead to said petition in intervention within twenty (20) days from this date.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 21, 1928.

Court adjourned until July 23rd, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JULY 24, 1928.

Court convened pursuant to adjournment, Tuesday, July 24th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court.
H. P. Warfield, Esq., Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered, to-wit:

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

SUPREME FOREST WOODMEN CIRCLE,

Plaintiff,

vs.

MRS. G. (GERTIE) A. LYFORD,
AND CLYDE SANDERS,

Defendants.

No. 385-Equity.

O R D E R

NOW on this 24th day of July, 1928, it is hereby ordered that the defendant Clyde Sanders be, and he is hereby given fifteen (15) day from this date within which to plead or answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed July 24, 1928.

Court adjourned until July 28, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA SATURDAY, JULY 28, 1928.

the Clerk of this court, file and spread Mandate of Record in the above entitled cause, same being in words and figures, as follows:

MANDATE -

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

((SEAL))

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Clara Showalter, Complainant, and Georgia Valliere Hampton, Defendant, No. 131, In Equity, wherein the decree of the said District Court in said cause, entered on the 3rd day of December, A. D. 1926, was in the following words, viz:

" Now on this 3rd day of December, 1926, the hearing on the motion of the defendant to dismiss the above entitled action having been under advisement by the court until this date;

It is ordered, adjudged and decreed by the court that the motion of the defendant to dismiss said cause be and the same is hereby sustained and said cause is hereby dismissed at the cost of the complainant.

To the order and judgment aforesaid the complainant is allowed an exception.

Done in open court at Tulsa, Oklahoma, the day and year above written.

F. E. KENNAMER, Judge. "

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May term, in the year of our Lord one thousand nine hundred and twenty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, affirmed with costs; and that Georgia Valliere Hampton have and recover against Clara Showalter the sum of Twenty Dollars for her costs herein and have execution therefor.

----- May 25, 1928.-----

You, therefore, are hereby commanded that such execution and proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the Twenty-fifth day of July, in the year of our Lord one thousand nine hundred and twenty-eight.

COSTS OF APPELLEE:

Clerk Paid by
Printing Record: Appellant
Attorney Printed below.
\$20.00
\$20.00

E. E. KOCH
Clerk of the United States Circuit Court of Appeals, Eighth Circuit.

ENDORSED: Filed July 28, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, JULY 28, 1928.

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

G. A. MAIER, Plaintiff,)
VS.) No. 406-Equity.
DUMARKS MINING CORPORATION,)
Defendant.)

O R D E R

Now comes G. A. Maier, plaintiff in the above entitled cause, by his Attorney, A. M. Armstrong, and the defendant by Leslie J. Lyons, its Attorney, and in open court file their Stipulation.

It is, therefore, by the Court ordered that said cause be, and the same is hereby dismissed, the defendant waiving the taxing of attorney's fees.

Dated, Tulsa, Oklahoma, July 28, 1928.

F. E. KENNAMER,
U. S. District Judge.

ENDORSED: Filed July 28, 1928.

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

WALBRIDGE-ALDINGER COMPANY,)
A CORPORATION, Plaintiff,)
vs.) No. 19-Equity..
A. J. RUDD, ET AL., Defendants.)

ORDER EXPENDING TIME TO SPECIAL MASTER IN WHICH TO
COMPLETE AND FILE HIS REPORT.

At this time it is suggested to the Court by Counsel for defendant that the time provided in the order of reference referring this case to the Hon. O. L. Rider, as Special Master, directing him to try the issues left open in this case by the Circuit Court of Appeals in its decision handed down on the 7th day of May, 1928, is insufficient to enable the Special Master to prepare and file said report, and the Court finds that sixty days should be allowed in addition to the time specified in the order of reference in which the Special Master may file his report.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the time allowed in said order of reference be, and hereby is extended sixty days. That is to say, the Special Master shall have ninety days in which to prepare and file his report and findings instead of thirty days which was the time given him in the order of reference.

Executed this 28, day of July, 1928.

F. E. KENNAMER,
Judge of the U. S. District Court
for the Northern District of Okla.

ENDORSED: Filed July 28, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA,
EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, JULY 28, 1928.

IN THE UNITED STATES DISTRICT COURT, WITHIN
AND FOR THE NORTHERN DISTRICT OF OKLA-
HOMA.

FIRST NATIONAL BANK OF TULSA, OKLAHOMA, A CORPORATION,)	
)	
vs.	)	In Equity - No. 39.
NATIONAL HARDWOOD COMPANY, A CORPORATION, ET AL.,)	
Defendants.)	

O R D E R

Now, on this 28th day of July, 1928, this matter coming on for hearing on application of E. V. Green for an order directing the receiver to pay to applicant the sum of Two Hundred Ten Dollars (\$210.00) being reimbursement for cash actually expended by E. V. Green as custodian, in the protection and preservation of the property involved in this receivership, and the court having read and considered said application and being fully advised in the premises finds, that applicant is entitled to the relief therein prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said Honorable H. G. Smith, receiver herein, be, and he is hereby authorized and directed to pay the sum of Two Hundred Ten Dollars (\$210.00) to E. V. Green, being the amount of cash heretofore expended by said E. V. Green as custodian of the property of this receivership, in the care, preservation, and protection of said property.

Done in open court, the day and year first above written.

F. E. KENNAMER,
United States District Judge
for the Northern District

O.K.: L. E. Broach Jr.
Solicitor for H.G.Smith, Receiver

O.K.: Searcy & Reed
Solicitors for E. V. Green,
Custodian.

ENDORSED: Filed in Open Court July 28, 1928.

Court adjourned until July 31, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, JULY 31, 1938.

Court convened pursuant to adjournment, Tuesday, July 31, 1938.

Present: Hon. F. E. KENNHAUER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

J. T. O'REILLY,

Plaintiff,

vs.

No. 348 - Equity.

H AND H OIL CORPORATION, A CORPORATION,
A. L. MAWSE AND RANDOLPH LAUGHLIN,

Defendants.

O R D E R

NOW on this 31st day of July, 1938, this matter came on upon the application for the appointment of a receiver to take charge of the following described property situated in Tulsa County, State of Oklahoma, to-wit:

Lots One (1), Two (2), Three (3), and the North 10.57 Acres, less 80/100 acres occupied by the Missouri, Kansas & Oklahoma Railway, and the North Half (N/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4), and the North Half (N/2) of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of Section Four (4), Township Nineteen (19) North, Range Ten (10) East, in Tulsa County, Oklahoma,

and it appearing to the court that heretofore J. T. O'Reilly, the plaintiff herein, and the defendant, H and H Oil Corporation, through their respective attorneys, in open court agreed and consented to the appointment of R. H. Hoss as receiver of said property, and there being no objection raised by any other parties thereto, and it further appearing from the statements made in open court by counsel of the respective parties that it would be to the best interests of all parties concerned, that the said R. H. Hoss be appointed as receiver,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED That R. H. Hoss be, and he is hereby appointed receiver of the following described oil and gas property:

Lots One (1), Two (2), Three (3), and the North 10.57 acres, less 80/100 acres occupied by the Missouri, Kansas & Oklahoma Railway, and the North Half (N/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4), and the North Half (N/2) of the South Half (S/2) of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of Section Four (4), Township Nineteen (19) North, Range Ten (10) East, in Tulsa County, Oklahoma

and that the said receiver be, and he is hereby authorized to take possession of said lease and to care for the same in a prudent manner, to operate, if he, in his judgment, sees fit, any oil wells thereon now drilling, and to take charge of the gas well now on said premises and

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, AUGUST 1, 1928.

Court convened pursuant to adjournment, Wednesday, August 1st, 1928.

Present: Hon. F. E. KEMMELER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

WALBRIDGE-ALDINGER COMPANY,
A CORPORATION,

) Plaintiff,

vs.

) No. 19-Equity.

CITY OF TULSA, ET AL.,

) Defendants.)

O R D E R

On this 1st day of Aug., 1928, the Receiver herein, Chas. F. Robertson, is hereby directed and authorized to pay upon the presentation and properly verified bills, all expenses and costs of taking and hearing testimony in the hearing before Orin L. Riger, Special Master; hearing commencing July 23, 1928.

F. E. KEMMELER,
U. S. District Judge.

O.K: G. A. Coakley
Atty. for Plaintiff.

O.K: J. A. Duff,
Atty for City of Tulsa.

ENDORSED: Filed August 1, 1928.

Court adjourned until August 4, 1928.

In the District Court of the United States in and for the

NORTHERN DISTRICT OF OKLAHOMA EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, AUGUST 4, 1928.

Court convened pursuant to adjournment, Saturday, August 4th, 1928.

Present: Hon. F. E. KENNAMER, Judge U. S. District Court H. P. Warfield, Esq., Clerk U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

J. P. EVERS, Plaintiff, vs MINTIE CHATFIELD, ET AL., Defendants. No. 233-Equity.

ORDER CONFIRMING AND APPROVING MARSHAL'S DEED

This cause coming on for hearing this the 4th day of August, 1928, upon the application of Jessie Rockwood to have the Marshal's deed, executed to Jessie Rockwood, conveying all of the right, title and interest of the said J. P. Evers, Mintie Chatfield, Curtis Chatfield, Lillie Chatfield, Effie Chatfield, Inez Strickland, Blanche Stuckey, Verdie Basket, Florence Galloway, Gertie McClinton, Mary Anderson, Meland Miller, Ester Miller and Ben Miller, and the Court finds that all of the conditions of the Order entered on the 25th day of May, 1928, have been fully and faithfully complied with by the said Jessie Rockwood and that the United States Marshal for the Northern District in Oklahoma in compliance of said Order has executed his deed conveying the right, title and interest of the said parties to the said Jessie Rockwood.

IT IS, THEREFORE, ORDERED AND DECREED, By the Court that said deed be, and the same is hereby approved and confirmed.

F. E. KENNAMER, Judge.

INDORSED: Filed August 4, 1928.

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

UNITED STATES OF AMERICA, Plaintiff, vs. A. W. CURRY, ET AL., Defendants. No. 390-Equity.

JOURNAL ENTRY OF JUDGMENT

Now on this the 4th day of August, 1928, the same being one of the regular judicial days of the Special March A. D. 1928 term of this Court, the above entitled matter being regularly assigned for trial comes on to be heard in its regular order, the Plaintiff appearing by Jno. M. Goldesberry, United States District Attorney, and Harry Seaton, Assistant United States District Attorney, its Attorney, and the Defendant A. W. Currey, appearing by his Attorneys, Gray & Palmer, and the Defendants, each and all of them although three times called in open Court to except, answer, demur or otherwise plead, came not but make default, and the Court finds that the Defendants A. W. Curry, Mabel S. Elam, Richard Elam, W. H. Ward, Neva Ward (Neva P. Ward) were duly and regularly served with Chancery Subpoena herein personally within this State and this judicial district, more than twenty days prior to this date, and

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, AUGUST 4, 1928.

all of said Defendants except A. W. Currey have failed to answer or otherwise plead herein and are in default.

That on the 2nd day of July, 1928, the Plaintiff filed herein its election to take an Order Pro Confesso against said Defendants last above named, and upon said praecipe of the attorney for said Plaintiff, said Order was so entered.

It is therefore ordered that the Defendants Label S. Elam, Richard Elam, W. H. Ward, and Neva Ward (Neva P. Sturd), and each of them be and they hereby are adjudged in default, and that the allegations of Plaintiff's Bill be taken as true and confessed.

It is further ordered that said action, upon the motion of the Plaintiff be dismissed as to Alexander Dixon and Dorothy Dixon,

Thereupon this cause coming on for trial and the Plaintiff having offered and introduced in evidence the note and mortgage declared on, and the Court having examined the files and pleadings in this cause, and having heard and examined all the evidence and oral testimony of witnesses sworn and examined in open court, and being fully advised in the premises from the submission of the issues, finds that this Court has jurisdiction in this cause and that the allegations of the Plaintiff's Petition are true and therein set out; that on March 12, 1923, the Defendant, A. W. Curry and the owner of the premises hereinafter described, executed and delivered to J. J. McCool, Guardian of Wah-tsa-ki-he-kah, Osage Allottee No. 267, the mortgage described in Plaintiff's Petition, and which was in due and regular course assigned to this Plaintiff, and thereby mortgage and convey to the said J. J. McCool, Guardian of Wah-tsa-ki-he-kah, Osage Allottee No. 267, and its assigns, the following described land situate in Osage County, Oklahoma, to-wit:

Beginning at a point 761.5 feet South of the Northwest corner of the Southwest $\frac{1}{4}$ of Section 35, Township 26, Range 9; and extending South along said Section line 241 feet, thence East 361.5 feet, thence North 241 feet, thence west 361.5 feet to the point of beginning, containing approximately 2 acres, more or less.

that said mortgage was given as security for the payment to the mortgagee and its assigns of the sum of \$1250.00 on March 12, 1923, with interest thereon at the rate of 7% per annum, payable semi-annually from the date thereof until paid, according to the terms and conditions of the promissory note, more particularly described in the Plaintiff's Petition, and that the Plaintiff is owner and holder of the said note and the mortgage securing the same, having right to maintain this action thereon.

That the Defendants are in default in performance of the terms and conditions of said mortgage in that they have failed to pay said note at its maturity, to-wit: March 12, 1926, and the interest on said note from the 12th day of March, 1927, and have failed to pay the taxes due and payable on said land, and that by reason of said default, the Plaintiff is entitled to foreclose said mortgage and to collect the entire debt due thereby.

That the Defendants in and by said mortgage expressly waived appraisement of said real estate and all benefits of the homestead and stay laws of said state, and that the mortgage of the Plaintiff is a valid lien on said premises, prior and superior to the rights, title, interests and liens of the defendants, and each of them and all persons claiming under them since the filing of the will in this suit, and that there is now due from the Defendants, A. W. Currey, J. H. Ward and Neva Ward (Neva P. Ward), the sum of \$1432.94, with interest thereon at the rate of 7% per annum from May 20, 1928, and the costs of this suit, and that all of said sums are secured by said mortgage.

That the Defendants J. H. Ward and Neva Ward (Neva P. Ward) are primarily liable and bound to pay the above indebtedness by virtue of the fact that on the 17th day of December, 1924, they purchased said land and received a Warranty Deed therefore, which deed was filed for record in Book 58, at Page 98, in the County Clerk's office of Osage County, Oklahoma, and said Deed contained a provision whereby said Defendants specifically assumed and agreed to pay the note sued upon herein,

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

REGULAR SESSION,

TULSA, OKLAHOMA,

SATURDAY, AUGUST 4, 1933.

and the mortgage securing the same.

The Court further finds that all the rents and profits from said land were expressly pledged as a part of said security and that the Plaintiff is entitled to the funds heretofore and hereafter collected by the Receiver heretofore appointed in this Court in the event that said land will, upon sale, not bring a sum sufficient to pay the Plaintiff's debt, and the Plaintiff is entitled to have the appointment of said Receiver confirmed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover of and from the Defendants A. W. Currey, J. H. Ward and Neva Ward (Neva P. Ward), the sum of \$1432.94, with interest thereon at the rate of 7% per annum from May 26, 1928, and the costs of this suit.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the mortgage of the Plaintiff be and the same is hereby established and adjudged to be a valid lien upon the premises hereinabove described, prior and superior to the rights, title, interests and liens of the Defendants and each of them, and all persons claiming under them since the filing of the Petition in this suit.

That in the event the judgment of the Plaintiff, with interest and costs, be not paid and satisfied in full within six months from this date, an Order of Sale issue commanding a Special Master to advertise and sell according to law as upon execution, without appraisalment, the premises hereinabove described, free, clear and discharged of and from the interests, claims, liens and rights of redemption of the Defendants herein, and each of them and all persons claiming under them since the filing of the Bill in this suit, subject to the taxes assessed against said land and tax sales thereof. And that said premises be sold at a Special Master's sale, that from the proceeds arising from said sale, the Special Master be and he hereby is ordered and directed to pay,

First, The costs including the Court and the Special Master's costs and costs of sale.

Second, The judgment and interest of the Plaintiff, and

Third, That the balance remaining, if any, be paid to the Clerk of this Court to abide the further orders of the Court in the premises.

That from and after the sale of said premises, each and all defendants in this cause and all persons claiming under them since the filing of the Bill in this suit, be, and they hereby are forever barred, restrained and enjoined from having and asserting any right, title, interest or lien in or against said premises or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon confirmation of such sale, that the Special Master shall execute and deliver a good and sufficient Deed to said premises, to the Purchaser and that upon application of the Purchaser, the Clerk of this Court shall issue a Writ of Assistance to the Marshal of this District, who shall thereupon and forthwith place the said premises in the full and complete possession and enjoyment of said purchaser.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Frank McCoy be and he hereby is appointed Special Master to sell the property hereinabove described in accordance with the directions set forth in this Order, and shall report to this Court his acts and doings immediately after the sale of said property, and he shall do and perform such acts as may be necessary under the law and under this order of Court to carry out the decrees hereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the appointment of the Receiver in this cause be, and the same is hereby made permanent during the continuation of this suit, and until the execution of the Special Master deed, and that in the event the said premises shall, upon sale, not bring a sum sufficient to satisfy in full the judgment of the Plaintiff, with interest and costs, that then the rents, issues and profits from said land heretofore and hereafter collected by the Receiver herein, be applied to the payment of any deficiency that may remain, and

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SATURDAY, AUGUST 4, 1928

in the event that any deficiency still remain, that the Plaintiff have execution against the Defendants, A. J. Curry, W. E. Ward, and Neva Ward (Neva P. Ward) therefore.

F. E. KENNELER,

United States District Judge

C.C. Harry Seaton, Assistant
U. S. Atty.

ENDORSED: Filed August 4, 1928.

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, AUGUST 6, 1928.

Court convened pursuant to adjournment, Monday, August 6th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

CONTACT FILTRATION COMPANY,)
A CORPORATION, AND MAX B. MILLER)
& COMPANY, INC., A CORPORATION,)
Plaintiffs.)
vs.) In Equity - No. 280.
PIERCE PETROLEUM CORPORATION,)
A CORPORATION,)
Defendant.)

O R D E R

The plaintiff having exhibited to the Court the annexed Interrogatories to be answered by defendant, Pierce Petroleum Corporation, and requesting of the Court an order allowing the plaintiffs to file such interrogatories to be answered by an officer of defendant, Pierce Petroleum Corporation, having knowledge of the facts:

IT IS HEREBY ORDERED that the said interrogatories be filed and served by the Clerk of this Court in the manner specified in Equity Rule 58, and that the answers of the defendant, Pierce Petroleum Corporation, to said interrogatories, under oath by an officer thereof having knowledge of the facts, be served and filed in the office of the Clerk of this Court within fifteen (15) days after said interrogatories have been served, unless within ten (10) days after such service written objections be filed and served in the office of the Clerk of this Court to said interrogatories with notice of the time of presentation of the same to the Court.

Dated August 6th, 1928.

F. E. KENNAMER,
United States District Judge.

ENDORSED: Filed August 6, 1928.

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

MARY SPICK HOUSTON, ET AL.,)
Plaintiffs,)
vs.) No. 401 - Equity.
LOUIS G. BEREOLIOS, ET AL.,)
Defendants.)

O R D E R

Now on this 6th day of August, 1928, this cause coming on for hearing on notice given by the defendants herein to determine questions of law as to whether or not proper parties were present in court and in the case to adjudicate all the issues in the case; plaintiffs were present by their attorneys Hunt and Eagleton, the defendants were present

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In the District Court of the United States in and for the

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TULSA, OKLAHOMA,

MONDAY, AUGUST 6, 1928.

by their attorney J. S. Watson, the court having been fully advised in the premises and having heard argument found that all of the necessary parties were present in court to determine the issues in the case and so ordered. To which order the plaintiffs asked and were allowed exceptions.

F. E. KENNAMER, Judge.

O.K: Hunt & Eagleton
Attys for Plaintiffs

O.K: Jas. S. Watson,
Atty for Defs.

ENDORSED: Filed August 6, 1928.

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

CONTACT FILTRATION COMPANY,
A CORPORATION, AND MAX B.
MILLER & COMPANY, INC., A
CORPORATION,

Plaintiffs,

vs.

PIERCE PETROLEUM CORPORATION,
A CORPORATION,

Defendant.

In Equity - No. 280.

ORDER EXTENDING TIME FOR
TAKING DEPOSITIONS.

On this 6th day of August, A. D. 1928, comes on to be heard the application of complainants, Contact Filtration Company, a corporation, and Max B. Miller & Company, Inc., a corporation, for a further extension of time for taking depositions in this cause, and it appearing to the Court that heretofore on the 28th day of April this Court granted leave to file an amendment to the plaintiffs' bill of complaint and allowed the defendant sixty days from that date within which to file its answer, and further ordered that the time for filing interrogatories under Equity Rule 58 and taking depositions pursuant to Rule 47 commence to run upon the filing of said answer by defendant; and that thereafter, on the 11th day of July, 1928, this Court made its further order enlarging the time for the preparation and filing of interrogatories to and until the 13th day of August, 1928; and it further appearing that on this day the complainants have, in compliance with said last named order, filed their interrogatories and copies thereof have been lodged with the clerk of this Court for service on the defendant; and it further appearing to the Court that the matter of taking depositions will be materially affected by the answers of the defendant to plaintiffs' interrogatories and that it is possible the disclosures made by said answers may obviate the necessity for taking depositions and that the complainants herein cannot know what depositions to take nor properly proceed with the taking of same until the defendant has actually filed its answers to said interrogatories; both plaintiffs and defendant herein appearing by their solicitors and counsel; and the Court being well and sufficiently advised in the premises,

IT IS BY THE COURT CONSIDERED, ADJUDGED AND ORDERED that the application for further extension of time for taking depositions be, and the same is, hereby granted; and that the time for the taking of depositions herein pursuant to Rule 47 be, and the same is, hereby further enlarged and extended so that the time for taking depositions herein, pursuant to Equity Rule 47, shall commence to run upon the serving and filing by the defendant of its answers to the interrogatories of the complainants.

DONE at Tulsa, Oklahoma, this 6th day of August, A. D. 1928.

O.K: R.A.Klienschmidt.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 6, 1928.

In the District Court of the United States in and for the

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EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, AUGUST 6, 1928.

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

J. T. O'REILLY,)
Plaintiff,)
vs.) No. 348 - Equity.
H AND H OIL CORPORATION, A)
CORPORATION, A. L. HAWSE AND)
RANDOLPH LAUGHLIN,)
Defendants.)

O R D E R

This matter coming on this 6th day of August, 1928, upon the application of the Receiver, R. H. Hoss for permission to pull and plug #4 Hoss, being located on the premises described in Plaintiff's Petition and it appears to the Court that the water is rapidly encroaching upon #3 Hoss well and seriously effecting said well as a commercial gas well and that unless the receiver without further notice is permitted to pull and plug #4 well that #3 well will be completely destroyed in a short time.

The Receiver is hereby directed to immediately proceed to pull the casing and plug said well and that the expense for said work be charged to the working interest and all those parties claiming by, through or under said working interests.

Dated this 6th day of August, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 6, 1928.

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

CITY OF TAWHUSKA, Plaintiff,)
vs.) No. 227-Equity
MIDLAND VALLEY RAILROAD COMPANY,)
A CORPORATION, Defendant.)

O R D E R

On this 6th day of August, 1928, comes on the above entitled cause for hearing on motion of plaintiff herein for an extension of time within which to file and prepare transcript on appeal to the Circuit Court of Appeals, for the Eighth Circuit, and the court being well and fully advised in the premises, it is

Ordered, that the time be and the same is extended to the 30th day of August, 1928, within which to prepare and file printed transcript on appeal herein, in the Circuit Court of Appeals, at St. Louis, Mo.

F. E. KENNAMER,
U. S. District Judge.

ENDORSED: Filed August 6, 1928.

Court adjourned until August 8, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, AUGUST 8, 1928.

Court convened pursuant to adjournment, Wednesday, August 8th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

ANNA BEAVER LETTERMAN, Plaintiff,
vs.
DON P. WILLS, ET AL., Defendants.
No. 103 - Equity.

On this 8th day of August, 1928, upon application of James A. Howell, attorney for plaintiff herein, it is ordered that he have until September 15th, 1928, in which to file his briefs herein.

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

JAS. W. GULLETT, RECR., Plaintiff,
vs.
AMERICAN GAS COMPANY, Defendant.
No. 351 - Equity.

O R D E R

Now on this 8th day of August, 1928, on motion of the defendant, the said American Gas Company, it is ordered that the defendant is granted twenty days' additional time within which to answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 8, 1928.

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

JAS. W. GULLETT, RECR., Plaintiff,
vs.
BAXTER SPRINGS GAS COMPANY, Defendant.
No. 354 - Equity.

O R D E R

Now on this 8th day of August, 1928, on motion of the defendant, the said Baxter Springs Gas Company, it is ordered that the defendant is granted twenty days' additional time within which to answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 8, 1928.

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, AUGUST 8, 1928.

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

JAS. W. GULLETT, RECR., Plaintiff,)
vs.) No. 360- Equity.
J. J. FITZSTEPHENS, Defendant.)

O R D E R

Now on this 8th day of August, 1928, on motion of the defendant, the said J. J. Fitzstephens, it is ordered that the defendant is granted twenty days' additional time within which to answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 8, 1928.

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

JAS. W. GULLETT, RECR., Plaintiff,)
vs.) No. 363 - Equity.
F. L. DUNN, ET AL., Defendants.)

O R D E R

Now on this 8th day of August, 1928, on motion of the defendants, the said F. L. Dunn, et al., it is ordered that the defendants are granted twenty days' additional time within which to answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 8, 1928.

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

JAS. W. GULLETT, RECR., Plaintiff,)
vs.) No. 373 - Equity.
RUTH FUEL COMPANY, A
CORPORATION, Defendant.)

O R D E R

Now on this 8th day of August, 1928, on motion of the defendant, the said Ruth Fuel Company, a corporation, it is ordered that the defendant is granted twenty days' additional time within which to answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 8, 1928.

Court adjourned until August 9, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, AUGUST 9, 1928.

Court convened pursuant to adjournment, Thursday, August 9th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

FANNIE S. CARR, HELEN R. BAILEY,
OLIVE R. REIS, C. H. BOSLER,
ALLMAN, FUNKHOUSER AND MURR, A
CO-PARTNERSHIP COMPOSED OF D. W.
ALLMAN, C. H. FUNKHOUSER AND
BYRON MURR,
Complainants,
vs.
TULSA STREET RAILWAY COMPANY,
A CORPORATION,
Defendant.

No. 91 - Equity-

O R D E R

Now, on this 9th day of August, 1928, this matter comes on on the application of C. Kline as Receiver of the defendant, Tulsa Street Railway Company, for leave to circulate an initiative petition to secure a bus franchise over and along certain streets and avenues in the City of Tulsa; the receiver being present in person and represented by Breckinridge & Bostick, and it appearing to the Court from the application and the statements of the receiver and counsel that it is necessary for the proper maintenance of the transportation service of the street car company, the defendant herein, that bus feeder lines be maintained and operated in conjunction therewith, and it further appearing from the application of the receiver and his statements in open court and those of counsel, that certain feeder bus routes hereinafter described are necessary for the proper and efficient conduct of a street car service in the City of Tulsa; and it further appearing to the Court that by the charter of the City of Tulsa it is necessary to have a franchise granted by a popular vote before becoming effective; and it further appearing that the best way of securing such a franchise is by the initiation of such franchise as provided under the charter of the City of Tulsa and constitution of Oklahoma.

It is, therefore, ORDERED, that C. Kline, receiver of the defendant corporation be and he is hereby directed to immediately prepare and circulate an initiative petition for a proposed bus franchise to be operated and maintained in conjunction with the defendant corporation's street car line over and along the hereinafter described streets and avenues in the City of Tulsa, and that when said initiative petition shall have been prepared and circulated, the receiver is directed to present the same to the Mayor and City Commissioners of the City of Tulsa and to request them to call an election thereon, and in the event that said franchise is granted by a vote of the people, the receiver herein is hereby directed to accept such franchise on behalf of himself as such receiver, and on behalf of the defendant street car company; the proposed franchise to be granted to the receiver and the defendant corporation.

The routes for the proposed franchises are described as follows:

Route No. 1: Beginning at King Street and Teoria Street, thence North on Teoria Street to the City limits, returning same route, to point of beginning.

Route No. 2: Beginning at 4th Place and Lewis Street, thence East on 4th Place to Harvard Avenue, thence south on Harvard Avenue to 5th Street, thence West on 5th Street to Lewis Street, thence North on Lewis Street to point of beginning.

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THURSDAY, AUGUST 9, 1928.

Route No. 3: Beginning at Easton Street and Rosedale Avenue, thence North on Rosedale Avenue to Easton Place, thence West on Easton Place to Xenophone Avenue, thence South on Xenophon Avenue to Brady Street, thence East on Brady Street to Union Avenue, thence North on Union Avenue to Easton Street, thence East on Easton Street to point of beginning.

Route No. 4: Beginning at Peoria Street and Pine Street, West on Pine Street to Greenwood Street, south on Greenwood Street to Archer Street, West on Archer Street to Cincinnati Street, South on Cincinnati Street to Third Street, West on Third Street to Main Street, North on Main Street to Archer Street East on Archer Street to Cincinnati Street, thence returning on Archer Street to Greenwood Street and Pine Street to point of beginning.

Route No. 5: Beginning at Cincinnati and Archer Streets, east on Archer Street to Madison Street, North on Madison Street to Independence Street, West on Independence Street to Lansing Street, North on Lansing Street to Pine Street, East on Pine Street to Madison Street, North on Madison Street to the end of the street paving as now constituted and as hereafter laid and extended to the City limits.

It is further Ordered that the receiver herein be and he is authorized to take such steps and to do all such things as might become necessary and proper to initiate and to secure the aforesaid franchise.

Done in open Court.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 9, 1928.

Court adjourned until August 10, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, AUGUST 10, 1928

Court convened pursuant to adjournment, Friday, August 10th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
 H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

REFRIGERATOR SALES CORPORATION, A CORPORATION,)	
)	
vs.	) Plaintiff,	No. 409 - Equity.
A. T. COFFIN, ET AL.,)	
	) Defendants.	

On this 10th day of August, 1928, comes on the above entitled cause for hearing on Injunction herein and at this time said cause is, by the Court, continued until some future date.

 IN THE DISTRICT COURT OF THE UNITED STATES
 NORTHERN DISTRICT OF OKLAHOMA,
 TULSA, OKLAHOMA.

J. F. AYERS, ADMINISTRATOR OF THE ESTATE OF J. WHITE JOHNSON, DECEASED, AND P. S. JOHNSON,)	
)	
vs.	) Plaintiffs,	No. 384 - Equity.
ROXANA PETROLEUM COMPANY, OF OKLAHOMA, AN OKLAHOMA CORPORATION, ET AL.,)	
	) Defendants.	

O R D E R

Now, on this 10th day of August, 1928, for good cause shown, it is ORDERED:

That the time within which defendant, Tidal Oil Company is required to answer in this cause be and the same hereby is extended for a period of twenty days from August 11th, 1928, and until the 31st day of August, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 10, 1928.

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

CINTACT FILTRATION COMPANY, A CORPORATION, AND MAX B. MILLER & COMPANY, INC., A CORPORATION,)	
)	
vs.	) Plaintiffs,	In Equity - No. 280.
PIERCE PETROLEUM CORPORATION, A CORPORATION,)	
	) Defendant.	

O R D E R

Now on this 10th day of August, 1928, comes on to be heard the application of the defendant, Pierce Petroleum Corporation, a corporation, for an enlargement of time to and until the 15th day of September, 1928, within which to prepare and file its answers to the interrogatories for

In the District Court of the United States in and for the

NORTHERN
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TULSA, OKLAHOMA, FRIDAY, AUGUST 10, 1928.

the discovery of material facts and documents filed herein by the plaintiffs on August 6th, 1928, or to file written objections to all or any of said interrogatories; both plaintiffs and defendant appearing herein by their solicitors and counsel, and the plaintiffs in open court consenting thereto;

IT IS THEREFORE BY THE COURT considered, adjudged and ordered that said application be, and the same is hereby granted, and that the time for filing answers to said interrogatories, or written objections to all or any of the same, as provided in the order of this Court made and entered on August 6, 1928, be, and the same is hereby enlarged to and until the 15th day of September, 1928, and the said defendant be, and it is hereby allowed until the said 15th day of September, 1928, to either answer said interrogatories or to file written objections to all or any of the same, in accordance with Equity Rule No. 58; and that the time for the taking of depositions herein pursuant to Rule 47 be, and the same is hereby further enlarged and extended accordingly, so that the time for taking depositions herein, pursuant to Equity Rule No. 47 shall commence to run upon the serving and filing by the defendant of its answers to the interrogatories of the complainants.

Done at Tulsa, Oklahoma, this 10th day of August, 1928.

F. E. KENNAMER, Judge.

OK: West

ENDORSED: Filed August 10, 1928.

Court adjourned until August 13, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, AUGUST 13, 1928.

Court convened pursuant to adjournment, Monday, August 13th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

J. T. O'REILLY, Plaintiff,)
vs.) No. 348 - Equity.
H AND H OIL CORPORATION,)
ET AL.,)
Defendants.)

O R D E R

NOW on this 13th day of August, 1928, this matter coming on upon the application of the receiver to purchase and install a second hand power on No. 1 Nero, being a part of the oil and gas leasehold estate over which he has been heretofore appointed receiver, and it appearing to the court from the application of the receiver that it is necessary that a power be installed immediately in order to preserve the oil well, as well as the title to the lease, and it further appearing to the court that the sum of \$600.00 is a very reasonable sum for the purchase and installation of a power sufficient to operate the said leasehold.

IT IS, THEREFORE, ORDERED That the receiver forthwith purchase the second hand power referred to in his application, and to immediately install same at No. 1 Nero, and pay for same out of any proceeds now on hand from the entire leasehold estate under receivership, and if necessary, any fund hereafter derived from the sale of the oil or gas from said leasehold estate.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 13, 1928.

Court adjourned until August 14, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, AUGUST 14, 1928.

Court convened pursuant to adjournment, Tuesday, August 14th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court.
H. P. Warfield, Esq., Clerk of U. S. District Court.

Thereupon the following proceedings were had and entered, to-wit:

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL,	)	{	Equity No. 369.
)	{	
vs.	)	{	Ancillary to Missouri
	)	{	Valley Bridge & Iron Company
L. N. OPPENHEIMER,	)	{	vs. J. H. Middleton et al.,
	)	{	Equity No. 284-E
)	{	
)	{	
)	{	

ORDER OF DISMISSAL

NOW on this 14th day of August, 1928, this cause came on to be heard upon the application of the Complainant herein for an Order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendant, L. N. Oppenheimer, an Individual, has paid to said complainant the full amount asked for in said Bill of Complaint, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

F. E. KENNAMER, Judge.

ENDORSED: Filed August 14, 1928.

Court adjourned until August 17, 1928.

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In the District Court of the United States in and for the

NORTHERN

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OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, AUGUST 17, 1928.

Court convened pursuant to adjournment, Friday, August 17th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES OF AMERICA, Plaintiff,)		No. 297 - Equity..
vs.)		
NATIONAL BANK OF COMMERCE OF PAWUSKA, AND H. H. BRENNER, Defendants.)		

ORDER OF DISMISSAL.

Now on this 17th day of August, 1928, it having been called to the Court's attention that the within cause has been fully and amicably adjusted and settled directly with the Honorable J. George Wright, Superintendent of the Osage Indian Agency at Pawhuska, at whose instance and request said cause was instituted, and that there is no occasion for further litigation in connection therewith, and that it is the recommendation of the said J. George Wright as such Superintendent that said cause be dismissed,

It is therefore, ordered, adjudged and decreed that said cause be and hereby is dismissed.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 17, 1928.

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

JOE GRAYSON, DAVE GRAYSON, AND KATIE YARDY,)		No. 408 - Equity..
vs.)		
THE PRAIRIE OIL & GAS COMPANY, A CORPORATION, THE PRAIRIE PIPE LINE COMPANY, A CORPORATION, AND INDIAN TERRITORY ILLUMINATING OIL COMPANY, A CORPORATION,)		

Defendants.)

O R D E R

The application of the defendants, The Prairie Oil & Gas Company and The Prairie Pipe Line Company, that their time to answer herein be extended twenty days from this date is hereby granted.

Dated this 17th day of August, 1928.

F. E. KENNAMER,
U. S. Judge.

ENDORSED: Filed August 17, 1928.

In the District Court of the United States in and for the

NORTHERN

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EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, AUGUST 17, 1928.

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

JOHN FALLEAF, ET AL., Plaintiffs,)
vs.) No. 248 - Equity
FRED FALLEAF, ET AL., Defendants.)

D E C R E E

Now on this 17th day of August, 1928, comes the plaintiff in person and by his attorney, Fred B. Woodward, and the Defendant, Fred Falleaf, in person and by his attorneys, Shipman & Lewis, and the said plaintiff John Falleaf and defendant Fred Falleaf make their written application to the Court, therein reciting that they have agreed upon a satisfactory settlement of all the matters involved in this litigation, and praying the Court to modify the decree entered herein on March 27, 1928, to conform to such settlement agreement, and it appearing to the Court that such settlement agreement be approved according to its terms.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, as follows:

That the settlement agreement made and entered into and filed herein whereby it is agreed that the plaintiff, John Falleaf, and the Defendant, Fred Falleaf, are each to have an undivided one-half interest in the property heretofore decreed to the plaintiff, John Falleaf, be and the same hereby is approved, and that the decree entered herein on March 27, 1928 be and the same hereby is amended and modified in this, to-wit: That the plaintiff John Falleaf, do have and recover of and from the defendant, Fred Falleaf, an undivided one-half interest in and to the following property, situate in Washington County, Oklahoma, to-wit:

The Southeast Quarter of the Southwest Quarter
of Section 2, Twonship 28 North, Range 13 East,

together with one-half of all royalty money accruing from said property now held by the Superintendent for the Five Civilized Tribes together with any bonds or securities now held by such Superintendent derived from or purchased with royalty moneys from said property.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 17, 1928.

Court adjourned until August 20, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, AUGUST 20, 1928.

Court convened pursuant to adjournment, Monday, August 20th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court.
H. P. Warfield, Esq., Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered, to-wit:

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

UNITED STATES, Plaintiff,)
vs.) No. 277 - Equity.
E. C. MULLENDORE, JR., Defendant.)

JOURNAL ENTRY SUSTAINING MOTIONS TO DISMISS

Now on this 20th day of August, 1928, there coming on to be heard a motion to dismiss plaintiff's Bill of Complaint, interposed by said defendant, E. C. Mullendore, Jr., and a certain other motion to dismiss plaintiff's Bill of Complaint, filed by the Board of County Commissioners of Osage County, State of Oklahoma, as intervenor, and said plaintiff, the United States, now appearing by and through its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of Oklahoma, and said defendant, E. C. Mullendore, Jr., and said intervenor, the Board of County Commissioners of Osage County, Oklahoma, appearing by and through their solicitor, J. H. Maxey, and the Court, after hearing argument of counsel, and being fully advised in the premises, finds that each of said motions should be sustained, and said Bill of Complaint dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED That each of said motions, aforesaid, be and hereby is sustained, and that said Bill of Complaint, aforesaid, be, and hereby is dismissed, to all of which said plaintiff, the United States objects and excepts, said exceptions being by the Court allowed; and said plaintiff thereupon being offered additional time in which to plead, declines to plead further, and elects to stand upon its Bill of Complaint as presented to the Court, and in the presence of opposing counsel, and in open court, said plaintiff gives notice of its intention to appeal from the within judgment.

F. E. KENNAMER, Judge.

ENDORSED: Filed August 20, 1928.

Court adjourned until August 21, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, AUGUST 21, 1928.

Court convened pursuant to adjournment, Tuesday, August 21st, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court.

Thereupon, the following proceedings were had and entered, to-wit:

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

JAMES W. GULLETT, RECEIVER FOR
SUBSCRIBERS AS ASSOCIATED EMPLOYERS
RECIPROCAL,

vs.

Complainant,

C. R. RICHEY,

Defendant.

Equity No. 371.

ORDER OF DISMISSAL

NOW on this 21st day of August, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendant, C. R. Richey, an individual, has paid to said Complainant the full amount asked for in said Bill of Complaint, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

F. E. KENNAMER,

Judge.

ENDORSED: Filed August 21, 1928.

Court adjourned until August 25, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, AUGUST 24, 1928.

Court convened pursuant to adjournment, Friday, August 24th, 1928.

Present: Hon. F. E. Kennamer, Judge U. S. District Court
H. P. Warfield, Esq., Clerk U. S. District Court

Thereupon the following proceedings were had and entered, to-wit:

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

UNITED STATES OF AMERICA, Plaintiff,
vs.
F. J. BICKENHOUSER, Defendant.
No. 413-Equity.

ORDER FOR TEMPORARY WRIT OF INJUNCTION

And now on this 23rd day of August, A. D. 1928, this matter comes on to be heard upon the bill of complaint heretofore filed in the office of the Clerk of this Court and upon the affidavits of S. B. Jinks, C. T. Warner, W. W. Thomason and Everett Warner duly filed in open court; and it appearing to the satisfaction of the court by inspection of the bill of complaint and said affidavits and otherwise, that a nuisance exists as described in the said bill of complaint on the premises therein mentioned, it is

ORDERED, that, pending the final hearing and determination of this application and entry of an order thereon, the defendant above named, his agents, servants and employees are restrained and enjoined from manufacturing, selling, and bartering any intoxicating liquor, as defined in section I, of Title II of the National Prohibition Act, upon the premises described in the bill of complaint, and from removing or in any way interfering with the liquor or fixtures or other things upon said premises, used, kept, or maintained in connection with the manufacturing, selling, keeping and bartering of such liquor, and from conducting or permitting the continuance of a common nuisance upon said premises.

F. E. KENNAMER,
United States District Judge.

ENDORSED: Filed August 24, 1928.

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

UNITED STATES OF AMERICA, Plaintiff,
vs.
F. J. BICKENHOUSER, Defendant.
No. 413-Equity.

TEMPORARY INJUNCTION

To defendant, herein, and to his agents, servants, assigns, trustees and employees and all others to whom these presents shall come, GREETING:

KNOW YE, that in the above entitled cause, a motion for the issuance of a temporary writ of injunction has been duly filed and the said motion upon due consideration has been by the Court granted and such injunction issued.

THEREFORE, you and each of you, whether individually or in combination among yourselves or with others, are hereby restrained, pending the hearing and determination of this cause, from manufacturing, selling or bartering any intoxicating liquor as defined in Section 1, of Title II, of the National Prohibition Act, upon the premises hereinafter described, and from removing or in any way interfering with the liquor or fixtures or other things upon said premises used, kept, or

In the District Court of the United States in and for the

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EQUITY SESSION,

FRIDAY, AUGUST 24, 1928.

maintained in connection with the manufacture, sale, keeping, and bartering of such liquor and from conducting or permitting the continuance of a common nuisance upon the said premises, which are described as follows:

six room story and half house, painted yellow and decorated with brown, located approximately $6\frac{1}{2}$ miles south on the Peoria road, situated on all of lot five (5) east, 64 and 79/100 feet; lot four (4) in block two (2), Keim Subdivision; lot six (6) in Section six (6), township eighteen (18) north, range thirteen (13) east, and known as Greenwich Inn, a night club.

F. E. LENNAMER,

Judge.

ENDORSED: Filed August 24, 1928.

Court adjourned until August 25, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, AUGUST 25, 1928.

Court convened pursuant to adjournment, Saturday, August 25th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court
H. P. Warfield, Esq., Clerk of U. S. District Court

Thereupon, the following proceedings were had and entered, to-wit:

BERNICE C. WARLICK, Plaintiff,)
vs.) No. 411-Equity.
PAUL SNYDER, Defendant.)

On this 25th day of August, 1928, comes on the above entitled cause for hearing upon application for temporary injunction herein. At this time, on agreement of counsel, it is ordered that said cause be passed to Monday, August 27th, 1928.

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 343-Equity.
MARSHALL L. MOTT, Defendant.)

JOURNAL ENTRY SUSTAINING MOTION TO DISMISS.

Now on this the 25th day of August, 1928, this cause coming on before the Court for hearing upon the motion of the defendant to dismiss the bill of complaint filed by the plaintiff upon the several grounds therein enumerated, among which are that the form of the bill violates paragraphs two and three of Rule 25 of the Rules of Equity; and that the bill does not contain allegations sufficient to constitute a cause of action in Equity in the United States against the defendant; and said motion having been heretofore, to-wit: on the 11th day of July, 1928, orally argued; the United States appearing by the United States District Attorney for the Northern District of Oklahoma, and by the Honorable Charles B. Selby, Special Assistant to the Attorney General, and the defendant appearing by Chas. B. Rogers, his attorney; said cause was then taken under advisement, and leave granted the parties to file briefs.

After due consideration of the matters presented in oral argument and the briefs so filed by the parties, the Court finds and concludes that the motion to dismiss should be sustained upon the grounds above enumerated and referred to.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED that the motion of the defendant to dismiss the bill of the United States be, and the same is hereby sustained, and said bill is hereby dismissed, to which ruling of the Court the plaintiff objects and excepts, such exceptions being by the Court allowed, and said plaintiff, upon request, is given twenty days in which to file an amended Bill of Complaint.

Endorsed; Filed Sept. 9, 1928; F. E. KENNAMER, Judge.

JOHN FALLEAF, Plaintiff,)
vs.) No. 246-Equity.
FRED FALLEAF, Defendant.)

On this 25th day of August, 1928, comes on for hearing motion to vacate order of court made and entered herein on August 17, 1928, and the Court being well and fully advised in the premises, it is ordered that said motion to vacate be overruled; and it is further ordered that Norman Barker be allowed the sum of \$1,800.00 as an attorney fee; and it is further ordered that Norman Barker pay to Sallie Falleaf the sum of \$600.00.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, AUGUST 27, 1928.

Court convened pursuant to adjournment, Monday, August 27th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. W. James, Esq., Chief Deputy Clerk, District Court.

Thereupon, the following proceedings were had and entered, to-wit:

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

JAMES W. GULLETT, RECEIVER FOR
SUBSCRIBERS AT ASSOCIATED EMPLOYERS
RECIPROCAL,)
Complainant,)
vs.) Equity-No. 377.
R. H. SIMPSON, ET AL.,)
Defendants.)

ORDER OF DISMISSAL.

NOW on this 27 day of August, 1928, this cause came on to be heard upon the application of the Complainant herein for an order dismissing the above styled cause of action, and it appearing to the satisfaction of the Court that the defendants, R. H. Simpson, et al., have paid to said Complainant the full amount asked for in said Bill of Complainant, and all of the accrued costs, the Court finds that said cause of action should be dismissed with prejudice.

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

F. E. KENNAMER, Judge.

ENDORSED: Filed Aug. 27, 1928, in Open Court.

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

UNITED STATES,)
Plaintiff,)
vs.) No. 412-Equity..
W. P. FALKENBERG,)
A. E. ANDERSON, and)
ROY RYAN, HEAD WAITER.)
Defendants.)

PERMANENT INJUNCTION

Now on this 27th day of August, 1928, this matter coming on to be heard upon an application of the above named defendants, W. P. Falkenberg, A. E. Anderson and Roy Ryan, asking that the temporary injunction hereinbefore issued be modified to permit them, the said defendants, to remove from the building and premises described in plaintiff's Bill of Complaint all furniture and fixtures therein contained.

Said matter having been duly called up for hearing, on due notice to the solicitor for said plaintiff, and pursuant to said notice of the within hearing said plaintiff now appearing by and through its solicitor, Louis N. Stivers, Assistant United States Attorney in and for the Northern District of Oklahoma, and said defendants and each of them, W. P. Falkenberg, A. E. Anderson and Roy Ryan, now appearing by and through their solicitor, Bailey D. Bell, and all parties announcing ready for the consideration of said motion to modify said injunction, said matter duly proceeds to hearing and disposition.

WHEREUPON, it is duly agreed by said defendants that said plaintiff is entitled to a permanent injunction, as prayed for in plaintiff's Bill of Complaint, and that in consideration of the release of all the furniture and fixtures contained on said premises, and in said building, it

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, AUGUST 27, 1928.

is further agreed that said permanent injunction may be forthwith issued without further hearing; and upon a consideration of the motion herein referred to, and agreements of counsel and parties litigant, the Court finds all the allegations contained in plaintiff's Bill of Complaint to be true, and all issues in favor of said plaintiff and against said defendants and each of them, W. P. Falkenberg, A. E. Anderson and Roy Ryan, and said temporary writ of injunctions, hereinbefore issued, subject to the modifications herein mentioned, is hereby made permanent.

The Court further finds that a common nuisance exists and is being maintained upon the following described property:

A one story building, 50 by 100 feet, painted green and white, enclosed in lattice work on the outside, located on the premises of the Tulsa Amusement Company, known as the Crystal City Amusement Park, on all of Section A, all of Block Seven (7); all of Section B, all of Block Four (4), all in Park Addition, Red Fork, Oklahoma, and same known as the Green Mill Lodge.

That said property, together with its appurtenances, fixtures and equipment, at the time of the filing of this Bill of Complaint, and for several weeks last past, is and was a place of public resort where people congregate for the purpose of having possession of, using and drinking intoxicating liquors and becoming intoxicated.

That the defendant, A. E. Anderson is the owner of said premises, same being leased to him by W. P. Falkenberg, President of Crystal City Amusement Park, for the consideration of 20% of the gross receipts taken in on table cover charges during mid-week nights, and 25% cover charge on Saturday nights.

That said premises are now being used and maintained as a place where intoxicating liquor, as defined in Section 1, Title 11 of the National Prohibition Act, is possessed, bartered and kept, in violation of said title, and said premises and all intoxicating liquor and property kept and used in maintaining the same are a public and common nuisance, as defined by Section 21, Title 11 of the National Prohibition Act, and that said nuisance is a continuing nuisance.

That the defendants, W. P. Falkenberg, A. E. Anderson and Roy Ryan, personally and through their agents and servants, maintain such common nuisance as above described, and that, unless restrained and enjoined by this Court, will, personally and through agents, servants and, continue in the future to maintain and use said premises as such a common nuisance,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants herein, W. P. Falkenberg, A. E. Anderson and Roy Ryan, and each of them, their servants, agents, subordinates and employees, and any person claiming by, through or under said defendants, or any one of them, are hereby restrained from possessing, selling, manufacturing or storing any liquor, as defined by the National Prohibition Act, upon the following land and premises, to-wit:

A one story building 50 by 100 feet, painted green and white, enclosed in lattice work on the outside, located on the premises of the Tulsa Amusement Company, known as the Crystal City Amusement Park, on all of Section A, all of Block Seven (7); all of Section B, all of Block Four (4), all in Park Addition, Red Fork, Oklahoma, and known as the Green Mill Lodge,

and that said real estate and premises, aforesaid, shall not be occupied or used for one year subsequent to the date hereof, unless by further order of this Court, and the United States Marshal in and for the Northern District of the State of Oklahoma, is hereby directed to forthwith close said premises, and keep the same closed for a period of one year, as hereinbefore specified, and that for the expense of so doing; there shall

In the District Court of the United States in and for the

NORTHERN

District of OKLAHOMA

EQUITY SMSSICE,

TULSA, OKLAHOMA,

MONDAY, AUGUST 27, 1928

be allowed a reasonable sum upon due application to the Court; and that upon the payment of all costs herein, including said Marshal's costs, aforesaid, said defendants are hereby authorized and directed, under the supervision of the United States Marshal, aforesaid, to remove from said premises, aforesaid, all fixtures, furniture and furnishings now contained therein, duly furnishing the said Marshal, aforesaid, their receipt therefor.

Witness my hand seal the day and date first above written.

F. E. KENNAUER,

United States District Judge.

ENDORSED: Filed Aug. 27, 1928.

BERNICE C. WARLICK,	Plaintiff,)	
vs.		)	No. 411-Equity.
PAUL SNYDER,	Defendant.)	

NOW on this 27th day of August, 1928, this cause came on to be heard upon the application of the Plaintiff herein for an order granting leave to amend Bill herein by interlineation, and it appearing to the satisfaction of the Court that said application should be granted, it is ordered by the Court that Plaintiff be granted leave to amend Bill herein by interlineation. At this time Plaintiff asks and is granted leave to file Motion for preliminary injunction and the Defendant is granted leave to file Response thereto.

The matter of hearing temporary injunction now comes on and plaintiff presents her evidence and rests; defendant moves the Court to deny application on plaintiff's testimony for reason plaintiff has not proven irreparable injury and defendant moves Court to exclude testimony of defendant Paul Snyder, which motion is by the Court sustained.

Defendant now renews Motion to deny application on plaintiff's testimony for reason plaintiff has not proven irreparable injury, and at this time same is taken under advisement and parties herein ordered to submit briefs and authorities and plaintiff is granted three (3) days to file brief and defendant five (5) days thereafter to file reply brief.

At this time plaintiff asks leave to withdraw prayer for treble damages and the Court after hearing same, grants leave to plaintiff to file an amended prayer and defendant is granted leave to amend response by denying insolvency.

At this time plaintiff is granted leave to examine defendant Paul Snyder herein.

Court adjourns until August 28, 1928.

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In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, AUGUST 28, 1928.

Court convened pursuant to adjournment, Tuesday, August 28th, 1928.

Present: Hon. F. E. Kennamer, Judge of U.S. District Court.
H. W. James, Esq., Chief Deputy of U.S. Dist. Court.

Thereupon, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF OKLAHOMA
SITTING IN TULSA, OKLAHOMA.

EXCHANGE TRUST COMPANY,
A CORPORATION,

Plaintiff.

vs.

UNITED STATES OF AMERICA,
L. F. ASKEW AND GRACE ASKEW,

Defendants.

No. 392 - In Equity.

JUDGMENT AND DECREE

On this 28th day of August, 1928, this cause comes on to be heard at a regular day of the Special March 1928 Term of this Court, before the Honorable Franklin E. Kennamer, Judge of said Court, and was argued by counsel; and thereupon upon consideration thereof, it is ordered, adjudged and decreed that the judgment lien of the plaintiff obtained in the District Court of Tulsa County, Oklahoma, on the 21st day of April, 1928, decreeing the foreclosure of the mortgage lien set out in plaintiff's Bill of Complaint, said judgment lien being for the sum of Two Thousand and Seventy-four and 25/100 (\$2,074.25) Dollars, with interest thereon at the rate of ten percent per annum from the 1st day of June, 1927, until paid, together with the further sum of Two Hundred (\$200.00) Dollars attorneys fees, be, and the same is a first and prior lien on the real estate and premises described in plaintiff's Bill of Complaint, as follows, to-wit:

Lots Forty-two (42) and Forty-three (43) in
Block Five (5) in Abdo's Addition to the City
of Tulsa, Tulsa County, Oklahoma, according to
the recorded plat thereof

and that said lien in favor of the plaintiff be and the same is prior and superior to the lien of the defendant, the United States of America, as hereinafter set out.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America has a valid and subsisting lien against said real estate and premises for the sum of Sixteen Hundred Seventy-three and 52/100 (\$1,673.52) Dollars, on the income tax lien as set out in the plaintiff's Bill of Complaint, but that said tax lien in favor of the United States of America, is junior, inferior and subservient to the mortgage lien in favor of plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the lien of the United States of America be not paid within five days from this date, an order issue out of the office of the Clerk of this Court, directed to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon, have appraised, advertise and sell said real estate and premises or so much thereof as may be necessary to satisfy said lien, and that the proceeds of said sale be disbursed in the following manner:

First: To the payment of the costs of this action;

Second: To the payment of the mortgage lien of the plaintiff, Exchange Trust Company, including its attorneys fees;

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA.

REGULAR SESSION, TULSA, OKLAHOMA, TUESDAY, AUGUST 28, 1928.

Third: To the payment of the income tax lien
in favor of the defendant, United States
of America;

Fourth: The residue, if any to be paid into the
Clerk of this Court to be disbursed by
him upon the order of this Court.

F. E. KENNAMER, Judge.

O.K: Louis N. Stivers,
Asst. U. S. Atty.

O.K: W. D. Calkins
Atty. for Plaintiff.

ENDORSED: Filed Aug. 28, 1928.

Court adjourned until August 29, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, AUGUST 29, 1928.

Court convened pursuant to adjournment, Wednesday, August 29th, 1928.

Present: Hon. F. E. Kennamer, Judge U. S. District Court
 H. W. James, Esq., Chief Deputy District Court

Whereupon, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES COURT FOR THE NORTHERN
 DISTRICT OF OKLAHOMA

A. G. BLAUNER, ET AL., Plaintiffs, }
 vs. } No. 415 - Equity
 HENRY J. AUGUSTINE, Defendant. }

ORDER CONTINUING HEARING

NOW on this 29th day of August, 1928, the above cause came on for hearing, pursuant to notice served upon the defendant, upon the application of plaintiffs for temporary restraining order and temporary injunction against the defendant, plaintiffs appearing by their counsel of record; and, for good cause shown, said hearing was and hereby is ordered continued to the 1st day of September, 1928, at 9 o'clock A. M.

F. E. KENNAMER, Judge.

ENDORSED: Filed Aug. 29, 1928.

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

UNITED STATES, Plaintiff, }
 vs. } No. 412-Equity.
 W. F. FALKENBERG, }
 A. B. ANDERSON, and }
 ROY RYAN, HEAD WATER, Defendants. }

O R D E R

Now on this the 29th day of August, 1928, comes the defendants and make application to the court for an order modifying the injunction order entered on the 27th day of August, 1928, so as to permit the defendants to reopen the one story building, 50 by 100 feet, painted green and white, enclosed in lattice work on the outside, located on the premises of the Tulsa Amusement Company, known as the Crystal City Amusement Park, on all of Section A, all of Block 7; all of Section B, all of Block 4, all in Park Addition, Red Fork, Oklahoma, and same known as the Green Hill Lodge, in Tulsa County, Oklahoma, and the court being fully advised in the premises,

IT IS ORDERED that the defendants may upon the execution of a good bond in the sum of \$1000.00, to be approved by the court, conditioned that the defendants will faithfully observe all the laws prohibiting the unlawful sale, manufacture, possession, bartering or furnishing of intoxicating liquors, said building and premises may be reopened by said defendants to be used in any legitimate or lawful business.

F. E. KENNAMER, Judge.

ENDORSED: Filed Aug. 29, 1928.

Court adjourned until September 1, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

SAURDAY, SEPTEMBER 1, 1928.

Court convened pursuant to adjournment, Saturday, September 1st., 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. W. James, Esq., Chief Deputy of U. S. Dist. Court.

Thereupon, the following proceedings were had and entered, as follows:

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

HUGHES TOOL COMPANY, Plaintiff,)
vs.) No. 275-Equity.
INTERNATIONAL SUPPLY COMPANY, Defendant.)

ORDER OF COURT EXTENDING TIME
FOR FILING RECORD ON APPEAL

It appearing to the court that the record on the appeal of the above styled and numbered cause is lengthy, and that counsel reside at great distance from each other and some of them at great distance from this court, and that other good and sufficient reason exists therefor, it is upon application of Hughes Tool Company, plaintiff in the above styled and numbered cause, and upon stipulation of the parties filed therein, ordered and decreed that the time within which plaintiff, appellant, may docket this case in the honorable United States Circuit Court of Appeals for the Eighth Circuit and file its record on this appeal may be and the same is hereby extended to and including January 26th, 1929.

F. E. KENNAMER,

United States District Judge.

Dated at Tulsa, Oklahoma.
Sept. 1, 1928.

ENDORSED: Filed Sept. 1, 1928.

Court adjourned until September 4, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, SEPTEMBER 4, 1928.

Court convened pursuant to adjournment, Tuesday, September 4, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. District Court.
H. W. James, Esq., Chief Deputy of U. S. Dist. Court.

CLARA SHOWALTER, Plaintiff,)
vs.) No. 268-Equity.
GEORGIA VALLIERE)
HAMPTON, ET AL., Defendants.)

On this 4th day of September, 1928, on motion of defendants herein, it is by the Court ordered that this cause be set for hearing on September 10, 1928.

WALTER LEE MOZIER AND)
E. L. GAY, AS GUARDIAN OF)
WALTER LEE MOZIER,) Plaintiffs,)
vs.) No. 300-Equity..
JOHN KENNEDY AND)
ED T. KENNEDY,) Defendants.)

On this 4th day of September, 1928, it is ordered by the Court that motion, coming on for hearing this date, be stricken from the assignment and continued for hearing on a date to be agreed on by counsel.

Court adjourned until September 5, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, SEPTEMBER 6, 1928.

Court convened pursuant to adjournment, Thursday, September 6th, 1928.

Present: Hon. F. E. KENNAMER, Judge of U. S. Dist. Court. H. W. James, Esq., Chief Deputy Clerk U. S. Dist. Court.

Thereupon the following proceedings were had and entered, to-wit:

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

CLARA SHOWALTER, Plaintiff.)
VS.) No. 268-Equity.
GEORGIA VALLIERE HAMPTON,)
J. J. SMITH, WAYNE ANDERSON,)
AND E. E. SIMPSON,)
Defendants.)

JOURNAL ENTRY

Now on this 6th day of September, 1928, the motion to dismiss the bill in equity having been taken under advisement by the Court upon January 3, 1928, coming on for judgment on this date, having been passed by said court until this date, and the court being fully advised in the premises;

It is, therefore, ordered, adjudged and decreed by the court that said motion to dismiss be and the same is hereby sustained; to which ruling of the court the plaintiff excepts; exception allowed.

It is, therefore, ordered, adjudged and decreed by the court that the bill in equity herein be and the same is hereby dismissed at the plaintiff's costs.

Witness my hand as Judge of the United States Court the day and year above written.

F. E. KENNAMER, United States District Judge.

ENDORSED: Filed Sept. 6, 1928.

ORDER TO SPREAD MANDATE OF RECORD - No. 210-In Equity. .

On this 6th day of September, 1928, it is by the Court ordered that the Clerk of this court, file and spread Mandate of Record in the above entitled cause, same being in words and figures as follows:

MANDATE - No. 210-In Equity.

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between L. R. Kershaw, Receiver for the Muskogee-Security National Bank, a Corporation, and Betta B. Dirickson, Defendant, No. 210, In Equity, wherein the decree of the said District Court in said cause, entered on the 19th day of September, A. D. 1927, was in favor of the plaintiff and against the defendant, as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

THURSDAY, SEPTEMBER 6, 1928.

AND WHEREAS, at the May term, in the year of our Lord one thousand nine hundred and twenty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the stipulation of parties for an order dismissing the appeal herein.

On Consideration Whereof, and in pursuance of said stipulation, it is now here ordered, adjudged and decreed, by this Court, that the appeal in this cause, be, and the same is hereby, dismissed with prejudice, without costs to either party in this Court.

And it is further ordered that the mandate of this Court in this cause issue forthwith to the said District Court. -----

----- August 28, 1928. -----

You, therefore, are hereby commanded that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the Fifth day of September, in the year of our Lord one thousand nine hundred and twenty-eight.

E. E. KOCH,
Clerk of the United States Circuit
Court of Appeals, Eighth Circuit.

ENDORSED: Filed Sept. 6, 1928.

ORDER TO SPREAD MANDATE OF RECORD - No. 114-In Equity.-

On this 6th day of September, 1928, it is by the Court ordered that the Clerk of this court, file and spread Mandate of Record in the above entitled cause, same being in words and figures as follows:

MANDATE - No. 114-Equity.

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT
COURT OF THE UNITED STATES FOR THE
NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between William J. Creekmore, Plaintiff and Ann Overton, T. G. Chambers, Jr., Harry Campbell and H. M. Price, Defendants, No. 114, In Equity, wherein the decree of the said District Court in said cause, entered on the 18th day of June, A. D. 1927, was in the following words, viz:

"This cause came on to be heard at this term and was argued by counsel and thereupon, upon consideration thereof, it was ordered, adjudged and decreed as follows, viz., the bill of the complainant is hereby dismissed for want of equity.

It is further ordered, adjudged and decreed that all the right, title and interest of every kind and character, both legal and equitable, had by the said defendant, Ellen Overton, as beneficiary, under the last will and testament of C. H. Overton, deceased, and to the property of the estate of C. H. Overton, deceased, is hereby vested in and owned by the defendants, Ann Overton and T. G. Chambers, Jr., free and clear of any and all claims of whatsoever nature of the said complainant, William J. Creekmore, and it is hereby ordered that the said purported assignment of such interest made by the said Ellen Overton and now held by the complainant, William J. Creekmore, be surrendered up, cancelled and held for naught and void as against the said Ann Overton and Ben C. Arnold, receiver, and as against the title of the said defendants, Ann Overton and T. G. Chambers, Jr., and the said receivership sale of said interest, as aforesaid, to the defendants, Ann Overton and T. G. Chambers, Jr., is hereby adjudged valid and the defendants,

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

THURSDAY, SEPTEMBER 6, 1928.

Henry M. Price and Harry Campbell, executors of the estate of C. H. Overton, deceased, are hereby adjudged to hold the said interest of Ellen Overton, as beneficiary, under the will of C. H. Overton, deceased, in trust for the said defendants, Ann Overton and T. G. Chambers, Jr.

It is further ordered, adjudged and decreed that costs of this action be assessed against the complainant, William J. Creekmore, to all of which the complainant, William J. Creekmore, excepts and said exceptions are allowed.

F. E. KENNAMER, Judge.

O. K. as to form
C. A. Coakley,
Atty. for Complainant.

Filed June 18, 1927, H. P. Warfield, Clerk."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May term, in the year of our Lord one thousand Nine hundred and twenty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby affirmed with costs; and that Ann Overton, T. G. Chambers, Jr., Harry Campbell and H. M. Price have and recover against William J. Creekmore the sum of Twenty Dollars for their costs herein and have execution therefor. -----

----- June 21, 1928. -----

You, therefore, are hereby commanded that such execution and proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the Fifth day of September, in the year of our Lord one thousand nine hundred and twenty-eight.

COSTS OF APPELLEES:

Clerk,	Paid by Appellant
Printing Record,	Printed Below
Attorney,	\$20.00
	<u> </u>
	\$20.00

E. E. KOCH,

Clerk of the United States
Circuit Court of Appeals,
Eighth Circuit.

ENDORSED: Filed September 6, 1928.

Court adjourned until September 7, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, SEPTEMBER 7, 1928.

Court convened pursuant to adjournment, Friday, September 7th, 1928.

Present: F. E. KENNAMER, Judge of U. S. District Court. H. W. James, Esq., Chief Deputy Clerk U.S. Dist. Court.

Thereupon, the following proceedings were had and entered, to-wit:

PRAECIPE FOR ORDER PRO CONFESSO

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

THE SEABOARD NAT'L BANK OF THE CITY OF NEW YORK TRUSTEE, Plaintiff, vs. THE TULSA STREET RAILWAY CO., A CORP. ET AL., Defendants. Equity No. 388.

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against The Dayton Savings & Trust Co., a corporation, for failure to plead or answer.

Dated this 7th day of September, 1928.

(SEAL) H. P. WARFIELD, Clerk By L. W. Jones, Deputy.

PRAECIPE

To the Clerk of said Court:

Enter the above in the Order Book in Equity of said Court.

Breckinridge & Bostick Solicitors for Complainant.

ENDORSED: Filed September 7, 1928.

ORDER TO SPREAD MANDATE OF RECORD

JANE JEFFERSON, AN INCOMPETENT, ETC., Plaintiff, vs. GYPSY OIL COMPANY, ET AL., Defendants. No. 29-Equity.

On this 7th day of September, 1928, it is by the Court ordered that the Clerk of this court, file and spread Mandate of Record in the above entitled cause, same being in words and figures as follows:

MANDATE

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL) TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Jane Jefferson, an incompetent, by her Guardians, R. C. Vincent and A. J. Wallace, Plaintiff, and The Gypsy Oil Company, Noble Oil & Gas

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, SEPTEMBER 7, 1928.

Company, John H. King, Ida H. King, H. H. Bell, Ermine H. Bell, and H. G. Barnard, Defendants, No. 29, In Equity, wherein the decree of the said District Court in said cause, entered on the 8th day of March, A. D. 1927, was in the following words, viz:

"Now on this the 8th day of March, 1927, this cause came on for hearing upon the motion of the defendants to dismiss the bill herein and the court, after hearing the argument of counsel, takes the same under advisement.

Now on this the 8th day of March, 1927, the court being well and sufficiently advised in the premises, finds that the bill herein should be dismissed for the reason that the plaintiff is not in possession of the lands involved and for the further reason that the restrictions thereon had been removed at the time of the conveyances upon which the title of defendants is based.

It is therefore by the court, ordered, considered, and adjudged that the bill herein be and the same is hereby dismissed for the reasons heretofore stated, to which action and judgment of the court the plaintiff excepts.

F. E. KENNAMER, District Judge. "

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May term, in the year of our Lord one thousand nine hundred and twenty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, reversed with costs; and that Jane Jefferson, an incompetent, by her guardians, R. C. Vincent and A. L. Wallace, have and recover against The Gypsy Oil Company, Noble Oil and Gas Company, John H. King, Ida H. King, H. H. Bell, Ermine H. Bell and H. C. Barnard the sum of Fifty and 95/100 Dollars for her costs in this behalf expended, and have execution therefor.

And it is further ordered by this Court that this cause, be, and the same is hereby, remanded to the said District Court with directions that the defendants (appellees) be required to answer the complaint.---

----- June 8, 1928 -----

You, therefore, are hereby commanded that such execution and further proceedings be had in said cause, in conformity with the opinion and decree of this Court, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the Fifth day of September, in the year of our Lord one thousand nine hundred and twenty-eight.

COSTS OF APPELLANT:

Clerk, - - - - \$30.95
Printing Record, Printed below.
Attorney - - - - \$20.00
\$50.95

E. E. KOCH

Clerk of the United States
Circuit Court of Appeals,
Eighth Circuit.

ENDORSED: Filed September 7, 1928.

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, SEPTEMBER 7, 1928.

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

JANE JEFFERSON, INCOMPETENT, BY HER
GUARDIANS, R. C. VINCENT AND A. L.
WALLACE,

Plaintiffs,

vs.

No. 29-Equity..

GYPSY OIL COMPANY, THE CHARLES F.
NORLE OIL & GAS COMPANY, JOHN H.
KING, IDA H. KING, H. H. BELL AND
ERMINE H. BELL, AND H. G. BARNARD,

Defendants.)

D E C R E E

NOW on this the 7th day of September, 1928, it appearing that the mandate of the Circuit Court of Appeals in the above case has come down and is now on file in the Clerk's office reversing said cause and ordering that time be allowed defendants to answer, and that judgment be rendered against the defendants for Fifty and 95/100 Dollars (\$50.95) as costs and execution therefor ordered to be issued;

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that the decree heretofore entered dismissing said cause be and the same hereby is set aside and the defendants be allowed to answer and file answer within forty (40) days from this date;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said mandate be and the same hereby is spread of record, but the defendants having paid the costs adjudged against them by the said Circuit Court of Appeals of the Eighth Circuit, it is ordered that no execution be issued.

F. E. KENAMER,

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

ENDORSED: Filed September 7, 1928.

ORDER TO SPREAD MANDATE OF RECORD

UNITED STATES OF AMERICA, Plaintiff,)

vs.)

No. 179-Equity..

S. W. BROWN, JR., ET AL., Defendants.)

On this 7th day of September, 1928, it is by the Court ordered that the Clerk of this court, file and spread Mandate of Record in the above entitled cause, same being in words and figures as follows:

MANDATE

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT
COURT OF THE UNITED STATES FOR THE
NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between the United States, Plaintiff, and S. W. Brown, Jr, and D. Replogle, Defendants, No. 179, In Equity, wherein the decree of the said District Court in said cause, entered on the 7th day of June, A. D. 1927, was in the following words, viz:

"Now on this 7th day of June, 1927, this matter coming on to be heard upon motion of the plaintiff for judgment on

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, SEPTEMBER 7, 1928.

the pleadings, and said plaintiff now appearing by its solicitor, Louis N. Stivers, Assistant United States Attorney, and said defendants appearing by their solicitor, A. M. Beets, and both sides having answered ready to present argument in behalf of their respective contentions, and the court, after hearing such argument of counsel, and being fully advised in the premises, finds:

That upon said pleadings all issues are in favor of said plaintiff, and that the allegations contained in plaintiff's bill of complaint and its reply are true and correct, and that the allegations in the answer of defendants constitute no defense to said bill of complaint, to which findings and holdings of the court the defendants, and each of them object and except, and such exceptions are by the court allowed.

The court further finds that the trust deed from Wosey Deere, nee John, to said defendants, S. W. Brown, Jr., and D. Replogle, recorded in Book 323, at page 460 of the records of the County Clerk of Creek County, Oklahoma, covering the following described land, to-wit:

The southwest quarter (SW4) of Section nine (9), township eighteen (18) north, range seven (7) east, situate in Creek County, Oklahoma,

is null and void and of no force and effect, and is a cloud upon the title of said plaintiff herein, in and to all of the property therein described or mentioned, and should be cancelled of record.

It is Therefore Ordered, Adjudged and Decreed that said trust deed aforesaid, be, and hereby is cancelled, set aside and held for naught, and that the defendants aforesaid have no interest therein of whatsoever character, and are hereby permanently and perpetually enjoined from claiming or asserting any right, title or interest therein, of whatsoever nature, and that the title to the lands and property described in said trust deed aforesaid, is hereby declared to be in the said Wosey Deere, nee John, a full-blood Creek Indian, duly enrolled opposite No. 9546, subject only to the restrictions and limitations placed thereon by an Act of Congress of May 27, 1908, to all of which said defendants and each of them further object and except, such said exceptions being by the court allowed.

F. E. KENNAMER, Judge."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Eighth Circuit, by virtue of an appeal, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the May term, in the year of our Lord one thousand Nine hundred and twenty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of record from the said District Court, and was argued by counsel.

On Consideration Whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said District Court, in this cause be, and the same is hereby, affirmed without costs to either party in this Court. -----

----- June 13, 1928. -----

You, therefore, are hereby commanded that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the Fifth day of September, in the year of our Lord one thousand nine hundred and twenty-eight.

E. E. KOCH, Clerk of the United States Circuit Court of Appeals, Eighth Circuit.

ENDORSED: Filed Sept. 7, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, SEPTEMBER 10, 1928.

Court convened pursuant to adjournment, Monday, September 10th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court
H. W. James, Esq., Chief Deputy of U. S. Dist. Court.

Thereupon, the following proceedings were had and entered,
to-wit:

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

Flora Whitehead, Robert Allen Whitebird,
a minor, who sues by Flora Whitebird,
his mother and next friend; Helen Irene
Whitebird, a minor, who sues by Flora
Whitebird, her grandmother and next
friend, Antoine Greenback, Alphonso
Greenback, Amy Greenback Panther, Lula
May Greenback Stand, Mollie Greenback
King, John Greenback, a minor, who sues
by Alphonso Greenback, his brother and
next friend; Woodrow Wilson Greenback,
a minor, who sues by Alphonso Greenback,
his next friend, all by C. B. Ames, their
next friend,

Complainants,

vs

In Equity - No. 178

The Eagle-Fisher Lead Company, Hunt
Mining Company, Commonwealth Mining
Company, George W. Beek, Jr., Keltner
Mining Company, Whitebird Mining Com-
pany, The Childress Lead & Zinc Company,
M. R. Lively, Trustee, Underwriters Land
Company; Consolidated Lead & Zinc Com-
pany, Black-Eagle Mining Company, Frank
Childress, Trustee; Lihme Zinc Company,
Cortez-Mining Company; Cortez-King Brand
Mining Company, Frank Childress, F. W.
Evans, and the Lucky Kid Mining Company,

Defendants.

F I N A L D E C R E E

This cause came on to be further heard at this term, and having heretofore been tried upon its merits, argued by the respective solicitors for complainants and defendants, and having been taken under advisement until this, the 10th day of September, 1928, and the court being fully advised in the premises is of the opinion that judgment should be rendered for the defendants in accordance with the opinion of the court filed herein on this date, and that the complainants are not entitled to the relief prayed for.

WHEREFORE IT IS ORDERED, ADJUDGED AND DECREED that said complainants take nothing herein and that said bill of complaint as amended be and the same hereby is dismissed at the cost of the complainants, to which judgment of the court the complainants except and said exceptions are by the court allowed.

F. E. KENNAMER,

United States District Judge,

ENDORSED: Filed Sept. 10, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, SEPTEMBER 10, 1928.

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

Board of County Commissioners
of Rogers County, Oklahoma,

Complainant,

vs.

Bristow Battery Company, Drumright
Hotel Company, Sapulpa Motor Company,
Oklahoma Natural Gas Corporation of
Maryland, City of Drumright, State
of Oklahoma, a municipal corporation,
E. C. Morris, Mayor of the City of
Drumright; A. E. Ayers, Charley Winans,
T. M. Skouby, I. W. Rush, P. T. Kidd,
Norris Bigelow, W. A. Howlett and Aaron
Turnbow, councilmen of the City of
Drumright, State of Oklahoma; Erma
Morris, County Clerk of Creek County,
Oklahoma; W. F. Pardoe, County Attorney
of Creek County, Oklahoma; Ralph H.
Blake, County Treasurer of Creek County,
Oklahoma; Sebe Christian, County Judge
of Creek County, Oklahoma; Fred L.
Patrick, County Assessor and Carlton
Foster Chairman of the Board of County
Commissioners of Creek County, Oklahoma,
Oliver H. Akin, County Superintendent
of schools, constituting the Excise Board
of Creek County, Oklahoma.

No. 262-Equity.

Respondents.

DE C R E E

This cause came on to be heard pursuant to regular assignment on June, 21st., 1928, at the United States Court Room in the City of Tulsa in said Northern District of Oklahoma, the complainant appearing by its attorneys and solicitors, Lydick, McPherrren & Jordan and N. B. Johnson and the respondents appearing by their attorneys, Brown & Stater, W.F. Pardoe and S. A. Denyer and all parties announcing ready for trial, said cause proceeded to trial.

Thereupon the complainant introduced its evidence in support of the allegations contained in its Bill of Complaint and rested. Thereafter the respondents introduced evidence in support of the allegations contained in their response and rested and said cause was orally argued by counsel and was continued for advisement until this present time.

Now on this 10th day of September, 1928, the court being fully advised in the premises and upon consideration of said cause, finds that the complainant herein is entitled to the relief as prayed in its Bill of Complaint. The Court finds that it has jurisdiction over this cause in equity and that the assumption of the same is not in violation of the Constitution of the United States and that the complainant is authorized to institute and maintain this action.

The court further finds that the complainant herein is entitled to a prohibitory injunction against the respondents, Bristow Battery Company, Drumright Hotel Company, Sapulpa Motor Company and Oklahoma Natural Gas Corporation of Maryland and each of them, from asserting or in any manner enforcing or attempting to enforce the judgment and decree of the District and Supreme Courts of the State of Oklahoma, rendered in said cause styled Bristow Battery Company, et al v. Payne, et al and the court further finds that the complainant is entitled to a mandatory injunction to enjoin and restrain the respondents, City of Drumright, State of Oklahoma, a municipal corporation, E. C. Morris, Mayor of the City of Drumright; A. E. Ayres, Charley Winans, T. M. Skouby, I. W. Rush, P. T. Kidd, Norris Bigelow, W. A. Howlett and Aaron Turnbow, councilmen of the City of Drumright, State of Oklahoma; Erma Morris, County Clerk of Creek County, Oklahoma; W. F. Pardoe, County Attorney of Creek County, Oklahoma; Ralph H. Blake, County Treasurer of Creek County, Oklahoma; Sebe Christian, County Judge of Creek County, Oklahoma; Fred L. Patrick, County Assessor and Carlton Foster, Chairman of the Board of County Com-

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In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

MONDAY, SEPTEMBER 10, 1928.

missioners of Creek County, Oklahoma, Oliver H. Akin, County Superintendent of schools, constituting the Excise Board of Creek County, Oklahoma, from refusing to perform in full their legal duties in the matter of making itemized statement of the estimated needs for the amount required to provide a sinking fund to retire the bonds and interest coupons herein involved and making an appropriation for such sinking fund purpose so that said bonds and interest coupons may be retired and paid as they become due and payable and from in any manner failing and refusing to take such actions and institute such proceedings as the law may provide for the compelling of the payments of said levies so made.

It is now considered, ordered and decreed as follows:

1st. That the allegations contained in the Bill of Complaint herein are true and correct and that the complainant is entitled to and is hereby granted the relief sought.

2nd. That the respondents, Bristow Battery Company, Drumright Hotel Company, Sapulpa Motor Company and Oklahoma Natural Gas Corporation of Maryland, and each of them, are hereby enjoined from asserting, or in any manner enforcing, or attempting to enforce the judgment and decree of the District Court of Creek County rendered in cause styled Bristow Battery Company et al v. James E. Payne, County Treasurer, et al and the judgment and decree of the Supreme Court of the State of Oklahoma rendered in said cause on appeal to said court, styled Bristow Battery Company et al v. Payne et al., number 17,035, and reported in 123 Okla. at page 137.

3rd. That the respondents, City of Drumright, State of Oklahoma, a municipal corporation, E. C. Morris, Mayor of the City of Drumright; A. E. Ayres, Charley Winans, T. M. Skouby, I. W. Rush, P. T. Kidd, Morris Bigelow, W. A. Howlett and Aaron Turnbow, councilmen of the City of Drumright State of Oklahoma; Erma Morris, County Clerk of Creek County, Oklahoma; W. F. Pardoe, County Attorney of Creek County, Oklahoma; Ralph H. Blake, County Treasurer of Creek County, Oklahoma; Sebe Christian, County Judge of Creek County, Oklahoma; Fred L. Patrick, County Assessor and Carlton Foster, Chairman of the Board of County Commissioners of Creek County, Oklahoma, Oliver H. Akin, County Superintendent of schools, constituting the Excise Board of Creek County, Oklahoma, and each of them and their successors in office are hereby perpetually enjoined and restrained from failing or refusing to perform in full their legal duties in the matter of making yearly itemized statement of the estimated needs of the amounts required to provide a sinking fund to retire bonds numbered 22 to 71 inclusive of the City of Drumright Funding Bonds of 1922 owned by the complainant herein and the interest coupons thereto attached and they are hereby commanded so to do and are further perpetually enjoined and restrained from refusing to perform in full their legal duties in the matter of making yearly appropriation for such sinking fund purpose so that said bonds and the interest coupons thereto attached may be retired at their maturity and they are hereby commanded so to do and are further perpetually enjoined and restrained from in any manner, at any time, failing or refusing to take such action or actions and instituting such proceeding or proceedings as the law provides for the purpose of compelling the payment of said levies so to be made and they are hereby commanded to take such actions and proceedings as may be necessary, for the purpose of securing funds to create a sinking fund to retire the complainant's bonds and interest coupons, as above mentioned.

It is further ordered, adjudged and decreed that the complainant have and recover of and from the respondents and each of them, its costs herein expended, to all of which the Defendants except, and exceptions allowed.

Dated at Tulsa, Oklahoma, this 10th day of September, 1928.

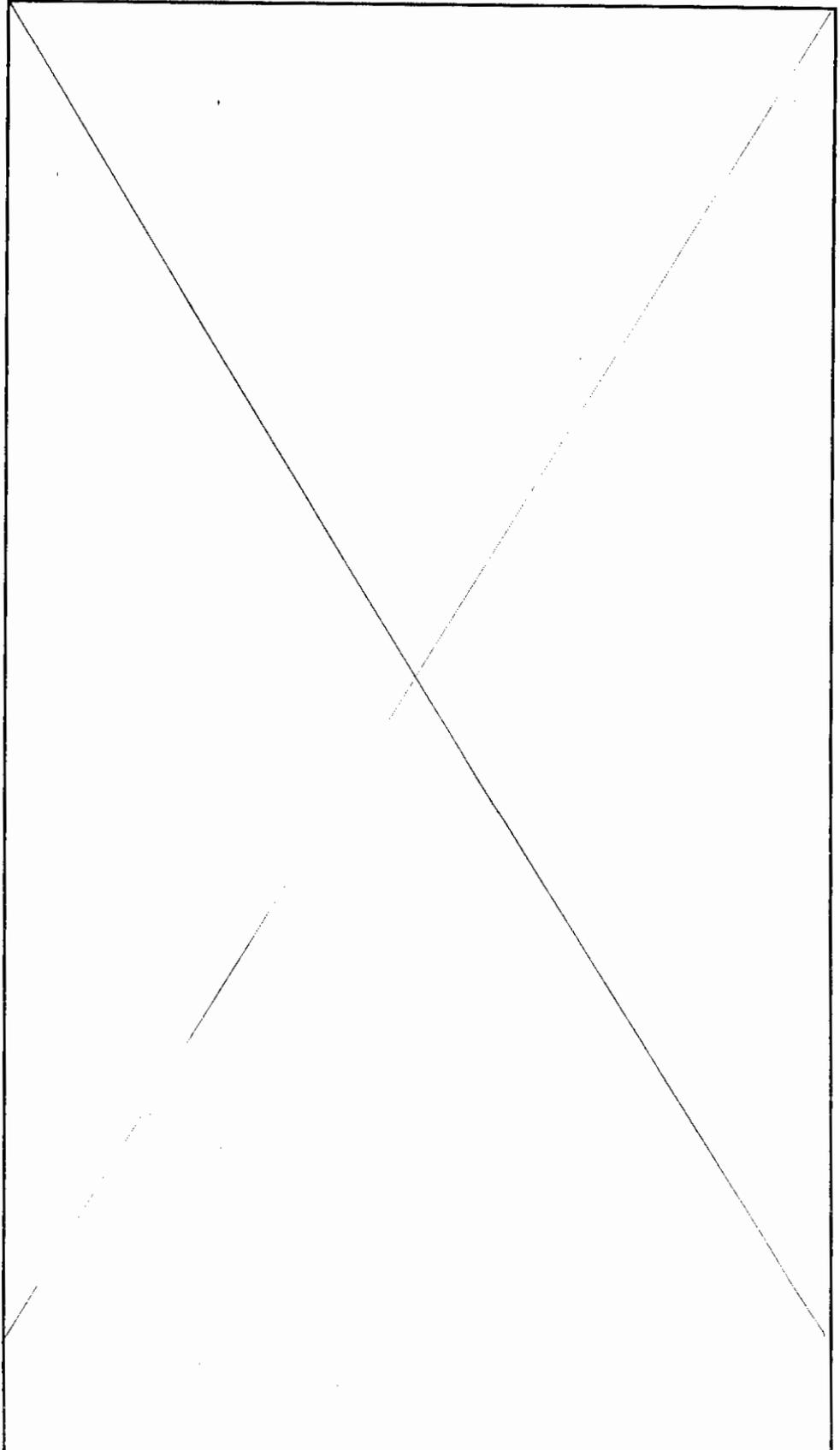
F. E. KENNAMER

Judge of the United States
District Court.

ENDORSED: Filed Sept. 10, 1928.

Court adjourned until September 11, 1928.

In the District Court of the United States in and for the
District of



In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

REGULAR SESSION,

FULSA, OKLAHOMA,

TUESDAY, SEPTEMBER 11, 1928.

Court convened pursuant to adjournment, Tuesday, September 11th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court.
H. W. James, Esq., Chief Deputy U. S. Dist. Court.

Thereupon, the following proceedings were had and entered, to-wit:

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

JOE GRAYSON, DAVE GRAYSON AND KATIE YARDY,	} Plaintiffs,	} No. 408-Equity.
vs.		
THE PRAIRIE OIL AND GAS COMPANY, ET AL.,	} Defendants.	}

ORDER OF THE COURT

Now on this the 11th day of September, 1928, upon application of defendant Indian Territory Illuminating Oil Company, it is ordered by the Court, that said defendant be and it is granted an extension of time of 20 days from this date in which to answer plaintiff's petition herein.

F. E. KENNAMER, Judge.

ENDORSED: Filed Sept. 11, 1928.

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

J. F. Ayers, Administrator of the Estate of J. White Johnson, deceased, and P. S. Johnson,	} Plaintiffs,	} No. 384-Equity.
vs.		
ROXANA PETROLEUM COMPANY OF OKLAHOMA, A CORPORATION, ET AL.,	} Defendants.	}

ORDER

Now, on this 11th day of September, 1928, it appearing to the court that through inadvertance an order was entered on the 12th of July, 1928, overruling all motions, whereas, it was intended that the motions of T. J. Wood and M. B. Flesher to quash the service of summons against them be sustained.

Now, Therefore, it is ordered and adjudged that said order of July 12, 1928, be vacated insofar as it affects the motions of the defendants, T. J. Wood and M. B. Flesher, and said motions are hereby sustained.

F. E. KENNAMER, Judge.

O.K: N. E. McNeill
Attorney for Plaintiffs

O.K: B. C. Conner
Attorney for Defendants,
T. J. Wood and M. B. Flesher.

ENDORSED: Filed Sept. 11, 1928.

In the District Court of the United States in and for the 316

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, SEPTEMBER 11, 1928

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

JOE H. TIGER, Plaintiff,)
vs.) In Equity-No. 164.
WM. M. FEWELL, JOHN R.)
SKINNER, ET AL., Defendants.)

O R D E R

On this 11th day of September, 1928, there came on for hearing the motion of the defendant, John R. Skinner, to dismiss the action of plaintiff and the movant, appearing by his attorneys, McGuire, Marshall & Bodovitz, and there being no appearance for the plaintiff or any of the other defendants, and no objections made to the said motion, and it further appearing that this said cause has been tried upon its merits in the above named court and the bill of the complainant dismissed.

IT IS THEREFORE BY THE COURT ORDERED that the motion of the defendant, John R. Skinner, to dismiss the bill of the complainant be and the same is hereby sustained and said Bill of Complaint is dismissed.

F. E. KENHAMER,
United States District Judge.

ENDORSED: Filed Sept. 11, 1928.

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

CHARLES D. McINTOSH, Complainant,)
vs.) No. 316-Equity.
ANDY PANOSKE, SUSAN YARHOLA,)
LINA SCREETCHOWL, W. H. WOODS,)
AND SAM T. PALMER, Respondents.)

ORDER MAKING ADDITIONAL PARTIES
DEFENDANTS.

This matter coming on for hearing upon the motion of the defendants and cross-petitioners to make additional parties defendants, it is ordered that Martin L. Clover, Wallace Cook, Wilbur C. McIntosh, T. E. Stanley, Lemon G. Neeley, Lemon G. Neeley Company, a foreign corporation, and the Iron Mountain Oil Company, a foreign corporation, be, and they are hereby made additional parties defendant in said cause, and subpoenas to be issued upon preceipes filed therefor by the complainant or cross-petitioners.

F. E. KENHAMER, Judge.

O.K: A. M. Beets.

ENDORSED: Filed Sept. 11, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

OKLAHOMA,

TUESDAY, SEPTEMBER 11, 1928.

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

W. S. McCray, Plaintiff,)
VS.)
SAPULPA PETROLEUM COMPANY, Defendants.)
A CORPORATION, ET AL,

No. 26-Equity.

JOURNAL ENTRY

NOW on this 11th day of September, 1928, above entitled matter comes on for hearing upon the motion heretofore filed by plaintiff for an order for additional taxation for costs and expenses in this case, and upon the response and motion of the defendants, Sapulpa Petroleum Company and J. A. Fulp, receiver of Sapulpa Petroleum Company, the plaintiff is present in person and by his attorney, F. E. Riddle; and the defendants, Sapulpa Petroleum Company and J. A. Fulp, receiver of Sapulpa Petroleum Company, are present by their attorneys, Silverman and Rosenstein, both parties announcing ready, and the court after hearing the argument of counsel, and being fully advised in the premises, finds that plaintiff's motion for an order to offset against judgment for costs: judgment in favor of plaintiff in this matter, rendered in the State Court for approximate amount of Fifteen Hundred and no/100 Dollars (\$1500.00), should be overruled and denied, and that the motion of the defendants, Sapulpa Petroleum Company and J. A. Fulp, receiver of Sapulpa Petroleum Company, should be sustained.

It is, therefore, by the court ordered and decreed that plaintiff's motion for additional taxation of costs and expenses be and same hereby is overruled and denied, to which action of the court the plaintiff excepts:

It is by the court further ordered and decreed that the Plaintiff, W. S. McCray, be and hereby is ordered and decreed to account to the defendant, J. A. Fulp, receiver of Sapulpa Petroleum Company, for the sum of Sixteen Hundred and no/100 Dollars (\$1600.00) heretofore paid by J. H. Knox, as receiver to F. E. Riddle as attorney, and for the further sum of Thirty-two Hundred and no/100 Dollars (\$3200.00) heretofore allowed the said J. H. Knox as receiver's fees herein, and it is ordered and decreed that said W. S. McCray, plaintiff herein, account to and pay over to the said defendant, J. A. Fulp, receiver of Sapulpa Petroleum Company the aforesaid amounts to-wit: Sixteen Hundred and no/100 Dollars (\$1600.00) and Thirty-Two Hundred and no/100 Dollars (\$3200.00), together with interest at 6 per cent on said Sixteen Hundred and no/100 Dollars (\$1600.00) from the 11th day of August, 1926, and interest at 6 per cent per annum on annum on said Thirty-two Hundred and no/100 Dollars (\$3200.00) from the 16th day of September, 1927, within 10 days from this date, to all of which plaintiff excepts.

F. E. KENNAMER, Judge.

Approved:

F. E. Riddle
Modified
Attorney for Plaintiff.

Silverman & Rosenstein
Attorneys for defendants.

Sapulpa Petroleum Company,
and J. A. Fulp, Receiver.

ENDORSED: Filed September 11, 1928.

In the District Court of the United States in and for the

NORTHERN EQUITY SESSION, DISTRICT OF TULSA, OKLAHOMA, OKLAHOMA TUESDAY, SEPTEMBER 11, 1928.

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

BARTLETT BROTHERS LAND AND LOAN COMPANY, A CORPORATION, Complainant,
 vs
 ROBERT E. ARMSTRONG, VEDA V. ARMSTRONG, BOYD T. ELLIS, AND MARY ELLIS, Defendants. } No. 229-Equity.

ORDER CONFIRMING SALE AND DIRECTING SPECIAL MASTER TO EXECUTE DEED TO PURCHASER.

NOW on this 11th day of September, 1928, there comes on for hearing the motion of complainant herein to confirm the sale of real estate and premises involved herein made by Grover Burch, Special Master, on September 3rd, 1928, to Bartlett Brothers Land and Loan Company, for the sum of Ten Thousand and no/100 (\$10,000.00) Dollars, and there being no objection on file to the confirmation of said sale, the Court after examining the motion of the complainant and the return of the Special Master and being fully advised in the premises, finds that said sale has been made in all respects in conformity to law and the decree of this Court and that same should be confirmed, approved and ratified.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the sale of real estate made by said Special Master on Monday, the 3rd day of September, 1928, to Bartlett Bros. Land and Loan Company, for the sum of Ten Thousand and no/100 (\$10,000.00) Dollars, as shown by the Special Master's report on file herein be, and the same is hereby approved, ratified and confirmed, and the Clerk of this Court is hereby directed to make an entry on the Journal of this Court that the Court is satisfied of the legality of said sale, and said Special Master is hereby ordered, authorized and directed to execute and deliver to said purchaser a good and sufficient deed conveying to him said premises, and

IT IS FURTHER ADJUDGED AND DECREED BY THE COURT that the Special Master pay into the Court a sum sufficient to pay the costs of this proceeding, including an attorney's fee of Five Hundred and no/100 (\$500.00) Dollars, Special Master's fee of Seventy-Five (\$75.00) Dollars, publication fee to The Weekly Examiner of Thirty-two and no/100 (\$32.00) Dollars, or file in the office of said Clerk receipts showing the payment thereof.

F. B. KENRAMER, Judge.

ENDORSED: Filed Sept. 11, 1928.

E. C. WALKER, Plaintiff, }
 vs. } No. 232-Equity.
 A. W. LOHMAN, Defendant. }

NOW on this 11th day of September, 1928, comes on for hearing motion of defendant herein to dismiss the above styled cause of action, and the Court after hearing same and being fully advised in the premises, it is ordered that said motion to dismiss be and same is hereby overruled and defendant given thirty (30) days to answer.

UNITED STATES OF AMERICA, Plaintiff, }
 vs. } No. 230-Equity.
 CHARLES W. KANDLER, ET AL., Defendants. }

On this 11th day of September, 1928, comes on for hearing motion of defendant herein to dismiss the above styled cause of action, and at this time the Court takes same under advisement and orders that brief be submitted. And it is further ordered that all pleadings of said Complainant heretofore filed herein, may be used in its introduction.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EMERY JOHNSON

TULSA, OKLAHOMA

TUESDAY, SEPTEMBER 11, 1928

JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 395-Equity.
 GUNN-RUSH WELDING & MANUFACTURING COMPANY, Defendant.)

On this 11th day of September, 1928, comes on for hearing motion of defendant herein to dismiss above entitled cause of action and it is by the Court ordered that said motion be and same is hereby overruled and exceptions allowed, and it is further ordered that defendant be granted twenty (20) days to file its answer.

JAMES W. GULLETT, RECEIVER, Plaintiff,)
 vs.) No. 399-Equity.
 C. M. MURRAY, Defendant.)

On this 11th day of September, 1928, comes on for hearing motion of defendant herein to dismiss above entitled of action and it is by the Court ordered that said motion be and same is hereby overruled and exceptions allowed, and it is further ordered that defendant be granted twenty (20) days to file his answer.

MARY SPICK HOUSTON, ET AL., Plaintiff,)
 vs.) No. 401-Equity.
 LOUIS G. BEREOLOS, ET AL., Defendant.)

On this 11th day of September, 1928, it is by the Court ordered that various motions coming on to be heard in above entitled case, on this date, be passed temporarily.

PALISSA KEYS, ET AL., Plaintiff,)
 vs.) No. 346-Equity.
 D. REPLOGLE, ET AL., Defendant.)

On this 11th day of September, 1928, comes on for hearing various motions in the above entitled cause of action and same are taken under advisement by the Court and plaintiff ordered to submit brief, through attorney, Chas. West.

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

J. F. AYERS, ADMINISTRATOR OF THE ESTATE OF J. WHITE JOHNSON, DECEASED, AND P. S. JOHNSON, Plaintiffs,)
 vs.) No. 384-Equity.
 ROXANA PETROLEUM COMPANY OF OKLAHOMA, A. H. HYDEN, C. W. GRIMES, ET AL., Defendants.)

JOURNAL ENTRY.

NOW on this 11th day of September, 1928, above entitled matter comes on for hearing upon the separate motion to dismiss by A. H. Hyden and C. W. Grimes, the plaintiffs and said defendants being present by their respective council, and the Court being fully advised in the premises, finds that said motion should be denied.

It is therefore, by the Court ordered and decreed that the se-

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

TUESDAY, SEPTEMBER 11, 1928.

parate motion to dismiss by the defendants, A. H. Hyden and C. W. Grimes, being the same, hereby is denied.

It is further ordered and decreed that said defendants, A. H. Hyden and C. W. Grimes, be and they hereby are given 20 days from this date in which to answer herein.

Approved F. E. KENNAMER, Judge.

N. E. McNeill
Attorneys for Plaintiffs.

Silverman & Rosenstein
Attorneys for Defendants.

A. H. Hyden
C. W. Grimes.

ENDORSED: Filed Sept. 11, 1928.

IN THE DISTRICT COURT OF THE UNITED STATES
NORTHERN DISTRICT OF OKLAHOMA, TULSA,
OKLAHOMA

J. F. AYERS, ADMINISTRATOR
OF THE ESTATE OF J. WHITE JOHNSON,
DECEASED, AND P. S. JOHNSON,
Plaintiffs,

vs.

ROXANA PETROLEUM COMPANY, OF
OKLAHOMA, AN OKLAHOMA CORPOR-
ATION, ET AL.,
Defendants.

No. 384-Equity.

JOURNAL ENTRY OVERRULING MOTION TO DISMISS

Now on this 11th day of September, 1928, there comes on for hearing motion of the defendant Tidal Oil Company to dismiss the amended bill of complaint and the Court finds that same should be overruled.

It is, therefore, considered, ordered and decreed that the motion of said defendant, Tidal Oil Company, to dismiss the amended bill of complaint be and it is hereby overruled. Said defendant is allowed twenty days from this date within which to file answer to the amended bill of complaint.

F. E. KENNAMER, Judge.

ENDORSED: Filed Sept 11, 1928.

Court adjourned until September 16, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, SEPTEMBER 12, 1928.

Court convened pursuant to adjournment, Wednesday, September 12th, 1928.

Present: Hon. F. E. Kennamer, Judge of U. S. District Court.
H. W. James, Esq., Chief Deputy of U.S. Dist. Court.

Thereupon, the following proceedings were had and entered, to-wit:

J. F. AYERS, ADMINISTRATOR OF THE ESTATE OF J. WHITE JOHNSON, DECEASED AND P. S. JOHNSON,	} Plaintiffs,	} No. 384-Equity.
vs.		
ROXANA PETROLEUM COMPANY OF OKLAHOMA, A CORPORATION, ET AL.,	} Defendants.	

On this 12th day of September, 1928, comes on for hearing motion of defendant, J. H. Markham, Jr., to dismiss the above entitled cause of action, which said motion to dismiss is overruled by the Court and defendant given fifteen (15) days to answer in this case; and it is further ordered that leave be granted to file an amendment to the amended bill heretofore filed herein.

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

PALISSA KEYS, ET AL.,	} Plaintiffs,	} No. 346-Equity.
vs.		
D. REPLOGLE, ET AL.,	} Defendants.	

ORDER

On this September 12, 1928, this cause came on upon the motions to dismiss of defendants Replogle and Sinclair Oil & Gas Company, and the motion of defendant Tidal Oil Company, and the same being presented are by the court considered; and September 12, 1928.

IT IS BY THE COURT ORDERED:

That said motions be and the same are hereby overruled, and defendants except, and are granted thirty days to answer.

F. E. KENNAMER, Judge.

O.K. A. M. Beets,
Attorney for D. Replogle

Edw. H. Chandler
Wm. O. Beall
Attorneys for Sinclair Oil
& Gas Company,

Y. P. Broome
Attorney for Tidal Oil Co.

ENDORSED: Filed Sept. 12, 1928.

SUPREME FOREST WOODMEN CIRCLE,	} Plaintiff,	} No. 385-Equity.
vs.		
MRS. G. (GERTIE) A. LYFORD, ET AL.,	} Defendants.	

On this 12th day of September, 1928, it is by the Court ordered that motion for judgment on pleadings be set for hearing on September 22, 1928.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, SEPTEMBER 12, 1928

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

STANDARD ASBESTOS MANUFACTURING
AND INSULATING COMPANY, A
CORPORATION, GEORGE M. RYDER,
AND BEN C. NAYLOR,
Complainants,

vs.

SOUTHWEST FLEXIBLE FORM COMPANY,
A CORPORATION, AND W. L. WALKER,
Defendants.

No. 315-Equity.

O R D E R

For good cause shown it is hereby ordered that the defendants, Southwest Flexible Form Company, a corporation, and W. L. Walker, be and they are hereby given leave to file answers in the above entitled cause, this 12th day of September, 1928.

F. E. FENHALLER,
United States District Judge.

ENDORSED: Filed Sept. 12, 1928.

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

FLORENCE MacDONALD, NEE HICKMAN,
Plaintiff,

vs.

ROXANA PETROLEUM CORPORATION,
A CORPORATION, AND MARLAND
REFINING COMPANY, A CORPORATION,
Defendants.

No. 386-Equity.

D E C R E E

Now on this the 12th day of September, 1928, this cause came regularly on for hearing pursuant to its regular assignment; the petitioner, Florence MacDonald nee Hickman, appearing by Lee Williams, her solicitor, and the said Roxana Petroleum Corporation, a corporation, appearing by Koerner, Fahey & Young, and J. R. Long, its Counsel; and thereupon said cause came on for hearing upon the motion of Roxana Petroleum Corporation to dismiss the Bill of Complaint on the ground that the allegations and averments of the material facts plead in said Bill of Complaint, as well as the exhibits attached thereto, and made a part thereof, did not state facts sufficient to constitute a cause of action in favor of said petitioner, or warrant the granting of any affirmative relief in her behalf, as against the respondent, the Roxana Petroleum Corporation.

And the Court having examined said Bill of Complaint, together with the exhibits attached thereto, and made a part thereof, and having heard arguments in support of, and in opposition to, the said Motion to Dismiss for want of Equity, and being otherwise fully advised in the premises, is of the opinion that said Motion to Dismiss for want of Equity, should be, and the same is hereby sustained. The said ruling of the Court the said petitioner then and there duly accepted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bill of Complaint of the said petitioner, and the same is hereby dismissed for want of equity.

ENDORSED: Filed Sept. 12, 1928.

F. E. FENHALLER, Judge.

In the District Court of the United States in and for the

NORTHERN
DISTRICT OF OKLAHOMA

District of

OKLAHOMA

TULSA, OKLAHOMA,

WEDNESDAY, SEPTEMBER 10, 1929

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

FLORENCE MACDONALD, NEE HICKMAN,
Plaintiff,

vs.

No. 386-Equity.

ROXANA PETROLEUM CORPORATION,
A CORPORATION, AND MARLAND
REFINING COMPANY, A CORPORATION,
Defendants.

D E C R E E

Now on this the 10th day of September, 1929, this court came regularly on for hearing pursuant to its regular assignment; the petitioner Florence MacDonald, nee Hickman, appearing by Lee Williams, her solicitor, and the said Marland Refining Company, a corporation, appearing by William H. Zwick, its Counsel; and thereupon said cause came on for hearing upon the motion of the Marland Refining Company to dismiss the Bill of Complaint on the ground that the allegations and averments of the material facts plead in said Bill of Complaint, as well as the exhibits attached thereto, and made a part thereof, did not state facts sufficient to constitute a cause of action in favor of said petitioner, or warrant the granting of any affirmative relief in her behalf, as against the respondent, the Marland Refining Company.

And the Court having examined said Bill of Complaint, together with the exhibits attached thereto, and made a part thereof, and having heard arguments in support of, and in opposition to, the said Motion to Dismiss for want of Equity, and being otherwise fully advised in the premises, is of the opinion that said Motion to Dismiss for want of Equity, should be, and the same is hereby sustained. To which ruling of the court the said petitioner then and there duly excepted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the Bill of Complaint of the said petitioner, be, and the same is hereby dismissed for want of equity.

F. E. KENNAMER, Judge.

ENDORSED: Filed Sept. 12, 1929.

Court adjourned until September 13, 1929.

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, SEPTEMBER 13, 1928

Court convened pursuant to adjournment, Thursday, September 13, 1928.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court
 H. W. James, Esq., Chief Deputy U.S. Dist. Court.

Thereupon, the following proceedings were had and entered, to-wit:

BERNICE C. WARLICK, Plaintiff,)
 vs.) No. 411-Equity.-
 PAUL SNYDER, Defendant.)

On this 13th day of September, 1928, comes on for hearing motion in above entitled cause for temporary injunction and the Court finds and hereby does order that said cause be continued to September 14, 1928, at 9:30 A. M., for hearing on motion for temporary injunction.

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

HANNAH M. SMITH, ADMINISTRATRIX,
 OF THE ESTATE OF OWEN P. SMITH,)
 Plaintiff,)
 vs.) No. 371-Equity.-
 MAGIC CITY KENNEL CLUB, INCORPORATED,)
 JOHN SHAUGHNESSY,)
 Defendants.)

ORDER EXTENDING TIME FOR
 SPECIAL MASTER'S REPORT

On this the 13th day of September, 1928, upon application of the Special Master herein for an extension of time for his report, the Court having considered said application and being fully advised in the premises:

IT IS ORDERED by the Court that the time for filing the report of the Special Master herein be, and the same is, hereby extended for a period of sixty (60) days subsequent to September 18th, 1928, or to the 18th day of November, 1928.

F. E. KENNAMER, Judge.

ENDORSED: Filed Sept. 13, 1928.

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

WALBRIDGE-ALDINGER COMPANY,)
 A CORPORATION,)
 Plaintiff,)
 vs.) No. 19-Equity.-
 A. J. RUDD, ET AL.,)
 Defendants.)

ORDER REDUCING BOND

NOW on this 13th day of September, 1928, it being made to appear to the Court that the receiver has paid out under order of the Court a large portion of the money which came into his hands as said receiver, and that he has remaining in his hands approximately \$10,000.00, and that his bond should be reduced to the sum of \$10,000.00 to avoid the unnecessary expense of paying the premium on a larger bond.

IT IS THEREFORE ORDERED, ASSIGNED AND DECREED by the Court that the amount of the receiver's bond be and the same is hereby reduced to the sum of \$10,000.00.

F. E. KENNAMER, Judge of the U. S.
 District Court.

ENDORSED: Filed Sept. 13, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, SEPTEMBER 14, 1928

Court convened pursuant to adjournment, Friday, September 14th, 1928.

Present: Hon. F. E. Kammer, Judge U. S. District Court.
H. W. James, Esq., Chief Deputy U. S. District Court.

Thereupon, the following proceedings were had and entered, to-wit:

BERNICE C. WARLICK, Plaintiff,)
vs.) No. 411-Equity.
PAUL SNYDER, Defendant.)

On this 14th day of September, 1928, comes on for hearing the above entitled cause on motion to dismiss and after hearing arguments of counsel it is by the Court ordered that said cause be passed to September 15, 1928, at 9:30 A. M.

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

THE SEABOARD NATIONAL BANK OF
THE CITY OF NEW YORK, TRUSTEE.)
Complainant,)
vs.) No. 388-Equity.
THE TULSA STREET RAILWAY COMPANY,
A CORPORATION, THE DAYTON SAVINGS
& TRUST COMPANY, A CORPORATION, AND
FANNIE S. CARR, HELEN R. BAILEY,
OLIVE R. REIS, C. H. BOSLER, ALLAMAN,
FUNKHOUSER & MURR, A CO-PARTNERSHIP
COMPOSED OF D. W. ALLAMAN, C. A. FUNK-
HOUSER AND BYRON MURR, D. W. ALLAMAN
AND C. KLINE,)
Defendants.)

ORDER

NOW On this the 14th day of September, 1928, this cause comes on to be heard upon the verified bill of complaint and the answers of the defendants, The Tulsa Street Railway Company, C. Kline, Receiver, and Fannie S. Carr, Helen R. Bailey, Olive R. Reis, C. H. Bosler, Allaman Funkhouser & Murr, a co-partnership composed of D. W. Allaman, C. A. Funkhouser and Byron Murr, and upon the motion of the complainant herein for the appointment of a Receiver for the properties of the defendant, The Tulsa Street Railway Company, and also for the appointment of a Special Master.

Complainant appears by its solicitors, Breckinridge & Bostick, and the defendants, The Tulsa Street Railway Company and C. Kline, Receiver, appear by their solicitors, Moss & Young, and the defendants, Fannie S. Carr, Helen R. Bailey, Olive R. Reis, C. H. Bosler, Allaman, Funkhouser & Murr, a co-partnership composed of D. W. Allaman, C. A. Funkhouser and Byron Murr, appear by their solicitor, C. A. Warren, and the defendant, The Dayton Savings & Trust Company, appears not, there having been heretofore, and on September 7, 1928, an order pro confesso entered as to this said defendant, The Dayton Savings & Trust Company.

Thereupon complainant presents its verified motion for the appointment of a Receiver and of a Special Master, and the court, after hearing said motion and the arguments of counsel, statements and evidence, and reading the verified bill of complaint herein, and the answers of the said defendants, The Tulsa Street Railway Company, C. Kline, Receiver, and Fannie S. Carr, Helen R. Bailey, Olive R. Reis, C. H. Bosler, Allaman Funkhouser, and being fully advised in the premises, finds:

That the defendants, The Tulsa Street Railway Company and Fannie S. Carr, Helen R. Bailey, Olive R. Reis, C. H. Bosler and Allaman, Funkhouser & Murr, have, in their respective answers, consented to the appointment of a Receiver, and that the defendant, The Tulsa Street Railway Company, is a public utility corporation, engaged in operating a street car system in the City of Tulsa, Oklahoma, and that said company

In the District Court of the United States in and for the

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, SEPTEMBER 14, 1928

has defaulted in the payment of its first mortgage bonds, as set out and charged in the bill of complaint filed herein, and is unable to meet the interest charges thereon, and it is necessary that said Tulsa Street Railway Company be kept in operation as a public utility for the benefit of the public, and in order to do so, a Receiver should be appointed.

IT IS, THEREFORE, ORDERED That C. Kline, be, and he is hereby appointed Receiver in this case, and said Receiver is hereby ordered and authorized immediately to take possession of all of the properties, assets and franchises of every kind and character, and all of the street cars, buildings, machinery, tools, cash, and any and all of its properties and rights, and to preserve and protect the same, and to operate said property as a public utility, and to employ all servants, agents and attorneys, necessary to operate and maintain said company as a public utility: to purchase all power, fuel and supplies necessary to keep the same as a going concern, and to pay all current bills for labor, supplies, insurance and taxes, as are necessary to protect said property from liens and priority claims, and the said C. Kline, as Receiver in case No. 91-Equity, Fannie S. Carr, et al., vs. The Tulsa Street Railway Company, is hereby ordered and directed, upon demand, to immediately turn over and deliver to C. Kline, the Receiver appointed herein, all of the assets, property, equipment and supplies of every kind and character being in his possession as such Receiver.

IT IS FURTHER ORDERED That all of the officers, directors, stockholders, agents or employees of The Tulsa Street Railway Company, and all other persons, be, and they are hereby required and commanded forthwith upon the demand of the Receiver appointed herein, or his duly authorized agent, to turn over and deliver to said Receiver any and all books of account, vouchers, papers, deeds, leases, contracts, bills, notes, accounts, money or other property in his or their hands, or under their control, and that the said defendant, The Tulsa Street Railway Company, its officers, directors, stockholders, agents, creditors, and employees, and all other persons claiming to act by, through or under said defendant, and all other persons are hereby enjoined and restrained from in anyway interfering with the possession or management of any part of the property over which said Receiver herein is appointed, or in any way interfering with said Receiver in the discharge of his duties in operating, preserving and protecting the properties of the defendant, The Tulsa Street Railway Company, and the operation of the same as a public utility, and all persons and creditors having, or claiming to have, claims against the said defendant, The Tulsa Street Railway Company, and all persons whomsoever, are enjoined from instituting or prosecuting any action, suits or proceedings against the said Tulsa Street Railway Company, or attempting in any way to enforce any lien or right against any of the property of The Tulsa Street Railway Company, without the order and permission of this court, and all such persons are required to file their claims with the Special Master, as hereinafter provided.

IT IS FURTHER ORDERED, That said Receiver give a bond in the amount of \$25,000.00, conditioned that he will well and truly perform the duties of his office as Receiver of The Tulsa Street Railway Company, and will duly account for all moneys or property that may come into his hands as such Receiver, and abide and perform all things which he may be lawfully directed to do, said bond to be with sufficient surety to be approved by the Clerk of this Court, and to be forthwith filed in the office of the Clerk of this Court; and said Receiver is further ordered and directed to open up proper books of account, and cause to be kept due and proper accounts of his earnings, expenses, receipts and disbursements, and at due and proper times make reports to this court showing his actions therein. The court finds divers and numerous creditors of the said defendant, The Tulsa Street Railway Company, who have claims against the said Tulsa Street Railway Company of different kinds and characters, some of them being claims asserting liens and priorities, as against the corpus of the estate and as against the claims of the bondholders, and that owing to their number, kind and character, a Special Master should be appointed in this case, for the purpose of taking an account and ascertaining, determining and reporting to this court the names of all of the creditors of the said Tulsa Street Railway Company, the amounts of any and all of their claims; the kind and character thereof, and the liens and priorities, if any there are.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That S. J. Montgomery be, and he is hereby appointed Special Master in this suit, for the purpose of taking into account and ascertaining, determining and reporting to this court the names, addresses, and amounts of all creditors of The Tulsa Street Railway Company, and the amounts of any and all claims

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

FRIDAY, SEPTEMBER 14, 1928.

existing and outstanding against said company at the date of the filing of this order, and determining the character, lien and priority, if any, of such claims and indebtedness, and such necessary facts relating to all of such claims as will enable this court to determine the respective amounts, validity and priority of any and all of such claims and indebtedness; and said Master shall report to this court his findings and conclusions, and all of the evidence submitted upon the hearing before the Master thereon, and the question as to the amount of all claims and indebtedness of the defendant, The Tulsa Street Railway Company, with the exception of the claim of the complainant herein, is hereby referred to said Master.

IT IS FURTHER ORDERED that said Receiver be, and he is hereby required to publish notice to the creditors of the said The Tulsa Street Railway Company, and that said creditors shall, within forty days from the first publication of said notice, file with the said Special Master their claims, duly verified, and said Master shall hear and receive such evidence as may be offered for and against the validity and priority, if any, of all of such claims, and the Receiver shall be permitted to plead to and to contest the amount, validity and priority of any and all of such claims; said notice shall be published in some newspaper published in the City of Tulsa, Oklahoma, for a period of four consecutive weeks, and the Receiver shall file due proof of said publication in this cause, and furthermore, the Receiver shall, as soon as can be reasonably done after the first publication, mail copies of said notice to the last known address of all creditors, or persons claiming to be creditors, of the said Tulsa Street Railway Company, said addresses to be obtained from the books of the said Tulsa Street Railway Company, or otherwise, if known by the Receiver. All creditors of the said Tulsa Street Railway Company, (except those whose claims are incurred by the Receiver in the operation of the said Tulsa Street Railway Company in preserving and protecting the corpus of said estate), failing to file with the Special Master verified copies of their respective claims within forty days from the date of publication of said notice shall be barred, and such creditors as failing to file verified copies of their respective claims within forty days shall not be permitted or allowed to participate or receive any payments upon their respective claims, either from the income of the property and business of the said Tulsa Street Railway Company, or from the proceeds of any sale of the corpus of said estate; and before or after the expiration of forty days from the publication, said Special Master shall proceed to hear and determine all questions as to the amount, validity and priority of any and all of said claims, and shall make a report thereof to this court in accordance with this order.

F. E. ECKHARTER, Judge.

O.K.

Solicitors for Complainant

O.K.

Solicitors for Defendants, The
Tulsa Street Railway Company and
C. Kline, Receiver.

O.K.

Solicitor for Defendants, Fannie S. Carr,
Helen R. Bailey, Olive R. Reis, C. H.
Bosler, and Allaman, Funkhouser & Murr.

ENDORSED: Filed September 14, 1928.

In the District Court of the United States in and for the

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, SEPTEMBER 14, 1928

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

UNITED STATES OF AMERICA, Plaintiff,

vs.

No. 235-Equity..

R. L. HALL, L. M. HALL,
M. BISHELLE, M. CARROLL,
ALBERT JACKSON AND
J. A. MURPHY,

Defendants.

ORDER OF REFERENCE.

On this 14th day of September, 1928, the motion and stipulation of the parties plaintiff and defendant for the appointment of a referee or special master herein comes on for hearing, and the court having examined said motion and stipulation and being fully advised in the premises is of the opinion that said motion should be granted and a referee or special master should be appointed to hear the evidence upon all the issues in the case and report his findings of fact and conclusions of law therein with recommendations.

It is, therefore, considered, ordered and decreed by the court that Roscoe E. Harper be, and he is hereby, appointed referee or special master pro hac vice in this case for the purpose of hearing the evidence of the parties plaintiff and defendant respectively upon all the issues presented in the case and of reporting the same with his findings of fact and conclusions of law therein with recommendations, and the said referee or special master is hereby ordered and directed to take such evidence and to cause the same to be taken down in shorthand and transcribed by a competent reporter and to report the same, together with his findings of fact and conclusions of law and recommendations in the case, within 90 days from this date.

It is further considered, ordered and decreed by the court that the costs and expenses of the said referee or special master's compensation and for the services of a reporter shall be charged against and paid by the plaintiff and the defendants equally, that is to say, one-half by the plaintiff and one-half by the defendants, but the compensation of said referee or special master shall not exceed the sum of \$250.00 and the compensation of said reporter shall not exceed the sum of \$250.00, the exact amount of each of said compensations to be fixed by the court when the report of said referee or special master shall have been made and filed herein.

F. E. BISHAMER, Judge.

ENDORSED: Filed Sept. 14, 1928.

Court adjourned until September 15, 1928.