

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

NORTHERN District of OKLAHOMA
 EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, JANUARY 2, 1929

Court convened pursuant to adjournment, Wednesday, January 2nd, 1929.

Present: Hon. F. D. 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:

CLAUDE M. VAUGHAN, SUBSTITUTED PARTY PLAINTIFF,	Plaintiff,	} No. 201-Equity.
vs.		
JOHNS-MANVILLE INC., A CORPORATION, ET AL.,	Defendant.	

On this 2nd day of January, 1929, comes on for hearing motion of defendants herein to dismiss the above entitled cause and the Court after hearing said motion, takes same under advisement.

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

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

D E C R E E

This cause came on to be heard at this Term on this 2nd day of January, 1929, on the bill in intervention of George J. Thomson, intervenor, and it appearing that such intervenor procured an order on the 21st day of September, 1928, that his bill in intervention be taken pro confesso, and that the cause proceed in ex parte, and the Court having heard the argument of counsel for said intervenor, Arthur B. Honnold; and thereupon upon consideration thereof,-

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. That all of the allegations of the bill in intervention of the said intervenor, George J. Thomson, are true. That the mortgage set out in the bill in intervention of the said intervenor herein, made by the National Hardwood Company, attached to said bill in intervention as Exhibit "A", dated May 4, 1921, and Exhibit "B", dated November 27, 1922, are valid and subsisting mortgages and constitute valid liens on all and singular the property of the defendant, National Hardwood Company, real, personal and mixed, incomes, rights, privileges, easements, timber rights and franchises of every description owned, used or enjoyed by it at the dates of the execution of the said mortgages; and also all and singular the property, real, personal and mixed which the said National Hardwood Company or its receiver has acquired or become possessed of or entitled to since the dates of the execution of the said mortgages for or in respect of, or for the uses or purposes of said National Hardwood Company, together with all and singular the tenements, hereditaments and appurtenances unto the premises or any part thereof belonging or in anywise appertaining; and the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, possession, claim and demand, whatsoever, as well at law as in equity, of the said National Hardwood Company, of in and to the same, and every part and parcel thereof, with the appurtenances, including the following described property, without in anywise restricting the generality of the foregoing, to-wit: All of the right, title and interest of the National Hardwood Company in and to the timber of every kind and description standing, growing or being upon the following described lands situated in the counties of Delaware, Mayes and Cherokee, state of Oklahoma, to-wit:

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

NORTHERN
DISTRICT OF

District of

OKLAHOMA

PULASKI, OKLAHOMA, WEDNESDAY, JANUARY 7, 1908.

NW 1/4 SW 1/4 Sec. 5 and W 1/2 SE 1/4 NE 1/4 Sec. 6 all in Twp. 18 N. Rge 22 E.;
 NE 1/4 NW 1/4 SW 1/4 Sec. 24 Twp. 19 N. Rge 21 E.; S 1/2 S 1/2 SE 1/4 Sec. 1 and
 SW 1/4 NE 1/4 and S 1/2 NE 1/4 SE 1/4 and S 1/2 S 1/2 Sec. 2; and NW 1/4 SW 1/4 and
 NE 1/4 SW 1/4 and NE 1/4 SE 1/4 SW 1/4 and SE 1/4 Sec. 3 and S 1/2 Lot 2 and NE 1/4 Lot 2
 and NE 1/4 SW 1/4 NE 1/4 and E 1/2 SE 1/4 NE 1/4 and W 1/2 and W 1/2 SE 1/4 and E 1/2 SE 1/4 Sec 4
 and Lots 3 and 4 and SW 1/4 Lot 2 and SW 1/4 NW 1/4 and NW 1/4 SE 1/4 NW 1/4 and
 NW 1/4 SW 1/4 and NE 1/4 NW 1/4 SE 1/4 and NE 1/4 SE 1/4 Sec. 5 and lots 2, 3, 4 and
 5 and SE 1/4 NE 1/4 SW 1/4 and N 1/2 SE 1/4 SW 1/4 and NE 1/4 SW 1/4 SE 1/4 and SE 1/4 SE 1/4 Sec. 6
 and NW 1/4 and N 1/2 SW 1/4 and SE 1/4 SW 1/4 and SW 1/4 SE 1/4 and SW 1/4 SE 1/4 Sec. 9
 and NW 1/4 SE 1/4 NW 1/4 and S 1/2 SE 1/4 NW 1/4 and NW 1/4 SW 1/4 NE 1/4 and SW 1/4 SW 1/4 and
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 and SE 1/4 NE 1/4 and W 1/2 SW 1/4 and NW 1/4 NE 1/4 SW 1/4 and N 1/2 SE 1/4 Sec. 12 and
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 and SE 1/4 SE 1/4 NE 1/4 Sec. 15 and NE 1/4 NW 1/4 NW 1/4 and NE 1/4 NW 1/4 and N 1/2 NE 1/4
 Sec. 16 and NW 1/4 and NE 1/4 NE 1/4 SW 1/4 Sec. 22 and W 1/2 NW 1/4 NE 1/4 Sec. 23 and
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 and S 1/2 NE 1/4 NE 1/4 and S 1/2 NE 1/4 and W 1/2 SE 1/4 and NW 1/4 SE 1/4 Sec. 29 all
 in Twp. 19 N. Rge. 22 E.; SE 1/4 SE 1/4 NW 1/4 and lots 1 and 2 and N 1/2 S 1/2 NE 1/4
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 22 E.; SW 1/4 SE 1/4 Sec. 1 Twp. 20 N. Rge. 21 E.; NW 1/4 Lot 1 and
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 and SE 1/4 Sec. 8 and NW 1/4 SW 1/4 and NW 1/4 NE 1/4 SW 1/4 and SE 1/4 NE 1/4 SW 1/4 and
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 Sec. 13 and W 1/2 NW 1/4 Sec. 15 and NW 1/4 and W 1/2 NE 1/4 and W 1/2 NE 1/4 NE 1/4 and
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 Sec. 26 and N 1/2 NW 1/4 and N 1/2 SW 1/4 NW 1/4 and NW 1/4 SE 1/4 NW 1/4 and W 1/2 SE 1/4 SE 1/4 and
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 N 1/2 SE 1/4 SE 1/4 and SW 1/4 SE 1/4 SE 1/4 Sec. 31 and SW 1/4 SW 1/4 NE 1/4 and E 1/2 W 1/2 NE 1/4

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

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OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, JANUARY 2, 1929

Sec. 9 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 and N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$
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 a. Lot 2 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 all in Twp. 21 N. Rge. 24 E.;
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 and NW 8 a. Lot 4 Sec. 30 and NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 all in Twp.
 22 N. Rge. 22 E.; NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ and
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 W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 all in Twp. 22 N. Rge. 23 E.;
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 Twp. 23 N. Rge. 22 E.

2. That the liens of the said mortgages are prior to all other liens and claims of whatsoever nature except priority and lien claims which have been adjudicated.

3. That all rights, claims and liens in, to or upon said property, or any part thereof, of all parties to this cause, whether adjudicated or not, and of all parties who have filed claims, or may hereafter by leave of court file claims with the Special Master hereinafter appointed, shall be, and are hereby transferred to the proceeds of said sale as in this decree ordered and set forth, and the title of the purchasers at the sale of the hereinafore described property is hereby quieted as against any and all such parties or claimants.

4. That of the bonds issued under the said mortgages, in the principal sum of \$1,250,000.00, there are now issued and outstanding under said mortgages in the hands of bona fide holders, including the said intervenor, George J. Thomson, who are entitled to have the same enforced against the National Hardwood Company, and are entitled to the security of said mortgages, bonds in the amount of \$1,197,000.00, together with interest thereon from November 4, 1923, at the rate of eight per cent per annum.

5. That default has been made in the payment of said bonds and interest thereon, entitling the said intervenor to the sale of said mortgaged properties and premises, unless the defendant, National Hardwood Company shall pay or cause to be paid, within six months after the entry of this decree, to the Special Master hereinafter appointed, for the benefit of the holders of said bonds outstanding under said mortgages, the amounts due thereon, as hereinafore specified, with interest thereon at the rate of eight percent per annum from the date of the entry of this decree until the date of such payment; and in addition to the payment of said bonds with interest thereon, pay all such sums as may be allowed under said mortgage for disbursements, attorneys and compensation for solicitors and counsel fees, and pay all costs of this action, including the costs of the receiver and Special Master, and all and singular the properties, real personal and mixed, of the National Hardwood Company, and of the receiver of said Company, located in the State of Oklahoma, described in Paragraph 1 of this decree, and any and all properties described in the inventories hereinafore or hereinafter filed by the Receiver herein, including any and all machinery, buildings, furniture, apparatus, appliances, equipment, timber rights, contracts, licenses, franchises, privileges, accounts, bills receivable, choses in action of said Company and of said receiver, shall be sold without valuation or

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appraisement, and free from any appraisal, right of redemption, stay or extension, in the manner hereinafter directed, at public auction, to the highest bidder for cash, by the Special Master hereinafter appointed to make such sale and for other purposes; that all of said property so directed to be sold shall be sold and the purchaser thereof shall take and hold the same forever free and discharged of and from the lien of said mortgages, and free and discharged of and from any and all liens, claims and demands whatsoever arising out of any order or orders of this Court, or any action of the receiver herein, and free and discharged of and from the liens and claims asserted by any party or party to this cause, or in favor of any person or persons, firm or firms, corporation or corporations, claiming by, through or under them, or any of them, or in favor of any person or party who shall have filed or may file claim with the Special Master herein, or in favor of any of all other persons who may have or claim any interest in said property, or any part thereof, and each and all such persons, firms and corporations are hereby perpetually enjoined from asserting or attempting to assert in any wise whatsoever any liens, claims or demands whatsoever upon or against said property hereby directed to be sold, and all right, title, estate, interest, and equity of redemption of the defendant, National Hardwood Company, and of the receiver thereof, and each of them, and all persons claiming or to claim under the Defendant, National Hardwood Company, or otherwise, in and to said property, shall be forever barred and foreclosed by said sale.

6. That G. H. Smith, Esquire, of Tulsa, Oklahoma, is hereby appointed Special Master for all purposes hereinbefore mentioned, including the purpose of selling all of said property located in the State of Oklahoma hereinbefore described or mentioned. Said sale shall be had on such day as may be fixed by such Special Master after the lapse of six months from the date of this decree, and after due notice given as herein provided, at 11 o'clock A. M., at the front door of the County Court House in the County of Mayes, State of Oklahoma, located in the City of Pryor, it appearing to the Court that it is to the best interests of all parties concerned to sell said property at the time and place and in the manner provided herein.

7. That said Special Master shall give notice of said sale, and of the time and place thereof by publishing such notice once a week for five consecutive weeks prior to such sale in Grove Sun, a weekly newspaper printed, regularly issued and having a general circulation in the County of Delaware, State of Oklahoma; and by publishing such notice once a week for five consecutive weeks prior to such sale in Republican Star, a weekly newspaper printed, regularly issued and having a general circulation in the County of Cherokee, State of Oklahoma; and by publishing such notice once a week for five consecutive weeks prior to such sale in Mayes County Republican, a weekly newspaper printed, regularly issued and having a general circulation in the County of Mayes, State of Oklahoma. Each of said notices so published shall contain a brief general description of the property to be sold which is located in the County in which the notice is published, a statement of the time and place of sale, and a reference to this decree for a more particular description of such property, and for a statement of the terms and conditions of the sale.

8. That said Special Master may, from time to time, adjourn or postpone said sale to a future date by oral announcement, or otherwise, at the time appointed for the sale by this order or by any such adjournment, without prejudice to the notice of sale, and without the necessity of publishing any further notice or doing any other things; but in his discretion the Special Master may, notwithstanding, give notice of any such adjournment by publication or otherwise, as he may think proper, and may proceed with such sale on any day to which such sale may be adjourned by him.

9. That said Special Master may in the exercise of his discretion, invite bids for such parts and portions of the property ordered by this decree to be sold, and in his discretion may sell some in separate parcels or in combination of parcels or in their entirety.

10. The said Special Master shall receive no bid from anyone offering to bid for such property, or any portion thereof, who shall not deposit with said Special Master before or at the time of making his bid, as a pledge of his making good his bid in case of its acceptance and confirmation of sale, an amount equivalent to 10 percent of his bid, in cash

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or by duly certified check, payable to the order of the Special Master, or like amount in face value of the bonds outstanding and secured by the said mortgages. Provided, however, that a deposit of the character above specified, of fifty cents per acre for the timber rights, and \$1.00 per acre on the land to be sold in fee, exclusive of 137-1/2 acres upon a part of which the townsite of Benwood, Oklahoma, is situated, shall be required and shall be deemed adequate to support any bid that may be made for such property.

11. That all deposits received by the said Special Master, except those deposited by the bidder or bidders whose bid or bids are provisionally accepted by the said Special Master, shall be returned by him at the conclusion of the sale to the bidder or bidders from whom they were respectively received; and in case any bidder shall fail to make good his bid upon its provisional acceptance by the said Special Master, and upon the confirmation thereof by the Court, or shall fail, for 15 days after such acceptance and confirmation, to comply with any order of this Court relating to the terms of the sale, then all moneys or bonds deposited by such bidder may be forfeited and may be applied towards the payment of the expenses of any resale hereunder, and to such other purposes as the Court may direct; and if any sale for which a deposit may have been made, and for which a bid shall have been provisionally accepted, shall not be confirmed by the Court for any other cause than for failure on the part of the bidder to comply with his bid or with the order of the Court, such deposit shall be returned to the bidder.

12. That no minimum price is fixed by this decree upon the property to be sold, but the Court reserves full power, authority and discretion to reject any bid which, in the judgment of the Court is inadequate or is subject to just objection.

13. That in case of the death or resignation of said B. H. Smith, Esquire, Special Master, or of his refusal, failure or inability to make such sale, or in case it shall seem to the Court desirable, the Court reserves the right, in term time or any other time, in open court or in chambers, to revoke said appointment, and to appoint any other person Special Master.

14. That any bondholder or authorized representative may bid for and purchase such property in whole or in part, and in making payment for said property shall be entitled after paying in cash the amount of the costs and expenses of the sale, and of the proceedings incident thereto if purchased as a whole, or his pro rata share of such costs and expenses, as his bid bears to the combined bids, and all other charges which the Court may order to be paid in cash, to apply towards the payment of the remainder of the purchase price any of the bonds or coupons issued thereunder and entitled to participate in the proceeds of such sale remaining, and said bonds and coupons shall be received and applied upon the purchase price at the sum which would be payable upon said bonds and coupons out of the net proceeds of such sale, if such sale were made for money and the whole amount of the purchase price were paid in cash. If there shall be realized on the sale and applied upon the purchase price the full amount due on said bonds and coupons, after payment of costs of sale and the proceedings incident thereto, and the amount of all claims adjudged to have priority over the bonds, then in that case the said bonds and coupons, or such of them as are so paid in full, shall be cancelled and delivered to the Receiver of the National Hardwood Company; if there shall not be realized from said sale the full amount due on said bonds and coupons as aforesaid, the said Special Master shall make proper endorsement thereon of the pro rata amounts so paid thereon as the result of such application of said bonds and coupons upon the purchase price, and shall thereupon retain any such bonds and coupons to the person or persons from whom the same were received. But no purchaser, unless the purchaser be the defendant, National Hardwood Company, shall be personally, either individually, severally, or jointly, liable for the amount of any such deficiency upon said bonds and coupons, or any of them.

15. That all sums of money and all bonds received by the Special Master from any bidder, whose bid is provisionally accepted, or from any purchaser on account of the purchase price, shall be delivered to the Receiver of the National Hardwood Company, unless otherwise ordered by this Court:

16. That any purchaser may assign his bid and the purchase, his successors or assigns, shall have the right to enter his bid on his ap-

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pearance before this or any court, and they shall have the right to contest any claim, demand, judgment or allowance, and the amount thereof made or to be made under the provisions of this decree, whether pending at the time of the sale herein, or which may arise or be presented thereafter, which, if allowed, would be payable by the purchaser, or which would be chargeable against the property purchased under the provisions of this decree, and may appeal from any decision, order, judgment or decree relating to such claim, demand or allowance.

17. That upon the confirmation of the sale, and upon compliance with all the terms of the sale, or upon making such provisions for the payment of the purchase price as the Court shall approve, the said Special Master shall make, execute and deliver to the purchaser, his successors or assigns, in form to be approved by this Court, or a judge thereof, proper instrument or instruments of conveyance, assignment or transfer of the property so sold, and upon the delivery of such instrument or instruments the grantee therein, his successors or assigns, shall be let into the possession of the property so sold and conveyed, and all the parties to this cause, and all persons or corporations claiming by, through or under them, or any of them, and the Receiver appointed in this cause, are ordered to surrender and deliver up possession of such property to said person or corporation to whom such Special Master's deed shall be delivered, or to his or its successors or assigns; and if such possession is refused, it is ordered that a writ of assistance issue out of this Court, directed to the Marshall of this Court, demanding him to put such person or corporation, or his or its successors or assigns, into possession of said property.

That, subject to the Special Master's instrument of conveyance, as aforesaid, and those by this decree imposed, the purchaser, or his successors or assigns, shall upon the delivery of such instrument or instruments of conveyance of said Special Master, be vested with the title to and shall hold possession of and enjoy the said property sold to said purchaser, and all rights, privileges, immunities and franchises appertaining thereto, as fully and completely as said National Hardwood Company, or the receiver of said corporation now holds or enjoys, or said National Hardwood Company held or enjoyed, or was entitled to hold or enjoy, at the time of the execution and delivery of said mortgages, or at any time since, free and clear from all rights, titles, claims, benefits and equities of redemption of all the parties to this cause, and shall be subrogated to all the rights of the Trustee, as mortgagee under said mortgages, and to the rights of the bondholders secured thereby, and to the rights and liens, if any, of all other parties who have intervened herein, or filed claims before the Special Master, in and upon all or any part of said property so conveyed.

18. That said Special Master is hereby ordered and directed to make a full report of his proceedings hereunder, and such supplemental reports from time to time as may be necessary or desirable to show fully his actions in the premises.

19. That the proceeds of the sale of the property ordered to be sold under this decree shall be applied as follows:

(a) To the payment of the costs and expenses of this cause, including all expenses incurred in the sale of the property ordered to be sold under this decree, the compensation and disbursements of the Special Master making such sale, and all unpaid compensation which may be owing the Receiver, and his counsel, and other receivership expenses.

(b) To the payment of taxes.

(c) To the payment of such amount as shall hereafter be apportioned by the Court upon the priority and lien claims, if any, whose claims shall hereafter be found by the Court to be lien claims having priority, to the lien of said mortgages.

(d) To the payment of all allowances for services, charges, compensations and disbursements which the Court may hereafter make to the said intervener, George J. Thomson, and to his solicitors and counsel, and to the payment of any other costs and expenses of administration of the estate herein,

(e) To the payment of the amount in this decree found to be due and payable upon the bonds and interest coupons secured by said mortgages, pro rata, without preference of principal over interest or interest over principal, and without preference or priority of any one bond over any

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other bond, with interest thereon to the date of payment, all as in this decree found.

(f) Said payments upon bonds and coupons shall be made to the holders and pledges thereof upon presentation of such bonds and coupons, respectively, to the Receiver, and said bonds and coupons shall be cancelled, if paid in full, or endorsed as hereinbefore directed, if partially paid, and returned to the holders thereof; and in case of deficiency in the payment of the amount due upon said bonds and coupons, and interest thereon, as herein found, the defendant, National Hardwood Company is hereby adjudged and decreed to be liable for the payment of such deficiency, and the said Special Master is hereby ordered to report to the Court the amount of such deficiency, and upon the confirmation of such report, the said intervener, George J. Thomson, intervening for said bondholders under said mortgages, shall have judgment against said defendant, National Hardwood Company, for the amount of such deficiency, and shall have execution therefor, pursuant to the rules and practice of this Court.

(g) The remainder of said proceeds, if any there be, after making the payments hereinbefore directed, shall be applied as this Court may hereafter order and direct.

20. The Court reserves exclusive power and jurisdiction to deliver to the purchaser or purchasers title to and possession of the property sold under this decree, and to determine all controversies as to the character, extent and validity of the possession, and as to the title of such purchaser or purchasers acquired under this decree.

21. The Court further reserves to itself and to the Special Master, appointed herein to hear claims, the exclusive power and jurisdiction to determine the rights to and liens upon the proceeds of said sale, of all the parties and persons who are parties to this cause, or who have heretofore, or may hereafter, by leave of Court, file their claims with said Special Master, and the exclusive power and jurisdiction to direct the manner and method of distribution to the holders of the bonds secured by said mortgages, of such portion of the proceeds of said sale of such property as the Court may find applicable thereto.

22. The jurisdiction of this cause and of said property is retained by the Court for the purpose of enforcing the provisions of this decree; and the Court expressly reserves the right to retake and sell any and all of said property in case the purchaser, his successors or assigns, shall fail to comply with any of the provisions of this decree, or with the terms of sale, or with any decree or order of this Court, with respect to the payment of any claims, obligations or liabilities imposed by this decree upon such purchaser.

23. The singular number whenever used in this decree, shall whenever applicable, impute the plural number as well as the singular, and words used herein shall include, apply and extend, wherever applicable, to the legal representatives, successors and assigns, and also to persons represented.

24. That all questions and matters of equity, not hereby disposed of, including the discharge of the Receiver herein, and the settlement of his accounts, and the fixing of all fees, compensations and allowances to be made to the Receiver, and to his solicitors and counsel, and the allowance to be made to the Special Master herein, appointed to make the sale of the said property, and the allowance to be made to the said intervener, George J. Thomson, and his solicitors and counsel for said intervener, intervening for said bondholders, are all hereby reserved for future adjudication, and the jurisdiction of this cause is retained by this Court for all such purposes, and for the purpose of enforcing all of the provisions of this decree, and for protecting the purchaser, his successors and assigns, against any violations of this decree by any person or persons whatsoever.

25. That at the close of each term of this Court hereafter, this cause be, and it hereby is, continued to the next succeeding term of this Court, until the complete and final determination are adjudi-

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ation of all matters expressly reserved in this decree for future determination by this Court.

Made and ordered entered on this 2 day of January, 1929,

By the Court:

F. E. KENNAMER,

Judge.

ENDORSED: Filed January 2, 1929.

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

JOHNS-MANVILLE CORPORATION, Plaintiff,)
vs.)
NATIONAL TANK SEAL COMPANY, Defendant.)

No. 405-Equity.

ORDER OVERRULING MOTIONS

This cause having come on to be heard on January 2d, 1929 upon motion of Plaintiff for further and particular statement filed November 7th, 1928, addressed to the first amended answer of the defendant and also on the motion of Plaintiff to reproduce filed December 18th, 1928, both of which motions sought the production in Court and to Plaintiff of an authenticated copy of a certain patent application pleaded in said first amended answer of defendant, which patent application is numbered Serial Number 259,368, filed March 5, 1928, as amended on May 7, 1928, and September 18, 1928, both parties being present by counsel, the Court proceeded to hear argument, and it appearing that Counsel and Solicitor for defendant having stated in open court that said defendant had abandoned the defence set up in said first amended answer which defense was based on said Patent Application number 259,368, and on such statement of Counsel,

IT IS ORDERED that the aforesaid motions of plaintiff be and the same are hereby overruled.

IT IS FURTHER ORDERED that the defendant National Tank Seal Company shall be precluded from introducing into the trial of this cause or making any reference to said Patent Application number 259,368 as a defence to the bill of complaint of the Plaintiff herein.

To which order plaintiff excepts and asks that its exception be noted, which exception is by the Court allowed,

F. E. KENNAMER, Judge.

O.K: Mason & Williams
Allen, Underwood & Canterbury
Solicitors for parties.

ENDORSED: Filed January 2, 1929.

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

GEO. A. BROOKS, Plaintiff,)
vs.)
F. O. YARBROUGH, ADMINISTRATOR
WITH THE WILL ANNEXED OF THE LAST
WILL AND TESTAMENT OF BRIDGET ANN
BARBER, DECEASED, AND CLARA FORBES,
Defendants.)

No. 281-Equity

ORDER ALLOWING APPEAL

On motion of A. P. Carr, counsel for complainant, it is hereby ordered that appeal to the Circuit Court of Appeals of the United States

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for the Eighth Circuit from the decree heretofore filed and entered herein, be, and the same is hereby allowed, and it is further ordered that a certified transcript of the record, exhibits, stipulations and all proceedings be forthwith submitted to said Circuit Court of Appeals for the Eighth Circuit of the United States.

It is further ordered that the bond on appeal be fixed at the sum of \$300.00.

Dated January 2, 1929.

F. E. KENNAMER,

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

ENDORSED: Filed January 2, 1929;
H. P. Warfield, Clerk.

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

GEO. A. BROOKS, Plaintiff,)
vs.) No. 281-Equity.
F. O. YARBROUGH, ADMINISTRATOR)
WITH THE WILL ANNEXED OF THE LAST)
WILL AND TESTAMENT OF BRIDGET ANN)
BARBER, DECEASED, AND CLARA FORBES,)
Defendants.)

C I T A T I O N

UNITED STATES OF AMERICA:

To F. O. Yarbrough, administrator, W.W.A. of the estate of the estate of Bridget Ann Barber, deceased, and Clara Forbes, greeting:

You are hereby cited and admonished to be and appear in the United States Circuit Court of Appeals for the Eighth Circuit, at the City of St. Louis, Missouri, sixty days from and after the day this citation bears date, pursuant to an appeal allowed filed in the Clerk's office of the District Court of the United States for the Northern District of Oklahoma, wherein George A. Brooks is plaintiff and you are defendants, to show cause, if any there be, why the judgment rendered against the said George A. Brooks as in said journal entry of judgment mentioned should not be corrected, and why speedy justice should not be done the parties in that behalf.

Witness, the Honorable Franklin E. Kennamer, Judge of the District Court of the United States for the Northern District of Oklahoma, this 2 day of January, A. D. 1929.

F. E. KENNAMER,

Judge Dist. Court U. S. Northern District of Oklahoma.

ENDORSED: Filed January 2, 1929;
H. P. Warfield, Clerk.

Court adjourned until January 5, 1929.

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

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EQUITY SESSION,

TULSA, OKLAHOMA,

SATURDAY, JANUARY 5, 1929.

Court convened pursuant to adjournment, Saturday, January 5th, 1929.

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

THE SEABOARD NATIONAL BANK
OF THE CITY OF NEW YORK,
TRUSTEE,

Complainant,

vs.

No. 388-In Equity

THE TULSA STREET RAILWAY
COMPANY, A CORPORATION,
ET AL.,

Defendants.)

O R D E R

Upon consideration of the resignation that has been submitted by S. J. Montgomery, who has heretofore been appointed Special Master in the above styled cause, upon good cause shown the same is accepted.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the same be accepted, and the said Special Master, S. J. Montgomery, shall be released from further duty concerning said cause.

F. E. KENNAMER,

District Judge.

ENDORSED: Filed January 5, 1929;
H. P. Warfield, Clerk.

Court adjourned until January 8, 1929

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, PAWUSKA, OKLAHOMA, TUESDAY, JANUARY 8, 1929.

Court convened pursuant to adjournment, Tuesday, January 8th, 1929.

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

HUGHES TOOL COMPANY, Plaintiff,)
vs.) No. 275-In 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 April 26th, 1929.

F. E. KENNAMER,
United States District Judge.

Dated at Tulsa, Oklahoma, Jan. 8th, 1929.

O.K: A.S.L. & M. Attys. for Pltiff.
O.E: Henry S. Richmond, Sol. for Deft. Apellee.

ENDORSED: Filed January 8, 1929

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. 268-Equity.
THE TULSA STREET RAILWAY COMPANY,)
A CORPORATION, ET AL.,)
Defendants.)

O R D E R

NOW On this the 8th day of January, 1929, the above cause comes on for hearing upon the motion of complainant herein for the appointment of a new Special Master in the place of S. J. Montgomery, resigned, and whose resignation has been accepted.

And the court, after reading said motion, and being advised in the premises, finds that the Special Master should be appointed, and also finds that S. O. Grant is a proper person to act as Special Master in this cause, and to hear and report upon the claims filed.

IT IS, THEREFORE, ORDERED That S. O. Grant do, and he is hereby appointed Special Master, and he is hereby ordered and directed to qualify and to give the proper notices and to hear and pass upon claims and to file his report in this cause, with his findings of fact and conclusions of law.

F. E. KENNAMER, Judge.

ENDORSED: Filed January 8, 1929. H. P. WARFIELD, Clerk.

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

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PANHUSKA, OKLAHOMA,

TUESDAY, JANUARY 8, 1929.

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

FLORA WHITEBIRD, ROBERT ALLEN WHITEBIRD,
A MINOR, WHO SUES BY FLORA WHITEBIRD, HIS
MOTHER AND NEXT FRIEND; HELEN IRMAE WHITE-
BIRD, A MINOR, WHO SUES BY FLORA WHITEBIRD,
HER GRANDMOTHER AND NEXT FRIEND; ANTOINE
GREENBACK; ALPHONSO GREENBACK; ANNY GREEN-
BACK 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.

No. 178-Equity.

THE EAGLE-PICHER LEAD COMPANY; HUNT MINING
COMPANY; COMMONWEALTH MINING COMPANY;
GEORGE W. BECK, JR.; KILTNER MINING COM-
PANY; WHITEBIRD MINING COMPANY; THE CHILD-
RESS LEAD AND ZINC COMPANY; H. R. LIVELY,
TRUSTEE; UNDERWRITERS LAND COMPANY; CON-
SOLIDATED LEAD & ZINC COMPANY; BLACK-EAGLE
MINING COMPANY; FRANK CHILDRESS, TRUSTEE;
LHME ZINC COMPANY; CORTEZ MINING COMPANY;
CORTEZ-KING BRAND MINING COMPANY; FRANK
CHILDRESS, F. W. EVANS AND THE LUCKY KID
MINING COMPANY,

Defendants.

ORDER ENLARGING TIME TO FILE RECORD ON APPEAL

Now on this 8th day of January, 1929, on application of the ap-
pellants, for good cause shown, IT IS ORDERED that the time in which the
printed record in this case may be filed with the Clerk of the Circuit
Court of Appeals for the Eighth Circuit, be, and the same is hereby ex-
tended until and including April 16, 1929.

F. E. KENNAMER,

United States District Judge.

ENDORSED: Filed January 8, 1929, H. P. Warfield, Clerk.

Court adjourned until January 10, 1929.

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

NORTHERN EQUITY SESSION, DISTRICT OF TULSA, OKLAHOMA, OKLAHOMA FRIDAY, JANUARY 11, 1929.

Court convened pursuant to adjournment, Friday, January 11th, 1929.

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

MINNIE PFEIFER, Plaintiff, vs. ROSA B. WRIGHT AS EXECUTRIX OF THE ESTATE OF JAMES H. WRIGHT, DECEASED, AND IN HER PERSONAL CAPACITY, Defendant. No. 432-Equity

ORDER

This cause came on for hearing at this term of court, on the application of defendant for additional time within which to plead herein, and it is ordered:

That for good cause shown the defendant is given an extension of time until and including January 31, 1929, within which to file her motion to dismiss the bill of complaint herein; and to file such brief therewith as she may desire; and the plaintiff is given ten days thereafter within which to file answer brief.

F. E. KENNAMER, Judge.

Approved as to form. Miller & Stephenson by R. E. Stephenson Counsel for Plaintiff

Embry, Johnson & Tolbert Street Speakman Counsel for Defendant.

ENDORSED: Filed January 11, 1929.

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, INC., JOHN SHAUGHNESSY, GEORGE HURFORD, JOHN J. O'BRIEN AND J. W. COLLEY, Defendants. No. 271-Equity

ORDER ALLOWING APPEAL

Defendants' petition for appeal filed herein is hereby granted, and said appeal is hereby granted, and a supersedeas is awarded staying the decree entered herein December 15, 1928, this order to be effective upon defendants giving bond conditioned as required by law and acceptable to this court in the sum of (\$15,000.00) Fifteen Thousand Dollars, to secure plaintiff in respect to costs after the date of this order and pending the determination of said appeal; and the supersedeas being conditioned upon defendants exercising due diligence in the prosecution of the appeal.

Tulsa, Oklahoma, January 11th, 1929. F. E. KENNAMER, Judge United States Dist. Court

ENDORSED: Filed January 11, 1929.

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TULSA, OKLAHOMA,

OKLAHOMA

MONDAY, JANUARY 14, 1929

Court convened pursuant to adjournment, Monday, January 14th, 1929.

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 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. 271-Equity
MAGIC CITY KENNEL CLUB, INC.,)
AND JOHN SHAGHNESSY, Defendants.)

C I T A T I O N

To Hannah M. Smith, Administratrix,
of the estate of Owen P. Smith:

Greetings:

You are hereby cited and admonished to be and appear in the United States Circuit Court of Appeals, Eighth Circuit, at St. Paul, Minnesota, sixty (60) days from and after the day this Citation bears date, pursuant to an appeal filed in the Clerk's office of the District Court of the United States for the Northern District of Oklahoma, wherein the Magic City Kennel Club, Incorporated, and John Shaughnessy are Defendant-Appellants and you are Plaintiff-Appellee, to show cause, if any there be, why the decree so far as it was rendered against the said Defendant-Appellants, should not be corrected, and why speedy justice should not be done the parties in that behalf.

WITNESS, The Honorable F. E. Kennamer, Judge of the District Court of the United States for the Northern District of Oklahoma, this 14th day of January, 1929.

F. E. KENNAMER,

Judge United States District Court

The undersigned, Solicitors of Record of the Appellee, Hannah M. Smith, Administratrix of the estate of Owen P. Smith, do hereby acknowledge service of a true copy of the foregoing citation this 14th day of January, 1929.

E. HOWARD McCALEB
HUNT & EAGLETON
Solicitors for Appellee

ENDORSED: Filed January 14, 1929; H. P. Warfield, Clerk

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

R. W. MARK AND GUM BROTHERS
COMPANY, A CORPORATION, Plaintiffs,)
vs.) No. 212-Equity.
THE PRAIRIE OIL & GAS COMPANY,
A CORPORATION, Defendant.)

O R D E R

Now on this 14th day of January, 1929, it appearing to the court that it is unable to try the above styled and numbered case on

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

NORTHERN
EQUITY SESSION,

District of

TULSA, OKLAHOMA,

OKLAHOMA

MONDAY, JANUARY 14, 1929.

January 21, 1929, the date upon which said case is now set for trial;

IT IS, THEREFORE, ORDERED AND DECREED by the court that said case be, and the same is hereby set for trial on February 13, 1929, and it is further ordered and decreed that all witnesses heretofore subpoenaed in this case be, and they hereby are directed to return to this court, without further notice, at nine o'clock A. M., February 13, 1929.

F. E. KEMMELER, Judge.

ENDORSED: Filed January 14, 1929; H. P. Warfield, Clerk.

JOHN H. DYKES, RECEIVER, FIRST NATIONAL BANK OF SAPULPA, OKLAHOMA,	Plaintiff,) No. 43-Equity
vs.)	
F. B. REED, ET AL.,	Defendants.	

On this 14th day of January, 1929, the above entitled cause comes on for hearing on exceptions to the Special Master's report, and after argument of counsel, and being fully advised in the premises, said exceptions to the Special Master's report are overruled and the report is approved by the Court, and the plaintiff is allowed his exceptions.

CLAUDE M. VAUGHN, SUBSTITUTED PARTY PLAINTIFF,	Plaintiff,) No. 201-Equity
vs.)	
JOHNS-MANVILLE INCORPORATED, A CORPORATION, ET AL.,	Defendants,	

On this 14th day of January, 1929, comes on the above entitled cause for hearing on plaintiff's motion to dismiss the Bill of Exceptions heretofore filed herein, and the Court after hearing said motion and being fully advised in the premises, it is ordered that said motion be and the same is hereby overruled and exceptions allowed, and it is further ordered that counsel herein be notified of this order.

EDDIE JACK,	Plaintiff,) No. 158-Equity
vs.)	
JOHN M. HOOD, ET AL.,	Defendants.	

On this 14th day of January, 1929, the above entitled cause comes on for hearing and the Court, after hearing the matter and being fully advised in the premises, it is ordered that the decree heretofore entered herein, be, and the same is hereby vacated and set aside and entered as of this date, and it is further ordered that the motion for re-hearing be and the same is hereby denied.

THE OIL WELL IMPROVEMENTS COMPANY,	Plaintiff,) No. 437-Equity
vs.)	
PAUL ARRON & COMPANY,	Defendants.	

On this 14th day of January, 1929, comes on for hearing the above entitled cause and it is by the Court ordered that defendant herein be given until January 19, 1929 to file response to notice heretofore filed by plaintiff herein, and it is further ordered that both sides are then to file affidavits in support of application for preliminary injunction.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, JANUARY 14, 1929.

JACKSON BARNETT, AN INCOMPETENT,
BY FRED T. HILDT AS NEXT FRIEND, Plaintiff,

vs.

GYPSY OIL COMPANY, A CORPORATION,
ET AL., Defendants.

No. 216-Equity

Now in this 14th day of January, 1929, there came on for hearing the motion of the guardian ad litem for the allowance of expenses for defense and the prosecution of the action herein pending, and it is ordered by the Court that said motion be continued to a future date, to be agreed upon by counsel for both sides and by the Court; and it is further ordered that the depositions and the testimony of witnesses shown heretofore entered in previous cases, be, and it is hereby agreed that said testimony shall be satisfactory and agreeable to counsel, and that there are no objections from either counsel that the testimony used in the case presented at New York City be used in the hearing of this case; and it is the further order of the Court that the counsel herein file their written stipulations covering the matters and things herein agreed to; and it is the further order of the Court that this cause be and the same is hereby set for final hearing on Wednesday, March 27, 1929, before the Honorable John C. Pollock, United States District Judge for the District of Kansas.

Court adjourned until January 16, 1929.

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

NORTHERN
EQUITY SESSION,

District of

OKLAHOMA
PAWBUKA, OKLAHOMA, WEDNESDAY, JANUARY 16, 1929

Court convened pursuant to adjournment, Wednesday, January 16th, 1929.

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

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

ORDER TO SPREAD MANDATE OF RECORD -

THE OSAGE OIL & REFINING COMPANY, A CORPORATION,	Plaintiff,	} No. 222-Equity
vs.	}	
MAMIE AXELROD, ET AL.,			Defendants. }

On this the 16th day of January, 1929, 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 Osage Oil and Refining Company, a Corporation, plaintiff, and Mamie Axelrod, Herman Axelrod, H. O. Dixon, J. R. Hoskins, Continental Oil Company, a Corporation, The Exchange National Bank of Tulsa, a Corporation, and First National Bank in Bartlesville, a Corporation, Defendants, No. 222, In Equity, wherein the decree of the said District Court in said cause, entered on the 29th day of April, A. D. 1927, was in the following words, viz:

"This cause coming on to be heard at this term upon the pleadings, the proof, and the statements of counsel, and thereupon, upon consideration thereof, the court finds:

That the plaintiff, The Osage Oil & Refining Company, is the owner of a valid, legal and subsisting oil lease covering the Southwest Quarter of Section Twenty-eight (28), Township Twenty-four (24) North, Range Eight (8) East, as alleged in its bill, and that the plaintiff is entitled to all the relief demanded in its bill of complaint filed herein, and that the defendants, Mamie Axelrod, Herman Axelrod, and H. O. Dixon, should be perpetually enjoined as prayed in the said bill.

That the defendant, The Exchange National Bank of Tulsa is a mere escrow agent in holding the \$50,000.00 deposit and that the said money should be immediately paid into court and the said defendant, The Exchange National Bank, discharged from this action without liability.

That the defendant, The Continental Oil Company has no legal right, title or interest in and to the said leased premises, but that the plaintiff, The Osage Oil & Refining Company, has at all times since the 10th day of April, 1926, confessed equities in favor of the defendant, The Continental Oil Company by reason of negotiations had and verbal agreements made and, that the defendant, The Osage Oil and Refining Company has confessed equities in favor of the defendant, The Continental Oil Company in its pleadings filed in this action and now tenders into court for the use and benefit of said defendant, Continental Oil Company, assignments of the said lease upon forms prescribed by the department and in accordance with the agreement made between the said defendant, The Continental Oil Company and the said defendant Mamie Axelrod, and the plaintiff, The

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

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PANHUSKA, OKLAHOMA,

WEDNESDAY, JANUARY 16, 1929

Osage Oil & Refining Company now demands that the defendant, The Continental Oil Company be held to its agreements and to its offer made in the pleadings in this action, and the court finds that the defendant, The Continental Oil Company, is entitled to receive the assignment of plaintiff's said lease upon the terms, stipulations and conditions set forth in its contract made with the defendant Mamie Axelrod and, that by reason of the agreements and understandings had between the plaintiff and the said defendant, The Continental Oil Company, and by reason of the pleadings of the said defendant, The Continental Oil Company, filed in this action, that it should be compelled to accept the said assignment from the plaintiff. The court further finds that plaintiff's said property has been drained by off-set wells upon the property of The Continental Oil Company for more than twelve months and that by reason of this litigation and by reason of The Continental Oil Company contracting to purchase the said lease from the plaintiff, Mamie Axelrod, that it should not now be permitted to decline to accept the said lease from the plaintiff upon the same identical terms after it draining the property for more than twelve months by the three offset wells.

The court further finds that the defendants, Mamie Axelrod, Herman Axelrod and H. O. Dixon have a drilling machine, some casing and other supplies upon the said lease, some having been used in an attempt to drill a shallow well on the said lease, which well was drilled to a depth of 680 feet. That plaintiff has disclaimed any interest in the said drilling machine, in the said pipe moved on to said lease by the said defendants and has disclaimed any responsibility for or interest in the said well attempted to be drilled, and the plaintiff now demands that the said drilling equipment be removed from the said property as a part of its injunctive relief in this action.

That defendants, Herman Axelrod, and H. O. Dixon are holding claims or otherwise interested therein, under defendant Mamie Axelrod. That the defendant, Mamie Axelrod was a party to the appellate proceedings in the Supreme Court of Oklahoma in case #16737, styled Osage Oil & Refining Company vs. Interstate Pipe Company, and that she is bound and precluded by the judgment therein rendered by the Supreme Court of Oklahoma, and bound by the subsequent judgments thereafter rendered upon February 25, 1927, in the District Court of Osage County, Oklahoma, spreading the mandate and recalling and cancelling the said lease assignment, and that the said judgment of the Supreme Court of Oklahoma, and the said order of the District Court of Osage County, made upon February 25, 1927, pursuant to the mandate of the Supreme Court are res adjudicata upon all questions presented in this action through the answer and cross petition of the said defendants, Mamie Axelrod, Herman Axelrod and H. O. Dixon, and that this court is bound thereby.

It is Therefore, Ordered, Adjudged and Decreed that the defendant, The Exchange National Bank of Tulsa, be and it is hereby ordered to forthwith pay to the clerk of this court the said sum of \$50,000.00 so held by it and upon the same being paid to the clerk that the defendant, The Exchange National Bank, be and it shall then be discharged in this action from all further liability herein. That the defendants, Mamie Axelrod, Herman Axelrod and H. O. Dixon take nothing by their answer and cross-petition filed herein.

The defendants, Mamie Axelrod, Herman Axelrod and H. O. Dixon having announced in open court their intention to appeal from the decree of the court awarding title to said lease in favor of the plaintiff, the court by agreement of all parties reserves for later proof and determination the question as to the right of said defendants to recover on account of alleged improvements placed upon said lease and the value of such improvements, if any, such claims to be litigated after the question of title shall have been finally determined on appeal.

That the defendants, Mamie Axelrod, Herman Axelrod, and H. O. Dixon be and they are hereby perpetually enjoined from hereafter asserting right, title, equity, or interest in and to the said leased premises, or in and to any interest whatever in and to the said oil lease executed upon July 22, 1918, by Charles Brown, Principal Chief of the Osage Nation, to the plaintiff, The Osage Oil & Refining Company, covering the Southwest Quarter of Section Twenty-eight (28), Township Twenty-four (24) North, Range Eight (8) East in Osage County, Oklahoma, and all equipment thereon. That they be, and are perpetually enjoined from attempting to hold possession of said leased premises as against the plaintiff; from interfering with the plaintiff in the peaceable, quiet and full possession of said leased premises; from removing equipment or material therefrom, except the said drilling machine and pipe at the new and shallow well,

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NORTHERN EQUITY SESSION, **District of** OKLAHOMA, PAWUSKA, OKLAHOMA, WEDNESDAY, JANUARY 16, 1929

which is ordered to be forthwith removed; they are enjoined from recording any instrument of writing in the office of the County Clerk of Osage County, Oklahoma, or in any of the recording offices of the state, or in the office of the Osage Indian Agency at Pawhuska, or any other recording office whatever; that they be and are perpetually enjoined from filing any other or further suit or suits in the courts of this state or of the government, having for its purpose the drawing in question of plaintiff's title to the said leased premises, or any of the material or equipment, thereon, and that they be and are perpetually enjoined from doing any other act or deed of any kind or character that would in any way or manner interfere with the plaintiff in the quiet and peaceable enjoyment of said leased premises, or that would tend in any way or manner to harass, annoy or disturb the plaintiff in the quiet and peaceable enjoyment of said leased premises or that would molest, interfere or prevent the plaintiff in the sale assignment or transfer of the said lease or in the development of the same.

That the written assignment of plaintiff's lease attempted to be made by the sheriff of Osage County, Oklahoma, to the defendant Mamie Axelrod and the approval of the Secretary of the Interior thereto, and also the lease assignment executed by the defendant Mamie Axelrod, to the defendant, The Continental Oil Company and the approval thereof by the Secretary of the Interior be and the same are each and all cancelled as void and as a cloud upon plaintiff's title to the said leasehold estate and the said defendants are each and all enjoined perpetually from hereafter asserting any right, title or interest in or to the said leasehold estate by reason of any of said assignments or the approvals thereof by the Secretary of the Interior.

That the defendant and cross-petitioner, The Continental Oil Company is entitled in equity to the purchase of said oil lease from the plaintiff and should be compelled to accept the same from the plaintiff upon the same and identical contract, terms and conditions as set forth in its contract so made with the defendant, Mamie Axelrod. That the lease assignment in triplicate tendered into court by the plaintiff are ordered to be forthwith delivered by the clerk to the defendant, The Continental Oil Company, and the plaintiff is ordered and directed to co-operate with the defendant, The Continental Oil Company, and assist The Continental Oil Company in submitting the said assignment to the Secretary of the Interior for approval and the possession of the said lease shall be retained by plaintiff and it shall be operated by it pending approval by the Secretary of the Interior of the assignments of an undivided one-half interest therein from plaintiff to The Continental Oil Company; and pending further and full compliance with this decree, and when possession of said lease for operating purposes is delivered by plaintiff to The Continental Oil Company, then proper accounting shall be made between the plaintiff and The Continental Oil Company for all lease expenses and lease income during the period of operation by the plaintiff and thereupon the plaintiff shall be subrogated to all the terms and conditions of the contract of February 18th, 1926, between The Continental Oil Company and Mamie Axelrod.

It is Further Ordered, Adjudged and Decreed that the plaintiff shall discharge all liens appearing of record in the office of the County Clerk of Osage County, Oklahoma, and in the office of the Osage Indian Agency that affect or may be a charge against the above leasehold and shall tender and deliver to The Continental Oil Company full, complete and valid title to an undivided one-half interest in said lease in good standing with the Osage Indian Agency and the Secretary of the Interior and free and clear of any and all liens and encumbrances whatsoever, and if such title cannot be given by plaintiff to The Continental Oil Company within thirty days from the time this decree becomes a finality, then The Continental Oil Company shall thereupon and forthwith be entitled to the return to it of the \$50,000.00 herein ordered deposited with the clerk of this court and to a return and repayment from plaintiff of any operating expenses advanced and incurred by The Continental Oil Company in connection with the operation of said lease; and The Continental Oil Company shall then surrender to plaintiff any claim to said lease and shall be relieved of any further liability whatsoever to said plaintiff: If title as above mentioned be delivered to The Continental Oil Company before the expiration of said thirty day period then thereafter The Continental Oil Company shall have a lien upon the \$50,000.00 deposit this day made with the Clerk of this Court and upon the \$50,000.00 payable to plaintiff out of oil as referred to in the Axelrod contract of February 18th, 1926, from which to secure reimbursement of any sums of

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

NORTHERN
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District of

OKLAHOMA

PAWBUKA, OKLAHOMA, WEDNESDAY, JANUARY 16, 1929

money that may be advanced by The Continental Oil Company on behalf of the plaintiff in connection with the development, equipment and operation of said leasehold estate.

Should the defendant, The Continental Oil Company, appeal from this decree and refuse to accept the said assignments and refuse to ask for the approval thereof by the Secretary of the Interior and refuse possession of said leasehold estate, then in that event, the plaintiff shall remain in possession of the said property and shall operate the same for and on behalf of the defendant, The Continental Oil Company, and upon an affirmation of this decree that this court shall then adjust the account of the plaintiff for operating expenses as between it and the said defendant, The Continental Oil Company.

That the before mentioned \$50,000.00, when paid to the clerk of this court be by the clerk held pending the further orders of the court in this action.

That the said defendants, Mamie Axelrod, Herman Axelrod, H. O. Dixon, The First National Bank of Bartlesville, and J. R. Hoskins are adjudged to have no right, title or interest in and to the said \$50,000.00 deposited with the defendant, The Exchange National Bank of Tulsa and they and each of them are perpetually enjoined from hereafter asserting right, title or interest in or to the same or any part thereof.

That the plaintiff have and recover all of its costs herein expended from the defendants, Mamie Axelrod, Herman Axelrod, and H. O. Dixon.

To all of which findings, orders and decrees the defendants Mamie Axelrod, Herman Axelrod, H. O. Dixon and the First National Bank in Bartlesville, and The Continental Oil Company jointly and severally except.

4/29/27

F. E. KIENNAUER,.

J.E.W.
L.A.R.
R.S.F.

United States District Judge.

Filed Apr. 29, 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 prayed by and allowed to Mamie Axelrod, et al., and an appeal prayed by and allowed to the Continental Oil Company, a corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September term, in the year of our Lord one thousand nine hundred and twenty-eight, the said causes 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 the motions of appellee, Osage Oil and Refining Company, to dismiss the appeals, and were argued by counsel.

On Consideration Whereof, It is now here ordered, adjudged and decreed by this Court, that the said motions to dismiss, be, and they are each hereby, denied, and that the decree of the said District Court in these causes, be, and the same is hereby, affirmed with costs; and that in cause No. 7970, the appellees The Osage Oil and Refining Company, a corporation, and Continental Oil Company, a corporation, have and recover against the appellants Mamie Axelrod, Herman Axelrod, H. O. Dixon and First National Bank in Bartlesville, a corporation, the sum of Twenty Dollars for their costs, and that in cause No. 7971, the appellees Osage Oil and Refining Company, a corporation, Mamie Axelrod, Herman Axelrod, H. O. Dixon, and the First National Bank in Bartlesville, a corporation, have and recover against the appellant Continental Oil Company, a corporation, the sum of Twenty Dollars for their costs, and that in each cause executions issue therefor. -----

----- November 9, 1928, -----

You, therefore, are hereby commanded that such executions and proceedings be had in said cause, as according to right and justice, and

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the laws of the United States, ought to be had, the said appeals notwithstanding.

WITNESS, the honorable William H. Tuft, Chief Justice of the United States, the 12th day of January, in the year of our Lord one thousand nine hundred and twenty-nine.

E. E. KOCH,

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

Costs of Appellees:

No. 7970

Clerk

Printing Record,

Attorney

Paid by Appellants.

Printed below

\$20.00

No. 7971

Attorney

\$20.00

ENDORSED: Filed January 16, 1929, -H.-P. Warfield, Clerk.

875
In the District Court of the United States in and for the

NORTHERN
EQUITY SESSION,

District of

OKLAHOMA

PAWBUKA, OKLAHOMA, FRIDAY, JANUARY 18, 1929

Court convened pursuant to adjournment, Friday, January 18th, 1929.

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

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

Complainant,

vs.

BLACK, SIVALLS & BRYSON,
A CORPORATION,

Defendant.

No. 425-Equity

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

ORDER VACATING DISMISSAL

Now on this 18 day of Jan. 1929, this cause came on to be heard upon the motion of the Complainant herein for an order vacating, setting aside, and holding for naught, the Order of Dismissal heretofore entered in this action on the 24th day of December, 1928, and it appearing to the satisfaction of the Court after having been fully advised in the premises that the parties hereto were laboring under a misapprehension of the facts in this case at the time the settlement mentioned in said Order of Dismissal was made, and that it is the desire of both parties at this time to have said Dismissal set aside in order that equitable justice may be done between the parties, the Court finds that said motion should be granted and the Order of Dismissal vacated and set aside.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Order of Dismissal heretofore entered on the 24th day of December 1928 in this action be and the same is hereby vacated, set aside, and held for naught, and defendant is given 30 days to plead.

F. E. KENNAMER, Judge,

O.K: James P. Melone
Solicitor for Complainant

O.K: Lloyd Harding
Solicitor for Defendant.

ENDORSED: Filed January 18, 1929, H. P. Warfield, Clerk.

Court adjourned until January 22, 1929.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, PAWBUKA, OKLAHOMA, TUESDAY, JANUARY 22, 1929.

Court convened pursuant to adjournment, Tuesday, January 22nd, 1929.

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

W. W. LEE, Plaintiff, }
vs. } No. 420-Equity
UNITED STATES ET AL., Defendants. }

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against The Board of County Commissioners of Creek County, Oklahoma, R. B. Morrison and Mattie L. Frazier, Admx., for failure to plead or answer.

Dated this 22nd day of January, 1929.

(SEAL) H. P. WARFIELD, Clerk.
By L. W. Jones, Deputy Clerk.

To the Clerk of said Court:

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

Founders & Founders
Solicitors for Complainant.

ENDORSED: Filed January 22, 1929;
H. P. Warfield, Clerk.

Court adjourned until January 29, 1929.

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

NORTHERN
DISTRICT OF OKLAHOMA

District of

OKLAHOMA

TULSA, OKLAHOMA, TUESDAY, JANUARY 29, 1929.

Court convened pursuant to adjournment, Tuesday, January 29th, 1929.

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, Plaintiff,)
vs.) No. 414-Equity
CITY OF HOMINY, A MUNICIPAL CORPORATION, Defendant.)

ORDER OF DISMISSAL

Now on this 29th day of January, 1929, there coming on to be heard, plaintiff's motion to dismiss the within cause, wherein it is alleged and stated that the within cause has been duly settled by deed of conveyance duly approved by the Department of the Interior conveying the lands in question to the above named defendant, the City of Hominy, and after hearing statement of counsel and being fully advised in the premises, the court finds all the allegations contained in said motion to be true and correct and further finds that said cause should be dismissed without prejudice.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that said cause be and hereby is, dismissed without prejudice, on motion of plaintiff and at costs of plaintiff,

F. E. KENNAMER,
Judge.

J.M: Louis N. Stivers,
Asst. U. S. Atty.

ENDORSED: Filed January 29, 1929.

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

JOSE COLE, Plaintiff,)
vs.) No. 267-Equity
MID-CONTINENT PETROLEUM CORPORATION, A CORPORATION, ET AL., Defendants.)

ORDER OF DISMISSAL

It appearing to the Court that the above named plaintiff and his attorney of record have filed herein a dismissal, with prejudice, of the above entitled cause;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the above styled cause, and the petition of the plaintiff filed therein, be, and the same is hereby dismissed, with prejudice, at the cost of said plaintiff.

Dated this 29th day of January, 1929.

F. E. KENNAMER, Judge.

ENDORSED: Filed January 29, 1929.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, JANUARY 29, 1929.

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

MAUDIE P. LIVINGSTON, Plaintiff, }
vs. } No. 206-Equity
EXCHANGE TRUST COMPANY, Defendant. }

O R D E R

To the Clerk of said Court:

Cause having been shown by a formal motion of said plaintiff, that the following witnesses be served with subpoenas duces tecum to appear before the Court on the 26th day of March, 1929, at nine thirty o'clock, A. M. and to have with them the documents listed below their respective names;

It is, therefore, ORDERED and ADJUDGED by the Court, and the Clerk is so directed, that subpoenas duces tecum be issued and served upon the following named witnesses, requiring said witnesses to be present before said Court, and remain from day to day until final discharge, and to have with them the documents, books, accounts and other writings as listed in exhibit "A", which is attached hereto, and made a part hereof.

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

ENDORSED: Filed January 29, 1929; H. P. Warfield, Clerk.

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

OLD COLONY LIFE INSURANCE COMPANY, Plaintiff, }
AN ILLINOIS CORPORATION, }
vs. } No. 417-Equity
KATE GOINS, ADMINISTRATRIX OF THE }
ESTATE OF J. W. (JAMES W.) GOINS, }
DECEASED, AND J. H. GASTON, ADMIN- }
ISTRATOR OF THE ESTATE OF JAMES }
W. GOINS, DECEASED, Defendants. }

DECREE ON BILL OF INTERPLEADER

Now on this 29th day of January, 1929, this cause came on to be further heard on the bill of interpleader heretofore filed herein by plaintiff and thereupon, upon consideration thereof, it was ordered, adjudged and decreed as follows:

1. That the bill of interpleader of plaintiff is properly brought and filed herein, and the plaintiff having heretofore deposited the sum of \$2,095.11, the same being the proceeds of Policy No. 41174 heretofore issued by the plaintiff on the life of James W. Goins, Deceased, into the registry of this Court, there to abide the judgment of this Court, the said plaintiff, Old Colony Life Insurance Company, an Illinois Corporation, is hereby fully discharged of and from all further liability to the said defendants, Kate Goins, Administratrix of the Estate of J. W. (James W.) Goins, Deceased, and J. H. Gaston, Administrator of the Estate of James W. Goins, Deceased, and each of them, under or on account of said policy of insurance and the proceeds thereof.

2. That plaintiff have and recover out of said fund aforesaid its costs in this behalf together with the sum of \$100.00 attorney fees, which shall be taxed as part of the costs herein; and it appearing that plaintiff has heretofore deposited the sum of \$55.00 with the clerk of

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

NORTHERN
DISTRICT OF
OKLAHOMA

District of

OKLAHOMA

TULSA, OKLAHOMA, TUESDAY, JANUARY 29, 1929.

this Court as advance court costs and has also paid out the sum of \$14.00 for marshal's fees and expenses for executing process herein, the clerk of this Court is hereby ordered and directed to forthwith pay the plaintiff out of said fund the sum of \$139.00, being the total of such costs and deposit and attorney fees aforesaid, and to hold the residue of said fund subject to the further order of this Court.

3. That the temporary injunction heretofore, to-wit, on the 22nd day of September, 1928, granted and issued herein against the defendants, and each of them, be and is hereby made perpetual, and the said defendant Joseph H. Gaston, Administrator of the Estate of James W. Goins, Deceased, is hereby perpetually enjoined and restrained from further prosecuting the suit now pending against the plaintiff herein in the District Court of Sedgwick County, Kansas, said suit bearing No. 66786, being known and styled as Joseph H. Gaston, Administrator of the Estate of James W. Goins, Deceased, plaintiff, vs. Old Colony Life Insurance Company, defendant; and the said defendants, Joseph H. Gaston, Administrator of the Estate of James W. Goins, Deceased, and the said Kate Goins, Administratrix of the Estate of J. W. (James H.) Goins, Deceased, and each of them, are hereby perpetually enjoined and restrained from instituting and prosecuting any suit or proceeding in any state Court, or any other Federal Court, on said policy of life insurance aforesaid. The said Joseph H. Gaston, Administrator of the Estate of James W. Goins, Deceased, is hereby ordered to surrender to plaintiff herein the said policy No. 41174 for cancellation.

F. E. KENNAMER,
District Judge.

Approved: McComb & McComb
Solicitors for plaintiff.

Roy T. Wildman
Solicitors for defendant, Kate Goins,
Administratrix of the Estate of J. W.
(James H.) Goins, Deceased.

John W. Wood,
Solicitors for defendant J. H. Gaston,
Administrator of the Estate of James W.
Goins, Deceased.

ENDORSED: Filed January 29, 1929; H. P. Warfield, Clerk.

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

MINNIE PEELER, Plaintiff,)

vs.)

No. 432-Equity

ROSA B. WRIGHT, AS EXECUTRIX
OF THE ESTATE OF JAMES H. WRIGHT
AND IN HER PERSONAL CAPACITY,)

Defendants.)

O R D E R

With the consent of both parties in the above entitled cause, it is ordered that the defendant be allowed ten days additional time, and until the 11th day of February, 1929, in which to file her motion to dismiss plaintiff's bill of complaint, and the same extension of time is allowed in which to file her brief in support thereof.

Dated this 29th day of January, 1929.

F. E. KENNAMER, Judge.

By: Miller & Stephenson
By R. E. Stephenson, Counsel for plaintiff.

Embry Johnson & Tolbert
Streeter Speakman, Counsel for Defendant.

ENDORSED: Filed January 29, 1929.

Court adjourned until January 30, 1929.

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

NORTHERN DISTRICT OF OKLAHOMA EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, JANUARY 30, 1929.

Court convened pursuant to adjournment, Wednesday, January 30th, 1929.

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:

R. W. MARK, Plaintiff, vs. THE PRAIRIE OIL & GAS COMPANY, A CORPORATION, Defendant. No. 412-Equity.

On this 30th day of January, 1929, it is ordered by the Court that the above entitled cause be, and the same is hereby set for trial on March 25, 1929.

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

UNITED STATES OF AMERICA, Plaintiff, vs. LEM HICKS, HARRY HICKS, AND JOSEPHINE HICKS, Defendants. No. 441-Equity

ORDER FOR TEMPORARY WRIT OF INJUNCTION

And now on this 30th day of January, A. D. 1929, 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 H. C. Cummings, and W. F. Wolverton, 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 defendants above-named, their agents, servants, and employees, are restrained and enjoined from manufacturing, selling, and bartering any intoxicating liquor, as defined in Section 1, of Title II, of the National Prohibition Act, and 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, sale, 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.

OK: Harry Seaton, Assistant United States Attorney.

ENDORSED: Filed January 30, 1929.

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

UNITED STATES OF AMERICA, Plaintiff, vs. RENESE THOMPSON, J. R. DONALDSON, RAY POTTER, S. O. CLARK, AND FRANK BILLINGSLEY, Defendants. No. 442-Equity

ORDER FOR TEMPORARY WRIT OF INJUNCTION

And now on this 30th day of January, A. D. 1929, this matter

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

WEDNESDAY, JANUARY 30, 1929.

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

UNITED STATES OF AMERICA, Plaintiff,)

vs.)

No. 444-Equity

WILLIAM STONAJER AND
HEMBETH FERRELL,

Defendants.)

ORDER FOR TEMPORARY WRIT OF INJUNCTION

And now on this 30th day of January, A. D. 1929, 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 W. C. Cummings, and W. F. Wolverton, 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 defendants above-named, their agents, servants, and employees, are restrained and enjoined from manufacturing, selling, and bartering any intoxicating liquor, as defined in Section 1, of Title II, of the National Prohibition Act, and 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, sale, keeping, and bartering of such liquor, and from conducting or permitting the continuance of a common nuisance upon said premises.

F. E. KENNEDY,

United States District Judge.

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

RECORDED: Filed January 30, 1929.

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

NORTHERN
EQUITY DIVISION,

District of

OKLAHOMA

TULSA, OKLAHOMA.

THURSDAY, JANUARY 31, 1929

Court convened pursuant to adjournment, Thursday, January 31st, 1929.

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

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

THE SEABOARD NATIONAL BANK
OF THE CITY OF NEW YORK,
TRUSTEE,

Plaintiff,

vs.

THE TULSA STREET RAILWAY
COMPANY, A CORPORATION,
ET AL.,

Defendants.)

No. 388-Equity

On this 31st day of January, A. D. 1929, it is by the Court ordered that motion to confirm sale, in above entitled cause, be set for hearing February 12, 1929.

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

R. W. MARK AND GUM BROTHERS
COMPANY, A CORPORATION,

Plaintiffs,

vs.

THE PRAIRIE OIL & GAS COMPANY,
A CORPORATION,

Defendant.)

No. 212-Equity

O R D E R

Now on this 31st day of January, 1929, it appearing that the above styled and numbered cause, which was heretofore set for trial on February 13, 1929, has been reset and assigned for final hearing at 9:30 o'clock A. M., March 25, 1929, in the United States Court Room in the Federal Building at Tulsa, Oklahoma, and it further appearing that the plaintiffs herein have heretofore subpoenaed various witnesses who have been directed by the court to appear for the trial of said case without further notice;

NOW, THEREFORE, IT IS ORDERED AND DECREED by the court that all witnesses which have been heretofore subpoenaed by the plaintiffs be, and they hereby are ordered and directed, without further notice, to appear at the trial of this cause at 9:30 o'clock A. M., March 25, 1929, in the United States Court Room in the Federal Building at Tulsa, Oklahoma, and that said witnesses need not appear on February 13, 1929.

F. E. KINNAMER,

Judge.

ENDORSED: Filed January 31, 1929; H. P. Warfield, Clerk.

Court adjourned until February 1, 1929.

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

NORTHERN DISTRICT of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, FEBRUARY 1, 1929

Court convened pursuant to adjournment, Friday, February 1st, 1929.

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:

HARRIET HOSEY, ET AL., Plaintiffs, }
vs. } No. 238-Equity
JAMES A. CHAPMAN, ET AL., Defendants. }

Now, on this 1st day of February, 1929, the matter of the exceptions to the Special Master's report, filed and entered in the above entitled cause, came on for hearing and it is by the Court ordered that said exceptions be and they are hereby set for hearing on February 12, 1929, and it is further ordered that the application of the Special Master for a final allowance of fees for his services as Special Master, is set for hearing on February 12, 1929.

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

FIRST NATIONAL BANK OF
TULSA, OKLAHOMA, Plaintiff, }
vs. } No. 39-Equity
NATIONAL HARDWOOD COMPANY,
A CORPORATION, AND OKLAHOMA
AND ARKANSAS RAILWAY COMPANY,
A CORPORATION, Defendants. }
W. M. SANDERS, COUNTY TREASURER
OF DELAWARE COUNTY, OKLAHOMA. Intervenor. }

ORDER SUBSTITUTING F. M. BREWSTER, IN THE PLACE AND STEAD OF
W. M. SANDERS, AS COUNTY TREASURER OF DELAWARE COUNTY,
OKLAHOMA.

On February 1, 1929, F. M. Brewster, the duly elected, qualified and acting County Treasurer of Delaware County, Oklahoma, moved this Court to substitute the name of F. M. Brewster in the place and stead of W. M. Sanders, in all pleadings in this cause, as County Treasurer of Delaware County, Oklahoma.

The Court finds that W. M. Sanders, as County Treasurer of Delaware County, Oklahoma, intervened in this cause on Oct. 1924, in behalf of said County; that said Sanders retired as treasurer of said county on July 1, 1925; that F. M. Brewster is the present duly elected, qualified and acting Treasurer of Delaware County, Oklahoma; and that the name of F. M. Brewster, should be substituted in the place and stead in all pleadings filed in this cause, as Treasurer of Delaware County, Oklahoma.

Therefore, it is ordered, considered, adjudged, and decreed, that the name of F. M. Brewster be and the same hereby is, substituted for that of W. M. Sanders, as Treasurer of Delaware County, in all pleadings in this cause.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 1, 1929; H. P. Warfield, Clerk.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, FEBRUARY 1, 1929.

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

HEMLOCK OIL COMPANY,
A CORPORATION,

Plaintiff,)

vs.)

J. A. TURNER,

Defendant.)

No. 451-Equity.

O R D E R

Now on this the 1st day of February, 1929, comes on for hearing the motion of the plaintiff to dismiss the above styled cause,

It is, therefore, ordered, adjudged and decreed by the court that said cause be dismissed without prejudice, at the costs of the plaintiff,

F. E. KENNAMER,

Judge.

ENDORSED: Filed Feb. 1, 1929; H. P. Warfield, Clerk.

Court adjourned until February 2, 1929.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, SATURDAY, FEBRUARY 2, 1929

Court convened pursuant to adjournment, Saturday, February 2nd, 1929.

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:

THE OIL WELL IMPROVEMENTS COMPANY,	Plaintiff,	}	No. 437-Equity
vs.			
PAUL ARBON & COMPANY,	Defendant.		

On this 2nd day of February, 1929, the above entitled cause comes on for hearing and at this time, it is by the Court ordered that same be and it is hereby passed for hearing to Tuesday, February 5, 1929, at 9:30 o'clock A. M.

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

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

D E C R E E

This cause coming on regularly to be heard before the Honorable Franklin E. Kennamer, United States District Judge for the Northern District of Oklahoma, at Tulsa, in said district, on the 3rd day of May, 1928, WILL BAIR and E. P. SINCLAIR, ESQRS., of MESSRS. BAIR, FREEMAN & SINCLAIR, and STEWART LYNCH, ESQ., of MESSRS. MASON HONNOLD & WILLIAMS, appearing as solicitors for the Plaintiff, and WELBURN MAYOCK, ESQ., and W. F. TUCKER, ESQ. of MESSRS. ABY & TUCKER, appearing as solicitors for the Defendant, and evidence, both oral and documentary having been introduced and arguments and briefs submitted by the solicitors for the respective parties, and the matter having been submitted for decision, it is, therefore,

ORDERED, ADJUDGED AND DECREED as follows:

1. That defendant has not infringed plaintiff's letters patent No. 1,600,162; and
2. That the cause be and hereby is dismissed and that defendant recover from plaintiff its costs herein expended.

F. E. KENNAMER, Judge.

Judgment acceptable as to form.
Bair, Freeman & Sinclair
Mason, Honnold & Williams
By Stewart Lynch
Solicitors for Plaintiff.

ABY & TUCKER
WELBURN MAYOCK
By Welburn Mayock
Solicitors for Defendant.

ENDORSED: Filed February 27, 1929; H. P. Warfield, Clerk.

Court adjourned until February 4, 1929.

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

NORTHERN

District of

OKLAHOMA

REGULAR SESSION,

TULSA, OKLAHOMA,

MONDAY, FEBRUARY 4, 1929.

Court convened pursuant to adjournment, Monday, February 4th, 1929.

Present: Hon. F. D. Kennamer, Judge, U. S. District Court
H. P. Werfield, 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 AT A REGULAR STATED TERM THEREOF HELD IN SAID DISTRICT, IN THE UNITED STATES DISTRICT COURT ROOM IN THE CITY OF TULSA IN SAID DISTRICT ON THE 4TH DAY OF FEBRUARY, 1929.

PRESENT HONORABLE F. D. KENNAMER, JUDGE.

THE GEORGE LODGE KNIGHTS OF PYTHIAS
INSURANCE DEPARTMENT,
Interpleader-Plaintiff,

vs.

In Equity-No.447

JENNIE E. BAILEY, FRED CHARLES
BAILEY, ORA PARK BAILEY, EDNA M.
BAILEY, VIRGINIA MARGARET BAILEY,
HATTIE ELVA WILSON-DAWSON,
Defendants.)

O R D E R

A Bill of Interpleader, verified on the 4th day of February, 1929, having been duly filed herein by the above-named Interpleader-Plaintiff, on the 4th day of February, 1929, from which it satisfactorily appears that the plaintiff is a corporation organized and existing under the laws of the United States of America and by virtue of the Act of Congress, approved June 29, 1894, and amendments thereto approved June 7, 1900, and February 26, 1907, and duly authorized and licensed to transact business of Life Insurance in the United States of America and elsewhere, and in so far as matters herein complained of, particularly in the State of Indiana and the State of Oklahoma, being contained in and a part of the United States of America, and having its principal place of business for the transaction of Life Insurance in the City of Indianapolis, State of Indiana, and being then and there, and at all times herein named, a lawful resident for the purposes herein contained, of the State of Indiana, United States of America; that Edwin Marcus Bailey died on the 4th day of July, 1928; that he was insured under Certificate No. 275238, for One-Thousand (\$1,000.00) Dollars, dated September 1, 1909; that proof of the death of said Edwin Marcus Bailey has been filed with the said Supreme Lodge Knights of Pythias Insurance Department, Interpleader-Plaintiff above-named; that said Certificate of Insurance was made payable to Fred Charles Bailey and Ora Park Bailey, his sons, with Application pending for Change of Beneficiary to Jennie E. Bailey, his wife; and at the time of his death was living in Tulsa, Oklahoma, being in the Northern District of Oklahoma; that he left surviving him the following heirs, to-wit:

Jennie E. Bailey, his wife, residing at Tulsa, Oklahoma, Northern District of Oklahoma;

Fred Charles Bailey, his son, residing at Chicago, Illinois, being in the Northern District of the United States Court in and for the State of Illinois.

Ora Park Bailey, his son, residing at Chicago, Illinois, being in the Northern District of the United States Court in and for the State of Illinois;

Edna M. Bailey, his daughter, residing at Tulsa, Oklahoma, being in the Northern District of the United States Court in and for the State of Oklahoma; and,

Virginia Margaret Bailey, his daughter, residing in Tulsa, Oklahoma, being in the Northern District of the United States Court in and for the State of Oklahoma;

that the said Jennie E. Bailey, one of the claimants, as set out and contained in said Bill of Interpleader, bases her claim upon the Application of Edwin Marcus Bailey for Change of Beneficiary, from his two sons,

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, MONDAY, FEBRUARY 4, 1929.

namely Fred Charles Bailey and Ora Park Bailey, to Jennie E. Bailey, his wife up to the time of his decease; and that the said defendants, Fred Charles Bailey, Ora Park Bailey, Edna M. Bailey and Virginia Margaret Bailey, and each of them claimants herein, as set out and contained in Interpleader-plaintiff's Bill of Interpleader, notwithstanding the fact that Edwin Marcus Bailey made Application for Change of Beneficiary from his two sons, Fred Charles Bailey and Ora Park Bailey to Jennie E. Bailey, his wife; base their right and claim upon the fact that they are each of them the children and sole and only children and heirs of Edwin Marcus Bailey, and by reason thereof are entitled, lawfully and legally, to be paid the monies due under said Certificate of Insurance; and,

That the said Supreme Lodge Knights of Pythias Insurance Department, Interpleader-Plaintiff herein, is liable for the payment of the sum of One-Thousand (\$1,000.00) Dollars, under said Certificate of Insurance, to the person or persons legally and lawfully entitled thereto; that, the defendants above named are adverse claimants thereto, and are citizens of different states; that three of said defendants, Jennie E. Bailey, Edna M. Bailey and Virginia Margaret Bailey are each of them a citizen and resident within the jurisdiction of this Court, being the Northern District of the State of Oklahoma; and, that two of said defendants, Fred Charles Bailey and Ora Park Bailey, are each of them a citizen and resident within the jurisdiction of the Northern District of the United States Court in and for the State of Illinois, and, that each of said defendants claim to be entitled to the payment of said money and threaten to bring suit against the plaintiff to recover same; that, the Interpleader-Plaintiff herein admits its liability for the payment of said amount so due, to-wit, One-Thousand (\$1,000.00) Dollars, deposited with the Clerk of this Court, and has made no claim to any part thereof; that neither the Interpleader-Plaintiff nor any of its officers or agents collude with either, or any of said defendants, touching the matters at issue, and does not seek this relief at the instance and request of either or any of said defendants, but solely and wholly of its own free will and to avoid being molested and injured by the threatening suit of the said defendants;

IT IS NOW, ON MOTION OF FRANK E. DUNCAN, ATTORNEY FOR INTERPLEADER-PLAINTIFF HEREIN,

ORDERED (as in said Bill of Interpleader prayed for that the defendants and each of them, their assigns and those claiming under them, their attorneys and agents, be, and they are hereby enjoined in the State of Oklahoma, in the State of Illinois, in the State of Indiana, or elsewhere, from instituting any proceeding or legal action or continuing any proceeding or legal action already taken as against the Interpleader-Plaintiff for the recovery of, or to enforce the payment of the said sum of One Thousand (\$1,000.00) Dollars or any part thereof, or any sum whatever, which may be due or which may be alleged to be due under Certificate No. 275238, issued by the Supreme Lodge Knights of Pythias Insurance Department, Interpleader-Plaintiff herein, on the life of Edwin Marcus Bailey, or from continuing any action or proceeding already taken for that cause.

ORDERED, That the usual subpoena, returnable in twenty days from date of service thereof, issued herein directed to each of the defendants; and that said subpoena be served together with a copy of this Order and the papers upon which the same is granted, upon each of the defendants herein named, by the United States Marshals, for the respective Districts where said defendants reside, or may be found; that each of said defendants be required to file and answer to said Bill of Interpleader on or before the twentieth day after service, excluding the date thereof, or upon default of such answer, that the said Bill may be taken PRO CONFESO, and upon the service of said subpoena and copy of this Order and the papers upon which the same was granted, upon each of the defendants herein, it is further

ORDERED, That the said defendants, the contesting parties herein, interplead between themselves as to their respective claims or rights in and to said funds, and, that such proceedings be had thereupon as are required and provided for by the rules and practice of this Court, and, that either of them have leave to apply upon the usual notice of motion to the other for the further order of the Court in this behalf; and it is further

ORDERED, that the Plaintiff, having deposited the sum of One Thousand (\$1,000.00) Dollars, with the Clerk of this Court, be, and it is hereby discharged from further liability for the payment of such sum

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

NORTHERN
DISTRICT OF OKLAHOMA

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, FEBRUARY 4, 1929.

to either of the defendants herein; and it is further

ORDERED, that the defendants, or the one having possession thereof, do forthwith surrender and deliver up Certificate No. 275278, issued by the Supreme Lodge Knights of Pythias Insurance Department, Interpleader-Plaintiff herein, of Indianapolis, Indiana, to the Clerk of this Court for cancellation and by him to be turned over to the Supreme Lodge Knights of Pythias Insurance Department, Indianapolis, Indiana; and it is further

ORDERED, that the plaintiff may apply for an allowance of his costs, and the cancellation of said Certificate and for such further relief as shall be just and proper.

F. E. KENNALSER,

United States District Judge.

ENDORSED: Filed February 4, 1929, H. P. Warfield, Clerk.

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

JOE GRAYSON, Plaintiff, }

vs. }

THE PRAIRIE OIL & GAS COMPANY,
A CORPORATION, ET AL.,

Defendants. }

No. 408-Equity.

O R D E R

On this 4th day of February, 1929, upon application of the defendant, The Prairie Oil & Gas Company, it is ordered in open court that all depositions heretofore filed in the office of the Clerk of this Court be opened and published.

F. E. KENNALSER,

District Judge.

ENDORSED: Filed Feb. 4, 1929; H. P. Warfield, Clerk.

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

SAM FORD, Plaintiff, }

vs. }

THE PRAIRIE OIL & GAS COMPANY,
A CORPORATION, ET AL.,

Defendants. }

No. 422-Equity.

O R D E R

On this 4th day of February, 1929, upon application of the defendant The Prairie Oil & Gas Company, it is ordered in open court that all depositions heretofore filed in the office of the Clerk of this Court be opened and published.

F. E. KENNALSER,

District Judge.

ENDORSED: Filed Feb. 4, 1929; H. P. Warfield, Clerk.

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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, FEBRUARY 4, 1929

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

SAM FORD, Plaintiff,)
vs) No. 422-Equity
PRAIRIE OIL & GAS COMPANY,)
ET AL., Defendants.)

O R D E R

Now on this 4th day of February, 1929, the motion of the Standard Oil Company of Indiana for more definite statement of bill coming on to be heard, and by agreement of counsel,

IT IS HEREBY ORDERED that said motion of said defendant be and the same is hereby overruled, and the Standard Oil Company of Indiana is hereby allowed thirty days from this date in which to file its answer herein.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 4, 1929; E. P. Warfield, Clerk

Court adjourned until February 5, 1929.

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

NORTHERN
EQUITY DIVISION,

District of

OKLAHOMA

TULSA, OKLAHOMA,

TUESDAY, FEBRUARY 5, 1929.

Court convened pursuant to adjournment, Tuesday, February 5th, 1929.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court
A. D. Hatfield, Esq. Clerk, U. S. District Court

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

FANNIE CARR, ET AL.,	Plaintiffs,	}	No. 91-Equity
vs.			
THE TULSA STREET RAILWAY COMPANY, A CORPORATION,	Defendant.		

NOW on this 5th day of February, 1929, the above entitled matter comes on for hearing on motion of William Miller to require the Receiver to pay the judgment and after hearing argument of counsel and being fully advised in the premises, it is by the Court ordered that said motion be stricken from this assignment and it is further ordered that said motion be and the same is hereby referred to the Special Master herein for report.

JACKSON BARNETT, AN INCOMPETENT, BY FRED T. HILDT AS NEXT FRIEND,	Plaintiff,	}	No. 216-Equity.
vs.			
GYPSY OIL COMPANY, A CORPORATION, ET AL.,	Defendants.		

NOW on this 5th day of February, 1929, the above matter comes on for hearing on the various motions heretofore filed herein and at this time, it is by the Court ordered that said motions be, and they are hereby stricken from this assignment and set for hearing at some future date.

J. T. SMITH, ET AL.,	Plaintiffs,	}	No. 266-Equity
vs.			
KARIE FIXICO, et al.,	Defendants.		

NOW on this 5th day of February, 1929, comes on for hearing the above entitled cause on special application and motion to vacate and at this time it is by the Court ordered that said special application and motion to vacate be and they are hereby stricken from this assignment.

WALTER LEE MOYER, ET AL.,	Plaintiffs,	}	No. 300-Equity.
vs.			
JOHN KENNEDY, ET AL.,	Defendants.		

NOW on this 5th day of February, 1929, comes on for hearing the motion to dismiss the amended Bill, heretofore filed herein, and the Court, after hearing statements of counsel and being well and fully advised in the premises, it is ordered that said motion to dismiss be and the same is hereby overruled.

JOHN H. DYKES, RECEIVER,	Plaintiff,	}	No. 305-Equity
vs.			
IDA BAUCOM, ET AL.,	Defendants.		

NOW on this 5th day of February, 1929, the above entitled cause comes on for hearing on motion of plaintiff to strike portions of defendant's answer heretofore filed herein, and the Court after hearing

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

NORTHERN
EQUITY SESSION, **District of** OKLAHOMA
TULSA, OKLAHOMA, TUESDAY, FEBRUARY 5, 1929.

statements of counsel and being fully advised in the matter, it is ordered by the Court that said motion be passed to Friday, February 6, 1929, for hearing.

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

JOHN H. DYKES, RECEIVER, FIRST NATIONAL BANK, BARNSDALL, OKLAHOMA,	}	
	Plaintiff,	
vs.	}	No. 305-Equity.
IDA BAUCOM, H. L. BAUCOM, AND THE NATIONAL BUILDING & LOAN ASSOCIATION OF TAMMESA, OKLAHOMA,	}	
	Defendants.	

O R D E R

Now on this 5th day of February, 1929, this cause came on for hearing upon motion of plaintiff to substitute Harwood Keaton, receiver of the First National Bank of Barnsdall, Oklahoma, as plaintiff in the above styled cause, and it appearing to the court that the said Harwood Keaton has been duly appointed and has qualified as such receiver, it is so ordered.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 5, 1929; A. P. Warfield, Clerk.

PALISSA KEMS, ET AL.,	}	
	Plaintiffs,	
vs.	}	No. 346-Equity.
D. REPLOGIE, ET AL.,	}	
	Defendants.	

NOW on this 5th day of February, 1929, came on for hearing the motion of the defendant to require plaintiff to separately state the causes of action in the Bill of Complaint, heretofore filed herein, and upon agreement of counsel said motion is hereby stricken and withdrawn by the defendant.

JAMES J. MARS, EXECUTOR, ET AL.,	}	
	Plaintiffs,	
vs.	}	No. 402-Equity.
D. A. McDOUGAL, ET AL.,	}	
	Defendants.	

Now on this 5th day of February, 1929, came on for hearing the motion of the defendants, D. O. Lytle, et al., for an order to set the above entitled cause for hearing on the former plea of adjudication, heretofore taken, and it is by the Court ordered that said motion be and it is hereby taken under advisement.

And on this same day there came on for hearing the motion of H. U. Bartlett to quash the summons in the above entitled cause and upon agreement of counsel, said motion is hereby withdrawn.

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

JAMES J. MARS, EXECUTOR, ET AL.,	}	
	Plaintiff,	
vs.	}	No. 402-Equity
D. A. McDOUGAL, ET AL.,	}	
	Defendants.	

O R D E R

Now on this 5th day of February, 1929, the above matter comes on to be heard on the motion of plaintiff for an order of this Court allowing said plaintiffs to file an amended petition herein, and the Court being fully advised in the premises, finds that said motion should

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, FEBRUARY 5, 1929.

be granted and said amended petition should be filed as of this date,

Thereupon, Defendants, D. A. McDougal, W. C. Lytle, C. B. Rockwood, W. V. Pryor, H. U. Bartlett, J. Garfield Buel, and Ethel E. Buel, are granted and allowed five days from this date within which to file supplemental and amended answer and that their answer heretofore filed be considered as refiled as to said amended petition as of this date.

That Ada Jack, Melinda Jack, a minor, Ada Jack, Guardian of the estate of Melinda Jack, a minor, and Joseph Bruner, administrator of the estate of Holly Jack, deceased, be given 10 days from this date within which to file answer to said amended petition.

All of which is ordered, and adjudged by the Court.

F. E. KEMMELER, Judge.

OK:

Attorneys for Plaintiff

L. O. Lytle, W. V. Pryor,
D. A. McDougal,
Hughes & Ellinghousen
West, Gibson, Sherman, Davidson & Hull
Attorneys for Defendants.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

JAMES J. MARS, EXECUTOR, ET AL., Plaintiffs, }
vs. } No. 403-Equity
D. A. McDUGAL, ET AL., Defendants. }

Q R D E R

Now on this 5th day of February, 1929, the plaintiffs having been given leave to file a second amended petition, and the defendants, D. A. McDougal, L. O. Lytle, W. V. Pryor, C. B. Rockwood, H. U. Bartlett, J. Garfield Buel, and Ethel E. Buel, are given leave to refile their answer heretofore filed; plaintiffs are therefore given leave to refile their reply, which has heretofore been filed herein, to the answer of said defendants as refiled herein.

F. E. KEMMELER, Judge.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

JAMES W. GULLETT, RECEIVER, Plaintiff, }
vs. } No. 419-Equity
H. S. HISSON, ET AL., Defendants. }

On this 5th day of February, 1929, comes on for hearing the motion of W. E. Montgomery, one of the defendants herein, to dismiss the Bill of Complaint and the Court being advised in the premises, said motion is sustained and it is further ordered that the plaintiff herein be and he is hereby given Ten (10) days from this date within which to amend his Bill of Complaint.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, FEBRUARY 5, 1929.

JAMES W. GULLETT, RECEIVER, Plaintiff, }
vs. } No. 421-Equity
O. H. WEST, ET AL., Defendants. }

NOW on this 5th day of February, 1929, this matter comes on for hearing on special appearance and motion to quash the Bill of Complaint heretofore filed herein and upon agreement of counsel, said motion is hereby withdrawn by the defendant; thereupon, it is by the Court ordered that defendant be given five (5) days to plead or twenty (20) days to answer.

THE COLUMBIAN NAT'L LIFE Insurance Company, Plaintiff, }
vs. } No. 423-Equity
KATHLEEN M. CASTLE, Defendant. }

On this 5th day of February, 1929, this matter comes on for hearing on motion of defendant to strike the Bill of Complaint, heretofore filed herein and upon agreement of counsel, said motion of defendant is hereby withdrawn and the cause is now issue.

JAMES W. GULLETT, RECEIVER, Plaintiff, }
vs. } No. 427-Equity
J. A. POPE, ET AL., Defendants. }

On this 5th day of February, 1929, the above entitled cause coming on to be heard on motion of defendant herein to dismiss and after hearing statements of counsel and being fully advised in the premises, said motion is by the Court overruled and the defendant granted twenty (20) days to answer.

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

GERALDINE HENNETT, Plaintiff, }
vs. } No. 153-Equity
ELISHA SCOTT, ET AL., Defendants. }

JOURNAL ENTRY OF JUDGMENT

Now on this 5th day of February, 1929, the above styled and numbered cause came on for hearing on the motion to vacate judgment and plea to the jurisdiction of the court. The plaintiff being present and represented by her attorneys, Miller and Stephenson, and the defendant Elisha Scott being represented by his attorneys, Davis & Frazier, said motion being called in its regular order.

The court after hearing the argument of counsel and being fully advised in the premises finds that the motion of Elisha Scott objecting to the jurisdiction of the court over his person should be and the same is hereby sustained.

It is therefore ordered, adjudged and decreed by the court that the judgment pro confesso heretofore entered and rendered against the defendant Elisha Scott was rendered without jurisdiction and is void, and the same is hereby vacated, set aside, and annulled.

F. H. IRSHAW, U. S. District Judge.

OK: Miller & Stephenson
By R. M. Stephenson
Attorneys for Plaintiff.
OK: Davis and Frazier
Attorneys for Defendant.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, FEBRUARY 5, 1929.

defendant herein. It is further ordered that Claude M. Vaughan, now complainant, by substitution be and he is hereby aligned as party defendant.

IT IS FURTHER ORDERED that the defendant, Johns-Manville, Inc., be not required to file any pleadings or answer to the said supplemental bill in the nature of an original bill, filed for and on behalf of Victor Clifford, until the conflicting claims to the title and ownership of the said Clifford patents involved in this suit and cause be determined between Victor Clifford and Claude M. Vaughan and other parties claimant thereto, and until further order of this Court.

IT IS FURTHER ORDERED that this cause be referred to Gerald F. O'Brien, Esquire, as Special Master to ascertain and report to this Court upon the issues made between Victor Clifford and Claude M. Vaughan and such other parties defendant, such report to be made to this Court prior to and before any testimony is heard upon the issues made between Victor Clifford and the defendant, Johns-Manville, Inc.

AND IT IS FURTHER ORDERED by the Court that the Special Master be clothed with full power to examine as well the parties as any other witnesses orally or upon written interrogatories under oath, in the premises and to require the production of all vouchers, papers and other documents pertinent and proper in the premises; and that he state and report a full account in the premises; that he be clothed with all the usual powers and authorities of a Master in all things touching the premises.

And all other and further orders and decrees are reserved for the consideration of the Court.

F. H. KENNEDY,

OK: F. E. Riddle
Solicitor for Victor Clifford

OK: Mason & Williams,
Solicitors for Johns-Manville, Inc.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

J. B. STRATFORD, Complainant,)
vs.) Po. 791-Equity
TULSA INVESTMENT COMPANY,)
A CORPORATION, TULSA SECURITY COMPANY,)
A PARTNERSHIP, COMPOSED OF C. L.)
WATTE, A. J. HAMEL AND J. W. HAMEL,)
A. J. HAMEL, J. W. HAMEL, C. L.)
WATTE AND MARY M. MILLER,)
Respondents.)

O R D E R

Now on this 5th day of February, 1929, there comes on for hearing in its regular order pursuant to assignment, the answer of the respondents herein, Tulsa Investment Company, a corporation, A. J. Hamel, J. W. Hamel, and Mary M. Miller, which was by the Court considered in the form of motion to dismiss, and upon hearing the said, and argument of the counsel thereon, it is ordered that said motion be, and the same is hereby overruled and the said respondents are hereby given twenty days from this date in which to answer. To which ruling of the Court, the respondents did then and there except, which exceptions were by the Court denied.

F. H. KENNEDY, Judge.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

NORTHERN
DISTRICT OF OKLAHOMA,
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, FEBRUARY 5, 1929.

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

JOHN H. DYKES, RECEIVER,)

VS.)

G. R. LITTLE,)

No. 187-Equity.

O R D E R

For good cause shown it is ordered that defendant be given sixty days from this date within which to file amended answer herein.

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

CORNELIUS WILSON, Plaintiff,)

vs.)

HERBERT F. TYLER, M. R. PATTERSON,
GUY SWAIN, CHESTER L. DuCOMB; F. H.
SHELLACK; ROSE B. DIRICKSON AND
CLARE DIRICKSON, HER HUSBAND, AND
THE UNION NATIONAL BANK OF BARTLES-
VILLE, OKLAHOMA, A CORPORATION,)

Defendants.)

UNITED STATES,)

Intervenor)

No. 418-Equity

DECREE DISMISSING BILL ON DEFENDANTS' MOTION
TO DISMISS

This cause came on to be heard at this term, and was argued by counsel; and thereupon, upon consideration thereof, on the 15th day of February, 1929, the Honorable Franklin E. Kennamer, District Judge, announced his decision and caused a minute entry thereof to be made substantially as follows:

"This cause having heretofore been submitted to the Court for its consideration and decision on defendants' motion to dismiss the bill of complaint; the Court having considered the same, and being fully advised in the premises, now announces its conclusion herein, and it is officially ordered that said motion of defendants' to dismiss the bill of complaint be, and the same is hereby granted; to which plaintiff and intervenor duly excepted."

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, as follows: That defendants' motion to dismiss be sustained, and that the cause be, and hereby is dismissed, and that defendants recover from plaintiff, their costs herein expended.

F. E. KENNAMER,

Judge District Court of United
States, for Northern District of
Oklahoma.

OK: as to form:
Norman Barker
Attorney for plaintiff.

Louis N. Stivers,
Attorney for United States.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, FEBRUARY 5, 1929.

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

NATIONAL AID LIFE ASSOCIATION,)
A CORPORATION,)
) Plaintiff,)
vs.) No. 416-Equity.
)
ELIZABETH H. HENRY AND)
BERTHA LOUISE HENRY,)
) Defendants.)

JUDGMENT AND ORDER ON STIPULATION

Now on this 5th day of February, 1929, it having been announced by counsel representing all parties and in open court, that an agreement for a settlement of the within and foregoing action has been agreed to, and all the parties to said action having presented and filed in this court, a stipulation for the settlement of said cause and a distribution of the funds deposited in this court by National Aid Life Association, interpleader herein, and the court being fully advised in the premises, finds that the stipulation herein filed should be, and it is hereby approved, and

IT IS ORDERED AND ADJUDGED That the clerk of this court pay out from the sum of two thousand five hundred twelve and 50/100 (\$2,512.50) dollars deposited herein by the interpleader, and pursuant to said stipulation, the respective amounts as follows: National Aid Life Association and Snyder Owen & Lybrand, and Fair & Crouch, one hundred fifty (\$150.00) dollars, being \$125.00 attorneys' fee and \$25.00 advanced cost deposit; Bertha Louise Henry and Aby & Tucker, eight hundred (\$800.00) dollars; Elizabeth H. Henry, the entire balance of said sum so deposited, in the amount of Fifteen Hundred Thirty Seven & 37/100 (\$1537.37).

IT IS FURTHER CONSIDERED AND ADJUDGED That upon the issuance of the payments as aforesaid by the clerk of this court, the interpleader herein, National Aid Life Association, shall be, and it is, hereby forever discharged and dismissed from any and all further liability to either of the defendants herein, under and by virtue of the beneficiary certificate set forth in the bill of interpleader filed herein.

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

ENDORSED: Filed Feb. 5, 1929; H. F. Warfield, Clerk.

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

R. H. MACY & CO., INC.,)
A CORPORATION,)
) Plaintiff,)
vs.) No. 433-Equity.
)
MACYS INC.,)
A CORPORATION,)
) Defendant.)

ORDER OVERRULING MOTION OF DEFENDANT TO STRIKE AND MOTION OF DEFENDANT TO MAKE MORE DEFINITE AND CERTAIN

On this 5th day of February, A. D. 1929, comes on to be heard the motion of the defendant herein to strike certain portions of the plaintiff's bill and also the motion to require plaintiff to make said bill more definite and certain, the defendant appearing by its attorneys Yancey & Fist, and the plaintiff appearing by its attorneys Best, Gibson, Sherman, Davidson & Hull; and the court having heard the argument of counsel and having considered the matter and being well and sufficiently advised in the premises,

IT IS BY THE COURT CONSIDERED, ADJUDGED AND DECREED that the said motion to strike and to make more definite and certain be, and the same is hereby, overruled.

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

NORTHERN
DISTRICT OF OKLAHOMA,
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, FEBRUARY 5, 1929.

And it is by the court further ordered that the defendant
Macys Inc. be and it is hereby allowed ten (10) days from this date
within which to file its answer to the complainant's bill.

To which action of the court in so overruling its motion to
strike and its motion to require the plaintiff to make its bill more
definite and certain the defendant Macys Inc. now and here in open court
excepts and its exceptions are allowed.

Done at Tulsa, Oklahoma, this 5th day of February, 1929.

F. E. KENNAUER, Judge.

OK: Yancy & Fist
for Deft.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

WILLIAM P. HATCHETT, JR.,
A MINOR, BY HIS NEXT FRIEND,
GERTRUDE YOUNG,

Plaintiff,

vs.

J. P. HATCHETT, ET AL., Defendants.

No. 434-Equity

JOURNAL ENTRY AND ORDER.

Now on this the 5th day of February, 1929, there coming on to
be heard the separate motion of I. S. Mincks and Effie Mincks to dis-
miss the petition in the above styled and numbered cause of action, and
the plaintiff being present by his attorney, E. J. Lundy, Esquire, and
the defendants I. S. Mincks and Effie Mincks, being present by their
attorney, Remington Rogers, Esquire, and both of said parties announcing
ready to be heard upon said motion, and after argument of counsel, the
court being well and fully advised in the premises, is of the opinion
that said motion to dismiss should be and the same is accordingly over-
ruled, to which action of the court in over-ruling said motion the de-
fendants, I. S. Mincks and Effie Mincks, duly excepted and except and ask
that their exceptions be allowed and noted of record, which is accord-
ingly done, and for good cause shown, it is ordered that the defendants,
I. S. Mincks and Effie Mincks, be and they are hereby granted twenty days
from this date in which to file an answer in said cause.

F. E. KENNAUER, Judge.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

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

Plaintiff,

vs.

E. R. LITTLE, ET AL., Defendant.

No. 187-Equity

O R D E R

Now on this 5th day of February, 1929, this cause came on for
hearing upon motion of plaintiff to substitute Harwood Keaton, receiver
of the First National Bank of Barnsdall, Oklahoma, as plaintiff in the
above styled cause, and it appearing to the court that the said Harwood
Keaton has been duly appointed and has qualified as such receiver, IT IS
SO ORDERED.

F. E. KENNAUER, Judge.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, TUESDAY, FEBRUARY 5, 1929.

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

JOHN H. BYLES, RECEIVER OF
THE FIRST NATIONAL BANK OF
BARNSDALL, OKLAHOMA,)
Plaintiff,)
vs.) No. 227-Equity.
C. G. SHULL, BANK COMMISSIONER,
OF THE STATE OF OKLAHOMA,)
Defendant.)

O R D E R

NOW on this 5th day of February, 1929, this cause came on for hearing upon motion of plaintiff to substitute Harwood Keaton, receiver of the First National Bank of Barnsdall, Oklahoma, as plaintiff in the above styled cause, and it appearing to the court that the said Harwood Keaton has been duly appointed and has qualified as such receiver, IT IS SO ORDERED.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

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

JOHN H. BYLES, RECEIVER OF
THE FIRST NATIONAL BANK OF
SAPULPA, OKLAHOMA,)
Plaintiff,)
vs.) No. 45-Equity.
F. W. REED, I. F. McGLEE,
J. A. BOYD, SAM DREYFUS,
A. H. STONE, J. W. ADAMS,
W. J. MILLER, AND ROSE G.
CREWGAN, EXECUTRIX OF THE
ESTATE OF E. T. CREWGAN,
DECEASED,)
Defendants.)

O R D E R

Now on this 5th day of February, 1929, this cause came on for hearing upon motion of plaintiff to substitute Harwood Keaton, receiver of the First National Bank of Sapulpa, Oklahoma, as plaintiff in the above styled cause, and it appearing to the court that the said Harwood Keaton has been duly appointed and has qualified as such receiver, IT IS SO ORDERED.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 5, 1929; H. P. Warfield, Clerk.

LEE CLINTON, AN INCORPORATED,) Plaintiff,)
vs.) No. 435-Equity.
SHELLY OIL COMPANY, A)
CORPORATION,) Defendant.)

On this 5th day of February, 1929, the above styled and numbered cause came on for hearing on motion of the defendant to dismiss and upon agreement of counsel, said motion is withdrawn, and thereupon, it is by the Court ordered that defendant be given thirty (30) days in which to answer.

Court adjourned until February 7, 1929.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, THURSDAY, FEBRUARY 7, 1929.

MANDATE

J. F. LAWRENCE, C. C. TAYLOR,
EDWIN DABNEY, ETC., ET AL.,

vs.

ST. LOUIS-SAN FRANCISCO
RAILWAY COMPANY,

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

(SEAL)

TO THE HONORABLE 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, in a cause between St. Louis-San Francisco Railway Company, plaintiff, and J. F. Lawrence, C. C. Taylor, Edwin Dabney, Attorney General of the State of Oklahoma, et al., etc., defendants, No. 207 E, wherein the decree of the said District Court, entered in said cause on the 15th day of March, A. D., 1928, is in the following words, viz:

"This matter came on for hearing on defendants' motion to dismiss, complainant's original and supplemental bills, before the honorable Arba S. Van Valkenburgh, Circuit Judge for the Eighth Judicial Circuit, and the honorable Albert L. Reeves, District Judge, and the honorable Franklin D. Remaker, District Judge, duly conveyed under section 366 of the Judicial Code of the United States as amended, the plaintiff appearing by Mr. S. B. Stuart and Mr. Ben Franklin, its attorneys, and defendants appearing by Mr. T. L. Blakenore and Mr. B. A. McLaughlin, their attorneys, and all parties having announced ready for hearing, and having announced to the court that the case was submitted for final decree upon the motion to dismiss, without further pleadings or other procedure, and the court having heard the arguments of counsel, having examined the pleadings and authorities submitted, and being well advised in the premises, doth find that the bills of complaint state facts sufficient to constitute a cause of action against the defendant and to entitle complainant to equitable relief; and the motion to dismiss should be and is overruled, to which ruling an exception is allowed to defendants.

The court further finds that plaintiff is entitled to remove its shops and division point from Sapulpa to West Tulsa, in the State of Oklahoma, upon the grounds and for the reasons stated in its said bills of complaint; that to deprive complainant of this right would cause great and irreparable loss to complainant and serious inconvenience to the traveling and shipping public; that the Corporation Commission of Oklahoma is without authority, in the situation here presented, to prevent such removal, and that such action on its part would, in the instant case, constitute a burden upon interstate commerce.

It is therefore considered, adjudged, and decreed that the injunction and relief prayed for by plaintiff herein should be in all things granted and that the defendants, J. F. Lawrence, C. C. Taylor, Edwin Dabney, Attorney General of the State of Oklahoma, Frank C. Carter, Fred Vapshaw and C. C. Childers, individually, and as members of the Corporation Commission of the State of Oklahoma, and all persons similarly situated, and all persons acting with or by the authority of any of said defendants, or as their successors, should be perpetually enjoined from proceeding further in a certain action pending before the Corporation Commission of the State of Oklahoma, wherein the said J. F. Lawrence and C. C. Taylor are complainants and the St. Louis-San Francisco Railway Company is defendant, said case being numbered 2014 of the Corporation Commission of the State of Oklahoma, which said action has as its purpose the prevention of the said St. Louis-San Francisco Railway Company from removing its shops and division point from the City of Sapulpa, and from putting it to effect certain orders in the movement of its trains issued by the honorable judges of said District Court,

It is further ordered, adjudged, and decreed that said

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

NORTHERN

District of

OKLAHOMA

DOCKET SESSION,

TULSA, OKLAHOMA,

TUESDAY, FEBRUARY 7, 1929.

defendants, J. F. Lawrence, C. C. Carter, Edwin Dabney, Attorney General of the State of Oklahoma, Frank C. Carter, Fred Casshaw and C. C. Childers, individually, and as members of the Corporation Commission of the State of Oklahoma, and all persons similarly situated, and all persons acting with them, their agents, servants, employees and successors, and all persons acting by or under their authority, or the authority of any of them, and all persons for whom the said J. F. Lawrence and C. C. Taylor appear in the said above described cause, so pending before the Corporation Commission of the State of Oklahoma, be and all of them are hereby enjoined and restrained from prosecuting, hearing or conducting, or permitting a hearing to be had, or taking or permitting any further proceedings in the above described cause of action now pending before the Corporation Commission, or any action of like nature; that said defendants, and each of them, are hereby further restricted and enjoined from making, promulgating or enforcing, or causing to be made, promulgated, or enforced, any order prohibiting the above named plaintiff from removing any of its shops or appurtenances thereto, its division point or any part thereof, or from changing the run of any of its trains named in the schedule above referred to or from changing the run of any of the crews on said trains now in said schedule, or doing anything that will in any manner interfere with or prohibit plaintiff from removing its shops, or any appurtenances thereto, or its division point, or any part thereof, or in changing the run of any of its trains, or from interfering in any manner with the removal of said shops and division point as already made; that all costs accruing in said action except such costs and expenses as have already been adjudged and taxed in favor of defendants by reason of the granting of the temporary injunction in this cause, shall be taxed against the defendants herein, and that plaintiff shall have execution therefor.

Tulsa, Oklahoma, March 12, 1928.

Arba S. Van Vankenburg, Circuit Judge. Albert L. Reeves,
District Judge. 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 Supreme Court of the United States by virtue of an appeal agreeably to the act of Congress, in such case made and provided, fully and at large appears.

AND WHEREAS, in the present term of October, in the year of our Lord one thousand Nine hundred and twenty-eight, the said cause came on to be heard before the said Supreme Court, on the said transcript of record, 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 said plaintiff, St. Louis-San Francisco Railway Company, recover against the said defendants for its costs herein expended and have execution therefor.

January 2, 1929.

You, therefore, are hereby commanded that such execution and proceedings be had in such 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 fourth day of February, in the year of our Lord one thousand nine hundred and twenty-nine.

CHARLES ELMORE CROFLEY

Costs of Plaintiff
Clerk }
Printing record } Paid.
Attorney }

ENDORSED: Filed Feb. 7, 1929; H. P. Warfield, Clerk.

Court adjourned until February 8, 1929.

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

NORTHERN DISTRICT of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, FRIDAY, FEBRUARY 8, 1929

Court convened pursuant to adjournment, Friday, February 8th, 1929.

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:

S. W. BROWN, JR., ET AL., Plaintiffs,
vs.
N. V. V. FRANCHOT, ET AL., Defendants.
No. 403-Equity

On this 8th day of February, 1929, for good cause shown, it is by the Court ordered that defendants herein, Ada Jack, Malinda Jack and Jos. Bruner, Administrator, be, and they are hereby granted permission to refile their answer to plaintiff's second amended Bill, heretofore filed herein.

OSAGE OIL & REFINING COMPANY, A CORPORATION, ET AL., Plaintiffs,
vs.
MULBER OIL COMPANY, A CORPORATION, ET AL., Defendants.
No. 274-Equity

On this 8th day of February, 1929, for good cause shown, it is by the Court ordered that the above styled and numbered cause, be, and the same is hereby stricken from the assignment of February 15, 1929, and same is hereby re-set for hearing on February 19, 1929.

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

THE OIL WELL IMPROVEMENTS COMPANY, Plaintiff,
vs.
PAUL ARBON & COMPANY, Defendant.
No. 477-Equity
Under Patent No. 1365257

O R D E R

This cause coming on to be heard on motion of the plaintiff for preliminary injunction, and on reading and filing notice of motion for injunction herein and proof of service thereon, and on reading and filing affidavits on behalf of the plaintiff, and on behalf of the defendant, and on hearing oral evidence offered by plaintiff and by defendant, and having examined mechanical exhibits presented by the parties, and having heard explanations of the same, and counsel for the plaintiff and defendant having been heard; and all things in the premises having been considered by the court; and it appearing that letters Patent of the United States No. 1165253 were issued in due form of law on the first day of December, 1915, for an improvement in "CASINGHEAD" to Alfred S. Huggan, Assignor to The Oil Well Improvements Company, and it further appearing as represented by counsel for plaintiff, and from the proof submitted, that the defendant, Paul Arbon & Company, has infringed on the rights secured by the aforesaid letters Patent by making and offering for sale casing heads embodying the invention set forth in said patent contrary to form of the statute in such case made and provided;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED: That a preliminary injunction be issued pursuant to the prayer herein directed, commanding and enjoining the defendant, Paul Arbon & Company, its clerks, agents, servants, workmen, and citizens under the pains and penalties which may fall upon them and each of them in case of disobedience, that they forthwith and until the further order, judgment and decree of this Court, desist from making, using and selling any control means as described and claimed in said letters Patent.

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

NORTHERN

District of

OKLAHOMA

EMILY SESSION,

TULSA, OKLAHOMA,

FRIDAY, FEBRUARY 8, 1929

Providing, however, that said plaintiff shall within three days from the date hereof furnish a good and sufficient bond in the amount of Five Thousand Dollars, conditioned upon the plaintiff prosecuting said suit to effect, and for the payment to the defendant of any costs and damages occasioned to the defendant because of the granting and wrongful issuance of said injunction should the Court find on final hearing that said injunction should not have been granted.

To all of which the defendant excepts and the exceptions are hereby allowed.

Dated this 8th day of February, 1929.

F. E. KENNAMER,

Judge of the United States District Court.

Approved as to form:

Attorneys for Plaintiff

Hays & Hays

Attorneys for Defendant.

ENDORSED: Filed Feb. 8, 1929; H. P. Warfield, Clerk

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

THE OIL WELL IMPROVEMENTS COMPANY, Plaintiff, } In Equity No. 437
vs. } Under Patent No.
PAUL ARBON & COMPANY, Defendant. } 1,165,257.

PRELIMINARY INJUNCTION

The President of the United States of America to Paul Arbon & Company, its associates, attorneys, clerks, agents, servants, and workmen, GREETING:

WHEREAS, it has been represented to us in our District Court of the United States for the Northern District of Oklahoma, that Letters Patent of the United States were issued to The Oil Well Improvements Company, assignee of Alfred G. Heggem; for improvements in "CASING-HEAD", dated the 21st day of December, 1915, No. 1,165,257, of which the plaintiff is the sole and exclusive owner, and that the plaintiff is also the owner of all rights to recover damages and profits from all infringers of said Letters Patent; that said Letters Patent are good and valid as to claims 8, 12 and 16 thereof, and that said claims of said Letters Patent have been infringed by the defendant herein by the manufacture and sale of casing heads embodying said invention as set forth in said claims of said Letters Patent.

NOW, THEREFORE, we do strictly command and enjoin you, the said Paul Arbon & Company, its associates, attorneys, clerks, agents, servants and workmen, under pains and penalties which may fall upon them, and each of them, in case of disobedience, that they forthwith, and until further order, judgment and decree of this Court, desist from making and/or using and/or selling said infringing casing heads, or any casing heads containing or embodying the invention embraced in said claims of said Letters Patent.

WITNESS the Honorable F. E. Kennamer, Judge of the District Court of the United States for the Northern District of Oklahoma, this 8th day of February, 1929.

F. E. KENNAMER, Judge.

Approved as to form:

Attorneys for Plaintiff

Hays & Hays

Attorneys for Defendant.

ENDORSED: Filed Feb. 8, 1929; H. P. Warfield, Clerk.

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

NORTHERN
DISTRICT OF
OKLAHOMA,
EQUITY SESSION,

District of

TULSA, OKLAHOMA,

OKLAHOMA
FRIDAY, FEBRUARY 8, 1929

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

JOHN H. DYKES, RECEIVER
FIRST NATIONAL BANK, BARTSBALL,
OKLAHOMA,
Plaintiff,

vs.

IDA BAUCOM, H. L. BAUCOM, AND
THE NATIONAL BUILDING & LOAN
ASSOCIATION OF FARMERS,
OKLAHOMA,
Defendants.

No. 705-Equity

O R D E R

This cause coming on for hearing upon the motion of plaintiff to strike answer of defendants. After argument, the court being fully advised in the premises, finds that said motion should be sustained, and IT IS SO ORDERED.

Thereupon defendants ask leave to file amended answer, which leave is granted, and defendants are allowed ten days in which to file same.

Dated this 8th day of February, 1929.

F. M. MURPHY, Judge.

BY: Robt. S. Keenan
Attorney for Plaintiff,

W. F. Curnutt
Attorney for Defendants.

RECORDED: Filed February 8, 1929; C. J. Sanford, Clerk

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

THE MEDAC COMPANY, Plaintiff,)

vs.)

FRANCIS J. REYNOLDS
CORPORATION, Defendant.)

No. 652-Equity

ORDER STRIKING CAUSE FROM TRIAL CALENDAR

On this 8th day of February, A. D. 1929, it becometh to appear to the court that whereas this cause was set for trial for February 19, 1929, but counsel for both complainant and defendant desire it stricken from the trial calendar and do not desire to try the cause for the reason that litigation is pending between the same parties in the Federal Court in the State of New Jersey which they think ought to be concluded before this case is actually tried, and counsel for plaintiff requested that the cause be stricken from the calendar for the reason stated, and the court being willing that it should be so stricken,

IT IS THEREFORE BY THE COURT SO ORDERED, ADJUDGED AND DECREED that this cause be, and is hereby, stricken from the present calendar.

Done at Tulsa, Oklahoma, this 8th day of February, 1929.

F. M. MURPHY, Judge.

RECORDED: Filed Feb. 8, 1929; C. J. Sanford, Clerk

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

FRIDAY, FEBRUARY 8, 1929.

true and correct certified copy of this order be duly served upon each of said absent defendants aforesaid, if practicable, wherever found, and in the event such personal service aforesaid, cannot be made upon such said defendants or either of them, or is not practicable, that a true and correct certified copy of this order be duly published once each week for six consecutive weeks in the Osage County News, a newspaper of general circulation, published at Pawhuska, Oklahoma, in the County of Osage, State of Oklahoma, and in the Northern District of the State of Oklahoma.

F. D. ICEHALLER, Judge.

EMORSED: Filed Feb. 8, 1929; H. P. Warfield, Clerk.

Court adjourned until February 9, 1929.

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

NORTHERN
CIRCUIT,
DAILY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
SATURDAY, FEBRUARY 9, 1929

Court convened pursuant to adjournment, Saturday, February 9th, 1929.

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

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

GEORGE W. BECK, JR., Plaintiff,)
vs.) No. 50-Equity
THE EAGLE-PICHER LEAD)
COMPANY, A CORPORATION, Defendant.)

On this 9th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the trial assignment of February 13, 1929.

S. C. FULLERTON and
N. W. DOBSON, Plaintiffs,)
vs.) No. 67-Equity
THE EAGLE-PICHER LEAD)
COMPANY, A CORPORATION, Defendant.)

On this 9th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the trial assignment of February 13, 1929.

OSAGE OIL & REFINING COMPANY,
A CORPORATION, ET AL., Plaintiffs,)
vs.) No. 884-Equity.
MULBER OIL COMPANY, A COR-)
PORATION, ET AL., Defendants.)

On this 9th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the trial assignment of February 19, 1929, and assigned for hearing on February 19, 1929, at Pawhuska, Oklahoma, on the next docket.

Court adjourned until February 11, 1929.

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

NORTHERN EQUITY SESSION, District of OKLAHOMA, TULSA, OKLAHOMA, MONDAY, FEBRUARY 11, 1929.

Court convened pursuant to adjournment, Monday, February 11th, 1929.

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

JOHN H. DYKES, RECEIVER, FIRST NATIONAL BANK OF BARNSDALL, OKLAHOMA, Complainant, vs. H. R. LITTLE, ET AL., Defendants. No. 187-Equity

O R D E R

On this 11th day of February, 1929, this cause comes on for hearing upon the motion to strike paragraph three of the answer of defendant, Mary E. Little, executrix of the estate of G. R. Little, deceased; plaintiff appeared by his attorney, Robert B. Keenan, and defendant, executrix, appears by her attorneys, Widdows & McCoy; upon presentation of said motion to strike, defendant confesses same, and it is, therefore,

ORDERED that motion to strike be sustained, and the defendant, Mary E. Little, executrix of the estate of G. R. Little, deceased, is allowed thirty days in which to file an amended answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 11, 1929; H. P. Warfield, Clerk.

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYEES RECIPROCAL, Complainant, vs. BLACK, SIVALLS & BRYSON, A CORPORATION, Defendant. Equity No. 425- Ancillary to Missouri Valley Bridge & Iron Company, vs. J. H. Middleton, et al., Equity No. 284-E.

ORDER OF DISMISSAL

Now on this 11th day of February, 1929, 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 parties hereto have reached a settlement and are desirous of having the above styled action dismissed, 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.

OK: James P. Malone Solicitor for Complainant.

OK: Lloyd Harding Solicitor for Defendant.

ENDORSED: Filed Feb. 11, 1929; H. P. Warfield, Clerk.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, FEBRUARY 11, 1929.

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

THE SECURITY BENEFIT ASSOCIATION, A CORPORATION,	) Plaintiff,	) No. 445-Equity
vs.		
TOWN OF SLICK, OKLAHOMA, A MUNICIPAL CORPORATION AND CHARLIE STROTT, PRESIDENT OF THE BOARD OF TRUSTEES,	) Defendants.)
GUARANTEE FUND LIFE ASSOCIATION,			) Intervenor.	)

ORDER APPOINTING RECEIVER

Now on this 11th day of February, 1929, comes on for hearing the motion of the plaintiff, The Security Benefit Association, and the Intervenor, Guarantee Fund Life Association, in the above entitled action, the plaintiff appearing by Geo. F. Short, its attorney, the Intervenor Guarantee Fund Life Association appearing by Elcock & Martin, and Ramsey, de Meules, Martin & Logan, its attorneys, and the defendant, Town of Slick, Oklahoma, appearing by T. L. Blakemore, its attorney, for the appointment of a Receiver herein, and the Court having read and considered said motion and having heard the testimony of witnesses sworn and examined in open Court in support of the same, and the defendant, Town of Slick, Oklahoma, having consented in open Court by and through its attorney, T. L. Blakemore, to the appointment of said Receiver,

IT IS BY THE COURT ORDERED That Fred Patrick of Sapulpa, Ok., be and he is hereby appointed Receiver in the above entitled action with full power and authority to receive and collect from the County Treasurer of Creek County, Oklahoma, and/or the Town Treasurer of the Town of Slick, Oklahoma, and/or the Receiver of the American National Bank of Bristow, Oklahoma, and/or any other person whomsoever in whose possession may be found the sinking fund of the Town of Slick, Oklahoma, or any part thereof, whether the same consists of cash, judgments, funds, warrants, securities or other property, and to receive from the County Treasurer of Creek County, Oklahoma, the moneys accrued or accruing in the future to the credit of said sinking fund and the said County Treasurer of Creek County, Oklahoma, and all other persons in whose possession may be found any part of the sinking fund of the Town of Slick, Oklahoma, whether the same consists of cash, judgments, funds, warrants, securities or other property, it is hereby ordered and directed to turn over and deliver the same to the Receiver herein appointed.

The Receiver is hereby ordered to hold the same in a safe depository until the further order of this Court and to report to this Court within thirty (30) days of all funds, cash, warrants, securities or other properties so received by him. The bond of the Receiver is fixed in the sum of Five Thousand (\$5,000.00) Dollars and is to be approved by the Clerk of this Court.

F. E. KENNEDY, Judge.

ENDORSED: Filed Feb. 11, 1929; H.P. Warfield, Clerk.

THE SECURITY BENEFIT ASSOCIATION, A CORPORATION,	) Plaintiff,	) No. 445-Equity.
vs.		
TOWN OF SLICK, OKLAHOMA, ET AL.,	) Defendants.)

On this 11th day of February, 1929, for good cause shown, it is by the Court ordered that defendants in above styled and numbered cause, be, and they are hereby granted twenty (20) days from this date to file answer to the petition, or intervention, heretofore filed herein.

Court adjourned until February 12, 1929.

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

NORTHERN EQUITY SESSION, DISTRICT of TULSA, OKLAHOMA, OKLAHOMA TUESDAY, FEBRUARY 12, 1929.

Court convened pursuant to adjournment, Tuesday, February 12th, 1929.

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

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

SEABOARD NATIONAL BANK OF THE CITY OF NEW YORK, TRUSTEE, Plaintiff, vs. THE TULSA STREET RAILWAY COMPANY, A CORPORATION, ET AL., Defendants. No. 388-Equity.

On this 12th day of February, 1929, for good cause shown, it is by the Court ordered that permission be denied Nellie W. Copeland to file petition to intervene; and it is further ordered that exceptions be allowed to said denial. It is further ordered that leave be granted to file objections to confirmation of sale. And it is further ordered that hearing on confirmation of sale be set for February 26, 1929.

GEORGE W. SHORT, ET AL., Plaintiffs, vs. W. P. McCULLOUGH, ET AL., Defendants. No. 117-Equity.

On this 12th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered case, be, and the same is hereby stricken from the trial docket of February 12, 1929.

HARRIETT HOSEY, ET AL., Plaintiffs, vs. JAMES A. CHAFFIN, ET AL., Defendants. No. 229-Equity.

On this 12th day of February, 1929, came on for hearing the exceptions to the report of the Special Master in the final allowance of the Special Estate in the case of Hensie Mitchell, deceased, be continued to a future date in order that an administrator in the estate may be appointed; and it is further ordered that the exceptions to the report filed by Tom Alsor be and they are hereby set for hearing at a later date. Thereupon, the Court after hearing argument of counsel for Julia Fish, et al., George Washington Scott, et al., and Susie Melone, et al., it is ordered that the hearing be continued to March 11, 1929, upon agreement of counsel. It is further ordered by the Court that the hearing on the application of the Special Master for final allowance be and the same is hereby continued to March 11, 1929.

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

HARRIETT HOSEY, ET AL., Plaintiffs, vs. JAMES A. CHAFFIN, ET AL., Defendants, and SUSIE MELONE, ET AL., Intervenor. No. 229-Equity.

C L K

NOW on this 12th day of February, 1929, the above case came on for hearing upon the application of the plaintiffs, et al., defendants and intervenor in the above case, and the following was done:

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

NORTHERN

District of

OKLAHOMA

DEBUTY SESSION,

TULSA, OKLAHOMA,

TUESDAY, FEBRUARY 12, 1929

petition herein on behalf of Katy Grayson, Louina Grey, George McKane, William McKane, and leave for Ahariachee (Maggie) Deer, Butler Deer, Amos Deer and Pharoah (Pelo) Deer, to enter their appearance herein and join in the amended answer and cross-petition of Katy Grayson, et al., and the court being fully advised in the premises;

IT IS THEREFORE ORDERED that the defendants Katy Grayson, Louina Grey, George McKane and William McKane be and they hereby are permitted to file instanter their amended answer and cross-petition, and the said Ahariachee (Maggie) Deer, Butler Deer, Amos Deer and Pharoah (Pelo) Deer hereby are permitted to enter their appearance herein and join in the amended answer and cross-petition of the said Katy Grayson, et al., it having been first shown to the court that all of said parties claim through the same source and that their title and rights to the property and interests in controversy in this action, if any, emanate from and through Tochee Thlocco, a common ancestor. It is further ordered that said appearance and amended answer and cross-petition, leave to file which was originally granted by the Special Master during the taking of the testimony in this case before the Special Master, are permitted to be filed without prejudicing the rights of any of the other parties to this action, and upon the stipulation and agreement of all parties to this cause, that the various answers, cross-petitions and replies heretofore filed by the other parties of this cause against the original answer and cross-petition of the defendants Katy Grayson, et al., shall and the same hereby are considered re-filed as to the amended answer and cross-petition herein permitted to be filed.

F. E. KIRKHAMER, Judge.

ENDORSED: Filed Feb. 12, 1929; H. P. Warfield, Clerk.

Court adjourned until February 13, 1929.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION, TULSA, OKLAHOMA, WEDNESDAY, FEBRUARY 13, 1929.

Court convened pursuant to adjournment, Wednesday, February 13th, 1929.

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

UNITED STATES OF AMERICA, Plaintiff,
vs.
W. C. FRANKS, AND MARY A. FRANKS, HIS WIFE, FRANKS RANCH CO., BIRD TULAN AND CHAS. F. STUART, AS GUARDIAN OF BIRD TULAN, ALBRIGHT TITLE & INVESTMENT CO., A CORPORATION, OSAGE SECURITY CO., A CORPORATION, AND AGNES C. ROACH, Defendants.
Equity No. 407.

JOURNAL ENTRY OF JUDGMENT.

Now on this 13th day of February, 1929, being one of the regular judicial days of the regular January A. D. 1929 term of this court, this cause having been regularly assigned for trial, comes on to be heard in its regular order, the Plaintiff appearing by the United States Attorney, and the defendants and each 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, Agnes C. Roach, Albright Title & Trust Company, formerly Albright Title & Investment Company, Citizens Trust Company, Bird Tulan and Chas. F. Stuart, as Guardian for Bird Tulan, and each and all filed herein their Disclaimer, and that W. C. Franks, Mary A. Franks his wife, Franks Ranch Company, and Osage Security Company, a corporation, were each and all duly and regularly served with Chancery Subpoena.

That thereafter and on the 9th day of November, 1928, the plaintiff filed herein, and there was entered herein, a praecipe and Order Pro Confesso, but that no other pleadings have been filed herein by any of the parties hereto, except such as are herein last above mentioned, and said defendants and each of them except those entering their Disclaimer herein, are in default, and the Court finds that said process of this court was regular and is in all respects sufficient to give this court jurisdiction and that said defendants are in default.

IT IS THEREFORE ordered that the defendants herein and each of them, except those filing Disclaimer herein, be and they hereby are adjudged to be in default, and that the allegations of the plaintiff's Bill be taken as true and confessed.

Thereupon this cause coming on for trial and the plaintiff having offered and introduced evidence as to the note which has been and is lost, but said Plaintiff showing the terms and conditions thereof, and the assignment thereof from the former Guardian of Mary Bird Wistar Copple in due and proper form, and the mortgage declared on, and the court having examined the files and the pleadings in this cause, and having heard and examined all the evidence and the oral testimony of the witnesses sworn and examined in open court, and being fully advised in the premises upon the submission of the issues, finds that the court has jurisdiction in this cause, and that the allegations of the plaintiff's Bill are true as therein set out.

That on the 10th day of October, 1925, W. C. Franks and Mary A. Franks, his wife, the defendant herein, and the owner of the premises hereinafter described, executed and delivered the mortgage described in Plaintiff's Bill in Equity and did thereby mortgage and convey by said mortgage, the following described lands situate in Osage County, Oklahoma, to-wit:

Northeast Quarter, South Half of Section 22; Northwest Quarter of Section 22; Northwest Quarter of Section 23; Southwest Quarter of Section 23; Northeast Quarter of Section 24; North...

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

NORTHERN
EQUITY SESSION,
1928

District of

TULSA, OKLAHOMA,

OKLAHOMA

WEDNESDAY, FEBRUARY 25, 1928

of Southeast Quarter and South Half of Southeast Quarter of Southeast Quarter of Section 22; Northeast Quarter of Section 27; Northwest Quarter and North Half of Northeast Quarter of Southwest Quarter of Section 21; North Half of Northwest Quarter of Section 22; North Half of Southwest Quarter of Northwest Quarter of Section 22; all in Township 21, Range 9, East of Indian Meridian.

Also an undivided one-half interest in the North Half of Southeast Quarter and Northeast Quarter of Southwest Quarter, and Southeast Quarter of Northwest Quarter and North Half of Southwest Quarter of Southeast Quarter of Section 22, all in Township 21, Range 9, East of the Indian Meridian.

That

said mortgage was given as security for the payment to the mortgagee and its assigns in the sum of \$6500.00 with interest thereon from October 10, 1925, at the rate of 7% per annum to the 10th day of October, 1926, and with interest on said sum from October 10, 1926, at the rate of 10% per annum, to this date, according to the terms and conditions of said promissory note, more particularly described in Plaintiff's Bill in Equity, and that the plaintiff is the owner and holder of said note, of said indebtedness and the mortgage securing same, having a right to maintain this action thereon.

That said defendants are in default in the performance of the terms and conditions of said mortgage in that they have failed to pay said note at its maturity and the interest on said note, and have failed to pay the taxes due and payable on said land and by reason of said default is entitled to a foreclosure of said mortgage and to collect the entire debt due thereon.

That the defendants in and by said mortgage expressly waived an appraisal of said real estate, and all benefit of the homestead and stay laws of the State of Oklahoma, 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 said Bill in this suit, and that there is now due from the defendants, W. C. Franks and Mary A. Franks, the sum of \$7494.32, with interest thereon at the rate of 10% per annum from July 17, 1928, until paid, and the further sum of \$650.00 Attorney's fees and the costs of this action, and that all of said sums are secured by said mortgage.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of and from the defendants W. C. Franks and Mary A. Franks, his wife, the sum of \$7494.32, with interest thereon at the rate of 10% per annum from July 17, 1928, Attorney's fee in the sum of \$650.00, 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 Bill in this suit.

THAT in the event the judgment of the plaintiff, with interest, attorney's fee and costs, be not paid and satisfied in full within six months from this date, an order of sale shall issue commanding the Special Master to advertise and sell according to law as upon execution, without appraisal, the premises hereinabove described, free, clear and discharged of and from all the interest, 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, tax sales thereon, and that said premises be sold at a Special Master's sale, that the proceeds arising from said sale, the Special Master be and he is hereby ordered and directed to pay;

- FIRST, The costs, including the court and Special Master's costs of this sale.
- SECOND, The judgment and interest of the plaintiff.
- THIRD, The Attorney's fee herein, and

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

NORTHERN EQUITY SESSION, District of OKLAHOMA, TULSA, OKLAHOMA, WEDNESDAY, FEBRUARY 13, 1929.

FOURTH, That the balance, 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 of the 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 said sale that the Special Master shall execute and deliver a good and sufficient deed to said premises to the purchaser, and 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, and maintain him in the peaceful possession thereof.

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 the order of this court to carry out the decree hereof.

F. E. KEMMELER, United States District Judge.

OK: Harry Seaton, Assistant United States Attorney.

ENDORSED: Filed February 13, 1929; H. P. Wentfield, Clerk.

UNITED STATES FIDELITY & GUARANTY COMPANY, A CORPORATION, Plaintiff, vs. OTTAWA COUNTY NATIONAL BANK, A CORPORATION, Defendant. No. 32-Equity

On this 13th day of February, 1929, the above entitled cause came on for hearing. Both sides having announced ready for trial, all witnesses were sworn and opening statements counsel for both plaintiff and defendant were heard. Thereupon, testimony of witnesses for both sides was heard and having concluded the testimony, both sides rest. At this time, it is by the Court ordered that plaintiff be given ten (10) days from this date to file its brief and defendant be given ten (10) days thereafter to file its answer.

J. B. DUNLAP, JR., ET AL., Plaintiffs, vs. FRICK-REID SUPPLY COMPANY, A CORPORATION, ET AL., Defendants. No. 205-Equity.

On this 13th day of February, 1929, for good cause shown, it is by the Court ordered that J. L. Miller, Esquire, be permitted to withdraw as an attorney in the above entitled case, and it is further ordered that all interested parties be notified of such withdrawal.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
THURSDAY, FEBRUARY 14, 1929.

Court convened pursuant to adjournment, Thursday, February 14, 1929.

Present: Hon. F. M. 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:

BENTON WILSON,	Plaintiff,	}	No. 240-Equity.
vs.			
SHAFFER OIL & REFINING COMPANY, A CORPORATION,	Defendant.		

On this 14th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the trial assignment of February 18, 1929.

CARRIE LINDLEY, ET AL.,	Plaintiffs	}	No. 95-Equity
vs.			
T. E. BROTTON, ET AL.,	Defendants.		

On this 14th day of February, 1929, on agreement of both parties herein, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken.

J. M. SHORT, ADMINISTRATOR,	Plaintiff,	}	No. 117-Equity.
vs.			
W. P. McCULLOUGH, ET AL.,	Defendants.		

On this 14th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause be and the same is hereby abated as to one of the defendants, W. P. McCullough, deceased, and it is further ordered that permission be and same is hereby granted to revive said cause in the name of the heirs, or, of the administrator of the estate of said W. P. McCullough, deceased, and it is further ordered that this cause be and same is hereby set for hearing at Miami, Oklahoma, at the March 1929 Term.

JOHN H. DYKES, RECEIVER,	Plaintiff,	}	No. 187-Equity.
vs.			
G. R. LITTLE, ET AL.,	Defendants.		

On this 14th day of February, 1929, for good cause shown, it is by the Court ordered that above entitled cause, be, and the same is hereby stricken from this assignment.

JOHNS-MANVILLE CORPORATION,	Plaintiff,	}	No. 405-Equity.
vs.			
NATIONAL TANK SEAL COMPANY,	Defendant.		

On this 14th day of February, 1929, it is by the Court ordered that above entitled cause, be, and the same is hereby set for hearing on April 1, 1929.

Court adjourned until February 15, 1929.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
FRIDAY, FEBRUARY 15, 1929.

Court convened pursuant to adjournment, Friday, February 15th, 1929.

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

J. B. DUNLAP, JR., GEORGE A. DUNLAP,
E. Z. DUNLAP, BERTHA I. HAMMER, MRS.
R. E. DUNLAP, D. I. DUNLAP, BY HIS
NEXT FRIEND, MRS. R. E. DUNLAP, HEIRS
OF THE LATE JOSEPH B. DUNLAP, SINCE
DECEASED, AND ALTON E. GILBERT,
Plaintiffs,

vs.

FRICK-REID SUPPLY COMPANY, A CORPOR-
ATION, BEAUMONT IRON WORKS COMPANY,
A CORPORATION, C. P. LAUGHTER, AND
HENRY R. SMITH,
Defendants.

In Equity No. 205.

ORDER DISMISSING CASE.

On the 15th day of February, 1929, this cause came on regularly for trial. The defendants appeared in open court and announced ready for trial, but the plaintiffs, and each of them, failed to appear; and it being shown that this case has heretofore been continued a number of times, at the request of the plaintiffs, and that plaintiffs have shown no disposition to prosecute the same; and,

THE COURT THEREUPON ORDERED that the said cause be dismissed for want of prosecution.

F. E. KENNAMER,

Judge.

ENDORSED: Filed February 15, 1929; H. P. Warfield, Clerk.

Court adjourned until February 16, 1929.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
SATURDAY, FEBRUARY 16, 1929.

Court convened pursuant to adjournment, Saturday, February 16th, 1929.

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

NOVATA OIL & REFINING COMPANY,)
A CORPORATION,)
vs. Plaintiff,)
H. R. McGILL, Defendant.) No. 439-Equity.

O R D E R

Now on this the 16th day of February, 1929, is filed and presented to the Court a motion for additional time to plead in the above entitled cause of action; and, it appearing to the satisfaction of the Court that said motion should be granted, it is, therefore,

CONSIDERED, ORDERED, ADJUDGED AND DECREED By the Court, that the defendant herein be, and he is hereby allowed fifteen days from the 18th day of February, 1929, in which to plead in the above-entitled cause of action.

F. E. KENNAUER, Judge.

ENDORSED: Filed February 16, 1929; H. P. Warfield, Clerk.

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

MAUDIE PAINTER KEMP LIVINGSTON, Plaintiff,)
vs.)
M. A. YOUNGMAN AND D. SELTZER, Defendants.) No. 455-Equity

O R D E R

Upon application of the defendants duly made, it is hereby ordered that they, and each of them, are hereby given twenty (20) days within which to plead.

This 16th day of February, 1929.

F. E. KENNAUER,

Judge.

ENDORSED: Filed February 16, 1929; H. P. Warfield, Clerk

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

THE OIL WELL IMPROVEMENTS COMPANY, Plaintiff,) In Equity No. 437
vs.) Under Patent
PAUL ARBON & COMPANY, Defendant.) \$1,165,253.

O R D E R

For good cause shown the defendant is given thirty (30) days additional time from this date within which to plead or answer to the Bill

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

NORTHERN
EQUITY SESSION

District of

OKLAHOMA
TULSA, OKLAHOMA, SATURDAY, FEBRUARY 14, 1929

of Complaint of the plaintiff herein.

Dated this the 16th day of February, 1929.

F. E. KENNAMER,

Judge.

ENDORSED: Filed February 16, 1929; H. P. Warfield, Clerk.

Court adjourned until February 18, 1929.

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

NORTHERN
DISTRICT OF
OKLAHOMA

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, FEBRUARY 18, 1929

Court convened pursuant to adjournment, Monday, February 18th, 1929.

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:

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 226-Equity.
ALBERT KOLLY, ET AL., Defendants.)

On this 18th day of February, 1929, came on for hearing the above entitled cause and the defendants are hereby granted leave to file an amendment to their answer, instanter; and both sides having announced ready for trial, the Court thereupon hears the opening statements of counsel; thereafter, the attorneys file stipulations waiving trial by jury and the following witnesses, having first been duly sworn, testified in open court, Hennes Tillie and Horace B. Clay. Thereupon, on agreement of both parties, this cause was continued for further hearing to March 14, 1929.

C. E. WALKER, Plaintiff,)
vs.) No. 252-Equity
A. W. LOHMAN, Defendant.)

On this 18th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the assignment of February 19, 1929.

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

JOHN H. DYKES, RECEIVER,
FIRST NATIONAL BANK OF
BARNSDALL, Plaintiff,)
vs.) No. 305-Equity
IDA BAUCOM, ET AL., Defendants.)

O R D E R

For good cause shown the defendants are hereby given five days additional time within which to file an amended answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 18, 1929; H. P. Warfield, Clerk.

IN THE UNITED STATES COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

ANGLO-TEXAS OIL COMPANY, AND
INDEPENDENT OIL AND GAS COMPANY, Complainants,)
vs.) No. 231-Equity
JOSEPH CATES, GLENN O. YOUNG,
AND SAMUEL L. LUBELL, AS
TRUSTEES, Respondents.)

ORDER PERMITTING THE FILING OF SUPPLEMENTAL BILL OF COMPLAINT AND THE STRIKING OF THIS ACTION FROM THE TRIAL ASSIGNMENT, FOR FEBRUARY 18, 1929.

NOW, on this 18th day of February, 1929, this matter coming on for hearing on the application of complainants and Samuel L. Lubell,

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, FEBRUARY 18, 1929.

Trustee, one of the parties to this action, for permission to file supplemental bill of complaint, and for the striking of this action from the trial assignment February 18, 1929, and the Court being fully advised of the application, finds the same should be allowed.

IT IS THEREFORE ORDERED by the Court that the complainants are hereby permitted to file and serve supplemental bill of complaint in this action.

IT IS FURTHER ORDERED that this action be stricken from the trial assignment now set for February 18, 1929.

F. E. KENNAMER,

Judge U. S. District Court.

OK: as to form
Edw. B. Marshall

ENDORSED: Filed Feb. 18, 1929; H. P. Warfield, Clerk.

Court adjourned until February 19, 1929.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, FEBRUARY 19, 1929.

Court convened pursuant to adjournment, Tuesday, February 19th, 1929.

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:

MARGARET COLLINS, Plaintiff,)
vs.) No. 296-Equity
ROXANA PETROLEUM COMPANY,)
A CORPORATION, ET AL., Defendants.)

On this 19th day of February, 1929, for good cause shown, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the assignment of February 22nd, 1929.

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

HARWOOD KEATON, RECEIVER OF
THE FIRST NATIONAL BANK OF
BARNSDALL, OKLAHOMA, Plaintiff,)
vs.) No. 287-Equity
C. G. SHULL, BANK COMMISSIONER
OF THE STATE OF OKLAHOMA, Defendant.)

ORDER FOR SUBPOENA DUCES
TECUM

Now on this 19th day of February, 1929, this cause came on for hearing upon the application of plaintiff, together with an affidavit in support thereof, requesting an order directing the clerk to issue subpoena duces tecum to Jor C. Perry, Cashier of the Producers National Bank of Tulsa, Oklahoma, requiring him to bring in certain documentary evidence.

IT IS THEREFORE ORDERED that the clerk of this court be directed to issue subpoena duces tecum requiring Joe C. Perry, cashier of the Producers National Bank, Tulsa, Oklahoma, to bring into court all papers, writings, written instruments, books or other documents in his possession or power showing in detail the account of the State Bank of Collinsville, Collinsville, Oklahoma, between the dates of September 27, 1927, and October 4, 1927, and prior thereto with reference to notes pledged, together with the amounts and disposition thereof and the bank account showing debits and credits of State Bank of Collinsville; and that said witness be required to appear before the court at nine o'clock, A. M., February 21, 1929, at the Federal Building in Tulsa, Oklahoma.

F. E. KENNAMER, Judge.

ENDORSED: Filed February 19, 1929; H. P. Warfield, Clerk.

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.) In Equity No. 315.
SOUTHWEST FLEXIBLE FORK COMPANY,
A CORPORATION, AND W. L. WALKER, Defendants.)

O R D E R

NOW on this 19th day of February, 1929, for good cause shown

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

NORTHERN EQUITY SESSION, District of TULSA, OKLAHOMA, OKLAHOMA TUESDAY, FEBRUARY 19, 1929.

and on the motion of the plaintiff the above entitled cause is stricken from the assignment.

F. E. KENNAMER, United States District Judge.

ENDORSED: Filed February 19, 1929; H. P. Warfield, Clerk.

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

PALISSA KEYS, ET AL., Complainants, vs. D. REPOLGLE, ET AL., Defendants. No. 346-Equity.

O R D E R

This cause coming on to be heard this 19th day of February, 1929, upon the stipulation of counsel for the parties that the above entitled and numbered cause may be stricken from the trial assignment for Thursday, February 28th, 1929; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the above entitled and numbered cause be stricken from the trial assignment for Thursday, February, 28th, 1929.

F. E. KENNAMER, Judge.

OK: West.

ENDORSED: Filed February 19, 1929; H. P. Warfield, Clerk.

Court adjourned until February 20, 1929.

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

NORTHERN
EQUITY SESSION.

District of
TULSA, OKLAHOMA,

OKLAHOMA
WEDNESDAY, FEBRUARY 20, 1929

Court convened pursuant to adjournment, Wednesday, February 20th, 1929..

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:

H. C. SPEER AND SONS COMPANY, Plaintiff,)
vs.) No. 254-Equity
THE CITY OF SHIDLER, ET AL., Defendants.)

On this 20th day of February, 1929, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the assignment of February 20, 1929, on agreement of both parties, account of the illness of Attorney Flynn.

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 270-Equity
J. U. KELLAR, Defendant.)

On this 20th day of February, 1929, on agreement of both parties herein, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby stricken from the assignment of February 20, 1929.

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

A. B. C. DAGUE, Plaintiff,)
vs.) No. 70-Equity.
AZTEC OIL COMPANY,)
ET AL., Defendants.)

O R D E R

NOW on this the 20th day of February, 1929, it appearing to the court that the Receiver herein filed a report of said company in said receivership covering the status of the company with reference to Federal Income Tax for that part of the year 1928 prior to the sale of the properties held in receivership; and said report was filed with the office of the Collector of Internal Revenue at Tulsa, Oklahoma, on or about the 8th day of November, 1928.

That no action has been taken by the office of the Collector of Internal Revenue on said report, and that the delay in disposing of said report is preventing the final disposition of the receivership.

It is therefore ordered that the hearing on the Federal Income Tax, if any, owing by the said Receivership or by the Aztec Oil Company for the year 1928 be and the same is hereby set for hearing at the United States District Court room in the City of Tulsa, Tulsa County, Oklahoma, on the 11 day of March, 1929, at the hour of nine-thirty o'clock A. M., and that notice thereof be given by serving a copy of this order on the United States District Attorney at Tulsa, Oklahoma, and by mailing a copy thereof to the Collector of Internal Revenue at Oklahoma City, Oklahoma, and to the Commissioner of Internal Revenue, in care of the Treasury Department, Washington, D. C.

DATED at Tulsa, Oklahoma, this 20th day of February, 1929.

F. E. KENNAMER,
District Judge.

ENDORSED: Filed February 20, 1929; H. P. Warfield, Clerk.

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
WEDNESDAY, FEBRUARY 20, 1929

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

HARRIETT ROSEY, ET AL.,	Plaintiffs,	} No. 238-Equity.
vs.		
J. A. CHAPMAN, ET AL.,	Defendants,	
MATTIE GUTHRIE, ET AL.,	Intervenors,	
SUSIE MALONE, ET AL.,	Intervenors,	
JOHN MONAHWEE, ET AL.,	Intervenors,	

ORDER TO REVIVE

Now on this 20 day of February, 1929, comes on the above entitled cause for hearing on the Motion of Hannah Alexander, Katie Harjo and Ella Jacobs, to revive said action in the name of Annie Monahwee, widow of John Monahwee, Minnie Monahwee, Cissie Monahwee and Sambo Monahwee, children and heirs at law of John Monahwee, and said motion coming on in open Court and it appearing to the Court that John Monahwee, one of the Intervenors in this action departed this life on or about the 1st day of February, 1929, intestate, leaving surviving him as his only heirs at law, Annie Monahwee, widow, Minnie Monahwee, Cissie Monahwee and Sambo Monahwee, children, the same being his only heirs at law, and it further appearing that there has been no administrator appointed of and for the estate of the said John Monahwee, deceased. And it further appearing that the death of the said John Monahwee was suggested in open Court on the 12th day of February, 1929, and that all the parties to this action were present and service of notice was waived of Revivor of this action.

It is hereby ordered that said motion is hereby sustained and said action stands revived in the foregoing names, as parties intervenor, and said parties are hereby permitted to adopt all pleadings heretofore filed by the said John Monahwee, as one of the Intervenors.

F. E. KENNAMER,
Judge.

ENDORSED: Filed February 20, 1929; H. P. Warfield, Clerk.

Court adjourned until February 20, 1929.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION,

TULSA, OKLAHOMA,

THURSDAY, FEBRUARY 21, 1929.

Court convened pursuant to adjournment, Thursday, February 21st, 1929.

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

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

JOHN H. DYKES, RECEIVER OF THE FIRST NATIONAL BANK AT COLLINSVILLE, OKLAHOMA, A NATIONAL BANKING ASSOCIATION, Plaintiff, vs. J. O. COLBURN, Defendant. No. 285-Equity.

On this 21st day of February, 1929, it is by the Court ordered that above entitled cause, be, and the same is hereby stricken from this assignment, pending a settlement between parties herein.

HARTFORD ACCIDENT & INDEMNITY COMPANY, A CORPORATION, Plaintiff, vs. J. W. WILSON, ET AL., Defendants. No. 246-Equity

On this 21st day of February, 1929, it is by the Court ordered that above styled and numbered cause, be, and the same is hereby set for hearing on February 28, 1929.

W. S. McCRAY, Complainant, vs. SAPULPA PETROLEUM COMPANY, ET AL., Defendants. No. 26-Equity.

On this 21st day of February, 1929, 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 W. S. McCray, Plaintiff, and the Sapulpa Petroleum Company, a Corporation, and J. A. Fulp, Receiver for the Sapulpa Petroleum Company, Defendants, No. 26, In Equity, wherein the decree of the said District Court in said cause, entered on the 11th day of September, A. D. 1928, was in the following words, viz:

"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

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

NORTHERN
EQUITY SESSION,

District of

OKLAHOMA

TULSA, OKLAHOMA,

THURSDAY, FEBRUARY 21, 1929.

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 the 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, (\$3,200.00) 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 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."

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 January term, in the year of our Lord one thousand nine hundred and twenty-nine, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from said District Court, and on the motion of appellees to dismiss the appeal and for the assessment of damages for delay under the provisions of Rule 30 of this Court.

On Consideration Whereof, and in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court, that the appeal in this cause from the said District Court, be, and the same is hereby, dismissed at the costs of appellant; and that the Sapulpa Petroleum Company, a corporation, and J. A. Fulp, receiver for the Sapulpa Petroleum Company, have and recover against W. S. McCray the sum of Twenty Dollars for his costs herein and have execution therefor.

It is further ordered, adjudged and decreed by this Court, in pursuance of said motion, that there be, and is hereby, assessed as damages against the said appellant, W. S. McCray and in favor of the Sapulpa Petroleum Company, a corporation, and J. A. Fulp, Receiver for the Sapulpa Petroleum Company, five per cent on the sum of Four Thousand Eight Hundred (\$4,800.00) Dollars, to be collected with and as part of principal sums making up this amount, under the order of the said District Court.

And it is further ordered by this Court that the mandate in this cause issue forthwith to the said District Court. -----

----- February 16, 1929. -----

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 20th day of February, in the year of our Lord one thousand nine hundred and twenty-nine.

H. B. FOGH,

Clerk of the United States
Circuit Court of Appeals,

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

NORTHERN
EQUITY SESSION,

District of
TULSA, OKLAHOMA,

OKLAHOMA
THURSDAY, FEBRUARY 21, 1929.

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

HARWOOD KEATON, RECEIVER OF
THE FIRST NATIONAL BANK OF
BARNSDALL, OKLAHOMA,

Plaintiff,

vs.

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

Defendant.

No. 287-Equity

D E C R E E

Now on this 21st day of February, 1929, this cause came on for hearing in its regular order, and there appearing Robert B. Keenan, attorney for plaintiff, and H. T. Hunt, attorney for defendant, and after hearing testimony and argument, and being fully advised in the premises, the court finds:

That on September 27, 1927, Harry Buzan, County Treasurer of Osage County, Oklahoma, drew a sight draft on the plaintiff in the sum of \$718.03; that upon September 30, 1927, plaintiff paid said draft to the State Bank of Collinsville with three checks drawn upon the First National Bank of Tulsa, and fund derived from said checks went into the Producers National Bank of Tulsa, Oklahoma, and upon said 30th day of September, 1927, the State Bank of Collinsville issued its draft payable to the Exchange National Bank of Tulsa, drawn upon the Producers National Bank of Tulsa for the sum of \$717.03; that said draft was not paid and the State Bank of Collinsville has failed to remit said amount; that said three checks were remitted by the State Bank of Collinsville to the Producers National Bank of Tulsa, and deposited in said last named bank to the credit of said State Bank of Collinsville and was on deposit in said bank at the date of suspension.

That at the time of the suspension of said State Bank of Collinsville, there was on deposit in said Producers National Bank to the credit of said former bank an amount then sufficient, and there was at all times subsequent thereto until appropriated by the Producers National Bank of Tulsa, Oklahoma, an amount sufficient to cover plaintiff's claim. That at the time of the suspension of said State Bank of Collinsville, said bank was indebted to the Producers National Bank and said indebtedness was secured by certain collateral consisting of notes of customers of said State Bank of Collinsville; that the deposit of the State Bank of Collinsville with the Producers National Bank was applied by said bank upon indebtedness secured by said collateral; that subsequent to suspension, defendant and Producers National Bank liquidated said indebtedness and in the settlement, defendant sold a note, which was included in the collateral given to the Producers National Bank; that growing out of said settlement and the sale of said note, the Producers National Bank paid the State Bank of Collinsville the sum of \$464.26, in cash, and returned the following notes, the names and principal amounts thereof as follows:

O. H. Bartlett	880.00
J. A. Brown	53.78
D. L. Burgess	25.00
J. N. Cornelson	54.35
A. B. Downs	105.00
A. B. Downs	258.50
Farmers Supply Store	15.00
Fashion Clothing Co.	125.00
B. R. Harrington	172.67
H. L. Hille	1,000.00
H. L. Hille	250.00
Oliver Hodge	100.00
Oliver Hodge	100.00
J. H. Hollingsworth	312.00
N. Morgans)
N. D. Morgans	) 90.00
Annie Nichols	1,000.00
James Thomas	32.75
Geo. Worley	48.75
D. C. Baker	145.62
TOTAL	\$4,778.42
J. A. Reavis)
R. H. Muzzie)
F. B. Hoxie)
C. F. Hopkins	) . . 2,850.00
H. L. Hille	) 1,000.00
	\$8,628.42

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

NORTHERN
EQUITY SESSION

District of
TULSA, OKLAHOMA,

OKLAHOMA
THURSDAY, FEBRUARY 21, 1929.

That upon October 13, 1927, Harry Buzan assigned to plaintiff any claim that he might have against the State Bank of Collinsville.

That plaintiff and all persons similarly situated are entitled to a preference against the cash fund of \$464.26, and all sums derived from the liquidation of the principal, interest and collateral of and to said notes listed above.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the claim of plaintiff for preference is allowed and decreed to be a preferred claim against the defendant for the sum of \$718.03, with the costs of this action, as hereinabove stated, conditioned that the rights of any other preferred creditors whose claims may be established as preferred claims against said cash and collateral notes above mentioned shall share pro rata, and the defendant herein is directed to pay plaintiff's claim, together with similar claims established accordingly,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event no claims for preference are established and traced into this fund and property within sixty days from this date, that defendant is directed to pay plaintiff in accordance with the decree.

IT IS FURTHER ORDERED that this preference shall be a lien upon the above mentioned notes and collections therefrom and shall follow the same until this preferred claim is paid in full, and in the event that collections from said notes are insufficient to liquidate this claim in full, together with the cash paid thereon, that plaintiff shall be entitled to receive such dividends as have been and shall be paid to general creditors, providing, of course, that the total dividends received, together with the collections from the notes and the \$464.26, in cash, shall not in toto exceed the total amount of this claim.

To which ruling of the court, defendant excepts.

F. E. KENNAMER,
Judge.

OK: Robt. B. Keenan
Attorney for Plaintiff

OK: W. T. Hunt
Attorney for Defendant.

ENDORSED: Filed Feb. 21, 1929; H. P. Warfield, Clerk.

----- p2
JOHN S. NEELY, Plaintiff,)
vs.) No. 289-Equity
Wm. L. CHEATHAM, Defendant.) and
No. 290-Equity.

Now on this 21st day of February, A. D. 1929, comes on for hearing the above entitled cause and, both sides having announced ready for trial, it is ordered by the Court that Causes 289 Equity and 290 Equity be, and they are hereby consolidated and ordered tried as one case, to which the defendant excepts and exceptions are allowed. Thereupon opening statements of counsel are made and defendant moves to dismiss Cause 289 and the Court reserves his ruling thereon until after the presentation of evidence. Thereupon the defendant introduces his evidence and rests, and the plaintiff introduces his evidence and rests. Both sides having rested, after argument of counsel, the Court, being advised in the premises, doth enter decree in favor of the defendant and against the plaintiff and dismisses both causes of action, to which the plaintiff excepts and exceptions are hereby allowed.

Court adjourned until February 22, 1929.

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

NORTHERN District of OKLAHOMA
EQUITY SESSION TULSA, OKLAHOMA, FRIDAY, FEBRUARY 22, 1929.

Court convened pursuant to adjournment, Friday, February 22nd, 1929.

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL, Complainant, }
vs. } No. 335-Equity.
DOUGLAS OIL COMPANY, A CORPORATION, Defendant. } Ancillary to Missouri Valley Bridge & Iron Co. v. J.H. Middleton, et al., Equity No. 284-E.

ORDER EXTENDING TIME TO PLEAD.

NOW on this the 22nd day of February, 1929, same being a regular juridical day of the January 1929 Term of said Court, this cause coming on for hearing upon the application of the defendant herein for an order allowing it five (5) days from this date within which to file an answer in the above styled and numbered cause, and the Court being well and sufficiently advised in the premises FINDS that said application should be granted. It is accordingly

ORDERED, ADJUDGED and DECREED that the defendant herein, Douglas Oil Company, have five (5) days from this date within which to file its answer to the Bill of Complaint of the Complainant herein.

F. E. KENNAMER, Judge

O.K. James P. Melone.

ENDORSED: Feb. 22, 1929. H. P. Warfield, Clerk.

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. } No. 339-Equity
C. A. BUZZARD AND W. R. WHITESIDE, PARTNERS DOING BUSINESS AS BUZZ SIDE DRILLING COMPANY, Defendants. } Ancillary to Missouri Valley Bridge & Iron Co. v. J. H. Middleton, et al., Equity No. 284-E.

ORDER EXTENDING TIME TO PLEAD.

NOW on this the 22nd day of FEBRUARY, 1929, same being a regular juridical day of the January 1929 Term of said Court, this cause coming on for hearing upon the application of the defendants herein for an order allowing them five (5) days from this date within which to file an answer in the above styled and numbered cause, and the Court being well and sufficiently advised in the premises FINDS that said application should be granted. It is accordingly

ORDERED, ADJUDGED and DECREED that the defendants, C. A. Buzzard and W. R. Whiteside, have five (5) days from this date within which to file their answer to the Bill of Complaint of the Complainant herein.

F. E. KENNAMER, Judge.

O.K. James P. Melone.

ENDORSED: Filed Feb. 22, 1929. H. P. Warfield, Clerk.

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

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EQUITY SESSION

TULSA, OKLAHOMA,

FRIDAY, FEBRUARY 22, 1929.

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

HARRIETT ROSEY, ET AL.,)	
	)	Plaintiffs,
vs.)	
	)	No. 238-Equity.
JAMES A. CHAPMAN, ET AL,)	
	)	Defendants.

ORDER PERMITTING THE UNITED STATES TO
AMEND PRAYER OF BILL OF COMPLAINT.

Now on this 22nd day of February, 1929, the United States having requested, in open Court, that it be permitted to amend the prayer of its Bill of Complaint in the within cause, and the Court, after a statement of counsel, and being fully advised in the premises, finds that there is good cause for such amendment, and that the permission requested should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States be, and hereby is granted permission to amend the prayer of its Bill of Complaint in the within cause.

F. E. KENNAMER, Judge.

O.K.
Louis N. Stivers
Assistant United States Attorney
Attorney for Plaintiff.

ENDORSED: Filed Feb. 22, 1929. H. P. Warfield, Clerk.

EAGLE PICHER LEAD COMPANY,)	
	)	Plaintiff,
vs.)	
	)	No. 291-Equity.
ROBINSON PACKER COMPANY,)	
	)	Defendant.

Now on this 22nd day of February, A. D. 1929, there comes on for final hearing the above entitled cause. The defendant's request of the Court for additional time within which to file a written application for continuance of same is by the Court overruled and exceptions allowed. And thereupon, plaintiff having announced ready for trial, the opening statements are made by counsel and after hearing the testimony of witnesses sworn in open court, and closing arguments of counsel having been made, the said cause is by the Court taken under advisement. Whereupon it is by the Court ordered that the plaintiff file briefs in support of this cause within thirty (30) days from this date and that the defendant be granted twenty (20) days thereafter to file his answer brief and plaintiff is given fifteen (15) days after the defendant's answer brief to file reply thereto.

Court adjourned until February 25, 1929.

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

NORTHERN District of OKLAHOMA

EQUITY SESSION TULSA, OKLAHOMA, MONDAY, FEBRUARY 25, 1929.

Court convened pursuant to adjournment, Monday, February 25th, 1929.

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:

JOE EDGAR,	Plaintiff,)	
	vs.	)	No. 344-Equity.
EDWIN I. REESER,	Defendant.)	

On this 25th day of February, A. D. 1929, on agreement of both parties herein, it is by the Court ordered that the above styled and numbered cause be, and the same is hereby stricken from this assignment.

M. T. C. OIL AND GAS COMPANY,	Plaintiff,)	
	vs.	)	No. 299-Equity.
E. J. KOURY, ET AL,	Defendants.)	

On this 25th day of February, A. D. 1929, there came on for final hearing the above entitled cause and the plaintiff having announced ready for trial, and the defendant being not represented by counsel, thereupon the plaintiff offers his proof and rests and the defendant offering no evidence, it is, therefore, by the Court ordered that decree quieting title be and the same is hereby ordered in favor of the plaintiff and against the defendant.

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

THE COLUMBIAN NATIONAL LIFE INSURANCE COMPANY,	Complainant.)	
	vs.	)	No. 423-Equity.
KATHLEEN M. CASTLE,	Respondent.)	

D E C R E E

NOW on this 25th day of February, 1929, this matter comes on regularly for hearing, pursuant to assignment, and the complainant appearing by its solicitors, H. R. Williams and Stewart Lynch, and the said respondent and cross-complainant, Kathleen M. Castle, appearing in person and by her solicitors, Charles L. Yancey and High Ownby, and both parties announced ready for trial, and said cause being submitted to the court and the respondent submitting first to the court her motion to dismiss the bill of complaint herein for the reason that said bill of complaint does not constitute a cause of action either at law or in equity against the said respondent; and

Further moved for judgment on her cross-bill of complaint; and after hearing the argument of solicitors on said motions, the court reserved the right to pass upon the same and requested testimony on behalf of complainant, The Columbian National Life Insurance Company, and after hearing the oral testimony of witnesses sworn, in open court and after complainant had rested, the respondent and cross-complainant, Kathleen M. Castle, by her solicitors, moved that the complaint and amended or supplemental complaint of the complainant, The Columbian National Life Insurance Company, be dismissed for the reason and on the ground that the proof of the complainant wholly failed to prove or sustain the allegations of the complaint and amended or supplemental complaint filed in said cause by the complainant, which motion was by the court sustained and the complaint and amended or supplemental complaint of said complainant dismissed; and both parties, having waived a jury, submitted the cause to the court as to the cross-bill of complaint of the respondent, Kathleen M. Castle.

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

NORTHERN

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UNITY SESSION,

TULSA, OKLAHOMA,

MONDAY, FEBRUARY 25, 1929.

It having been stipulated and agreed that the complainant, The Columbian National Life Insurance Company, of Boston, Massachusetts, did issue a life insurance policy in amount of Twenty Thousand (\$20,000.00) Dollars, on the life of Harry Fenton Castle, on the 14th day of February, 1925, and that the said Harry F. Castle died on the 6th day of July, 1928 and

The court having found that said life insurance policy was in full force and effect at the time of the death of said Harry Fenton Castle, and that Kathleen M. Castle, the respondent herein, was named as the beneficiary in said policy, and

The court having further found that said respondent, Kathleen M. Castle, under the pleadings filed herein and the evidence and under the testimony offered is entitled to a judgment against the complainant, The Columbian National Life Insurance Company in the amount of Twenty Thousand (\$20,000.00) Dollars, together with interest thereon at 6% per annum from the 6th day of July, 1928 to date, said interest amount to Seven Hundred Sixty-three and 33/100 (\$763.33) Dollars, and

That respondent is entitled to a total judgment and decree against the complainant in amount of Twenty Thousand Seven Hundred Sixty-three and 33/100 (\$20,763.33) Dollars, together with interest thereon at 6% from the 25th day of February, 1929 until paid,

It is therefore ORDERED, ADJUDGED AND DECREED by the court that: 1st. Complainant, the Columbian National Life Insurance Company take nothing by virtue of its complaint, and that said complaint be dismissed.

2nd. That the respondent, Kathleen M. Castle, have and recover a judgment and decree against said complainant, The Columbian National Life Insurance Company in amount of Twenty Thousand Seven Hundred Sixty-three and 33/100 (\$20,763.33) Dollars, together with interest thereon at 6% per annum from the 25th day of February, 1929, until paid, together with costs of this action, and for all of which let execution issue.

And the court further finds that the complainant then, there, and at that time excepted to the ruling of said court in dismissing its complaint, and to the judgment and decree being entered in favor of the respondent. It was ORDERED by the court that said exceptions of said complainant be allowed.

F. E. KENNAMER

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

ENDORSED: Filed Feb. 25, 1929. H. P. Warfield, Clerk.

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

J. B. STRATFORD, Complainant.

vs.

TULSA INVESTMENT COMPANY, A CORPORATION, TULSA SECURITY COMPANY, A PARTNERSHIP, COMPOSED OF C. L. WAITE, A. J. HAMEL AND J. W. HAMEL; A. J. HAMEL, J. W. HAMEL, C. L. WAITE AND MARY E. MILLER, Respondents.

No. 391-Equity.

O R D E R.

Now on this 25th day of February, 1929, there comes on for hearing the motion of the respondents herein, Tulsa Investment Company, a corporation; Tulsa Security Company, a partnership composed of C. L. Waite, A. J. Hamel and J. W. Hamel; A. J. Hamel, J. W. Hamel, C. L. Waite and Mary E. Miller, requesting fifteen (15) days additional time in which to answer the complaint of the complainant filed herein, and upon due consideration of said motion and for the grounds therein stated, it is the order of this court that the said respondents, Tulsa Investment Company, a corporation; Tulsa Security Company, a partnership composed of C. L. Waite, A. J. Hamel and J. W. Hamel; A. J. Hamel, J. W. Hamel, C. L. Waite and Mary E. Miller be and hereby are given fifteen

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

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MONDAY, FEBRUARY 25, 1929.

(15) days from this 25th day of February, 1929, in which to answer the complaint filed in the above styled and numbered cause.

F. E. KENNAMER,

Judge of the District Court of the United States in and for the Northern District of Oklahoma.

ENDORSED: Filed Feb. 25, 1929. H. P. Warfield, Clerk.

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, INC.,
AND JOHN SHAUGHNESSY,

Defendants.

No. 271-Equity.

O R D E R

FOR TRANSMISSION OF PHYSICAL EXHIBITS TO CIRCUIT COURT OF APPEALS

It is hereby ordered that the Clerk of this Court transmit to the United States Circuit Court of Appeals the original transcript of testimony filed herein, together with the physical exhibits offered in evidence at the hearing of this cause and bound with said transcript of testimony, and

It is further ordered that the Clerk of this Court transmit to the United States Circuit Court of Appeals all physical exhibits offered in evidence at the hearing of this cause, the transmission of which to the said Court of Appeals has not been heretofore or otherwise ordered.

F. E. KENNAMER,

Tulsa, Oklahoma,
February 25th, 1929.

Judge United States District Court.

ENDORSED: Filed Feb. 25, 1929. H. P. Warfield, Clerk.

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, INC.,
AND JOHN SHAUGHNESSY,

Defendants.

No 271-Equity.

O R D E R

On application of defendant-appellants herein for additional time for docketing the case and filing the record thereof, and for good cause shown;

IT IS HEREBY ORDERED:

That the time for docketing the case and filing the record thereof in the Court of Appeals be enlarged to and including April 11, 1929.

February 25, 1929.

F. E. KENNAMER,
Judge United States District Court.

ENDORSED: Filed Feb. 25, 1929. H. P. Warfield, Clerk.

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

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EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, FEBRUARY 25, 1929.

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, INC., AND JOHN SHAUGHNESSY, Defendants. No. 271-Equity.

CERTIFICATE OF EVIDENCE.

I, F. E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, before whom the above entitled cause was heard, do hereby certify that the Transcript of the Record hereto attached, together with the Exhibits identified in the said Transcript and in Defendant's Substitute Praecepte filed in this case, which said Exhibits are hereby made a part of this Certificate of Evidence and are ordered to be certified to the United States Circuit Court of Appeals for the Eighth Circuit, is and constitutes the evidence and all the evidence offered or considered by the Court in this cause.

F. E. KENNAMER,

Judge United States District Court.

Signed at Tulsa, Oklahoma, this 25th day of February, 1929.

ENDORSED: Filed Feb. 25, 1929; H. P. Warfield, Clerk.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT, WESTERN DIVISION OF MISSOURI.

HANNAH M. SMITH, ADMINISTRATRIX OF THE ESTATE OF OWEN P. SMITH, Plaintiff, vs. MAGIC CITY KENNEL CLUB, INC., AND JOHN SHAUGHNESSY, Defendants. No. 271-Equity.

ORDER APPROVING STATEMENT OF EVIDENCE.

The appellant herein, having lodged his statement of evidence with the Clerk of this court and notified appellee thereof, in accordance with Equity Rule 75, and appellee having proposed certain amendments to appellant's said statement of evidence, and it appearing that appellee's proposed amendment is reasonable and should be allowed;

IT IS HEREBY ORDERED:

That appellant's said statement of evidence as lodged be amended by substitution of pages filed herewith for correspondingly numbered pages of the statement of evidence as lodged by appellant; such substitution of pages being as follows:

Table with 3 columns: New Pages, For, Old Pages. Rows show page substitutions: 12 for 12, 14 for 14, 15 for 15, 18 for 18, 19 for 19, 35 for 35.

On Page 3, last line of first paragraph of the proposed statement of evidence, change the word "about" to "above".

As to amended and identifying physical exhibits introduced by the respective parties as follows:

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TULSA, OKLAHOMA,

MONDAY, FEBRUARY 25, 1929.

PLAINTIFF'S PHYSICAL EXHIBITS:

- No. 6 Affidavit by Thomas A. Keen.
- No. 9 Charter of Mid-Continent Amusement Company.
- No. 10 Articles of Incorporation of Mid-Continent Amusement Company.
- No. 11 Certificate of Corporation Commission of Oklahoma.
- No. 12 Certificate of Secretary of State of Oklahoma.

DEFENDANT'S PHYSICAL EXHIBITS.

- No. 1 Minutes of Mid-Continent Amusement Company.
- No. 3 File Wrapper and Contents of Shaughnessy Patent No. 1,628,518.

the said Statement of Evidence is hereby approved as true, complete and properly prepared.

F. E. KENNAMER,

Judge United States District Court.

Tulsa, Oklahoma.
February 25th, 1929.

ENDORSED: Filed Feb. 25, 1929; H. P. Warfield, Clerk.

Court adjourned until February 26, 1929.

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

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District of
TULSA, OKLAHOMA,

OKLAHOMA
TUESDAY, FEBRUARY, 26, 1929.

Court convened pursuant to adjournment, Tuesday, February 26th, 1929.

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:

THE SEABOARD NATIONAL BANK
OF THE CITY OF NEW YORK, TRUSTEE,)
Plaintiff,)
vs.) No. 388-Equity.
THE TULSA STREET RAILWAY COMPANY,)
A CORPORATION, Defendant.)

On this 26th day of February, A. D. 1929, a motion for Confirmation of Sale came on for hearing in the above entitled cause and upon agreement of both parties it is by the Court ordered that said Confirmation be, and the same is hereby continued to March 11th, 1929.

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 442-Equity.
REESE THOMPSON, Defendant.)

On this 26th day of February, A. D. 1929, the above entitled cause comes on for hearing and at this time, it is by the Court ordered that the same be and it is hereby passed for hearing to March 5th, 1929, at Vinita, Oklahoma, at the Regular March 1929 Term of Court.

F. D. SULLIVAN, ET AL, Plaintiffs,)
vs.) No. 5-Equity.
JAMES H. THOMAS, ET AL, Defendants.)

O R D E R

Now, on this 26th day of February, 1929, the above named and numbered cause coming before this Court upon the Application for Order to Require Witnesses to Appear and Testify, and upon the request made by the Defendant herein that a day certain be set by this Court for hearing upon the disclosure of assets of the above named Plaintiff and judgment debtor herein, F. D. Sullivan;

IT IS HEREBY ORDERED AND ADJUDGED by this Court that the 11 day of March, 1929, at the hour of 9:30 o'clock A. M., of said date, is hereby set as the date and time for said hearing by this Court upon the said matter of disclosure of assets of the said above named Plaintiff and judgment debtor, F. D. Sullivan.

And it is hereby further ordered that the following named persons, to-wit:
E. A. Atkinson, 705 S. Boulder, St., Tulsa, Okla.,
H. J. Williams, 714 Natl.Bk.Com.Bldg., Tulsa, Okla.,
are hereby required to appear upon said above named date, at the United States District Court, for the Northern District of Oklahoma, at Tulsa, Okla., and to testify in any proceedings then and there had upon said matter of disclosure of assets of said judgment debtor.

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

ENDORSED: Filed Feb. 26, 1929. H. P. Warfield, Clerk.

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

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EQUITY SESSION

TULSA, OKLAHOMA.

TUESDAY, FEBRUARY 26, 1929.

ORDER PERMITTING APPEAL
WITHOUT BOND

WHEREAS, it appears that Harwood Keaton, successor to John H. Dykes as Receiver of the First National Bank at Collinsville, Oklahoma, a national banking association, defendant in the above styled cause, has been directed by the Comptroller of the Currency of the United States of America to perfect an appeal from the decree, judgment, order and opinion entered in this cause on the 13th day of December, 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 said decree, order, judgment and opinion entered herein December 13, 1928, be stayed pending the perfection of such appeal, and in the event an appeal is filed in said appellate court, pending a final determining of said cause by said court.

Dated February 26, 1929.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 26, 1929. H. P. Warfield, Clerk.

IN THE UNITED STATES COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

C. D. HOLLOWAY,	Plaintiff,)	
)	
vs.)	
)	
HARWOOD KEATON, SUCCESSOR TO)	
JOHN H. DYKES AS RECEIVER OF THE		)	No. 428-Equity.
FIRST NATIONAL BANK AT COLLINSVILLE,)	
OKLAHOMA, A NATIONAL BANKING)	
ASSOCIATION,	Defendant.)	

C I T A T I O N

THE PRESIDENT OF THE UNITED STATES OF AMERICA
AND THE UNITED STATES OF AMERICA TO C. D.
HOLLOWAY, PLAINTIFF IN THE ABOVE STYLED CAUSE:

YOU ARE HEREBY CITED AND ADMONISHED to be and appear in the United States Circuit Court of Appeals for the Eighth Circuit in the City of St. Louis, Missouri, sixty days from and after the date this citation bears, pursuant to an appeal filed in the office of the Clerk of the District Court of the United States for the Northern District of Oklahoma, wherein you were plaintiff and John H. Dykes as Receiver of the First National Bank at Collinsville, Oklahoma, a national banking association, was defendant, and wherein Harwood Keaton, who has been substituted as Receiver for John H. Dykes Receiver, resigned, of the First National Bank at Collinsville, Oklahoma, is now appellant and you are appellee, and show cause, if any there be, why the judgment, decree, order and opinion entered therein on December 13, 1928, should not be reversed and corrected, and why speedy justice should not be done on behalf of the appellant.

WITNESS the Honorable Franklin E. Kennamer, Judge of the District Court of the United States for the Northern District of Oklahoma, this 26 day of Feb., 1929.

F. E. KENNAMER, Judge.

The undersigned attorneys of record for the plaintiff in the above styled cause, do hereby accept service and acknowledge receipt of carbon copy of the within and foregoing citation this 26 day of Feb., 1929.

GREEN & FARMER
Attorneys for Plaintiff.

ENDORSED: Filed Feb. 26, 1929. H. P. Warfield, Clerk.

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

NORTHERN

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EQUITY SESSION

TULSA, OKLAHOMA,

TUESDAY, FEBRUARY 26, 1929.

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

C. D. HOLLOWAY, Plaintiff,)
 vs.)
 HARWOOD KEATON, SUCCESSOR TO)
 JOHN H. DYKES AS RECEIVER OF THE)
 FIRST NATIONAL BANK AT COLLINSVILLE,)
 OKLAHOMA, A NATIONAL BANKING ASSOCIATION,)
 Defendant.)

No. 428-Equity.

C E R T I F I C A T E

UNITED STATES OF AMERICA,
NORTHERN DISTRICT OF OKLAHOMA, ss.

I, Franklin E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, having had presented to me stipulation of counsel requesting that the "agreed statement as to part of facts" and the oral testimony adduced and presented on the trial of this case, be reproduced in toto and in the exact words of the witnesses, and having had presented to me the foregoing statement of said "agreed statement as to part of facts", oral testimony and statement of evidence received on the hearing of this cause, together with stipulation with reference thereto, do find that the same is a true, complete and properly prepared reproduction of said statement and evidence, showing the agreement of the parties as to a part of the facts and showing the questions and answers of the witnesses, together with the objections, exceptions and rulings of the court with reference thereto; and I do hereby approve the same.

WITNESS my hand this 26 day of Feb., 1929.

F. E. KENNAMER, Judge.

ENDORSED: Filed Feb. 26, 1929. H. P. Warfield, Clerk.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

WEDNESDAY, FEBRUARY 27, 1929.

Court convened pursuant to adjournment, Wednesday, February 27th, 1929.

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.

HARWOOD KEATON, RECEIVER,
FIRST NATIONAL BANK BARNSDALL,
OKLAHOMA, Plaintiff,

vs.

IDA BAUCOM, H. L. BAUCOM, AND
THE NATIONAL BUILDING & LOAN
ASSOCIATION OF PAWHUSKA, OKLAHOMA,
Defendants.

No. 305-Equity.

JOURNAL ENTRY.

This cause came on for hearing on this 27th day of February, 1929, in its regular order, and there appeared Robert B. Keenan, as attorney for plaintiff and H. M. Curnutt as attorney for defendants, Ida Baucom and H. L. Baucom, and further appeared that the defendants, National Building & Loan Association of Pawhuska, Oklahoma, have heretofore disclaimed all rights, title and interest in and to the premises herein involved. The court having heard the evidence and arguments of counsel, being fully advised in the premises, finds:

That defendants, Ida Baucom and H. L. Baucom are indebted to plaintiff for balance of \$700.00 on note dated August 27, 1924, which note was originally in the sum of \$2750.00 and provides interest thereon from maturity and the further sum of \$275.00 attorney's fee.

The court further finds that said defendants are indebted to plaintiff in the sum of \$700.00, together with interest thereon at the rate of 10% per annum to date in the sum of \$192.00, and the further sum of \$60.00 as reasonable attorney's fee, or a total of \$952.00, together with costs herein laid out and expended taxed at \$39.74.

The court further finds that said indebtedness is secured by a real estate mortgage upon the following described property, to-wit:

Lot Six (6) in Block Forty-four (44) original townsite of the city of Barnsdall, Oklahoma, according to the recorded plat thereof.

The court further finds that plaintiff is entitled to foreclose his lien against said real estate, forever barring said defendants, Ida Baucom and H. L. Baucom from any lien, estate, interest or title thereto, and that said premises be sold to satisfy said judgment.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED as follows:

That plaintiff have judgment against defendants, Ida Baucom and H. L. Baucom, for the sum of \$700.00, together with \$192.00 interest to date, and costs taxed at \$39.74, and \$60.00 attorney's fees, and interest on the principal at ten per cen per annum, until paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the lien of plaintiff upon the following described property, to-wit:

Lot Six (6) in Block Forty-four (44) original townsite of the City of Barnsdall, Oklahoma, according to the recorded plat thereof,

be foreclosed, and that Ida Baucom and H. L. Baucom be forever barred from any lien, estate, title or interest therein, and that said mortgaged premises be ordered sold to satisfy said judgment six months after date, without appraisalment, in accordance with the terms of said mortgage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the proceeds of said sale be applied as follows:

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

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OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

WEDNESDAY, FEBRUARY 27, 1929.

- First: To the payment of taxes
- Second: To the payment of costs and attorney's fees
- Third: To the payment of plaintiff's judgment
- Fourth: The residue, if any, to be returned to defendants, Ida Baucom and H. L. Baucom.

F. E. KENNAMER, Judge.

O.K.
Robt. B. Keenan
Attorney for Plaintiff.

O.K.
H. M. Curnutt,
Attorney for Defendants,
Ida Baucom and H. L. Baucom.

ENDORSED: Filed Feb. 27, 1929. H. P. Warfield, Clerk.

CHRISTY JOHNSON DEVER, Plaintiff,)
)
 vs.) No. 253-Equity.
)
 UNION MACHINE COMPANY, INC., Defendant.)

On this 27th day of February, A. D. 1929, the above entitled cause came on for final hearing and both sides having announced ready for trial, opening statements are made by each side and the plaintiff having offered his evidence and rested, the defendant moves for judgment on the grounds that the plaintiff has no cause of action, and after argument of counsel, the Court being advised in the premises, said motion is sustained and judgment rendered in favor of the defendant and against the plaintiff, to which plaintiff excepts and exceptions are allowed.

IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF OKLAHOMA
 THE FISHER GOVERNOR COMPANY, PLAINTIFF,)
)
 VS.) No. 292-Equity.
)
 C. F. CAMP COMPANY, A CORPORATION, DEFENDANT.)

D E C R E E
This cause coming on regularly to heard before the Honorable Franklin E. Kennamer, United States District Judge for the Northern District of Oklahoma, at Tulsa, in said district, on the 3rd day of May, 1928, WILL BAIR and E. P. SINCLAIR, ESQRS., of MESSRS. BAIR, FREEMAN & SINCLAIR, and STEWART LYNCH, ESQ., of MESSRS. MASON, HONNOLD & WILLIAMS, appearing as solicitors for the Plaintiff, and WELBURN MAYOCK, ESQ., and W. F. TUCKER, ESQ., of MESSRS. ABY & TUCKER, appearing as solicitors for the Defendant, and evidence, both oral and documentary having been introduced and arguments and briefs submitted by the solicitors for the respective parties, and the matter having been submitted for decision, it is therefore,

- ORDERED, ADJUDGED AND DECREED as follows:
- 1. That defendant has not infringed plaintiff's letters patent No. 1,600,162; and
 - 2. That the cause be and hereby is dismissed and that defendant recover from plaintiff its costs herein expended.

Judgment acceptable as to form. F. E. KENNAMER, Judge.
Bair, Freeman & Sinclair.
Mason, Honnold & Williams,
By Stewart Lynch.
Solicitors for Plaintiff.

ABY & TUCKER,
WELBURN MAYOCK,
By Welburn Mayoock.
Solicitors for Defendant.

ENDORSED: Filed February 27, 1929. H. P. Warfield, Clerk.

Court is adjourned until February 28, 1929.

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

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OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA.

THURSDAY, FEBRUARY 28, 1929.

Court convened pursuant to adjournment, Thursday, February 28th, 1929.

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:

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.	)	No. 321-Equity.
)	
E. K. MOSS, ET AL,	Defendants.)	

On this 28th day of February, A. D. 1929, the above entitled cause came on for final hearing and the plaintiff having announced not ready for trial, leave is granted to the plaintiff to file amended bill of complaint within fifteen (15) days from this date, and the defendant is granted ten (10) days thereafter to plead or twenty (20) days to answer the amended bill of complaint, and thereupon said cause is stricken from the assignment of this date.

IN THE UNITED STATES DISTRICT COURT FOR
NORTHERN DISTRICT OF OKLAHOMA

WALTER LEE MOSIER, AND E. L. GAY, AS GUARDIAN OF WALTER LEE MOSIER,	Plaintiffs,)	
)	
vs.	)	No. 300-Equity.
)	
JOHN KENNEDY AND ED T. KENNEDY,	Defendants.)	

O R D E R

On this 5th day of February, 1929, this cause comes on for hearing upon the defendants' motion to dismiss the amended Bill of Complaint. After argument of counsel, and the Court being duly advised in the premises, the Court finds that said motion should be overruled, and it is, therefore,

ORDERED that the defendants' motion to dismiss be, and it is hereby overruled, to which order the defendants, and each of them, except, On application of plaintiffs, they are hereby granted leave to amend their petition instanter by interlineation, by inserting therein that said indebtedness and the contract made in furtherance thereof as security therefor was an indebtedness in whole and in part incurred after the enactment of the statute or statutes mentioned in said Complaint.

IT IS FURTHER ORDERED, that defendants' motion to strike from plaintiffs' Bill be and it is hereby overruled, to which order of the Court the defendants, and each of them except. The defendants, and each of them, further except to the order granting plaintiffs leave to amend their amended Bill of Complaint herein.

The defendants, and each of them, are hereby granted thirty days (30) from this date within which to file their answer herein.

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

ENDORSED: Filed Feb. 28, 1929. H. P. Warfield, Clerk.

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

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THURSDAY, FEBRUARY 28, 1929.

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

J. T. O'REILLY,	Plaintiff,)	
)	
vs.)	
H. & H. OIL CORPORATION, ET AL,	Defendants.	)	No. 348-Equity.
)	
S. J. MCGONIGAL,	Intervenor.)	

JOURNAL ENTRY

Now on this the 28th day of February, 1929, the above entitled cause having been this day tried and determined and the court having rendered a judgment herein for S. J. McGonigal, the intervenor, for \$501.45, together with the interest thereon at the rate of 6% per annum from the 18th day of June, 1928, to this date, or until said judgment is paid and judgment for attorney's fee in the sum of \$150.00; and it appearing to the court that the receiver, R. H. Hoss, heretofore appointed by this court, has funds in his hands sufficient to pay a portion of said judgment so rendered by this court in favor of said intervenor, McGonigal, and it appearing that a portion of said amount should be paid at this time and J. T. O'Reilly, having consented to such payment by such receiver,

It is therefore ordered, adjudged and decreed by the court that the receiver herein, R. H. Hoss, be and he is hereby ordered and directed to pay to S. J. McGonigal the sum of \$250.00 from funds now in his hands belonging to the H. & H. Oil Corporation as such receiver and report such payment to this court in filing his receiver's report.

It is further ordered that the judgment rendered herein be credited with said sum of \$250.00.

F. E. KENNAMER, Judge.

O.K.
Breckenridge & Bostick
Attorneys for J. T. O'Reilly.

O.K.
Samuel A. Boorstin,
Atty. for A. L. Hawse.

ENDORSED: Filed Feb. 28, 1929. H. P. Warfield, Clerk.

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

J. T. O'REILLY,	Plaintiff,)	
)	
vs.)	
H. & H. OIL CORPORATION,	Defendants.	)	No. 348-Equity.
A. L. HAWSE, RANDOLPH LAUGHLIN,)	
)	
And)	
S. J. MCGONIGAL,	Intervenor.)	

D E C R E E

Now on this, the 28th day of February, 1929, the above cause comes regularly on for trial in accordance with the order heretofore made setting the same for trial on this day. Plaintiff appears in person and by his attorneys, Breckenridge & Bostick, and the defendant H. & H. Oil Corporation appears by its attorneys, Rittenhouse, Lee, Webster & Rittenhouse, by Mr. Lee; the defendant A. L. Hawse appears in person and by his attorney, Samuel A. Boorstin, and the intervenor, S. J. McGonigal appears in person and by his attorneys, Leahy, Maxey, MacDonald & Holden, by S. S. Lawrence, and the defendant Randolph Laughlin appears not, either in person or by attorney.. Thereupon, said case was called for trial and all parties announced ready and the court after hearing the evidence and stipulations of parties in open

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

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court, and being fully advised in the premises, finds:

1.

That the said Randolph Laughlin, defendant above named, has been duly and legally personally served by warning order, and that heretofore and on the 25th day of October, 1928, an order pro confesso was duly taken as to the said Randolph Laughlin and that he has failed, omitted and neglected to answer, demur or otherwise plead to said cause and is wholly in default, and is hereby adjudged in default.

2.

The court further finds generally the issues in favor of the plaintiff and against said defendants, and finds that the plaintiff, J. T. O'Reilly is entitled to judgment against said defendant H. & H. Oil Corporation for the sum of \$18,833.40 with interest thereon at 6% per annum from August 31st, 1927 and the further sum of \$2000.00, attorneys fees; that the said intervenor, S. J. McGonigal is entitled to judgment against the said defendant, H. & H. Oil Corporation for the sum of \$501.45, with interest from June 18th, 1928 at 6% per annum and \$150.00 attorneys fees, said judgments of said plaintiff and of said intervenor arising under and by virtue of mechanic's and laborer's liens set out and plead in the petitions and petition of intervention; that the said defendant A. L. Hawse is entitled to judgment against the said defendant, his said co-defendant, the H. & H. Oil Corporation, for the sum of \$17,500.00, together with interest from August 26th, 1927 at the rate of 10% per annum, together with the further sum of \$1750.00, attorneys fees.

3.

The court further finds that the judgment of said plaintiff J. T. O'Reilly aforesaid, and said intervenor, S. J. McGonigal are and each of them first liens and entitled to share equally and entitled to share proportionately against the following described property, to-wit:

One certain oil and gas mining leasehold, together with all the machinery, equipment, oil wells, gas wells, pipe lines, pumps, buildings and any and all appurtenances used thereon and therewith or in connection with the operation of said oil and gas leasehold covering the following described lands, to-wit:

Lots 1, 2, 3 and the north 10.57 acres (less .80 acres occupied by the Missouri, Kansas & Oklahoma Railway) of Lot 4, and the North half (N $\frac{1}{2}$) of the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) and the North half of the South half of the Southwest quarter of the Northeast quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) all in Section 4, Township 19 North, Range 10 East, in Tulsa County, Oklahoma.

4.

That the said defendant, A. L. Hawse has a second lien upon all of the above described oil and gas leasehold, together with the machinery, equipment, appurtenances as last above described, subject only to the liens of the said plaintiff, J. T. O'Reilly and S. J. McGonigal, intervenor, and in addition thereto, the said defendant A. L. Hawse has a first and prior lien on the following described oil mining lease and leasehold estate covering the following described land in Osage County, Oklahoma:

Southwest quarter (SW $\frac{1}{4}$) of Section 33,
Township 20 North, Range 10 East.

5.

The court further finds that this judgment in favor of A. L. Hawse, defendant, against his co-defendant H. & H. Oil Corporation, does not affect or involve certain oil and gas leaseholds in Tulsa County, Oklahoma, described as follows:

North half of the Southwest quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 16, Township 18 North, Range 13 East, Tulsa County, Oklahoma;

North half of the South half of the Southwest quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$) Section 16, Township 18 North, Range 13 East, Tulsa County, Oklahoma.

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TULSA, OKLAHOMA,

THURSDAY, FEBRUARY 28, 1929.

That the last above described two tracts are in litigation in the case of M. R. Dunning, plaintiff v. Mabel M. Ashton, administratrix, et al, No. 42,587, in the District Court of Tulsa County, Oklahoma, and the lien rights thereon are not before the court or passed on herein.

IT IS THEREFORE, considered, ordered, adjudged and decreed that said plaintiff J. T. O'Reilly have and recover from and against the said defendant H. & H. Oil Corporation the sum of \$18,833.40 with interest thereon from August 13th, 1927, at 6% per annum and the further sum of \$2000.00, attorneys fees; that the said intervenor, S. J. McGonigal, have and recover judgment against the said defendant H. & H. Oil Corporation for the sum of \$501.45 with interest at 6% per annum from June 18th, 1928 and the further sum of \$150.00 attorneys fees; that said judgments be and they are first and prior liens against the oil and gas leasehold hereinbefore described, located in Section 4, Township 19 North, Range 10 East, Tulsa County, Oklahoma, and is and shall be of the same rank and priority and shall share proportionately the rank of first liens.

It is further ordered, adjudged and decreed that the said defendant A. L. Hawse have and recover from and against the H. & H. Oil Corporation the sum of \$17,500.00 with interest at 10% from August 26th, 1927 and the further sum of \$1750.00 attorneys fees and that said judgment is a second lien as against the above described oil and gas leasehold covering said lands in Section 4, Township 19 North, Range 10 East, Tulsa County, Oklahoma, second only to the liens of the said plaintiff, J. T. O'Reilly and intervenor, S. J. McGonigal, and

It is further ordered that said judgment of the said A. L. Hawse is and shall be a first and prior lien against the said oil mining leasehold covering the following described land in Osage County, Oklahoma, to-wit:

Southwest quarter (SW $\frac{1}{4}$) of Section 33,
Township 20 North, Range 10 East.

It is further ordered, adjudged and decreed that in case the said defendant H. & H. Oil Corporation fails, neglects or refuses to pay and satisfy the aforesaid judgments of the said plaintiff, J. T. O'Reilly or intervenor, S. J. McGonigal, or defendant A. L. Hawse, or either of them, within five days from the date hereof, that the receiver herein, R. H. Hoss be and he is hereby ordered and directed to have and cause said oil and gas mining leasehold, together with all of the equipment, appurtenances, oil wells, gas wells, casing, pipe and any and all other material or appurtenances thereunto belonging to said oil and gas lease, to be appraised by three disinterested appraisers; said oil and gas lease covering the property hereinbefore described and herein described as follows, to-wit:

Lots 1, 2, 3 and the north 10.57 acres (less .80 acres occupied by the Missouri, Kansas & Oklahoma Railway) of Lot 4, and the North half of the Southwest quarter of the Northeast quarter, (N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) and the North half of the South half of the Southwest quarter of the Northeast quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) all in Section 4, Township 19 North, Range 10 East, in Tulsa County, Oklahoma.

and the said R. H. Hoss is hereby appointed special master for the purpose of conducting said sale and for the purpose of appointing appraisers to appraise the same, and is hereby ordered and directed to appoint three disinterested appraisers and require said appraisers to make and return to him the appraisal of said premises and to advertise said aforesaid property for sale for a period of thirty days in the Tulsa Daily Legal News, by notice given in said paper by the said R. H. Hoss, receiver and special master and shall sell said property at the west front door of the Court House in the City of Tulsa, Tulsa County, Oklahoma, to the highest and best bidder, for cash.

And said receiver and special master is hereby ordered and directed that immediately after said sale as aforesaid, he shall make and file in this court and cause, his report of said sale, showing his acts and doings thereunder, and

It is further ordered that the said receiver and special master shall retain said funds arising from said sale to be disposed

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TULSA, OKLAHOMA,

THURSDAY, FEBRUARY 28, 1929.

of as may be ordered and directed by this court, upon approval and confirmation of said sale.

F. E. KENNAMER,

U. S. District Judge.

O. K.
Breckenridge & Bostick,
Attys. for Plaintiff.

O. K.
L. I. Lawrence,
Attys. for S. J. McGonigal

O. K.
Samuel A. Boorstin,
Atty. for A. L. Hawse.

ENDORSED: Filed Feb. 28, 1929. H. P. Warfield, Clerk.

ORDER TO SPREAD MANDATE OF RECORD - No. 7304.

WILLIAM BUCK SELF, Plaintiff,)
vs.)
THE PRAIRIE OIL & GAS COMPANY, A) No. 9-Equity.
CORPORATION, Defendant.)

On this 28th day of February, A. D. 1929, 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 William Buck Self, Plaintiff, and The Prairie Oil and Gas Company, a Corporation, Defendant, No. 9, In Equity, wherein the decree of the said District Court in said cause, entered on the 25th day of June, A. D. 1925, was in the following words, viz:

"Be It Remembered That this cause came on to be heard at this term and was argued by counsel and upon consideration thereof:

It Is Ordered, Adjudged And Decreed That the plaintiff's bill of complaint be, and the same is hereby, dismissed for want of equity and that plaintiff pay the costs of suit, to which the plaintiff duly excepts and his exceptions are allowed.

Done This 25th day of June A. D. 1925.

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 September 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.

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

NORTHERN

District of

OKLAHOMA

REGULAR SESSION

TULSA, OKLAHOMA,

THURSDAY, FEBRUARY 28, 1929.

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 Prairie Oil and Gas Company, a corporation, have and recover against William Buck Self the sum of Twenty Dollars for its costs herein and have execution therefor. -----

----- October 4, 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 26th day of February, in the year of our Lord one thousand nine hundred and twenty-nine.

COSTS OF APPELLEE:

Clerk,	Paid
Printing Record,	by
Attorney,	Appellant.

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

ENDORSED: Filed Feb. 28, 1929. H. P. Warfield, Clerk.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA.

FRIDAY, MARCH 1, 1929.

Court convened pursuant to adjournment, Friday March 1, 1929.

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

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

MISSOURI VALLEY BRIDGE AND IRON COMPANY, Plaintiff, vs. J. H. MIDDLETON, ET AL, Defendants. No. 284-Equity.

On this 1st day of March, A. D. 1929, the above entitled cause came on for hearing; and it is ordered by the Court that G. O. Grant of Tulsa, Oklahoma, be, and he is hereby appointed Special Master; and said Special Master is hereby authorized to take evidence, swear witnesses and make a report of his findings to this Court.

PRAECIPE FOR ORDER PRO CONFESSO

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL, Plaintiff, vs. TULSA PRINTING COMPANY, A CORPORATION, Defendant. No. 325-Equity.

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against Tulsa Printing Company, a corporation, for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL) H. P. Warfield, Clerk, By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone, Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929. H. P. Warfield, Clerk.

PRAECIPE FOR ORDER PRO CONFESSO

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

JAMES W. GULLETT, RECEIVER FOR SUBSCRIBERS AT ASSOCIATED EMPLOYERS RECIPROCAL, Plaintiff, vs. T. T. WORTHAM, Defendant. No. 328-Equity.

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

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EQUITY SESSION

TULSA, OKLAHOMA,

FRIDAY, MARCH 1, 1929.

take order pro confesso against Mark Finston for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL)

H. P. WARFIELD, Clerk,

By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone,

Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929. H. P. Warfield, Clerk.

PRAECIPE FOR ORDER PRO CONFESSO

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

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

vs.)

No. 361-Equity.)

INTERSTATE OIL & GAS COMPANY,
A CORPORATION, Defendant.)

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against Interstate Oil & Gas Company, a corporation, for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL)

H. P. WARFIELD, Clerk,

By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone,

Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929.
H. P. Warfield, Clerk.

PRAECIPE FOR ORDER PRO CONFESSO

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

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

vs.)

No. 365-Equity.)

W. J. MATYCH, Defendant.)

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

EQUITY
SESSION

NORTHERN

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OKLAHOMA

TULSA, OKLAHOMA,

FRIDAY, MARCH 1, 1929

take order pro confesso against W. J. Matych for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL)

H. P. WARFIELD, Clerk,

By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone,

Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929, H. P. Warfield, Clerk,

PRAECIPE FOR ORDER PRO CONFESSO

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

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

vs.

ROBINSON PACKER COMPANY,
A CORPORATION, Defendant.

No. 372-Equity.

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against Robinson Packer Company, a corporation, for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL)

H. P. WARFIELD, Clerk,

By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone,

Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929. H. P. Warfield, Clerk.

PRAECIPE FOR ORDER PRO CONFESSO

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

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

vs.

C. C. VAN TINE, Defendant.

No. 379-Equity.

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

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OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

FRIDAY, MARCH 1, 1929.

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against D. W. Cromwell, an individual doing business as Hurry Up Casing Crew, for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL)

H. P. WARFIELD, Clerk,

By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone,

Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929. H. P. Warfield, Clerk.

PRAECIPE FOR ORDER PRO CONFESSO

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

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

vs.)

No. 426-Equity.)

QUALITY STONE COMPANY, A
CORPORATION, Defendant.)

ORDER PRO CONFESSO

Now comes the complainant, by its solicitors, and elects to take order pro confesso against Quality Stone Company, a corporation, for failure to plead or answer.

Dated this 1st day of March, 1929.

(SEAL)

H. P. WARFIELD, Clerk,

By Johnnie Mathis, Deputy.

PRAECIPE

To the Clerk of said Court:

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

James P. Melone,

Solicitor for Complainant.

ENDORSED: Filed Mar. 1, 1929. H. P. Warfield, Clerk.

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

MISSOURI VALLEY BRIDGE AND
IRON COMPANY, Complainant,)

vs.)

No. 284-Equity.)

J. H. MIDDLETON, ET AL., Defendants.)

ORDER APPOINTING SPECIAL MASTER.

Decree Pro Confesso having been heretofore entered in this action, and the Receiver herein, James W. Gullett, having filed in this

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

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EQUITY SESSION

TULSA, OKLAHOMA,

FRIDAY, MARCH 1, 1929.

court certain ancillary proceedings in this court for accounting in accordance with such Decree, and the following actions now being at issue.

James W. Gullett, Receiver,	v. Tulsa Tribune Company	326-Equity
same	v. Riverside Oil & Refining Co.	327 "
"	v. Hutchinson Lumber Company	332 "
"	v. Douglas Oil Company	335 "
"	v. Eastern Light & Power Co.	337 "
"	v. O. C. Snodgrass	338 "
"	v. C. A. Buzzard	339 "
"	v. P. M. Buckley	340 "
"	v. T. E. Turner	341 "
"	v. American Gas Co., a corp.	351 "
"	v. Barnsdall-Foster Co.	353 "
"	v. Baxter Springs Company	354 "
"	v. P. M. Buckley	356 "
"	v. J. J. Fitzstephens	360 "
"	v. Lee Drilling Company	363 "
"	v. M. S. Mentzer, et al.	366 "
"	v. G. D. Morrow, et al.	367 "
"	v. Ruth Fuel Company	373 "
"	v. Savoy Drilling Company	374 "
"	v. Savoy Drilling Company	375 "
"	v. Savoy Drilling Company	376 "
"	v. A. M. Nichols	397 "
"	v. C. M. Murray, et al.	399 "
"	v. J. A. Pope, et al.	427 "

IT IS ORDERED that G. O. Grant, of Tulsa, Oklahoma, be, and he is hereby, appointed Special Master in each of said Ancillary causes hereinbefore set out. Such Special Master shall settle the pleadings in all of said causes, take and report evidence and make and file his report, upon both facts and law. Such Special Master shall fix the times and places of hearing and shall file his final report herein within 90 days from this date, unless such time shall be further extended by order hereafter made.

Dated this 1st day of March, 1929.

F. E. KENNAMER, Judge.

Rec'd above files this
4, day Mch. 1929.
G. O. Grant.

ENDORSED: Filed Mar. 1, 1929. H. P. Warfield, Clerk.

Court adjourned until March 8, 1929.

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

NORTHERN

District of

OKLAHOMA

IN CHAMBERS

TULSA, OKLAHOMA,

FRIDAY, MARCH 8, 1929.

I N C H A M B E R S

On this 8th day of March, A. D. 1929, before the Honorable F. E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, present and presiding:

H. P. Warfield, Esq., Clerk U. S. District Court.

The following, among other proceedings were had and entered, to-wit:

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

W. W. LEE, Plaintiff,)
vs.) No. 429-Equity.
UNITED STATES OF AMERICA,)
R. B. MORRISON, ET AL, Defendants.)

ORDER MAKING A. K. SWAN PARTY DEFENDANT.

Now on this March 8th, 1929, upon application of the plaintiff and upon showing made it is ordered that A. K. Swan be and he hereby is made a party defendant in the above styled cause and it is ordered that chancery subpoena issue to him, the said A. K. Swan requiring him to answer the bill of complaint of the plaintiff.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 8, 1929, H. P. Warfield, Clerk.

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

STATE OF OKLAHOMA.)
COUNTY OF TULSA.) SS.

THE SUPREME LODGE KNIGHTS OF PYTHIAS)
INSURANCE DEPARTMENT,)
Interpleader-Plaintiff,)
vs.)
JENNIE E. BAILEY, FRED CHARLES BAILEY,) No. 447-Equity.
ORA PARK BAILEY, EDNA M. BAILEY,)
VIRGINIA MARGARET BAILEY,)
HATTIE ELVA WILSON-DAWSON.)
Defendants.)

ORDER APPOINTING GUARDIAN AD LITEM

This matter coming on for hearing on the 8th day of March, 1929, before the Honorable F. E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, upon the application of Jennie E. Bailey, one of the defendants herein and as a friend of two minor children; namely, Edna M. Bailey, and Virginia Margaret Bailey, who are defendants in the above entitled cause, for the appointment of a Guardian Ad Litem, in this cause for the said Edna M. Bailey and Virginia Margaret Bailey; and it appearing to the Court that the said defendants, Edna M. Bailey and Virginia Margaret Bailey are each of them minors under the age of eighteen (18) years of age, and that said minors have no general guardian, and that service of summons has been duly made upon said minors and each of them, and the Court being satisfied that sufficient grounds exist for the appointment of a Guardian Ad Litem herein, and that the said John A. Denny, who is a lawyer and a member of the Tulsa County Bar, is a proper person to represent the interests of said minors in the above entitled cause.

NOW, THEREFORE, IT IS ORDERED BY THE COURT that the said John A. Denny be and is hereby appointed Guardian Ad Litem for the said minor defendants, Edna M. Bailey and Virginia Margaret Bailey in this action.

ENDORSED: Filed Mar. 8, 1929. F. E. KENNAMER, United States District Judge.
H. P. Warfield, Clerk.

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

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District of

IN CHAMBERS

TULSA, OKLAHOMA,

SATURDAY, MARCH 9, 1929.

I N C H A M B E R S

On this 9th day of March, A. D. 1929, before the Honorable F. E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, present and presiding:

H. P. Warfield, Esq., Clerk, U. S. District Court.

The following, among other proceedings, were had and entered to-wit:

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

R. W. MARK AND GUM BROTHERS COMPANY, A CORPORATION,	Plaintiffs,	) No. 212-Equity.
vs.		
THE PRAIRIE OIL & GAS COMPANY, A CORPORATION,	Defendant.)

ORDER FOR SUBPOENA DUCES TECUM.

Now on this 9th day of March, 1929, it appearing that the plaintiffs have filed their application for subpoena duces tecum to issue to A. L. Cashman who is in the employ of Skelly Oil Company, to appear at this court in the United States Court-house at Tulsa, Oklahoma, at nine o'clock A. M., March 25, 1929, and testify on behalf of said plaintiffs, and to bring with him, the contract and oil and gas mining lease between R. W. Mark and Skelly Oil Company pertaining to an oil and gas mining lease covering the following described lands situated in Creek County, Oklahoma:

East One-half (½) of the Southeast Quarter (¼) of Section Thirty-three (33), Township Seventeen (17) North, Range Twelve (12) East,

said contract bearing date of November _____, 1924, and said oil and gas lease being dated November 12, 1924, and the court having duly considered said application, finds that said order should be issued.

IT IS, THEREFORE, ORDERED, DECREED AND ADJUDGED that the Clerk of this Court, issue a subpoena duces tecum to A. L. Cashman, who is in the employ of Skelly Oil Company, to appear at this court in the United States Court room at Tulsa, Oklahoma, at nine o'clock A. M., March 25, 1929, to testify on behalf of the plaintiffs, and to bring with him from the books and records of said Skelly Oil Company, the contract and oil and gas mining lease covering the following described lands situated in Creek County, Oklahoma:

The East One-half (½) of the Southeast Quarter (¼) of Section Thirty-three (33), Township Seventeen (17) North, Range Twelve (12) East,

said contract bearing date of November _____, 1924, and said oil and gas lease being dated November 12, 1924.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 9, 1929. H. P. Warfield, Clerk.

Court adjourned until March 11, 1929.

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

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EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

Court convened pursuant to adjournment, Monday, March 11th, 1929.

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:

ORDER TO SPREAD MANDATE OF RECORD

S. C. FULLERTON & W. W. DOBSON, Plaintiffs,)		No. 68-Equity.
vs.)		
THE EAGLE-PICHER LEAD COMPANY,) A CORPORATION, Defendant.)		

On this 11th day of March, A. D. 1929, it is by the Court ordered that the Clerk of this court file and spread Mandates of Record in the above entitled cause, same being in words and figures as follows, to-wit:

MANDATE - NO. 7878.

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO THE HONORABLE THE JUDGES OF THE DISTRICT
COURT OF THE UNITED STATES FOR THE
NORTHERN DISTRICT OF OKLAHOMA.

(S E A L)

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 S. C. Fullerton and W. W. Dobson, Plaintiffs, and The Eagle-Picher Lead Company, a corporation, Defendant, No. 68, In Equity, wherein the decree of the said District Court in said cause, entered on the 4th day of January, A. D. 1927, was in the following words, viz:

"This cause having been heard by this court, Honorable Franklin E. Kennamer, regular judge presiding, on October 23rd, 1926, on the pleadings, evidence and argument of counsel, at the close of which hearing this court took the case under advisement on briefs but indicated to counsel for both parties that he was inclined to the opinion that plaintiffs were not entitled to a decree for the specific performance of the December, 1920, contract but were entitled to an accounting for the unpaid royalties accruing during the unexpired term of their leases on the Slim Jim and Sin-tah-hah-hah allotments and any unpaid royalties of two and one-half per cent of Parcels A, B, C and D described in the April 8th, 1915, contract, and that defendant was not entitled to any cross-relief unless it appears that defendant had paid plaintiffs royalties after the expiration of its leases on Parcels A, B, C and D, existing at the time said 1915 contract was made; and no on this 4th day of January, 1927, same being a regular day of a term of this court at Tulsa, Oklahoma, this cause came on for decision and judgment, whereupon there appeared Ray McNaughton and Geo. S. Ramsey, counsel for plaintiffs, and A. C. Wallace, counsel for defendant, whereupon the court announced its decision and thereupon counsel for the parties announced that to avoid the necessity of a reference and the delay and expense incident to a complicated accounting running over a period of years involved, they had, in anticipation of the decision of the court, agreed on October 23rd, 1926, to submit the accounting to Wade Kurtz for an audit of the books and records of the parties for the purpose of determining from their mutual accounts and any evidence pertaining thereto the amounts due plaintiffs and defendant, if any, and stated that said auditor had made an audit and report satisfactory to them in view of the court's decision just announced, which report and audit was submitted to the court.

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MONDAY, MARCH 11, 1929.

Now, therefore, it is ordered, adjudged, considered and decreed as follows:

First: That the defendant is the owner of an approved Departmental Indian Lease dated the 1st day of August, 1922, wherein Harry Crawfish is lessor and The Eagle-Picher Lead Company is lessee, covering the following described lands, to-wit:

Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Seventeen (17), and the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section twenty (20) and the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-one (21), all in Township Twenty-nine (29), North, Range Twenty-three (23) east of the Indian Meridian, Ottawa, Oklahoma,

same being the original allotment of Harry Crawfish, a Quapaw Indian; a copy of said lease being attached to plaintiffs' bill as Exhibit No. 4, and that plaintiffs have no interest in said lease of any kind or description or right to share in the gross proceeds, royalties or profits resulting from mining operations being conducted on said land under said lease by the defendant, its sub-lessees or assignees, and that plaintiffs take nothing by reason of any matter or thing alleged in said bill with reference to said lease, to which the plaintiffs are allowed an exception.

Second: That the defendant is the owner of an approved Departmental Indian Lease dated the 1st day of August, 1922, wherein Flora Whitebird, et als., are lessors and The Eagle-Picher Lead Company is lessee, covering the following described lands, to-wit:

Lots One (1), Two (2), Three (3) and Four (4) and the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Sixteen (16), Township twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

same being the original allotment of Mary Whitebird, a deceased Quapaw Indian and owned by her heirs who are named as lessors in said lease; a copy of said lease being attached to plaintiffs' bill as Exhibit No. 5, and that plaintiffs have no interest in said lease of any kind or description or right to share in the gross proceeds, royalties or profits resulting from mining operations being conducted on said land under said lease by the defendant, its sub-lessees or assignees, and that plaintiffs take nothing by reason of any matter or thing alleged in said bill with reference to said lease, to which the plaintiffs are allowed an exception.

Third: That the defendant is the owner of an approved Departmental Indian Lease dated the 1st day of August, 1922, wherein Meh-hun-ka-zhe-ka Beaver, et als., are lessors and The Eagle-Picher Lead Company is lessee, covering the following described lands, to-wit:

Lot One (1) of Section Eighteen (18) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and Lot Four (4) of Section Seventeen (17), and the North Half (N $\frac{1}{2}$) and the Southeast Quarter (SE $\frac{1}{4}$) and the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty (20), all in Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma.

same being the original allotment of Slim Jim, deceased Quapaw Indian and now owned by his heirs who are named as lessors in said lease; a copy of said lease being attached to plaintiffs' bill as Exhibit No. 7; and that plaintiffs have no interest in said lease of any kind or description or right to share in the gross proceeds, royalties or profits resulting from mining operations being conducted on said land under said lease by the defendant, its sub-lessees or assignees, and that plaintiffs take nothing by reason of any matter or thing alleged in said bill with reference to said lease, to which the plaintiffs are allowed an exception.

Fourth: That the defendant is the owner of an approved Departmental Indian lease dated the 1st day of August, 1922, wherein Anna Alagle, et als., are lessors and The Eagle-Picher Lead Company is lessee, covering the following described lands, to-wit:

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Southeast Quarter (SE4) of the Northwest Quarter (NW4) and the Southwest Quarter (SW4) of Section Seventeen (17), Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

same being the original allotment of Sin-tah-hah-nah, deceased Quapaw Indian, now owned by her heirs who are named as lessors in said lease; a copy of said lease being attached to plaintiffs' bill as Exhibit No. 9, and that plaintiffs have no interest in said lease of any kind or description or right to share in the gross proceeds, royalties or profits resulting from mining operations being conducted on said land under said lease by the defendant, its sublessees or assignees, and that plaintiffs take nothing by reason of any matter or thing alleged in said bill with reference to said lease, to which the plaintiffs are allowed an exception.

Fifth: That plaintiffs and defendant prior to the 1st day of August, 1922, by their acts and conduct mutually rescinded and wholly abandoned the contract of December 20, 1920, wherein The Eagle-Picher Lead Company was party of the first part and S. C. Fullerton and W. W. Dobson were parties of the second part, same being attached to plaintiffs' bill and marked Exhibit No. 3, to which the plaintiffs are allowed an exception.

Sixth: That plaintiffs have no interest in the lease dated the 12th day of April, 1921, wherein W. I. Bingham is party of the first part and The Eagle-Picher Lead Company is party of the second part, covering the

West Half (W2) of the Northwest Quarter (NW4) of Section Twenty-one (21), Township Twenty-nine (29), North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

copy of said lease being attached to plaintiffs' bill and marked Exhibit No. 10; and are not entitled to recover from said defendant any interest whatsoever either of the gross production, royalty or profits derived by the defendant, its sub-lessees or assignees, in the operation of said property under said lease, to which the plaintiffs are allowed an exception.

Seventh: That plaintiffs are entitled to recover from the defendant under and by virtue of the terms of said contract of April 8th, 1915, Exhibit No. 2 in plaintiffs bill, two and one-half per cent of the gross production of lead and zinc ores mined and sold from the

Northwest Quarter (NW4) and the Southeast Quarter (SE4) of the Southeast Quarter (SE4) of Section Thirty-one (31), Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

same being Parcel "A" in the 1915 contract, between the 1st day of December, 1922, and the 13th day of October, 1923, which amount, with interest thereon to December 31st, 1926, as determined by said audit, is Four Thousand, Seven Hundred Eighty-six and 28/100 (\$4,786.28) Dollars, and judgment is accordingly rendered in favor of plaintiffs for that amount, to which the defendant is allowed an exception.

Eighth: That plaintiffs are entitled to recover from the defendant under and by virtue of the terms of said contract of April 8th, 1915, Exhibit No. 2 in plaintiffs' bill, two and one-half per cent of the gross production of lead and zinc ores mined and sold from the

West Half (W2) of the Northwest Quarter (NW4) of Section Twenty-one (21), Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

same being Parcel "B" in the 1915 contract, between the 2nd day of November, 1922, to December 6th, 1924, which amount, with interest thereon to December 31st, 1926, as determined by said audit, is Twenty-three Thousand Eight Hundred Thirty-five and 73/100 (\$23,835.73) Dollars, and judgment is accordingly rendered in favor of plaintiffs for that amount, to which the defendant is allowed an exception.

Ninth: That defendant is entitled to recover from the plaintiffs by reason of over-payment as shown by said audit on Parcel "C" described in the April 8th, 1915 contract, principal and interest in

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the sum of One Thousand, Three Hundred Eighty-four and 67/100 (\$1,384.67) Dollars, for which judgment is rendered in favor of defendant, to which plaintiffs except.

Tenth: That as shown by said audit plaintiffs are not entitled to recover from the defendant any sum on Parcel "D" described in the 1915 contract, to which plaintiffs except.

Eleventh: That on October 10th, 1913, the plaintiffs were the owners of valid mining leases from the heirs of Slim Jim, deceased Quapaw Indian, expiring on the following dates, to-wit:

On an undivided 2/3ds, expiring June 2nd, 1923;
On an undivided 1/6th, expiring September 25th, 1923;
On an undivided 3/72ds, expiring September 5th, 1923;
On an undivided 9/72ds, expiring June 2d, 1923;

said land being described as the

Southwest Quarter (SW4) of the Northwest Quarter (NW4) and Lot Four (4) of Section Seventeen (17), Lot One (1) of Section Eighteen (18) and the North Half (N2) of the Southeast Quarter (SE4) and the South Half (S2) of the Northeast Quarter (NE4) of Section Twenty (20), all in Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

and that by virtue of said mining lease dated October 10th, 1913, between S. C. Fullerton and O. S. Picher, covering the lands last hereinbefore described, attached to plaintiffs' bill and marked Exhibit No. 6, defendant should account to plaintiffs for twelve and one-half per cent (12½%) of the gross production of lead and zinc ores mined and sold from said land between the 11th day of August, 1922, to the expiration dates of plaintiffs' said leases as last hereinbefore set forth less five per cent (5%) of the gross production for lead and zinc ores mined and sold from said land paid by the defendant as royalty to the Secretary of the Interior for the use and benefit of the Indian owners of said land, which amount, with interest thereon up to December 31st, 1926, as shown by said audit, is One Hundred Twelve Thousand Seven Hundred Seventy-three and 99/100 (\$112,773.99) Dollars, for which amount judgment is rendered in favor of plaintiffs and against the defendant, to which the defendant is allowed an exception.

Twelfth: That on October 10th, 1913, the plaintiffs were the owners of valid mining lease from the heirs of Sin-tah-hah-hah, deceased Quapaw Indian, expiring on the following dates, to-wit:

On an undivided 1/3d, expiring June 2d, 1923;
On an undivided 1/3d, expiring September 25th, 1923;
On an undivided 1/3d, expiring June 2, 1923;

said land being described as the

Southwest Quarter (SW4) and the Southeast Quarter (SE4) of the Northwest Quarter (NW4) of Section Seventeen (17), Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

and that by virtue of said mining lease dated October 10th, 1913, between S. C. Fullerton and O. S. Picher, covering the lands last hereinbefore described, attached to plaintiffs' bill and marked Exhibit No. 8, defendant should account to plaintiffs for twelve and one-half per cent (12½%) of the gross production of lead and zinc ores mined and sold from said land between the 11th day of August, 1922, to the expiration dates of plaintiffs' Indian lease as last hereinbefore set forth, less five per cent (5%) of the gross production of lead and zinc ores mined and sold from said land paid by the defendant as royalty to the Secretary of the Interior for the use and benefit of the Indian owners of said land, which amount, with interest thereon up to December 31st, 1926, as shown by said audit, is Sixty-two Thousand, Five Hundred Forty-two and 14/100 (\$62,542.14) Dollars, for which judgment is rendered in favor of plaintiffs and against the defendant, to which the defendant is allowed an exception.

Thirteenth: That the defendant has no interest in that certain mining lease dated the 27th day of September, 1921, between Chas. A. Douthat, et al., and W. W. Dobson, covering the

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East Half (E2) of the Northwest Quarter (NW4) and Lots One (1) and Two (2) of the Northwest Quarter (NW4) of Section Thirty-one (31), Township Twenty-nine (29) North, Range Twenty-three (23) East of the Indian Meridian, Ottawa County, Oklahoma,

same being attached to plaintiffs' bill and marked Exhibit No. 13, and is not entitled to have and receive a sub-lease on said land or an assignment of said lease as aforesaid under and by virtue of any of the contracts heretofore existing between the parties, to which the defendant is allowed an exception.

Fourteenth. That plaintiffs should forthwith make, execute and deliver to the defendant herein pursuant to said contract of April 8th, 1915, Exhibit No. 2 of plaintiffs' bill, a sub-lease on the

Northwest Quarter (NW4) and the Northwest Quarter (NW4) of the Southwest Quarter (SW4) of Section Thirty-six (36), Township Twenty-nine (29) North, range Twenty-two (22) East of the Indian Meridian, Ottawa County, Oklahoma,

at a royalty of twelve and one-half per cent (12½%) for the full term acquired by plaintiffs in that certain mining lease dated the 27th day of May, 1922, between Newakis Hampton and J. C. Fullerton covering the land last above described, attached to plaintiffs' bill as Exhibit No. 14, to which the plaintiffs are allowed an exception.

Fifteenth: That plaintiffs should forthwith make, execute and deliver to the defendant herein, pursuant to said contract of April 8th, 1915, Exhibit No. 2 of plaintiffs' bill a sub-lease on the

Northeast Quarter (NE4) of the Southeast Quarter (SE4) and the Northeast Quarter (NE4) of Section Thirty-six (36), Township Twenty-nine (29) North, Range Twenty-two (22) East of the Indian Meridian, Ottawa County, Oklahoma,

at a royalty of twelve and one-half per cent (12½%) for the full term acquired by plaintiffs in that certain mining lease, dated the 10th day of February, 1920, between Ta-meh-heh Quapaw and S. C. Fullerton, covering the land last above described, attached to plaintiffs' bill as Exhibit No. 15, to which the plaintiffs are allowed an exception.

Sixteenth: That plaintiffs or either of them have no right, title, interest or estate or right to recover or share in the gross production, rents, royalties or profits of any lease or lands held, owned or controlled by the defendant herein and sought to be recovered in the bill filed herein, except as hereinbefore set forth, to which plaintiffs are allowed an exception.

Seventeenth: That plaintiffs have and recover from and of the defendant the sum of Two Hundred Three Thousand, Nine Hundred Thirty-eight and 14/100 (\$203,938.14) Dollars, less a set-off of One Thousand, Three Hundred Eighty-Four and 67/100 (\$1,384.67) Dollars, same being the aggregate of the sums hereinbefore decreed to be due from the defendant to plaintiffs, and that said judgment to the amount of Two Hundred Two Thousand, Five Hundred Fifty-three and 47/100 (\$202,553.47) Dollars bear interest at the rate of six per cent per annum from December 31st, 1926, to which defendant is allowed an exception.

Eighteenth: That the defendant take nothing by reason of its cross bill, except as herein decreed, on account of royalties paid to plaintiffs on Parcels A, B, C and D, as described in said contract of April 8th, 1915, Exhibit No. 2 to plaintiffs' bill, to which the defendant is allowed an exception.

Nineteenth: That the costs of this action be taxed equally to the parties hereto.

Plaintiffs except to the action of the court in refusing their request for a decree ordering and adjudging defendant to account to them for the two and one-half (2½%) per cent royalty on defendant's renewal or new leases on Parcels A, B, and C, described in the April 8th, 1915 contract, and defendant excepts to the action of the court in refusing its motion to make special findings of fact and conclusions of law.

Both the plaintiff and defendant having signified their intention to appeal from the decree entered herein as aforesaid, execution of the decree is stayed without bond for a period of thirty-five (35)

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days from and after this date and the appeal and supersedeas bond of the plaintiffs is fixed at Two Thousand (\$2,000.00) Dollars and the appeal and supersedeas bond of the defendant is fixed at Two Hundred Twenty-five Thousand (\$225,000.00) Dollars.

Made and ordered entered, this 4th 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 prayed by and allowed to the defendant, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September 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, in so far as complained of on this appeal, be, and the same is hereby, reversed with costs; and that The Eagle-Picher Lead Company have and recover against S. C. Fullerton and W. W. Dobson the sum of Fifty-Seven and 50/100 Dollars for its costs in this behalf expended and have execution therefor.

And it is further ordered, adjudged and decreed by this Court that this cause, be, and the same is hereby, remanded to the said District Court with directions to dismiss the plaintiffs' bill and the defendant's counter-claim. -----

-----September 21, 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 6th day of March, in the year of our Lord one thousand nine hundred and twenty-nine.

Costs of Appellant:

Clerk,..... \$37.50
Printing Record, Printed below.
Attorney,..... \$20.00

\$57.50

E. E. KOCH,

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

UNITED STATES CIRCUIT COURT OF APPEALS
EIGHTH CIRCUIT

Costs taxed in favor of Appellant, in the case of
The Eagle-Picher Lead Company v.s. S. C. Fullerton, et al.,
No. 7878.

Filing record and docketing cause, \$ 5.00
Filing 26 copies of printed record, 6.00
Filing and entering 2 appearances for Appellant, 1.00
Filing and entering 1 appearance for Appellees, .50
Clerk, preparing record for printer, etc.,
Printer, for printing record,
Filing 7 papers, 1.75
Entering 3 orders, 4 folios, .80
Entering continuance,

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

NORTHERN District of OKLAHOMA
EQUITY SESSION TULSA, OKLAHOMA, MONDAY, MARCH 11, 1929.

Filing briefs for Appellant,	\$ 5.00
Filing briefs for Appellees,	5.00
Filing opinion,	.25
Filing and entering judgment or decree,	1.25
Filing petition for a rehearing,	5.00
Filing and entering order on petition for a rehearing,	.45
Issuing mandate to District Court,	5.00
Filing receipt for mandate,	.25
Filing receipt for balance of deposit,	.25
Attorney's docket fee,	20.00
	<hr/>
	\$ 57.50

Attest:

E. E. KOCH

Clerk, U. S. Circuit Court of Appeals, Eighth Circuit.

ENDORSED: Filed Mar. 11, 1929. H. P. Warfield, Clerk.

MANDATE - NO. 7879

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(S E A L)

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 S. C. Fullerton and W. W. Dobson, Plaintiffs, and The Eagle-Picher Lead Company, a corporation, Defendant, No. 68, In Equity, wherein the decree of the said District Court in said cause, was entered on the 4th day of January, A. D. 1927, 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 September 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 and adjudged by this Court, that the writ of error to the said District Court, in this cause, be, and the same is hereby, dismissed with costs, in accordance with the opinion of this Court this day filed in this cause and in causes Nos. 7878 and 7880; and that S. C. Fullerton and W. W. Dobson have and recover against The Eagle-Picher Lead Company the sum of Twenty Dollars for their costs herein and have execution therefor.-----

-----September 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 writ of error notwithstanding.

WITNESS, the Honorable WILLIAM H. TAFT, Chief Justice of the United States, the 6th day of March, in the year of our Lord one thousand nine hundred and twenty-nine.

E. E. KOCH

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

Costs of Appellees:
Paid by appellants.

Filing Record, Printed below.
attorney 20.00

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

NORTHERN
EQUITY SESSION
ESTABLISHED BY ACT OF MARCH 3, 1845

District of
TULSA, OKLAHOMA,

OKLAHOMA
MONDAY, MARCH 11, 1929.

MANDATE - NO. 7880.

UNITED STATES OF AMERICA, ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(S E A L)

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 S. C. Fullerton and W. W. Dobson, Plaintiffs, and The Eagle-Ficher Lead Company, a corporation, Defendant, No. 68. In Equity, wherein the decree of the said District Court in said cause, entered on the 4th day of January, A. D. 1927, was in the following words, viz:

(The decree of the District Court in case No. 68 is set out in full in the mandate of this Court in No. 7878, The Eagle Ficher Lead Company, Appellant, v. S. C. Fullerton, et al.)

as by 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 prayed by and allowed to the plaintiffs, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September 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, in so far as complained of on this appeal, be, and the same is hereby, affirmed with costs; and that The Eagle-Ficher Lead Company have and recover against S. C. Fullerton and W. W. Dobson the sum of Twenty Dollars for its costs herein and have execution therefor.

-----September 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 6th day of March, in the year of our Lord one thousand nine hundred and twenty-nine.

E. E. KOCH

Costs of Appellee:

Paid by Appellant.
Clerk _____
Printing Record,
Printed Below.
Attorney \$20.00
\$20.00

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

ENDORSED: Filed Mar. 11, 1929. H. P. Warfield, Clerk.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

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

EDDIE JACK, Plaintiff.

vs.

JOHN M. HOOD AND LULA A. HOOD, HIS WIFE; ROXANA PETROLEUM CORPORATION, A CORPORATION; NORWIN COMPANY, A CORPORATION; AMERICAN PETROLEUM CORPORATION, A CORPORATION; J. A. HULL COMPANY, A CORPORATION; MID-CONTINENT ROYALTY CORPORATION, A CORPORATION; BARNSDALL OIL COMPANY, A CORPORATION; WAITE PHILLIPS COMPANY, A CORPORATION; PHILLIPS PETROLEUM COMPANY, A CORPORATION; E. S. HORN, TRUSTEE; MIDDLE STATES PETROLEUM COMPANY, A CORPORATION; AND PURE OIL COMPANY, A CORPORATION,

Defendants.

No. 158-Equity.

JOURNAL ENTRY OF JUDGMENT

This cause came on for hearing in open court on the 7th day of October, 1927, pursuant to a regular setting hereof on the equity docket of this court, and all parties being present and represented by their respective counsel, and all parties having filed herein their written stipulation, waiving their right to a trial by jury in this cause, the defendants thereupon filed their motion praying for the transfer of this cause to the law side of the docket; and the court having considered said motion, took the same under advisement and directed the hearing to proceed; and all parties having introduced their evidence and rested, the court took the matter under advisement until the 9th day of September, 1928;

And thereafter, on the said 9th day of September, 1928, the court having fully considered the matter is of the opinion that this action is properly triable on the equity side of the docket and that the motion of the defendants to transfer the same to the law side of the docket should be, and the same hereby is, overruled;

The court further finds as follows:

That there is no merit in the contention made by plaintiff that Eddie Jack, the original allottee of the lands involved herein, is a fullblood Indian and restricted; that for the purpose of alienating the lands in controversy herein, the rolls as made by the Dawes Commission and approved by the Secretary of the Interior setting forth said Eddie Jack as an Indian of the 21/32 blood, are conclusive of the fact as to the quantum of Indian blood possessed by said allottee, irrespective of what degree of blood his parents may have possessed;

That the plea of forgery interposed in this case by plaintiff as against the validity of the deeds upon which the defendants based their title or titles to the land in controversy can not be sustained for the reason that the evidence is not of that satisfactory character to establish such a plea;

That the evidence wholly fails to establish such fraud as would invalidate the judgment rendered May 4, 1914, in cause No. 3484 in the District Court of Creek County, Oklahoma, styled "John M. Hood against Mrs. J. W. Johnson, Eddie Jack, et al.", quieting the title of John M. Hood in and to the lands involved herein, and that said judgment was a valid and binding judgment;

That the defendants are entitled to judgment herein quieting their title or titles in and to the lands, involved in this cause, and that plaintiff's Bill should be dismissed;

IT, THEREFORE, WAS AND IS ORDERED, CONSIDERED AND ADJUDGED THAT that plaintiff take nothing by this action and that his Bill filed in this cause be, and the same hereby is, dismissed; that the right, title, interest and estate of the defendants herein, and each of them, in and to the land involved in this action, be-wit:

Lots One (1) and Two (2) (otherwise described as the West One-half of the Northwest Quarter), and the Southeast Quarter (1/4) of the Northwest quarter (1/4)

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

NORTHERN
COURT SESSION
U. S. DEPARTMENT OF JUSTICE

District of
TULSA, OKLAHOMA,

OKLAHOMA

MONDAY, MARCH 11, 1929.

of Section Seven (7), Township Fourteen (14) North,
Range Seven (7) East, Creek County, Oklahoma,

as particularly set forth in the answer of the defendants filed herein, be, and the same hereby is, quieted in all things and in all respects as against the plaintiff herein and any one claiming by, through or under him, and that the plaintiff and any one claiming by, through or under him, be, and they are forever barred and enjoined from ever asserting or setting up any claim, right, title, interest or estate in or to said lands adverse to the claims of the defendants herein, or either of them; and that the costs of this action be taxed against the plaintiff;

And thereafter, the plaintiff having filed herein, his motion for a re-argument and re-submission of the issues of law and of fact involved in this cause, and the matter having been re-argued before the court, the court took said motion under advisement;

And now on this 14th day of January, 1929, the court having considered the matters and things set forth in said motion of the plaintiff and the argument connected therewith and having been fully advised in the premises, is of the opinion that said motion should be, and the same hereby is, overruled;

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED that the motion for re-argument and re-submission of this cause, filed by the plaintiff herein, be, and the same hereby is, overruled in all things and in all respects, to which ruling and judgment of the court, the plaintiff duly excepts and is granted an exception by the court;

IT IS FURTHER ORDERED that the judgment and findings heretofore set out which were rendered by this court on the 9th day of September, 1928, be, and the same hereby are, vacated, set aside and held for naught as of that date, and said judgment and findings be, and the same hereby are, re-entered and judgment rendered in accordance therewith in favor of the defendants and against the plaintiff as of this date, to-wit, the 14th day of January, 1929; to all of which judgment and ruling of the court, plaintiff excepts and is granted an exception by the court.

F. E. KENNAMER, Judge.

O. K. in form
W. M. Leise,
Geo. H. Mayne,
Attorneys for Plaintiff.

Andrews & Andrews,
Attorneys for defendants,
John M. Hood and Lula A.
Hood, his wife.

Attorneys for defendant, Roxana
Petroleum Corporation, a corporation.

Lashley & Rambo,
Attorneys for defendant, J. A. Hull
Company, a corporation.

Biddison, Campbell, Biddison & Cantrell,
Attorneys for Defendant, Mid-Continent
Royalty Corporation, a corporation.

J. H. Brennan,
G. J. Neuner,
Attorneys for Defendants, Barnsdall
Oil Company, a corporation, and
Waite Phillips Company, a corporation.

H. H. Booth,
Attorney for Defendant, Phillips
Petroleum Company, a corporation.

Alvin Richards,
Attorney for Defendant,
Pure Oil Company, a corporation.

H. O. Bland,
Attorney for Defendant, E. S. Horn,
Trustee, Imperial Royalties Company.

Ramsey, de Meules & Martin,
Attorneys for Defendant, Norwin Company,
a corporation.

ENDORSED: Filed Jan. 14, 1929. H. P. Warfield, Clerk,

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

NORTHERN

OKLAHOMA

District of

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the action of the United States of America on behalf of Hepsey Mitchell, Intervener, now deceased, and that the action herein on behalf of Hepsey Mitchell, individually, be and the same is hereby revived in the name of the said petitioners, to-wit:

Rosanna Freeman, acting herein for herself and also for Amy Harjo, Wesley Harjo, Nathan Harjo, Joe Freeman, Carlyle Freeman, Ruby Freeman and Robert Freeman, all of which persons, except Rosanna Freeman, are minors.

And it is ordered that the United States and the said petitioners may file in this cause such pleadings and amendments or adoptions of pleadings as may be necessary herein.

F. E. KENNAMEY, Judge.

ENDORSED: Filed Mar. 11, 1929. H. P. Warfield, Clerk.

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

OIL WELL IMPROVEMENTS COMPANY, Plaintiff,) No. 278-Equity
vs.) Under Patents Nos.
SKINNER BROTHERS BELTING COMPANY, Defendant.) 1,175,261
and
1,258,899

O R D E R

Now on this 11th day of March, 1929, this cause coming on to be heard on the exceptions to defendant's answers to plaintiff's interrogatories as they appear in "Answer of the defendant Skinner Brothers Belting Company to plaintiff's interrogatories", filed in this cause on March 30, 1928; and the parties appearing by their counsel, and the court having heard and considered said exceptions;

IT IS ORDERED That the defendant be required to amend its answers to comply with the exceptions made by the plaintiff, and that the defendant be, and it hereby is permitted to make such amendment by interlineation, and thereupon the defendant did amend its said answer by inserting between the 21st and 22nd lines of "Answer to interrogatory number 1", the words "within six years prior to filing of this action", and by inserting between the 22nd and 23rd lines of said "answer to interrogatory Number 1", the words "and within six years prior to filing of this action".

Dated the 11th day of March, 1929.

F. E. KENNAMEY, Judge.

ENDORSED: Filed Mar. 11, 1929. H. P. Warfield, Clerk.

HARRIET HOSEY, ET AL, Plaintiffs,)
vs.) No. 238-Equity.
JAMES A. CHAPMAN, ET AL, Defendants.)

Now on this 11th day of March, A. D. 1929, Exceptions to Master's Report came on for hearing in the above entitled cause and at this time it is by the court ordered that the same be and it is hereby passed for hearing to March 12th, 1929.

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

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EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

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.)

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.
FUNKHOUSER AND BYRON MURR, D. W.
ALLAMAN AND C. KLINE, Defendants.)

No. 388-Equity.

DECREE CONFIRMING SALE.

THIS DAY This cause comes on for hearing upon the report of C. Kline, Receiver, as Special Master for the sale herein, advising the court that on January 23, 1929, he had, pursuant to the decree of this court entered in this cause on November 27, 1928, sold to Albert Emanuel the property described in and ordered sold by the terms of said decree, and this cause also comes on to be heard at the same time upon the motion of the complainant herein for an order confirming said sale, and said report and said motion are heard upon the evidence offered in support thereof, and upon the statements of counsel.

Complainant appears by its attorneys, Breckinridge & Bostick, and the defendants, The Tulsa Street Railway Company and C. Kline, Receiver, as Special Master herein for said sale, appear by their attorneys, Moss & Young, attorneys, and the purchaser, Albert Emanuel, appears by his attorney, C. A. Warren.

The court, after hearing the evidence, argument and statements of counsel, and examining the report of said Receiver as Special Master for this sale, finds that the allegations in said report of sale are true, and that said Receiver, as Special Master aforesaid, has in all respects fully complied with and conducted said sale in accordance with the decree of this court entered on November 27, 1928. That said Special Master gave notice of the time and place of said sale by publishing a notice in the Tulsa Daily World for more than thirty days prior to the date of such sale; that the said Tulsa Daily World is a daily newspaper published and having a general circulation in Tulsa County, Oklahoma, the County in which said property is located; that said notice was published in thirty-four consecutive issues of said paper, the first being December 20, 1928, and the last January 22, 1929, proof of publication of said notice having been filed herein, is by the court duly examined and approved. That said notice contains a general description of the property to be sold, a statement of the time, place and terms of sale, and a reference to the decree for a more particular description of the properties therein advertised to be sold.

The court further finds that said Receiver, as Special Master, did, on the 8th day of December, 1928, and in accordance with the directions of said decree, appoint three disinterested freeholders, residents of Tulsa County, Oklahoma, as appraisers, and that said appraisers thereupon and in accordance to law duly qualified by taking an oath as such appraisers, and did, between the 8th and 17th days of December, 1928, go upon, actually view and appraise the properties and assets of the Tulsa Street Railway Company, as described and ordered sold in the decree and notice of sale, and appraised said properties for the sum of \$350,000.00, and thereafter, and on December 19, 1928, duly returned their appraisal to said Receiver, as Special Master, and thereupon said appraisal was filed in this cause.

That thereafter, and on January 23, 1929, and in accordance with said decree and notice of sale, and at the west front door of the County courthouse in the City of Tulsa, Tulsa County, Oklahoma, at the hour of 2:00 o'clock P. M., the said Receiver, as Special Master as aforesaid, at said time and place, did offer for sale and sell, at public auction, all of the properties and assets whatsoever of the said Tulsa Street Railway Company, described in said notice and said decree, to Albert Emanuel, subject to confirmation by this court, for the sum of \$253,334.00, which was the highest and best bid offered, and the said Albert Emanuel, purchaser aforesaid, in accordance with the terms of

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

said notice, did deposit with the said Receiver, as Special Master, by certified check, the sum of \$25,000.00.

That thereafter, and on January 31, 1929, the said Receiver, as Special Master, made and filed his report and return of sale herein, showing his actions thereunder, and that there are no objections or exceptions filed to the confirmation of the sale hereunder, except the pleading filed by Sallie Copeland as an objection, which is hereby ordered to be considered as an objection to the confirmation of the Master's report, and the court finds that said sale should in all things be ratified, approved and confirmed.

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED, ADJUDGED AND DECREED, That the motion of complainant herein, to approve and confirm said sale, be, and the same is hereby granted, and it is hereby ordered and decreed that the property sold by said Receiver, as Special Master, at said sale, and as hereinafter described, to Albert Emanuel, purchaser as aforesaid, shall upon the payment of the balance of the purchase price, as hereinafter provided, stand ratified, approved and confirmed, said property being more particularly described as follows, 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.

PARCEL 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 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), thence West along Birch Street Seventy-five Feet (75) to the point of beginning, and containing Five Thousand Six Hundred Twenty-five (5625) 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 thence 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 Avenue, and thence northerly in and along Nogales Avenue to Easton Street.
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 Street.

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

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District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

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, now owned or operated by the Tulsa Street Railway Company.

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; it being intended that all of the property, of every kind, now owned, possessed or enjoyed by the company, or for the company, shall be as fully embraced within the provisions hereof as if the said property were specifically described herein.

IT IS FURTHER ORDERED That upon payment to the Receiver, as Special Master, as aforesaid, of the balance of said purchase price in the sum of \$208,334.00, that the Receiver, as Special Master, be, and he is hereby ordered and directed to make, execute and deliver to the said Albert Emanuel, or his assigns, purchaser herein, all necessary deeds and conveyances sufficient and proper to convey, assign and transfer to said purchaser all of the right, title, interest and estate in and to the above described property, together with all the rights, easements, franchises and properties belonging to the said Tulsa Street Railway Company, of whatsoever kind and character, and in particular the rights and franchises granted to the said Tulsa Street Railway Company by Ordinance 184, passed and approved by the City Council of the City of Tulsa, Indian Territory, on April 5, 1907, and the said purchaser, his successors or assigns, shall hold, own and enjoy all of the rights and privileges thereunder.

IT FURTHER APPEARS TO THE COURT That there is issued and outstanding receiver's certificates in the amount of \$30,000.00, together with accrued interest thereon, and in addition thereto certain other preferred claims, which together with court costs, receiver's fees, master's fees, counsel fees, and like claims, will amount to approximately the sum of \$59,000.00, all of which will be preferred and payable in preference to the claims of the bondholders, as represented by complainant herein. That in addition to said \$59,000.00 of preferred claims, there is also set aside an additional sum of \$25,000.00, to be retained by the Receiver, as Special Master, for the purpose of paying any other additional claim or claims that may have been heretofore presented to and disallowed by the Master, G. O. Grant, appointed for hearing claims, and which may hereafter be finally adjudged to be entitled to payment out of the proceeds of sale prior to the First Mortgage Gold Bonds secured by the Mortgage and Deed of Trust described in the Decree of Foreclosure and Sale herein, and that the balance of said purchase price, to-wit, the sum of \$149,334.00, should be transmitted by the Receiver, as Special Master for sale, to the complainant for distribution among the holders of said First Mortgage Gold Bonds upon the express condition, however, that the property received by the

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

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TULSA, OKLAHOMA,

MONDAY, MARCH 11, 1929.

plaintiffs filed herein; plaintiffs are therefore given leave to refile their reply, which has heretofore been filed herein, to the said answer and cross petition of said defendants as refiled herein.

F. E. KENNAMER, Judge.

O. K.
Ernest B. Hughes,
Attorney for Joseph Bruner,
Adm'r. Ada Jack and
Malinda Jack.

ENDORSED: Filed Mar. 11, 1929. H. P. Warfield, Clerk.

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

LEE CLINTON, AN INCOMPETENT PERSON,
BY HIS NEXT FRIEND, PROCHEIN AMI,
AND HIS GUARDIAN, H. E. WHITEHEAD,

Plaintiff,

vs.

SKELLY OIL COMPANY, A CORPORATION,

Defendant.

No. 435-Equity.

O R D E R

Now on this 11th day of March, 1929, upon the application of defendant Skelly Oil Company, and it appearing to the satisfaction of the court that defendant never at any time intended to abandon its defenses in point of law arising upon the face of plaintiff's bill of complaint which are set forth in its motion to dismiss heretofore filed herein,

IT IS ORDERED that the order entered herein on February 5, 1929, relating to withdrawal of said motion to dismiss be and the same is hereby amended by adding thereto that the withdrawal of said motion is without prejudice to the right of defendant to replead said defenses in its answer.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 11, 1929. H. P. Warfield, Clerk.

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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, MARCH 13, 1929.

Court convened pursuant to adjournment, Wednesday March 13th, 1929.

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

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

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

OLD COLONY LIFE INSURANCE COMPANY,
AN ILLINOIS CORPORATION,

Plaintiff,

vs.

KATE GOINS, ADMINISTRATRIX OF THE
ESTATE OF J. W. (JAMES W.) GOINS, DECEASED,
AND J. H. GASTON, ADMINISTRATOR OF THE
ESTATE OF JAMES W. GOINS, DECEASED,

Defendants.

No. 417-Equity.

JOURNAL ENTRY

Now on this 13th day of March, A. D. 1929, the above entitled cause came on for hearing upon the Answer and Interpleader of the defendant, Kate Goins, Administratrix of the Estate of J. W. Goins, deceased; and upon the Answer and Interpleader of the Defendant, J. H. Gaston, Administrator of the Estate of J. W. Goins, deceased; the defendant, Kate Goins, appearing by her attorney, Roy T. Wildman; the defendant, J. H. Gaston, appearing by his attorney, John W. Wood. The Court, after examining the pleadings and being fully advised in the premises, finds the following facts:

That the proceeds of Policy Number 41174 issued by the plaintiff on the life of James W. Goins, deceased, was paid to this Court by the plaintiff herein. The Court further finds that J. H. Gaston was duly appointed administrator of the estate of J. W. Goins, deceased, by the Probate Court of Sedgwick County, Kansas, on the 7th day of June, 1928; that he has qualified as administrator under the laws of the State of Kansas.

The Court, being fully advised in the premises, makes the following order:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Clerk of this Court pay forthwith to J. H. Gaston, Administrator of the Estate of J. W. Goins, deceased, the balance of all money paid by the plaintiff to this Clerk in said cause of action, afterpaying the costs of this action.

F. E. KENNAHER, Judge.

O. K. Roy T. Wildman
Attorney for Defendant,
Kate Goins.

O. K. John W. Wood,
Attorney for Defendant,
J. H. Gaston.

ENDORSED: Filed Mar. 13, 1929. H. T. Warfield, Clerk.

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

NORTHERN
EQUITY SESSION

District of
TULSA, OKLAHOMA,

OKLAHOMA
WEDNESDAY, MARCH 13, 1929.

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

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No. 442-Equity.
REESE THOMPSON, J. R. DONALDSON,)
ROY POTTER, S. O. CLARK, AND)
FRANK BILLINGSLEY,)
Defendants.)

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, and all the subject matter of said suit, and the Court having heard the testimony and argument of counsel, did, on the 13th day of March, 1929, 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 13th day of March, 1929, 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 Reese Thompson, J. R. Donaldson, Roy Potter, S. O. Clark, and Frank Billingsley, defendants herein, their agents, servants, 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:

A one-story, two-room white frame house, on Lots 4, 5, and 6, Block 24, in the town of South Coffeyville, Oklahoma, same having no street address,

and that said real estate and premises shall not be occupied or used for one year subsequent to the date of March 13, 1929.

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 13th day of March, 1929.

WITNESS the Honorable Franklin E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, this 13th day of March, 1929.

F. E. KENNAMER,

United States District Judge.

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

ENDORSED: Filed Mar. 13, 1929. H. P. Warfield, Clerk.

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

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No. 442-Equity.
REESE THOMPSON, ET AL,)
Defendants.)

PERMANENT INJUNCTION

Now on this the 13th day of March, 1929, the same being a regular day of the Special March 1929 term of this court, present and presiding the Honorable Franklin E. Kennamer, United States District Judge,

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

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EQUITY SESSION

TULSA, OKLAHOMA,

WEDNESDAY, MARCH 13, 1929.

the plaintiff appearing by the United States Attorney, the defendant Reese Thompson appearing by his attorneys C. F. Dowdy and C. S. Fenwick, Esquire, both of Tulsa, Oklahoma, and the other defendants appearing not, either in person or by their attorney of record, said matter having this day been set by the court for trial, and it appearing that no answer or other pleadings have been filed by any of the parties hereto save and except the plaintiff; that Reese Thompson and Frank Billingsley were each personally served with Chancery Subpoena and Temporary Injunction as shown by the return of the officer herein; that the other defendants were not found in said district; and it further appearing to the court that said parties have made default in the premises and are hereby adjudged in default save and except Reese Thompson who appears by his attorneys as above named; and the court having examined the pleadings herein and having heard the testimony of witnesses adduced in said matter and the argument of counsel, and being full advised in the premises, finds:

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

A one story, two-room white frame house, on lots 4, 5, and 6, Block 24, in the town of South Coffeyville, Oklahoma, same having no street address,

and in the whole of said building, and the 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, ORDERED, ADJUDGED AND DECREED that an Injunction issue forthwith enjoining the defendants, their agents, servants, subordinates, employees, tenants, heirs and assigns, and any, all and every person or persons claiming by, 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 hereinbefore described, shall not be used or occupied for one year subsequent to the date of this decree.

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.

IT IS FURTHER ORDERED that the bar and all fixtures and appliances used in connection with the sale of whiskey and other intoxicating liquors from said premises, shall not be destroyed but that the same shall be and remain therein, and that all intoxicating liquor now on said premises, if any there be, shall be destroyed.

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 case, and that execution issue therefore.

F. E. KENNALEN,

United States District Judge.

C. K.
Harry Seaton, Assistant
United States Attorney.

ENDORSED: Filed Mar. 13, 1929. H. P. Warfield, Clerk.

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

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EQUITY SESSION

TULSA, OKLAHOMA,

WEDNESDAY, MARCH 13, 1929.

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

UNITED STATES OF AMERICA,)
 Plaintiff,)
 vs.) No. 443-Equity.
)
 BOB HICKS,)
 Defendant.)

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, and all subject matter of said suit, and the court having heard the testimony and argument of counsel, did, on the 13th day of March, 1929, find the issues in said case in favor of the plaintiff and against the defendant, and entered a decree for Permanent Injunction in said cause on the 13th day of March, 1929, 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 Bob Hicks, defendant herein, his servants, agents, subordinates, employees, tenants, heirs and assigns, and any persons claiming by, through or under said defendant, 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:

A one-story, brick front building,
 located on Lot 1, Block 23, South
 Coffeyville, Nowata County, Oklahoma,

and that said real estate and premises shall not be occupied or used for one year subsequent to the date of March 13, 1929.

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 13th day of March, 1929.

WITNESS the Honorable Franklin E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, this 13th day of March, 1929.

F. E. KENNAMER,
 United States District Judge.

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

ENDORSED: Filed Mar. 13, 1929. H. P. Warfield, Clerk.

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

UNITED STATES OF AMERICA,)
 Plaintiff,)
 v.) No. 443-Equity.
)
 BOB HICKS,)
 Defendant.)

PERMANENT INJUNCTION

Now on this the 13th day of March, 1929, the same being a regular day of the Special March 1929 term of this court, present and presiding the Honorable Franklin E. Kennamer, United States District Judge, the plaintiff appearing by the United States Attorney, the defendant Bob Hicks appearing by his Attorney, C. F. Dowdy, Esquire, of Tulsa, Oklahoma, said matter having this day been set by the court for trial, and it appearing that no answer or other pleadings have been filed; that the defendant Bob Hicks was personally served with Chancery Subpoena and Temporary Injunction as shown by the return of the officer herein; and the court having examined the pleadings herein and having heard the testimony of witnesses adduced in said matter and the argument of counsel, and being fully advised in the premises, finds:

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

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ployees, 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:

A one-room house located on Lot 10, Block 7, Cardin, Ottawa County, Oklahoma,

and that said real estate and premises shall not be occupied or used for one year subsequent to the date of March 13, 1929.

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 13th day of March, 1929.

WITNESS The Honorable Franklin E. Kennamer, Judge of the United States District Court for the Northern District of Oklahoma, this 13th day of March, 1929.

F. E. KENNAMER, United States District Judge.

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

ENDORSED: Filed Mar. 13, 1929. H. P. Warfield, Clerk.

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

UNITED STATES OF AMERICA, Plaintiff, v. WILLIAM STONAKER AND KENNETH FERRELL, Defendants. No. 444-Equity.

PERMANENT INJUNCTION

Now on this the 13th day of March, 1929, the same being a regular day of the Special March 1929 term of this court, present and presiding the Honorable Franklin E. Kennamer, United States District Judge, the plaintiff appearing by the United States Attorney, and the defendants appearing not, either in person or by their attorney of record, said matter having this day been set by the court for trial, and it appearing that no answer or other pleadings have been filed by any of the parties hereto save and except the plaintiff; that Kenneth Ferrell was personally served with Chancery Subpoena and Temporary Injunction as shown by the return of the officer herein; that the other defendant was not found in said district; and it further appearing to the court that said parties have made default in the premises and are hereby adjudged in default; and the Court having examined the pleadings herein and having heard the testimony of witnesses adduced in said matter and the argument of counsel, and being fully advised in the premises, finds:

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

A one-room house located on Lot 10, Block 7, Cardin, Ottawa County, Oklahoma,

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, ORDERED, ADJUDGED AND DECREED that an Injunction issue forthwith enjoining the defendants, their agents, ser-

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

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EQUITY SESSION

TULSA, OKLAHOMA,

WEDNESDAY, MARCH 13, 1929.

vants, subordinates, employees, tenants, heirs and assigns, and any, all and every person or persons claiming by, through, or under said defendants and each and everyone 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 hereinbefore described, shall not be used or occupied for one year subsequent to the date of this decree.

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.

IT IS FURTHER ORDERED that the bar and all fixtures and appliances used in connection with the sale of whiskey and other intoxicating liquors from said premises, shall not be destroyed but that the same shall be and remain therein, and that all intoxicating liquor now on said premises, if any there be, shall be destroyed.

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 case, and that execution issue therefor.

F. E. KENNAMER,
United States District Judge.

O. K.
Harry Seaton,
Asst. U. S. Attorney.

ENDORSED: Filed Mar. 13, 1929. H. P. Warfield, Clerk.

Court adjourned until March 14, 1929.

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

NORTHERN

District of

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EQUITY SESSION

TULSA, OKLAHOMA,

THURSDAY, MARCH 14, 1929.

Court convened pursuant to adjournment, Thursday, March 14th, 1929.

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:

CONTACT FILTRATION COMPANY,)	
Plaintiff,)	
vs.	)	No. 280-Equity.
PIERCE PETROLEUM CORPORATION,)	
Defendant.)	

Now on this 14th day of March, A. D. 1929, Exceptions to Amended Interrogatories came on for hearing in the above entitled cause, and at this time it is by the court ordered that the same be and it is hereby passed for further hearing to April 15th, 1929.

Court adjourned until March 15, 1929.

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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, MARCH 15, 1929.

Court convened pursuant to adjournment, Friday March 15th, 1929.

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

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

JOURNAL ENTRY

Now on this 15th day of March, 1929, this matter coming before the above named court for decision on the motions of the defendants, Josey Oil Company, Hemlock Oil Company, J. H. Woods, Prentice T. Moore, Dydley W. Moore, Ethel Moore, M. L. Terry, E. M. Murphy, D. R. Radcliffe, O. E. Stoner, John E. Moore, R. Dawkins Moore, Sybil Moore, Mable Vail, and Harry E. Schmidt, to dismiss the amended bill in equity of the plaintiffs as amended by leave of court, and the court having heretofore taken said motions under advisement, and having duly considered same, is of the opinion that said motions and each of them should be overruled.

It is therefore considered, ordered and decreed that the aforesaid motions to dismiss be and the same are each and all hereby overruled, and said defendants and each of them are granted 20 days from this date within which to file their answers herein. The defendants each requests and is allowed an exception to the order overruling said motions.

F. E. KENNAMER, District Judge.
ENDORSED: filed Mar. 15, 1929.
 H. P. Warfield, Clerk.

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

A. B. C. DAGUE,)
 Plaintiff,)
) No. 70-Equity.
vs.)
))
AZTEC OIL COMPANY, ET AL.,)
 Defendants.)

O R D E R

Now on this 15th day of March, 1929, comes on for hearing the application of Charles A. Coakley, Receiver for the Aztec Oil Company for approval of income tax report of the United States Government of America for the year 1928 and the years prior thereto during said receivership, said Charles A. Coakley, Receiver, appearing by his attorney, E. J. Doerner, and said United States Government of America appearing by its attorneys, John E. Goldesberry and Louis N. Stivers, and the court having heard the evidence, examined the reports and being fully advised in the premises, finds that said income tax reports for the year 1928, and years prior thereto during said receivership, are correct, and that the same should be approved and that there are no income taxes due the Government of the United States of America from the said Charles A. Coakley, as Receiver for the Aztec Oil Company, for the year 1928 or for previous years.

It is therefore ordered, adjudged and decreed that the income tax report of the said Charles A. Coakley, as Receiver for the Aztec

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TULSA, OKLAHOMA,

FRIDAY, MARCH 15, 1929.

Oil Company, for the year 1928, be and the same is hereby approved.

It is further ordered, adjudged and decreed by the court that there are no income taxes due the United States Government of America by Charles A. Coakley, as Receiver, for the year 1928, or the years prior thereto during said receivership, and the said Charles A. Coakley, as Receiver and Special Master is hereby ordered and directed to disburse the assets of said receivership now in his hands according to law.

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

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 15, 1929. H. P. Warfield, Clerk.

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

MAUDE PAINTER KEMP LIVINGSTON, Plaintiff, vs. M. A. YOUNKMAN AND D. SELTZER, Defendants. No. 455-Equity. M. A. YOUNKMAN AND D. SELTZER, Plaintiffs, vs. MAUDE PAINTER KEMP LIVINGSTON, Defendant.

O R D E R

BY AGREEMENT OF THE PARTIES the above entitled causes are hereby consolidated under No. 455 Equity, for trial before the Court.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 15, 1929. H. P. Warfield, Clerk.

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

MAUDE PAINTER KEMP LIVINGSTON, Plaintiff, vs. M. A. YOUNKMAN AND D. SELTZER, Defendants. No. 455-Equity.

O R D E R

IT IS HEREBY ORDERED that plaintiff file reply to the answer, and counter claim contained therein, of the defendants.

F. E. KENNAMER, Judge.

ENDORSED; Filed Mar. 15, 1929. H. P. Warfield, Clerk.

Court adjourned until March 18, 1929.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 18, 1929.

Court convened pursuant to adjournment, Monday, March 18, 1929.

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:

HARRIET HOSEY, ET AL, Plaintiffs,)
vs.) No. 238-Equity.
JAMES A CHAPMAN, ET AL, Defendants.)

Now on this 18th day of March, 1929, the above entitled cause came on for further hearing, same having been continued from March 12th, 1929, upon the Exceptions to the Master's Report, and after hearing argument of counsel, and the hour of adjournment having arrived, said cause is continued for further hearing to March 19th, 1929, at 9:30 o'clock A. M.

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

THE OIL WELL IMPROVEMENTS COMPANY,)
Plaintiff,)
vs.) No. 437-Equity
PAYL ARBON AND COMPANY, Defendant.) Under Patent No.
1,165,253.

O R D E R

For good cause shown the defendant is given thirty (30) days from this date within which to plead or answer to the bill of Complaint of the plaintiff herein.

Dated this the 18th day of March, 1929.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 18, 1929. H. P. Warfield, Clerk.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA, TUESDAY, MARCH 19, 1929.

Court convened pursuant to adjournment, Tuesday, March 19th, 1929.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.
H. P. Warfield, Esq., Clerk, U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

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

EDDIE JACK, Plaintiff,)

vs.)

JOHN M. HOOD AND LULA A. HOOD, HIS WIFE; ROXANA PETROLEUM CORPORATION, A CORPORATION; NORWIN COMPANY, A CORPORATION; AMERICAN PETROLEUM CORPORATION, A CORPORATION; J. A. HULL COMPANY, A CORPORATION; MID-CONTINENT ROYALTY CORPORATION, A CORPORATION; BARNSDALL OIL COMPANY, A CORPORATION; WAITE PHILLIPS COMPANY, A CORPORATION; PHILLIPS PETROLEUM COMPANY, A CORPORATION; E. S. HORN, TRUSTEE; MIDDLE STATES PETROLEUM COMPANY, A CORPORATION, AND PURE OIL COMPANY, A CORPORATION,)

No. 158 - Equity.

Defendants.)

PETITION FOR APPEAL FILED _____ DAY OF MARCH, A. D. 1929, IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA.

To the Honorable F. E. Kennamer, District Judge of the United States for the Northern District of Oklahoma:-

The above named plaintiff feeling himself aggrieved by the decree and judgment made and entered in this cause on the 14th day of January, A. D. 1929, does hereby appeal from said decree and judgment to the Circuit Court of Appeals for the Tenth Circuit for the reasons specified in the assignment of errors, which is filed herewith, and he prays that his appeal be allowed and the citation issue as provided by law, and that a transcript of the record, proceedings and papers upon which said decree was based, duly authenticated, may be sent to the United States Circuit Court of Appeals for the Tenth Circuit sitting at Oklahoma City.

And your petitioner further prays that the proper order touching the security to be required of him to perfect his appeal be made.

W. M. LEISE
GEO. H. MAYNE
Attorneys for Plaintiff.

The foregoing petition is granted and the appeal allowed upon plaintiff giving bond conditioned as required by law in the sum of \$100.00.

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

ENDORSED: Filed Mar. 19, 1929. H. P. Warfield, Clerk.

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

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OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA, TUESDAY, MARCH 19, 1929.

AND IT IS FURTHER ORDERED that the plaintiffs cause to be served upon some person upon and in possession of the aforesaid lands a copy of this Order, duly certified, and a copy of the Bill of Complaint duly certified, and that such service be had not less than 20 days before the said 1st day of May, A. D. 1929.

F. E. KENNAMER,
Judge of the District Court
Of The United States for and In
The Northern District of Oklahoma.

ENDORSED: Filed Mar. 19, 1929. W. P. Warfield, Clerk.

Court adjourned until March 20, 1929.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA, WEDNESDAY, MARCH 20, 1929.

Court convened pursuant to adjournment, Wednesday, March 20th, 1929.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.
H. P. Warfield, Esq., Clerk, U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

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

P. W. MARK AND GUM BROTHERS COMPANY, A CORPORATION, Plaintiffs.
vs.
THE PRAIRIE OIL & GAS COMPANY, A CORPORATION, Defendant.
No. 212-Equity.

ORDER FOR SUBPOENA DUCES TECUM

Now on this 20th day of March, 1929, it appearing that the plaintiffs have filed their application for a subpoena duces tecum to issue to L. J. Hill, who is in the employ of Tidal Oil Company, to appear at this court in the United States Court-house at Tulsa, Oklahoma, at nine o'clock A. M., March 25, 1929, and testify on behalf of said plaintiffs, and to bring with him, all the original books and records of said Tidal Oil Company, showing the oil produced on the following described premises situated in Creek County, Oklahoma:

Northeast Quarter (1/4) of Section Twenty-nine (29), Township Seventeen (17), North, Range Twelve (12) East,

and the court having duly considered said application, finds that said order should be issued.

IT IS, THEREFORE, ORDERED, DECREED AND ADJUDGED that the Clerk of this Court, issue a subpoena duces tecum to L. J. Hill, who is in the employ of the Tidal Oil Company, to appear at this court in the United States Court room at Tulsa, Oklahoma, at nine o'clock A. M., March 25, 1929, to testify on behalf of the plaintiffs, and to bring with him from the books and records of said Tidal Oil Company, all the original books and records of said Tidal Oil Company, showing the oil produced from the following described lands situated in Creek County, Oklahoma:

Northeast Quarter (1/4) of Section Twenty-nine (29), Township Seventeen (17), North, Range Twelve (12) East.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 20, 1929. H. P. Warfield, Clerk.

HARRIET HOSBY, ET AL, Plaintiffs.
vs.
JAMES A. CHAPMAN, ET AL, Defendants.
No. 238-Equity.

Now on this 20th day of March, 1929, the above entitled cause came on for further hearing, same having been continued from March 19th, 1929, upon the Exceptions to the Master's Report, and after hearing argument of counsel it is by the court ordered that all parties be allowed to file additional briefs fifteen days from date. Thereupon, the hour of adjournment having arrived, said cause is continued for further hearing to March 21st, 1929, at 9:30 o'clock A. M.

Court adjourned until March 21, 1929.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

Court convened pursuant to adjournment, Thursday, March 21, 1929.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.
H. P. Warfield, Esq., Clerk, U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

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

FIRST NATIONAL BANK OF TULSA, OKLAHOMA, A CORPORATION, Complainant, vs. NATIONAL HARDWOOD COMPANY, A CORPORATION, ET AL, Defendants. No. 39-Equity.

O R D E R

Now on this 21st day of March, 1929, this matter coming on for hearing upon the application of G. H. Smith, duly qualified and acting receiver for an order citing said persons herein named to appear before this Court on a day certain to answer for contempt of this Court and the Court having read and considered said application and being fully advised in the premises finds that said application should be granted and the relief prayed for given.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED, AND DECREED BY THE COURT that

Claude Dixon, Charles Baker,
Cub Pack, C. L. LaMont,
W. D. Smith, Jack Rabbit,
D. Russell, John Oakball,
Lee Jones, J. C. Durette,
Ned Rusak, One Kirkpatrick, whose first name is unknown,

be and they are hereby required to appear before this Court on the 5th day of April, 1929, at 9:30 o'clock, A. M., and that they and each of them be required to show cause why they should not be punished for contempt of this Court in interfering with the property of the defendant, National Hardwood Company.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THIS COURT THAT Joseph Lantry of Tulsa, Oklahoma, serve a copy of this order dated this 21st day of March, 1929, upon each of the within named persons and to make his return of the same according to law.

F. E. KENNALMER,
United States District Judge.

ENDORSED: Filed Mar. 21, 1929. H. P. Warfield, Clerk.

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

FIRST NATIONAL BANK OF TULSA, OKLAHOMA, A CORPORATION, Complainant, vs. NATIONAL HARDWOOD COMPANY, A CORPORATION, ET AL, Defendants. No. 39-Equity.

O R D E R

Now on this 21st day of March, 1929, the above matter coming on for hearing on the interplea of Joe Groundhog through Peter Deichman, U. S. Probate Attorney, for an order directing the Receiver herein

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

to execute a quitclaim deed to T. P. Martin, Jr., covering the lands described in the said interplea, and the court being fully advised in the premises, finds that all the allegations of the said interplea are true and that the said Receiver had no right, title or interest in or to the said property, but same was restricted and free from taxation at the time of the assessment of taxes for which the said land was sold, and

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said G. A. Smith, Receiver of the National Hardwood Company, a corporation, execute to T. P. Martin, Jr., in accordance with the prayer of the said interplea, a quitclaim deed covering the:

Southwest Quarter of the Southwest Quarter of the Southwest Quarter of Section One, Township Nineteen North, Range Twenty-three East (SW₄ of SW₄ of SW₄ Sec. 1T19N-R23E), in Cherokee County, state of Oklahoma.

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

G. K.
A. B. Honnold,
Attorney for George A. Thomson,
Intervener.

ENDORSED: Filed Mar. 21, 1929. H. P. Warfield, Clerk.

FIRST NATIONAL BANK OF TULSA,
Plaintiff,
vs.
NATIONAL HARDWOOD COMPANY, ET AL,
Defendants.

No. 39-Equity.

Now on this 21st day of March, A. D. 1929, comes on for hearing the Application of the County Attorney to have the property of the National Hardwood Company, Delaware County, sold for taxes. Whereupon it is by the Court ordered that said cause be and the same is hereby set for hearing April 3rd, 1929.

HARRIET HOSHY, ET AL, Plaintiffs,
vs.
JAMES A. CHAPMAN, ET AL, Defendants.

No. 238-Equity.

Now on this 21st day of March, A. D. 1929, there came on for further hearing the above entitled cause. And thereupon after submission of oral arguments and briefs of counsel, said cause is by the Court taken under advisement.

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

UNITED STATES OF AMERICA, Plaintiff,
vs.
A. H. CURRY, MARIE S. KLAY,
RICHARD ELAM, W. H. WARD, NEVA
WARD, (NEVA P. WARD), LEANDER
DIXON AND DOROTHY DIXON, Defendants.

No. 290-Equity.

ORDER OF SALE

THE UNITED STATES OF AMERICA TO FRANK H. COY, OF OKLAHOMA, COUNTY SHERIFF,
OBSERVE, RETURNING:

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION
U. S. DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

TULSA, OKLAHOMA, THURSDAY, MARCH 21, 1929.

WHEREAS, at the Special March A. D. 1928, term of the United States District Court for the Northern District of Oklahoma, and on the 4th day of August, 1928, in an action then pending in said court wherein the United States of America was plaintiff, and the persons, firms, and corporations named in the caption hereof, were defendants, said plaintiff recovered judgment in said court against the defendants in the sum of \$1432.94, with interest thereon at the rate of 7% per annum from May 26, 1928, and costs of said suit in the sum of \$35.40, and also accruing costs of sale; and a further judgment and decree of foreclosure of mortgage given to secure said debt on the property hereinafter described was rendered; and

WHEREAS, on said date in said court, it was further ordered, adjudged, and decreed by the court that, in case said defendants should fail for six months from the date of the judgment aforesaid to pay the amount of said judgment, together with interest thereon, and costs as aforesaid, an order of sale should issue to the Special Master Frank McCoy, of Pawhuska, Osage County, Oklahoma, commanding him to advertise and sell, as upon execution, without appraisal, according to law, the following described premises situate in the county of Osage, Oklahoma, 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,

subject to taxes and tax sales, but free, clear, and discharged of and from all the interests and liens of the defendants hereinabove named, commanding the said Special Master to thereupon apply the proceeds arising from said sale: first, in payment of the costs of said sale and said suit; second, in payment to the plaintiff of said judgment with interest, and that the residue, if any, be paid into the court to abide the further orders of the court:

WHEREAS, the judgment of the plaintiff, with interest and costs remains wholly unpaid, and no appeal from said judgment and decree has been taken, nor any supersedeas bond filed:

NOW, THEREFORE, you are commanded to proceed according to law and advertise and sell, without appraisal, the lands and tenements hereinbefore described, subject to taxes and tax sales, and apply the proceeds arising from said sale as directed by said judgment, as aforesaid.

You will make due return of this Order of Sale, with your proceedings endorsed thereon, showing the manner in which you have executed the same within sixty days from the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand at Tulsa, Tulsa County, Oklahoma, this the 6th day of February, 1929.

F. E. KENNAMER,
United States District Judge.

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

ENDORSED: Filed Feb. 6, 1929. H. P. Warfield, Clerk.

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

UNITED STATES OF AMERICA,	Plaintiff,	}	No. 390-Equity.
vs.			
A. W. CURREY, ET AL,	Defendants.)		

ORDER OF COURT

And now on this the 21st day of March, A. D. 1929, the same

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

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TULSA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

being one of the regular days of the Special March 1929 term of said court, there coming on for hearing the return of the Special Master, the report of the Receiver, and the Motion of the United States Attorney that said reports be received and said officials be discharged and their bonds exonerated, and the court being fully advised in the premises, finds that said sale has been canceled for the reason that the defendant has made settlement of said judgment with the Superintendent of the Osage Indian Agency and that there is no necessity for said sale; that the Special Master has made a return showing the same.

The Court further finds that the Special Master is entitled to the sum of \$50.00 as his fee.

The Court further finds that the Receiver has filed his final report herein and that he has properly accounted for all funds coming into his hands, that there is a balance of \$15.00 in his hands due the defendant herein, A. W. Currey.

The court further finds that said Receiver is entitled to a fee of \$25.00 for his services herein.

The court further finds that the Special Master herein as incurred an expense of \$22.75 due the publisher of the Notice of Sale herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of the Special Master and the Receiver herein, be and the same are hereby approved.

IT IS FURTHER ORDERED that the fee of the Special Master be and the same is hereby taxed in the sum of \$50.00, and that there is due the Special Master the further sum of \$22.75, expenses incurred in publishing the Notice of Sale.

IT IS FURTHER ORDERED that said Receiver be and he is hereby entitled to the sum of \$25.00 as and for his services herein.

IT IS FURTHER ORDERED that said Receiver and Special Master be and they are hereby discharged and their bonds exonerated herein.

IT IS FURTHER ORDERED that the Defendant herein, A. W. Currey, shall pay to Frank T. McCoy, Special Master herein, the sum of \$72.75, taking his receipt therefor and mail the same to the Clerk of this Court in satisfaction of the costs taxed herein in favor of said Special Master.

IT IS FURTHER ORDERED that said Defendant, A. W. Currey, shall pay to the Receiver the sum of \$10.00, and furnish a receipt showing the payment thereof, said Receiver being allowed to appropriate the balance in his hands to apply on his fee herein, and upon furnishing of said receipt the Clerk is hereby authorized to credit said amount on his docket.

F. H. HENDERSON,
United States District Judge.

C. H.
Harry Seaton,
Assistant United States Attorney.

RECORDED: Filed Mar. 21, 1929. H. F. Warfield, Clerk.

A. S. LEE, Plaintiff,)
UNITED STATES OF AMERICA, et al, Defendants.) No. 439-Equity.

ORDER

Now on this March 21st, 1929, upon motion of plaintiff this cause is dismissed as to Marie E. Jarvin, upon whom no service has been had.

Also upon motion of plaintiff in open court the plaintiff is permitted to amend his bill of complaint hereof at page 3, line one, by substituting the name of Crawford Lee for a name of Eugene Clifford Lee, and such amendment is made instantly by the Clerk of the Court.

FILED: Filed Mar. 21, 1929. F. H. Henderson, Judge.

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

ORDER

District of

OKLAHOMA

EQUITY SESSION

OKLAHOMA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

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

W. W. LEE, Plaintiff,)
 vs.) No. 429-Equity.
 UNITED STATES OF AMERICA,)
 ET ALS., Defendants.)

O R D E R

On this 21st day of March, 1929, upon motion of the defendant, C. McGehee, and by consent of the plaintiff by counsel in open court, it is ordered that the said defendant be, and he is hereby, authorized and directed to amend his answer heretofore filed in this cause in the following respects, to-wit:

By changing the word "eight" appearing on the fourth line from the bottom of page 3 of said answer to read "eighteen", thereby changing the rate of interest claimed by the defendant from eight per cent to eighteen per cent, and thereupon he amends the same accordingly in open court.

F. E. KINHAUSER, Judge.

O. K.
 Pounders & Pounders,
 Attorneys for Plaintiff.

O. K.
 Thrift & Davenport,
 Attys. for C. McGehee.

ENDORSED: Filed Mar. 21, 1929. H. P. Warfield, Clerk.

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

W. W. LEE, Plaintiff,)
 vs.)
 UNITED STATES OF AMERICA,)
 R. B. MORRISON, B. H. GREENWOOD,)
 MATTIE L. FRAZIER AS ADMINISTRATRIX) No. 429-Equity.
 OF ESTATE OF WM. ALEX, DEC'D.,)
 C. G. SHULL, BANK COMMISSIONER OF)
 THE STATE OF OKLAHOMA, C. C. CARMICHAEL,)
 A. K. SWAN, C. McGEHEE SAAB ELIAS,)
 S. F. LEDFORD AND BOARD OF COUNTY)
 COMMISSIONERS OF CREEK COUNTY, OKLAHOMA.)
 Defendants.)

D E C R E E

Now on this the 21st day of March, 1929, the above styled cause comes on for final hearing by agreement of the parties, and the plaintiff appears by his counsel of record, Pounders & Pounders, and the United States of America appears by Louis E. Stivers, Assistant United States Attorney for this judicial district; all other parties not disclaiming and not in default herein file their stipulation for an agreed decree. From the records herein the court finds that the defendant Saab Elias has filed herein an instrument in writing in which he disclaims any interest in the subject-matter of this litigation. The court further finds that the defendants Mattie L. Frazier as executrix of the estate of Wm. Alex, deceased, R. B. Morrison and the Board of County Commissioners of Creek County, Oklahoma, have each and all been duly served with chancery subpoena issued out of this cause; that they have each failed to make any appearance herein or to plead, answer or demur to plaintiff's bill of complaint; that at the expiration of the statutory time allowed them to so plead or appear after service of such subpoena decree pro con fesso was taken against each of them on January 22nd, 1929, and more than 30 days prior to this date. Said defendants and each of them are therefore adjudged by the court to be in default and the allegations of plaintiff's

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

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EQUITY SESSION

TULSA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

bill of complaint as against them are ordered taken as true.

Thereupon the plaintiff introduces testimony in support of all the allegations of his bill of complaint and rests; and the defendant United States of America introduces testimony in support of its answer filed herein and rests. And now the court, having considered the evidence and having heard argument of counsel finds as follows:

On November 13, 1922, Wm. Alex and R. B. Morrison, being the owners of Lot 13, Block 42 in the City of Bristow, Creek County, State of Oklahoma, for a valuable consideration executed to the plaintiff, W. W. Lee, their promisory note wherein they agreed to pay to said Lee the sum of \$1500.00 on May 13, 1924, together with ten per cent. per annum interest thereon from date of note, and in which note they further obligated themselves to pay to plaintiff the additional sum of \$15.00 and ten per cent. of the amount due as attorney's fee in case of suit to collect. That interest on said indebtedness was paid to June 24, 1924 and \$250.00 was paid on the principal; and that there is now due the plaintiff thereon the principal sum of \$1250.00 with interest aggregating \$1859.87 and the further sum of \$200.00 as attorney's fee. That in order to secure the payment of said note said Wm. Alex and R. B. Morrison at the time of the execution of such note also executed an instrument in writing mortgaging to plaintiff the said Lot 13, Block 42, aforesaid, and that the terms and condition of said mortgage, which was duly filed of record in Creek County, Oklahoma, on Nov. 29th, 1922 (Book 236 p.521), have been breached by the failure of the mortgagors to pay said note, and that plaintiff is entitled to a foreclosure of such mortgage. That the lien created upon said real property by said mortgage is a first, paramount and prior lien to all other liens covered by this decree, except as to C. McGehee and treasurer of Creek County.

The court further finds that on March 1st, 1924, R. B. Morrison, for a valuable consideration, executed to B. H. Greenwood a promisory note whereby he agreed to pay said Greenwood the sum of Seven Hundred Fifty Dollars (\$750.00) on January 1st, 1925, together with ten per cent. per annum interest thereon from date of note, and also agreed that if note be placed in hands of an attorney for collection to pay the additional sum of \$150.00 attorney's fee; that no part of said note has been paid and there is now due thereon the sum of \$1025.00, also \$150.00 attorney's fee. That in order to secure the payment of said note and simultaneously with the execution thereof said Morrison executed in favor of said B. H. Greenwood an instrument in writing mortgaging to him the half interest of said Morrison in the real property above described, to-wit: Lot 13, Block 42, aforesaid, and that said mortgage was recorded in Creek County, Oklahoma, on March 3rd, 1924, in Book 276 at page 199; that on October 10th, 1927, said note and mortgage were endorsed and assigned to S. F. Ledford, for value, and that said S. F. Ledford is now the owner thereof. The court finds that the terms and condition of said mortgage have been breached by the failure of the said R. B. Morrison to pay the said note when due.

The court finds that both the mortgages above referred to and described contain a clause waiving appraisement of the property mortgaged and such property may not be sold under this decree earlier than six months from the date hereof.

The court finds that while owning a half interest in the above described real property Wm. Alex died intestate, a resident of Creek County, Oklahoma, on April 15th, 1923, leaving a widow and children as his heirs at law; that the estate of said decedent is being administered in said Creek County, Oklahoma, and that by decree of the County Court having jurisdiction, to-wit, the County Court of Creek County, Oklahoma, entered on August 21st, 1926, it was judicially determined that the children of said Wm. Alex, deceased, including Eugene C. Alex who is one and the same as Eugene Clifford Alex, and including William C. Alex, who is one and the same as Crawford Alex or William Crawford Alex, and including Hilford G. Alex, who is one and the same as Harford Alex, - each inherited an undivided 2/15th interest in the estate of Wm. Alex, deceased, or an undivided 1/15th interest in said Lot 13, Block 42 aforesaid. In line with said decree and upon testimony submitted here the court finds that at the death of said Wm. Alex an undivided 1/15th interest in said Lot 13, Block 42, aforesaid, passed to each of the following named persons, to-wit: Crawford Alex, Harford Alex and Eugene Clifford Alex, judgment debtors hereinafter mentioned.

The court finds that on October 3rd, 1924, defendant C. C. Greenfield obtained a judgment in the District Court of Creek County,

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

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District of

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WESTERN DISTRICT OF

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THURSDAY, MARCH 21, 1929.

Oklahoma, against Clifford Alex and Hanford Alex for the sum of \$920.30; that same is unsatisfied and is due to said Carmichael with 6% per annum interest thereon from Oct. 2, 1924.

The court finds that on July 1, 1924, the State of Oklahoma, on relation of its bank commissioner, obtained a justice of the peace judgment against Crawford Alex, at Bristow, in Creek County, for the sum of \$163.37 with 10% interest per annum thereon from June 21, 1924, also \$31.33 attorney's fee and costs, \$7.00; and that transcript of such judgment was filed in the District Court of Creek County, Oklahoma, on May 14, 1926, and same remains unsatisfied.

The court finds that on January 4th, 1927, Earnie B. Warren obtained a judgment in the District Court of Creek County, Oklahoma, against Eugene Clifford Alex for the sum of \$3,000.00 and costs, \$22.30, and that said judgment remains wholly unsatisfied. That by mesne assignments in due form the defendant A. K. Swan is now the owner of such judgment.

That C. McGehee, who is the same person as C. M. McGehee, is the owner and holder of a tax sale certificate duly issued to him by the county treasurer of Creek County, Oklahoma, the same covering said Lot 13, Block 42, aforesaid, and being a first and prior lien upon said real property to secure the payment of the following tax items assessed against said real property and paid by the said C. McGehee, to-wit: Nov. 3rd, 1924, - \$60.40; for year 1923; April 27, 1925, - \$67.25, for year 1924; March 5, 1926, - 164.68, for year 1925; and Sept. 4, 1928, - \$380.86 for 1926 and 1927, which payments were duly endorsed upon said certificate and each of which bear 18% interest per annum from date of payment.

The court further finds that for the taxable period 1922 certain income tax was assessed against Eugene Clifford Alex by the United States of America in the sum of \$746.99 with delinquency interest in the sum of \$165.54 and interest at one (1%) per cent. per month from April 16th, 1927; that no part of same has been paid and that on January 27th, 1928, the United States of America caused proper notice of such tax claim and lien to be filed of record in Creek County, Oklahoma, by reason whereof it acquired a lien upon the 1/16th interest of said Clifford Alex in and to Lot 13, Block 42, aforesaid.

The court finds that subsequent to the time said liens and each of them arose and during the months of June and August, 1928, the defendant B. H. Greenwood purchased title to said real property from R. B. Morrison and the heirs of Wm. Alex, deceased, and is now the record owner thereof.

IT IS, THEREFORE, Considered, ordered and adjudged that the plaintiff, W. W. Lee, have and recover of and from the defendant R. B. Morrison the sum of Eighteen hundred Fifty-nine & 87/100 (\$1859.87) Dollars, together with 10 per cent. per annum interest thereon from this date until paid, also the further sum of \$200.00 attorney's fee and also costs to be taxed by the clerk. And it is the further order, judgment and decree of the court that the said mortgage of R. B. Morrison and Wm. Alex to W. W. Lee, covering Lot 13, Block 42, City of Bristow, Creek County, Oklahoma, given to secure payment of the said judgment indebtedness be and same hereby is foreclosed, and if any part of said judgment be not satisfied at the expiration of six months from this date, it is ordered that the Marshal then sell said real property at public auction to the highest bidder as provided by law without appraisal, proceeds of sale to be disbursed as hereinafter directed.

It is further considered, ordered and adjudged that S. F. Ledford have and recover of and from R. B. Morrison the sum of Ten hundred Twenty-five & no/100 Dollars (\$1025.00), together with 10 per cent. per annum interest thereon from this date until paid, also the sum of \$150.00 attorney's fee and proper costs. And it is further ordered, adjudged and decreed that the mortgage of R. B. Morrison to B. H. Greenwood covering the half interest of said Morrison in said real property, of date March 1, 1924, and which is now the property of said S. F. Ledford, be and same hereby is foreclosed, and if said indebtedness be not paid within six months from this date upon praecipe therefor it is ordered that the half interest in said property aforesaid be sold by the Marshal as provided by law, proceeds of such sale to be disbursed under the further order of the court.

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

NORTHERN

District of

OKLAHOMA

UNITY SESSION

TULSA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

If the whole property be sold, as hereinabove ordered, to satisfy the plaintiff's demands, then upon confirmation of sale the proceeds thereof shall be disbursed as follows:

- (1). To pay the costs herein including the Marshal's costs.
- (2). To C. McGehee the sum of \$679.19, with interest as follows:
 - 18% on \$66.40 from Nov. 3, 1924, until paid;
 - 18% on \$67.25 from Apr. 25, 1925, until paid;
 - 18% on \$164.68 from Mar. 6, 1926, until paid; and
 - 18% on \$380.86 from Sept. 4, 1928, until paid.
- (3). To W. W. Lee, the amount of his judgment herein with interest, costs and attorney's fee.

The remainder, if any, shall be divided into two equal parts, the one, for convenience, being designated herein as the "Morrison Funds" and the other the "Alex Funds". Out of the Morrison Funds there shall be paid to S. F. Ledford the amount of his judgment, costs and attorney's fee herein, balance, if any, to be paid over to B. H. Greenwood.

The Alex Funds shall be further divided into 9/15ths and 6/15ths, respectively, and the 9/15ths paid to B. H. Greenwood. The remaining 6/15ths of the Alex Funds, representing the interests in said real property formerly owned by Crawford Alex, Clifford Alex and Manford Alex, shall be disbursed as follows:

- (a) The 2/15ths represented by Crawford Alex shall be applied to the satisfaction of the judgment, interest, costs and attorneys' fee of the State of Oklahoma on relation of its Bank Commissioner; remainder, if any, to be paid over to B. H. Greenwood,
- (b) The 4/15ths represented by Manford and Clifford (Eugene Clifford) Alex, shall be applied, first, to the judgment, interest and costs of C. C. Carmichael, balance, if any, to be divided into two equal parts, and the one part thereof represented by Manford Alex to be paid over to B. H. Greenwood; the other one-half, represented by Clifford Alex, to be applied, first, to liquidation of the judgment, interest and costs in favor of Earnie B. Warren and now owned by A. K. Swan; second, to the satisfaction of the lien on the United States of America for unpaid income tax, penalty and interest as set forth and described in this decree; and, lastly, if any remain, same shall be paid over to B. H. Greenwood.

It is further ordered that if proceeds of sale or sales as in this decree directed fail to satisfy the respective judgments of the plaintiff or of S. F. Ledford, then either upon proper praecipe therefor may have an execution against the property of the defendant H. B. Morrison.

It is further order, judgment and decree of the court that the defendants each and all are hereby restrained and permanently enjoined from claiming or asserting any right, title, claim or interest in or to said Lot 13, Block 42, aforesaid, other than as in this decree set forth and provided; and that the purchaser of the half interest in said property as in this decree authorized to be sold shall take free of all claims save those of C. McGehee, the County Treasurer of Creek County and the plaintiff, and that the purchaser of the whole title as herein authorized to be sold shall take free of all claims whatsoever.

With praecipe for order of sale herein counsel moving for such order of sale shall furnish the clerk with a copy of this decree, which the clerk shall certify and attach to the order of sale.

F. E. KUMMNER, Judge.

Approved:

Hughes & Billinghausen,
Attorneys for C. C. Carmichael.

Thrift & Davenport,
Attorneys for C. McGehee.

See next page for further
enclosures.

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

NORTHERN

District of

OKLAHOMA

SENATE SESSION

TULSA, OKLAHOMA,

THURSDAY, MARCH 21, 1929.

W. J. Hicks,
Attorney for J. P. Ledford.

Approved as to form.

Louis M. Stivers,
Asst. U. S. Attorney for
United States of America.

A. K. Swan,
R. H. Greenwood,

E. S. Lowther,
Attorney for State of Oklahoma,
on relation of C. C. Shull,
Bank Commissioner.

L. K. Founders,
Attorneys for Plaintiff.

ENDORSED: Filed Mar. 21, 1929. H. P. Warfield, Clerk.

Court adjourned until March 22, 1929.

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

NORTHERN

District of

OKLAHOMA

REGULAR SESSION

TULSA, OKLAHOMA,

FRIDAY, MARCH 22, 1929.

Court convened pursuant to adjournment, Thursday March 22nd, 1929.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.
H. P. Warfield, Esq., Clerk, U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

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, ET AL,	Defendants.)	

O R D E R
ALLOWING FEE AND EXPENSES OF SPECIAL MASTER

Now on this the 22nd day of March, 1929, the matter of allowing a reasonable fee and expenses of the Special Master in the above entitled cause comes on regularly to be heard upon the application of G. O. Grant, Special Master in said cause, the applicant appearing in person, and the complainant appearing by its attorneys of record, Breckinridge & Postick, and the court after examining said application and being fully advised as to the services rendered by said Special Master and being fully advised in the premises finds that the work of the Special Master has been completed and a full report of same has been made to the court and is on file in the above entitled cause and that he is entitled to a reasonable compensation for said services rendered to the court and for all reasonable necessary costs and expenses in connection with the hearing and determining of the claims against said Tulsa Street Railway Company:

The court further finds that the sum of Twelve Hundred Dollars (\$1200.00) is a fair and reasonable fee for the services rendered by said Special Master, and that a court reporter was a necessary expense and cost in the proper hearing and reporting of said claims and that the sum of One Hundred Nine and 60/100 Dollars (\$109.60) charged by such reporter is a fair and reasonable charge therefor and that the reporter, Mabel Huntsinger, is entitled to payment for her said services as reporter in the sum of aforesaid charge;

Therefore, it hereby is the order of the court that said G. O. Grant, be and he hereby is allowed the sum of Twelve Hundred Dollars (\$1200.00) as compensation for his services as Special Master herein and the Receiver, C. Kline, hereby is authorized and ordered to pay same from any available funds under his control as such receiver and likewise to pay the aforesaid reporter's charges aforesaid.

Made in open court this the 22nd day of March, A. D. 1929.

F. E. KENNAMER, Judge.

ENDORSED: Filed Mar. 22, 1929. H. P. Warfield, Clerk.

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

JONES-MANVILLE CORPORATION,	Plaintiff,)	
)	
vs.		)	No. 408-Equity.
)	
NATIONAL TANK SEAL COMPANY,	Defendant.)	

ORDER ON DEFENDANT'S MOTION PERTAINING TO PLAINTIFF'S
INTERROGATORIES.

This cause came on for hearing on March 22nd, 1929, before this

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

NORTHERN

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OKLAHOMA

EQUITY DIVISION

TULSA, OKLAHOMA,

FRIDAY, MARCH 22, 1929.

Court upon the motion of the defendant directed to the written interrogatories filed by the plaintiff on January 7, 1929, by the terms of which defendant sought an order relieving defendant of the necessity to answer the aforesaid interrogatories, and the parties being present in Court by their solicitors, the Court heard argument. Leave was granted the plaintiff to amend Interrogatory No. 3 so as to read:

"3. If either of the foregoing interrogatories be answered in the affirmative, state whether such photostat copies of prints and drawings as are attached to the second amended answer were the prints and drawings attached to the application for a patent mentioned in defendant's first amended answer."

Leave was further granted the plaintiff to amend by interlineation Interrogatory No. 4, so that the same should read:

"4. If interrogatory number two (2) be answered in the affirmative, did the United States Patent Office reject a claim or claims for the said tank top or tank seal structure?"

Upon the interrogatories as amended, after hearing argument of counsel,

It is ORDERED that defendant's motion as pertains to Interrogatory No. 1 be, and the same is hereby, sustained, and the defendant is not required to answer Interrogatory No. 1.

It is further ORDERED that the motion of the defendant as pertains to Interrogatories Nos. 2 to 5 inclusive, as the same now appear in the foregoing order, be, and the same is hereby, overruled and the defendant is required to answer said interrogatories on or before April 5, 1929.

It is further ORDERED as regards plaintiff's Interrogatory No. 6, that the motion of the defendant is sustained insofar as defendant is required to produce authenticated copies of the application for patent, but the said motion of the defendant is overruled as pertains to the interrogatories relative to the production of the written actions by the Patent Examiner on behalf of the applicant in so far as it relates to exhibits attached to second amended answer, and the defendant is required to answer this interrogatory on or before April 5, 1929, insofar as defendant's said motion is overruled.

To the foregoing ruling of the Court the defendant excepted in open Court, which exception is hereby allowed.

F. E. KENNAMER, Judge.

Approved as to form:

Mason & Williams,
Solicitors for Plaintiff.

Solicitors for Defendants.

ENCLOSED: Filed Mar. 22, 1929. H. P. Warfield, Clerk.

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

JOHNS-MAHVILLE CORPORATION, Plaintiff,)
vs.) No. 405-Equity.
NATIONAL TANK SEAL COMPANY, Defendant.)

O R D E R

This matter coming on for hearing upon the application of the solicitors for the plaintiff for a continuance of this case, and it ap-

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

NORTHERN

District of

OKLAHOMA

EMITY SESSION

TULSA, OKLAHOMA,

FRIDAY, MARCH 22, 1929.

pearing to the Court that the reason for striking said case from the assignment docket, continuing it to a later date, is the sudden illness of counsel for plaintiff,

IT IS ORDERED that the case be stricken from the assignment docket of April 2, 1929, at 9:30 A. M., subject to a new assignment at a later date, until April 11, 1929.

F. E. KENNALIER, Judge.

ENDORSED: Filed Mar. 22, 1929. W. T. Jarfield, Clerk.

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

NORTH

District of

OHIO

PRINTED AT THE DISTRICT COURT HOUSE, CLEVELAND, OHIO

CLEVELAND, OHIO

SATURDAY, MARCH 23, 1929.

Court convened pursuant to adjournment, Saturday, March 23rd, 1929.

Present: Hon. F. E. Hammer, Judge U. S. District Court.
W. P. Garfield, Esq., Clerk U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 226-Equity.
ALBERT KELLY, ET AL, Defendants.)

Now on this 23rd day of March, A. D. 1929, the above entitled cause comes on for hearing, and at this time it is by the Court ordered that same be and it is hereby passed for further hearing to the first part of April, 1929.

Court adjourned until March 25, 1929.

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

NORTHERN

District of

OKLAHOMA

EQUITY SESSION

TULSA, OKLAHOMA,

MONDAY, MARCH 25, 1929.

Court convened pursuant to adjournment, Monday, March 25th, 1929.

Present: Hon. John C. Pollock, Judge, U. S. District Court.
Hon. F. E. Kennamer, Judge, U. S. District Court.
H. T. Warfield, Esq., Clerk, U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

BEFORE HONORABLE JOHN C. POLLOCK:

T. W. MARK AND GUM BROTHERS COMPANY, A CORPORATION, Plaintiffs,
vs.
PRAIRIE OIL & GAS COMPANY, Defendant.
No. 212-Equity.

Now on this 25th day of March, A. D. 1929, there comes on for final hearing on plaintiff's second amended petition in the above entitled cause. And thereupon, both sides having announced ready for trial, witnesses for plaintiff are sworn in open court, statements of counsel are made and testimony for plaintiff is introduced to which defendant objects. Thereupon, the hour for adjournment having arrived, it is by the court ordered that said cause be and the same is hereby continued until 10 o'clock A. M., Tuesday, March 26th, 1929.

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

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

O P D E R

This cause coming on for hearing before the Court upon motion of defendant to dismiss the amended bill of the plaintiff, and the United States, appearing by and through Charles B. Selby, Special Assistant to the Attorney General, suggesting to the Court the probability that the Attorney General of the United States will desire to file a substitute for the present pending amended bill, requests the Court that the hearing on defendant's said pending motion be postponed to a later date. Thereupon, Charles B. Rogers, record counsel for defendant, Marshall L. Mott, in open court consenting that said matter be postponed to April 22, 1929, and the Court thereupon orders that this cause be, and the same is hereby continued to April 22, 1929, to be heard at Oklahoma City, the United States to deliver a copy of its proposed amended, or substitute bill so desired to be filed, to the said Charles B. Rogers, not later than one week prior to the said 22nd day of April, 1929, and file its application for leave to file the original of said proposed bill, with an attached copy thereof, with the Clerk of this Court.

Done in open court March 25, 1929.

J. M. Goldesberry, U. S. Attorney.
JOHN C. POLLOCK, Judge.

TESTED: Filed Mar. 25, 1929. H. T. Warfield, Clerk.

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

District of

Oklahoma

CLERK OF DISTRICT COURT

OKLAHOMA CITY, OKLAHOMA

TUESDAY, MARCH 26, 1929.

Court convene pursuant to adjournment, Tuesday, March 26th, 1929.

Present: Hon. John C. Pollock, Judge, U. S. District Court.
Hon. F. J. Hennamer, Judge, U. S. District Court.
H. T. Warfield, Esq., Clerk, U. S. District Court.
S. Grant Victor, Esq., United States Marshal.

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

HONORABLE JOHN C. POLLOCK

MADE B. LIVINGSTON, Plaintiff,)
vs.) No. 206-Deputy.
DEPARTMENT STORE COMPANY, Defendant.)

Now on this 26th day of March, A. D. 1929, the above entitled cause came on for final hearing and both sides announced ready for trial. Whereupon, the hour of adjournment having arrived, it is by the Court ordered that said cause be continued for further hearing to the hour of 10 o'clock A.M., March 27th, 1929.

HONORABLE JOHN C. POLLOCK

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

M. W. MARK AND THE BROWERS COMPANY,)
CORPORATION, Plaintiffs,)
Vs.) No. 212-Deputy.
THE INDIAN OIL & GAS COMPANY,)
CORPORATION, Defendant.)

D E C R E E

This cause came on in regular order for final hearing on the 26th day of March, 1929, plaintiffs appearing by their solicitors, Lashley and Rambo and A. K. Little, and the defendant appearing by its solicitors, Paul S. Mason and West, Gibson, Sherman, Davidson & Hall, and both parties announcing ready for trial, evidence was offered on behalf of both parties hereto. And the hearing not having been completed upon the adjournment of court, the cause was continued and on this the 26th day of March, 1929, further evidence was offered by the parties hereto and upon the close of the evidence, the cause was argued.

Now, on this 26th day of March, 1929, the Court being duly advised, finds all of the issues in favor of the defendant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiffs take nothing as against said defendant and that the second amended bill of the plaintiffs, upon which said cause was heard, be and it is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant have and recover of and from the plaintiffs its costs herein expended.

Plaintiffs and each of them thereupon excepted to all of said rulings and said judgment.

JOHN C. POLLOCK, Judge.

C. K. as to form:
Lashley & Rambo, A. K. Little
Solicitors for Plaintiffs.

ENTERED: Filed Mar. 26, 1929. H. P. Warfield, Clerk.

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

ORDERED

District of

OKLAHOMA

EMERGENCY SESSION

TULSA, OKLAHOMA,

TUESDAY, MARCH 26, 1929.

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

NATIONAL SUPPLY COMPANY-MID WEST, A CORPORATION,	Plaintiff,)
)
vs.)
A. L. WELSH, W. A. CARSON, A. F. MOWRY, B. J. BURK, GUY BLACKWELDER AND R. T. LIST,	Defendants.))

No. 457-Equity.

O R D E R

Upon the stipulation filed herein,

IT IS ORDERED BY THE COURT, that the defendants, A. L. Welsh, W. A. Carson, A. F. Mowry, B. J. Burk, and Guy Blackwelder are given until and including the 10th day of April, 1929 within which to plead to the Bill of Complaint filed in this case.

F. E. KEMMABER,
District Judge.

ENDORSED: Filed Mar. 26, 1929. W. T. Jarfield, Clerk.

Court adjourned until March 27, 1929.

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

NORTHERN District of OKLAHOMA

UNITY SESSION TULSA, OKLAHOMA, WEDNESDAY, MARCH 27, 1929.

Court convened pursuant to adjournment Wednesday, March 27th, 1929.

Present: Hon. John C. Pollock, Judge, U. S. District Court. 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:

BEFORE HONORABLE JOHN C. POLLOCK

MAURIE P. LIVINGSTON, Plaintiff, vs. EXCHANGE TRUST COMPANY, Defendant. No. 206-Equity.

Now on this 27th day of March, A. D. 1929, comes on for further hearing the above entitled cause, the same being continued from Tuesday, March 26th, 1929. Thereupon, after opening statements of counsel, and witnesses for plaintiff having been sworn in open court, the hour for adjournment having arrived it is by the Court ordered that said cause be and the same is hereby continued for further hearing to the hour of 10 o'clock A. M., March 28th, 1929.

BEFORE HONORABLE F. E. KENNAMER

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

OIL WELL SUPPLY COMPANY, Plaintiff, vs. CHARLES F. NOBLE, ET AL, Defendants. No. 452-Equity.

ORDER

For good cause shown, the defendants, the First National Bank & Trust Company and J. C. Pinkerton, are hereby given until April 6, 1929, in which to file answer in said cause.

F. E. KENNAMER, Judge.

RECORDED: Filed Mar. 27, 1929. H. P. Warfield, Clerk.

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

OIL WELL SUPPLY COMPANY, Plaintiff, vs. CHARLES F. NOBLE, ET AL, Defendants. No. 453-Equity.

ORDER

For good cause shown, the defendant First National Bank & Trust Company of Tulsa is hereby given until April 6, 1929, in which to file its answer in said cause.

F. E. KENNAMER, Judge.

RECORDED: Filed Mar. 27, 1929. H. P. Warfield, Clerk.

WELLS FUGO CO., Plaintiff vs. International Supply Co., Defendant. No. 472-Equity.

The foregoing stipulation is hereby accepted, and the statement of the testimony contained in the preceding paragraphs, being found true, complete and properly prepared, is approved. Dated: March 27, 1929. F. E. KENNAMER, U.S. Judge.

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

NORTHERN

District of

OKLAHOMA

FRANKLIN SHERMAN

TULSA, OKLAHOMA,

THURSDAY, MARCH 28, 1929.

Court convened pursuant to adjournment Thursday, March 28th, 1929.

Present: Hon. John C. Pollock, Judge, U. S. District Court.
Hon. F. E. Kennamer, Judge, U. S. District Court.
H. T. Warfield, Esq., Clerk, U. S. District Court.

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

BEFORE HONORABLE F. E. KENNAMER

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

JACKSON BARNETT, A LEGAL INCAPABLE,)
BY FRED T. HILDT, HIS NEXT FRIEND, Plaintiff,)
vs.)
GYPSY OIL COMPANY, ET AL, Defendants.)
*****) Consolidated Cause
GYPSY OIL COMPANY, ET AL, Plaintiffs,) No. 216-Equity.
Vs.)
JACKSON BARNETT, Defendant.)
UNITED STATES, Intervenor.)

O R D E R

A motion having been made and filed herein on the 5th day of December, 1928, for an allowance to be used by C. B. Stuart, Esq., guardian ad litem of the defendant, Jackson Barnett, an incompetent person, in defraying the expenses incident to the preparation and presentation of this case for trial on behalf of defendant, Jackson Barnett, and the matter having come regularly on for hearing this 27th day of March, 1929, and the guardian ad litem having appeared in person and by his counsel, and the United States having appeared by its Solicitor, Louis N. Stivers, Assistant United States Attorney for the Northern Judicial District of Oklahoma, and the Court having heard argument on behalf of the guardian ad litem and on behalf of the United States and having been fully advised of the views of the Department of Justice of the United States with respect to said application, and upon due consideration, finds:

- 1. That the issues in this action, as raised by the pleadings, involve intricate questions of law and fact, requiring the expenditure of money for the adequate preparation and proper presentation thereof.
2. That the United States, by and through its officer, the Secretary of the Interior, has in its custody a large amount of funds belonging to Jackson Barnett, and that a reasonable amount thereof may be applied to the expense of protecting the rights of Jackson Barnett in this litigation without hardship to him, and that there are no other funds available for that purpose.
3. That the sum of \$2500 is reasonable necessary for that purpose.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the said motion of the guardian ad litem be and the same is hereby granted, and there is hereby allowed and awarded to C. B. Stuart, Esq., guardian ad litem of the defendant, Jackson Barnett, the sum of \$2500, to be used by him in defending and protecting the rights of Jackson Barnett in this litigation.

IT IS FURTHER ORDERED that the United States be and it is hereby requested and respectfully directed to cause its officer, the Secretary of the Interior, to pay to said guardian ad litem, C. B. Stuart,

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

JOHN C. POLLOCK

District of

OIL FIELD

WARRANT RETURNED TO COURT OFFICE 254107

OKLAHOMA, OKLAHOMA

THURSDAY, MARCH 28, 1929.

WITNESSES, the Honorable JOHN C. POLLOCK, Chief Justice of the United States, the 26th day of March, in the year of our Lord one thousand nine hundred and twenty-nine.

Costs of Appellees:
Clerk \$12.25
Printing record-----
Attorney \$20.00
\$32.25

(Itemized statement attached to mandate.)

E. D. KOCK,
Clerk of the United States
Circuit Court of Appeals,
Ninth Circuit.

ENDORSED: Filed Mar. 28, 1929.

BEFORE HONORABLE JOHN C. POLLOCK

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

MAYOR T. LIVINGSTON, Plaintiff,)
vs.) No. 206-Equity.
MICHIGAN TRUST COMPANY, Defendant.)

DECREE

Now on the 26th day of March, 1929, the above entitled cause came on for hearing, parties appearing in person and by their attorneys, and evidence having been submitted in support of the allegations and contentions of both plaintiff and defendant, and the cause having proceeded from day to day until the 26th day of March, 1929, and the Court being fully advised in the premises,

IT IS BY THE COURT FOUND, ADJUDGED AND DECREED that the plaintiff take nothing of the defendant herein save and except that the plaintiff may retain the certificate for 100 shares of stock of Sinclair Consolidated Oil Company, alleged to have been received by plaintiff from the defendant.

It is further Ordered, Adjudged and Decreed by the Court that the plaintiff pay the costs of this cause; to all of which the plaintiff excepts.

JOHN C. POLLOCK, Judge.

G. W.
H. W. Martin,
For Plaintiff.

ENDORSED: Filed Mar. 28, 1929. H. D. Warfield, Clerk.

Court adjourned until March 29, 1929.

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

NORTHERN

District of

OKLAHOMA

E CITY SESSION

TULSA, OKLAHOMA,

FRIDAY, MARCH 29, 1929.

Court convened pursuant to adjournment, Friday, March 29th, 1929.

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

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

JOHNS-MANVILLE CORPORATION, Plaintiff,)
vs.) No. 405-Equity.
NATIONAL TANK SEAL COMPANY, Defendant.)

Now on this 29th day of March, A. D. 1929, comes on the above entitled cause for further hearing relative to the Court's exact ruling in said cause March 22nd, 1929; also defendant's objections to plaintiff's form of Journal Entry. Thereupon, it is by the Court ordered that defendant's objections be overruled and Plaintiff's Journal Entry stand with modification by the Court.

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

JOHNS-MANVILLE CORPORATION, Plaintiff,)
vs.) No. 405-Equity.
NATIONAL TANK SEAL COMPANY, Defendant.)

ORDER OF CONTINUANCE

This cause come on for hearing upon application of plaintiff for a continuance, and good cause being shown,

It is ORDERED that this case be stricken from the assignment docket of April 11, 1929, and the Clerk is directed to set the matter for trial on May 1, 1929 at nine-thirty o'clock A. M.

F. E. KENNAMER, Judge.

Approved as to form:

LASON & HILDRETH,
Solicitors for Plaintiff.

WITTH & UNDERWOOD,
Solicitors for Defendant.

RECORDED: Filed Mar. 29, 1929. W. T. Warfield, Clerk.

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

JAC. W. GULLETT, RECEIVER FOR
DISCREETORS AT ASSOCIATED EMPLOYERS
RECIPROCAL, Complainant,)
vs.) No. 410-Equity.
W. H. KIRCHNER, Defendant.)

ORDER OF CONTINUANCE

Now on this 29th day of March, 1929, does come on to be heard upon motion of complainant to have this cause stricken from the docket, and it appearing thereunto that the Court is

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

WYOMING

District of

CHEYENNE

WARRANT RETURN

WEDNESDAY, MARCH 29, 1929.

FRIDAY, MARCH 29, 1929.

fully paid and satisfied all claims and demands of complainant, and that said defendant has filed no answer, cross-bill or other pleading in the cause,

IT IS THEREFORE, ordered and decreed that the above cause be dismissed with prejudice.

A. W. KENNEDY, Judge.

C. H.
Burford, Wiley, Hoffman & Burford,
Charles H. France,
Attorneys for Complainant.

RECORDED: Filed Mar. 29, 1929. L. E. Garfield, Clerk.

Court adjourned until March 30, 1929.

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

NORTHERN

District of

OKLAHOMA

E. MARY GREENSTON

OKLAHOMA, OKLAHOMA,

STURTEVANT, ARCH 30, 1939.

Court convened pursuant to adjournment, Saturday, March 30th, 1939.

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

FLORA WATTERS, ROBERT ALLEN WATTERS, A MINOR, WHO GUIN BY FLORA WATTERS, HER HUSBAND AND HEIR FRIEND; LUCAS WATTERS, A MINOR, WHO GUIN BY FLORA WATTERS, HER GRANDFATHER AND HEIR FRIEND; ANTOINE GREENBACK; ALFONSO GREENBACK; ARY GREENBACK PANTHER; LULA MAY GREENBACK STAMP; HOLLIE GREENBACK KETCH; JOHN GREENBACK, A MINOR, WHO GUIN BY ALFONSO GREENBACK, HIS BROTHER AND HEIR FRIEND; WOODROW WILSON GREENBACK, A MINOR, WHO GUIN BY ALFONSO GREENBACK, HIS HEIR FRIEND, ALL BY S. N. HARR, HEIR HEIR FRIEND,

Complainants,

vs.

No. 178-Equity.

THE DANIEL-MICHER LEAD COMPANY; MARY MINEING COMPANY; COLONIAL LEAD MINING COMPANY; GEORGE S. BECK, JR.; ISLETTER MINEING COMPANY; WHEAT LEAD MINING COMPANY; F. S. CHILDRESS LEAD AND ZINC COMPANY; J. W. LEVINE, TRUSTEE; WASHINGTON LEAD COMPANY; CONSOLIDATED LEAD AND ZINC COMPANY; BLACK-MAGIC MINING COMPANY; FRANK S. LEE, JR.; WHEAT LEAD MINING COMPANY; CONLEY LEAD MINING COMPANY; CONLEY-KING LEAD MINING COMPANY; WHEAT CHILDRESS, F. S. LEVINE AND THE LEVINE AND MINING COMPANY,

Defendants.

ORDER RE: PETITION FOR WRIT OF HABEAS CORPUS

Now on this 30th day of March, 1939, on the application of the appellants, for good cause shown,

IT IS ORDERED that the writ with the reasons therefor may be filed with the Clerk of the Court in the event of appeal; for the Eighth Circuit, be and the said writ be suspended until and including the 15th day of July, 1939.

F. E. KENNER, Judge, U. S. District Court.

RECORDED: Filed Mar. 30, 1939. H. P. GARFIELD, Clerk.

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

District of

OKLAHOMA

TULSA

U.S. DISTRICT COURT

TULSA, OKLAHOMA, DISTRICT OF OKLAHOMA

Court convened at 10:00 a.m. on Monday, April 1, 1929.

Present: Hon. J. L. Sawyer, Judge, U. S. District Court.
R. T. McField, Esq., Clerk, U. S. District Court.

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

FIRST NATIONAL BANK OF OKLAHOMA, Plaintiff,
vs. NATIONAL HARDWOOD COMPANY, Defendant.
No. 29-Equity.

Now on this 1st day of April, A. D. 1929, it is by the Court ordered that hearing of motion in the above entitled cause be and the same is hereby passed at this time.

THE OSAGE OIL & MINING COMPANY, Plaintiff,
vs. MAMIE AXELROD, ET AL, Defendants.
No. 222-Equity.

Now on this 1st day of April, A. D. 1929, there comes on for hearing defendant's motion for modification of decree in the above entitled cause. Thereupon, after hearing argument of counsel on being fully advised in the premises, it is by the Court ordered that defendant, Mamie Axelrod, be granted thirty days from this date within which to file application of amendment; and the Court further orders that defendant's motion be taken under advisement until Monday, May 6, 1929.

HARTFORD ACCIDENT & INDEMNITY COMPANY, Plaintiff,
vs. J. W. WILSON, ET AL, Defendants.
No. 246-Equity.

Now on this 1st day of April, A. D. 1929, it is by the Court ordered that the above entitled cause be passed for hearing until Friday, April 5, 1929.

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

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

ORDER OF DISMISSAL

Now on this 1st day of April, 1929, same being one of the regular judicial days of the April 1929 term of the United States District Court for the Northern District of Oklahoma, sitting at Tulsa, Oklahoma, the above entitled and numbered cause came on to be heard before me, the undersigned, Judge of said court, on the motion of the defendants, E. K. Moss, Bertha E. Moss and Perry Bowers, to dismiss the Bill of Complaint and the amended Bill of Complaint of the plaintiff filed herein, and the plaintiff appearing by its duly authorized solicitor, Louis N. Stivers, Assistant United States Attorney in and

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

NORTHERN District of OKLAHOMA
NINTY SESSION TULSA, OKLAHOMA, THURSDAY, APRIL 1, 1929.

for the Northern District of Oklahoma, who appeared under the direction of the Attorney General of the United States at the instance and request of the Secretary of the Interior of the United States and for and on behalf of the Secretary of the Interior of the United States, and for and on behalf of Charley Little, a full blood Creek Indian enrolled opposite Roll No. 7582, and J. A. Morton, attorney of record for the defendants, E. K. Moss and Bertha E. Moss, appearing for and on behalf of said defendants, E. K. Moss and Bertha E. Moss, and J. A. Denny, attorney of record for defendant, Perry Bowers, appearing for and on behalf of defendant Perry Bowers, and said motion to dismiss having been presented by said defendants and the court having heard the argument for and on behalf of said defendants, and for and on behalf of the plaintiff herein, and being well and fully advised in the premises, the court finds that said plaintiff's Bill of Complaint and its Amended Bill of Complaint should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that said plaintiff's Bill of Complaint and its Amended Bill of Complaint be, and same are hereby dismissed. To all of which the plaintiff excepted and its exceptions allowed by the court.

SO ORDERED this 1st day of April, 1929.

F. H. KUEHNER,
Judge of the United States
District Court for the Northern
District of Oklahoma.

W. H. Louis H. Stivers,
Attorney for Plaintiff.

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

O. E. J. H. Denny,
Attorney for Defendant,
Perry Bowers.

RECORDED: Filed Apr. 1, 1929. H. P. Vertlieb, Clerk.

PAULISA MEYS, et al, Plaintiffs,)
vs.) No. 220-2nd D.
E. W. LOGGIE, et al, Defendants.)

Now on this 1st day of April, A. D. 1929, came on for hearing the above entitled cause and thereupon, leave is granted and is by the Court granted plaintiff to file amendment and for defendant to plead. After hearing arguments of counsel and being advised in the premises it is by the Court ordered that hearing on plea of Les Adjudicata be set for April 10, 1929.

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

EXCHANGE TRUST COMPANY,
A CORPORATION,)
vs.) No. 221-2nd D.
THE UNITED STATES OF AMERICA,
J. F. GORDEN, GRACE WELBY,)

ORDER FOR THE DEPOSIT OF BILLS

On this 1st day of April, 1929, the court has received the application of the plaintiff to compel the defendant to deposit the bills of exchange and promissory notes, and the court has ordered that the defendant deposit the bills of exchange and promissory notes within ten days of this date.

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

District of

Oklahoma

WICHITA, OKLAHOMA, TUESDAY APRIL 1, 1929.

Marshal's sale held on the 30th day of March, 1929, at ten o'clock A. M., at the East front door of the Post Office Building in Tulsa, and State of Oklahoma, was duly advertised, as required by law, and was conducted in proper and legal manner.

That said property was purchased by plaintiff, Exchange Trust Company, for Two Thousand (\$2000.00) Dollars, as a credit on its judgment, the said Exchange Trust Company being the highest and best bidder and said sum being the highest and best sum bid, and that said marshal's sale should in all things be confirmed.

It is by the Court ORDERED, ADJUDGED AND DECREED that said Marshal's sale held on the 30th day of March, 1929, at ten o'clock A. M., and the same is hereby confirmed and in all things confirmed and approved, and the United States Marshal for the Northern District of Oklahoma is hereby directed to file the proper deed of conveyance for said real estate to Exchange Trust Company, the purchaser of said property.

F. E. MEYERER,
District Judge.

RECORDED: Filed Apr. 1, 1929. F. P. Warfield, Clerk.

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

JAMES W. GUILLET, REG. NEWS, ETC.,	Plaintiff,	}	No. 421-Equity.
vs.			
O. E. WEST, ET AL.,	Defendants.	}	

GENERAL ENTRY

Now on this 1st day of April, 1929, the above cause comes on for hearing on the motion to dismiss filed herein by the defendant O. E. West, said defendant appearing by his attorneys of record Allen, Underwood & Canterbury, and the plaintiff appearing by his attorney of record James P. McLone, and the court having heard argument of counsel in support of said motion and being fully advised in the premises finds that said motion should be overruled and that the defendant should have twenty days from this date in which to file his answer in said cause.

IT IS THEREFORE ordered, adjudged and decreed that the motion to dismiss filed herein by the defendant O. E. West be, and the same is hereby overruled and said defendant is given twenty days from this date in which to file his answer in said cause, to which ruling and order of the court the defendant then and there in open court excepted and said exception was by the court allowed.

F. E. MEYERER, Judge.

RECORDED: Filed Apr. 1, 1929. F. P. Warfield, Clerk.

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

HOWATA OIL & REFINING COMPANY, A CORPORATION,	Plaintiff,	}	No. 439-Equity.
vs.			
H. R. MCGILL,	Defendant.	}	

ORDER OF COURT

Now on this the 1st day of April, 1929, comes on for hearing the motion of the defendant to require the plaintiff to make its petition more definite, specific and certain, plaintiff appearing by its

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

SOUTHERN

District of

OKLAHOMA

DEPARTMENT OF THE INTERIOR

TULSA, OKLAHOMA, TUESDAY, APRIL 1, 1929.

the Interior, and that in the allotment of said land all mineral rights were reserved to the Osage Tribe of Indians, and such mineral rights are inalienable and non-assignable for any purpose save and except by and with the approval of the Secretary of the Interior.

That notwithstanding the fact that said lands are inalienable, and that the mineral rights therein are likewise inalienable, save and except with the approval of the Secretary of the Interior, the said defendant, L. F. Morrison, aforesaid, executed and delivered to the said J. J. Taxman a certain instrument in writing, dated November 11, 1914, purporting to be an assignment of interest in an oil lease covering the land hereinbefore described, and that on or about the 17th day of August, 1926, such said purported assignment was filed for record in the office of the County Clerk of Osage County, Oklahoma, and is recorded in Book 51, Miscellaneous Records, at page 308, and that the same was not authorized or approved by said Secretary of the Interior, and is therefore null and void and of no force and effect, and by decree of this Court should be duly canceled.

That plaintiff is without an adequate remedy at law, and cannot obtain the relief to which it is entitled save and except by and through the interposition of a Court of Equity.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said assignment hereinbefore pointed out, from the said L. F. Morrison to said defendant, J. J. Taxman, for the reasons herein stated, is null and void and of no force and effect; and it is further ordered, adjudged and decreed that the same be, and hereby is canceled, set aside and held for naught, and that said defendants, or either of them, or any right, title or interest of whatsoever nature in or to the mineral rights of said described lands covered by said assignment; and it is further ordered, adjudged and decreed that said defendants, and each of them, or any person claiming by, through or under them, be and hereby are forever barred and enjoined from asserting or claiming any right, title or interest of whatsoever nature in or to said lands.

L. C. HILLMAN, Judge.

RECORDED: Filed Apr. 1, 1929. J. F. Bartlett, Clerk.

IN RE DEPARTMENT OF THE INTERIOR, UNITED STATES AND
THE OSAGE TRIBE OF INDIANS.

THE OSAGE TRIBE OF INDIANS,
BY COUNSELMAN, M. B. H. HARRIS,
Plaintiff,

vs.

No. 441-1 City

THE TWIN STATE OIL COMPANY, INC.,
Defendant,
BY COUNSELMAN, J. J. TAXMAN,
Defendants.

YOUR HONORABLE COURT TO DEFEND ANSWER

This cause came on for hearing at a regular term of this court at Tulsa on the 1st day of April, 1929, upon the motion of counsel for the Twin State Oil Company, defendant, for leave to amend its amended answer, and it appearing that notice of said motion for leave to amend has been served on plaintiff's counsel, on the consideration thereof

IT IS HEREBY ORDERED that the amended answer of defendant, Twin State Oil Company, a corporation, may be amended so as to add at the end thereof just before the words "Counter Claim" the following:

"1. For further defense defendant avers that by reason of the facts stated in its answer and counter-claim the plaintiff's claim and alleged cause of action is barred by laches and long delay and that the plaintiff, by his acquiescence in the existence of said lease and the defendant's operation of the land for oil and gas, is estopped to question the validity of said lease and the rights of this defendant to continue to hold said land under said lease.

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

District of

WESTERN DISTRICT OF OKLAHOMA, OKLAHOMA, APRIL 1, 1929.

"2. For further defense defendant avers and pleads that said lease executed by ... and confirmed and approved by the Act of Congress of August 24, 1926 (45 Stat. 1, 127) providing that 'any conveyance of ... or inherited Indian lands by any member of the Five Civilized Tribes ... approved by the Secretary of the Interior ... be, and the same has been confirmed, approved and declared valid from the date of said conveyance', and defendant avers that if said lease for any reason was defective, imperfect, or invalid it was validated by said Act of Congress of August 24, 1926."

AND IT IS HEREBY ORDERED that said amended answer of defendant, Twin State Oil Company, be, and it is so ordered, in this order so as to add the above in addition to the other law contained in said amended answer.

Made and ordered entered this 1st day of April, 1929.

J. W. ... Judge.

RECORDED: Filed Apr. 1, 1929. ...

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

MASTERS RICHARD, ET AL., Plaintiff, vs. W. S. JONES, ET AL., Defendants.

JUDICIAL NOTICE

Now on this 1st day of April, 1929, the above entitled cause came on for hearing upon the motion of the defendant, The Prairie Oil & Gas Company, to require the plaintiffs to elect which of their petitions in equity herein filed they will rely upon, or that they be required to file an amended bill herein setting forth all of their claims cognizable in equity; and also upon the plaintiffs conceding the second alternative in the said motion, and praying, and are given, leave to file an amended bill as set forth herein before, and the defendants and each of them be and they be thereafter to plead to the same.

J. W. ... Judge.

RECORDED: Filed Apr. 1, 1929. ...

MASTERS RICHARD RENT LEASERS OF ... vs. W. S. JONES, ET AL., Defendants.

Now on this 1st day of April, 1929, the above entitled cause came on for hearing by the Court that the above entitled cause be set for trial on the 15th day of April 1929.

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

District of

COLUMBIA

FOR FILING
IN THE DISTRICT COURT OF THE UNITED STATES
IN AND FOR THE DISTRICT OF COLUMBIA

FILED

MONDAY, APRIL 1, 1929.

WILLIAM BECK, Plaintiff,)
vs.)
T. M. COSY, ET AL., Defendants.)

No. 459-Deputy.

Now on this 1st day of April, A. D. 1929, comes on the above entitled cause and plaintiff prays and is by the Court granted leave to make application for temporary restraining order. Thereupon, it is by the Court ordered that this cause be and the same is hereby placed to Wednesday, April 3rd, 1929.

Court adjourned until April 2, 1929.

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

NORTHERN

District of

SOUTHERN

RECEIVED

TULSA, OKLA.,

TUESDAY, APRIL 2, 1929.

(2) That thereafter, and on the 19th day of October, 1928, and in accordance with said order of the court, the Receiver gave notice to the creditors by mailing to all creditors a notice to file claims, and in addition thereto due notice to all creditors of the said Tulsa Street Railway Company, requiring said creditors to file their claims duly verified, with the Special Master within forty days from the said 19th day of October, 1928, was given by publication of a notice to creditors published in The Tulsa Daily World, a daily newspaper of general circulation in the City of Tulsa, Tulsa County, Oklahoma, copy of said notice, together with proof thereof, having been filed herein by the said Special Master, is examined and approved by this court.

(3) That thereafter, and on the 5th day of January, 1929, the said S. J. Montgomery filed his resignation as Special Master, which said resignation was by the court accepted, and thereafter, and on January 8, 1929, G. O. Grant was by the court appointed Special Master to hear and determine all claims against the said The Tulsa Street Railway Company, and with all the powers and duties as provided in the order of September 14, 1928, hereinbefore mentioned.

(4) The court finds that the report of said Special Master filed herein on March 1, 1929, should in all things be ratified, approved and confirmed, and the findings and conclusions of said Special Master, as contained and set out in said report, fixing the amounts of said claims, and determining the rank or priority thereof, is in all things hereby ratified, approved and confirmed.

It is further ordered that the exceptions of the claimants, Arthur K. Gideon and Sallie H. Copeland, be, and the same are hereby overruled and disallowed, and said claimants, and each of them, are hereby allowed an exception to this ruling.

(5) It is further ordered that the claims shown on pages 5 to 11, of the Special Master's Report, under the head "General Unsecured Claims", numbered from 1 to 19, inclusive, and numbers 23, 24, 25, 28, 29, 30, 31, 32, 33, 34 and 37, be, and each of them are hereby allowed only as general unsecured claims, subject, secondary and inferior in rank to the preferred claims, as shown in said Master's Report, and hereinafter described, and also subject, secondary and inferior in rank to the claims and indebtedness due the bondholders, and upon which a judgment was rendered in this cause. The general description of said general unsecured claims being as follows, to-wit:

Claim No. 1, Railway Audit & Inspection Company, Inc.,	73.90
Claim No. 2, Holly Earlton,	20,000.00
Claim No. 3, F. L. Earlton,	10,000.00
Claim No. 4, Loretta Trull,	200.00
Claim No. 5, Geraldine Gideon, a minor, by Arthur B. Gideon, Guardian,	2,850.00
Claim No. 6, Sallie H. Copeland,	15,000.00
Claim No. 7, Louise H. Browne,	500.00
Claim No. 8, Norma Logan,	3,402.35
Claim No. 9, R. G. Logan,	1,002.95
Claim No. 10, Dora Carrigill,	200.00
Claim No. 11, Geraldine Stout,	25,170.00
Claim No. 12, H. C. Stout,	10,195.40
Claim No. 13, C. R. Hudson,	165.00
Claim No. 14, St. Louis and San Francisco Ry. Co.,	165.00
Claim No. 15, Effie R. Archer,	2,000.00
Claim No. 16, Harco Cardette,	120.64
Claim No. 17, Dora Lyons,	1,000.00
Claim No. 18, Clyde Crown,	25,000.00
Claim No. 19, Catherine H. Wells,	25,000.00
Claim No. 22, Postal Telegraph Cable Company,	4.56
Claim No. 24, World Publishing Co.,	76.70
Claim No. 25, Boston Flower Shop,	20.00
Claim No. 28, Helen Reader Bailey,	109,197.90
Claim No. 29, Olive Reader Weis,	107,275.00
Claim No. 30, Dr. Fred C. Clinton,	374.00

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

District of

Claim No. 30,	Oklahoma Hospital,	\$100.00
Claim No. 31,	James V. Gillett,	
	Receiv. of 200 shares	
	of Associated Market-	
	ers Reciprocal,	\$1,234.11
Claim No. 32,	Mattie McKinney,	\$1,000.00
Claim No. 33,	E. F. Hiers,	\$1,100.00
Claim No. 34,	Lillian Miller,	\$400.00

(6) It is further ordered that all the same and all the same as follows, to-wit: Claim No. 30, Oklahoma Hospital, \$100.00; Claim No. 31, James V. Gillett, \$1,234.11; Claim No. 32, Mattie McKinney, \$1,000.00; Claim No. 33, E. F. Hiers, \$1,100.00; and Claim No. 34, Lillian Miller, \$400.00, be, and the same are hereby declared to be, preferred claims.

(7) It is further ordered that each and all of the claims under the heading "Preferred Claims", therein listed, be, and are hereby, declared to be, preferred, prior and superior claims, to-wit: to the extent of the amount to be paid to the claim of the mortgagee and holder, as represented by the complainant herein, and upon a bid in respect to the same, as herein, and the said J. King, Receiver, is hereby ordered and directed to pay said preferred claims as aforesaid, and he is directed to specifically designate, said payment to be made by said Receiver to the claimants, or their assignees, and according to the amount of such said claims in said Master's Report, as herein, and as set forth from pages 11 to 31, inclusive; and the said Receiver is hereby referred to and made a part of this order, and the Receiver of said Receiver in making said payments. Said Receiver is further ordered and directed, in addition to the payment of the aforesaid preferred claims to pay the Receiver's Certificate representing the sum of \$20,000.00, together with accrued interest thereon, as to Receiver's Certificate having been heretofore issued under the order and direction of this court, and in addition to said preferred claims, the said Receiver's Certificate, the said Receiver is hereby ordered and directed to pay the attorneys' fees and trustee's fees of complainant, the costs, the payment of said preferred claims, Receiver's Certificates, attorneys' fees, trustee's fees and court costs, to be paid out of the funds coming into his hands as said Receiver, from the sale of the assets and properties of the Tulsa Street Railway Company, or otherwise, and in making said payments shall take from said claimants proper and sufficient receipts.

(8) It is further ordered that after the payment of the preferred claims, Receiver's Certificate, attorneys' fees, court costs and trustee's fees by said Receiver, and after the payment of the said Receiver shall remit to the complainant, the Federal National Bank of the City of New York, as Trustee, the balance of all funds remaining in his hands after the payment of the above described indebtedness, and shall take from the said complainant, The Federal National Bank of the City of New York, as Trustee, a receipt acknowledging the receipt of the funds so transmitted.

It is further ordered that The Federal National Bank of the City of New York, as Trustee, be, and it is hereby authorized, ordered and directed to immediately distribute and pay to the holders of the five per cent bonds, the coupons, issued under the First Mortgage Bonds, as enclosed in this action, and for which he and his Receiver shall endorse upon each of said bonds or coupon for payment to the respective holders thereof, and if unable to do so then the same, together with the said First Mortgage Bonds, as aforesaid, shall be sold and the proceeds hereby ordered and directed to be distributed to the holders of said distribution until said holders are paid in full.

(9) It is further ordered that the Tulsa Street Railway Company, as aforesaid, be, and it is hereby authorized, ordered and directed to immediately distribute and pay to the holders of the five per cent bonds, the coupons, issued under the First Mortgage Bonds, as enclosed in this action, and for which he and his Receiver shall endorse upon each of said bonds or coupon for payment to the respective holders thereof, and if unable to do so then the same, together with the said First Mortgage Bonds, as aforesaid, shall be sold and the proceeds hereby ordered and directed to be distributed to the holders of said distribution until said holders are paid in full.

WITNESSETH my hand and seal of said court, this 10th day of June, 1924, at Tulsa, Oklahoma.

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

District of

Oklahoma

ORDERED - any valid or legal claim incurred by the Receiver in the operation of said property, as such Receiver, since the expiration of the time for filing claims before the Special Master, provided that the purchaser, Albert Chevrolet, or his assignee, shall have the right to contest the validity of any such claim or claims, including the right of appeal.

It is further ordered and decreed that all other claims or claimants, general, judgment or otherwise, who failed, neglected or refused to file their claims with the Special Master within forty days from the date of the first publication of the notice to creditors, and the same are hereby forever barred, foreclosed and enjoined from asserting or demanding any right or claim in or to any of the moneys or moneys in the hands of the Receiver, coming to him by virtue of his receivership, or arising from the sale of the assets of the said Tulsa Street Railway Company, and are also enjoined, barred and foreclosed from asserting any right or claim against the corpus of the estate so sold by said Receiver, and now in the hands of the purchaser, or his assignee, provided jurisdiction is hereby expressly retained by this court for the purpose of enforcing all of the provisions of this order and decree, and of all other orders and decrees heretofore made in this cause, and to make such other and further orders as may be necessary and proper in the premises.

F. B. HARRIS, Judge.

DEPOSED: Filed Apr. 1, 1929. J. P. Garfield, Clerk.

ROYATA OIL & REFINING CO.,
A CORPORATION, Plaintiff,)
vs.) No. 426-Deputy.
EUGEN W. MELLIOTT, Defendant.)

Now on this 2nd day of April, A. D. 1929, come on for hearing plaintiff's motion to strike answer and cross petition, in the above entitled cause. After hearing arguments of counsel and being fully advised in the premises, it is by the Court ordered that said motion be and the same is hereby held under further consideration until April 5th, 1929.

Court adjourned until April 3, 1929.

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

NORTHWEST DISTRICT of OKLAHOMA

OKLAHOMA, OKLAHOMA, FEBRUARY 21, 1933.

Court convened pursuant to adjournment, Wednesday, April 3rd, 1933.

Present: Hon. F. E. Kenamer, Judge, U. S. District Court. W. F. Garfield, Esq., Clerk, U. S. District Court.

Whereupon, the following proceeding was had and entered, to-wit:

FIRST NATIONAL BANK, OKLAHOMA, Plaintiff, vs. NATIONAL HARDWOOD COMPANY, Defendant. No. 82-10412.

Now on this 3rd day of April, A. D. 1933, came on for the- here hearing the application of the county attorney to have property of defendant sold for taxes. And, thereupon, after hearing testimony of witnesses and argument of counsel, it is by the Court ordered that said property be sold and the above entitled case to stand submitted until further hearing.

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

JAMES J. HENRY, et al., Plaintiff, vs. W. F. GARFIELD, Defendant. No. 82-10412.

JOURNAL ENTRY

This cause coming on to be heard this 21st day of February, 1933, a judicial day of the January Term of said court, and all persons being present in court and by their attorneys, and the court having heard the evidence of witnesses sworn and examined in open court, and having heard the argument of counsel, and being fully advised in the premises, finds that the allegations of plaintiff's petition are not supported by the evidence, and that judgment should be rendered for the defendant.

It is therefore ordered, adjudged and decreed that said plaintiff's take nothing by reason of any claim made in their petition contained, and judgment is hereby rendered for the defendant, and that plaintiff's cause of action be and the same is hereby dismissed, and that defendant be allowed to go hence without cost and to recover his costs from the plaintiffs, to which finding and judgment and plaintiff thereunto there excepted and exception was allowed by the court.

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

F. E. Kenamer, Judge. W. F. Garfield, Clerk. J. Stuart, Coxley & Pomeroy.

TESTED: Filed February 21, 1933. W. F. Garfield, Clerk.

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

JAMES J. HENRY, et al., Plaintiff, vs. W. F. GARFIELD, Defendant. No. 82-10412.

This cause coming on to be heard this 21st day of February, 1933, a judicial day of the January Term of said court, and all persons being present in court and by their attorneys, and the court having heard the evidence of witnesses sworn and examined in open court, and having heard the argument of counsel, and being fully advised in the premises, finds that the allegations of plaintiff's petition are not supported by the evidence, and that judgment should be rendered for the defendant.

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

District of

Oklahoma

UNITED STATES DISTRICT COURT
OKLAHOMA CITY, OKLAHOMA

APRIL 3, 1929. MONDAY, APRIL 3, 1929.

being present in court and by their attorneys, and the court having heard the evidence of witnesses sworn and examined in open court, and having heard the argument of counsel, and being fully advised in the premises, finds that the allegations of plaintiffs' petition are not supported by the evidence, and that judgment should be rendered for the defendants.

It is therefore ordered, adjudged and decreed that said plaintiffs take nothing by reason of the allegations in their petition contained, and judgment is hereby rendered for the defendants, and that plaintiffs' cause of action be and the same is hereby dismissed, and that defendants be allowed to go hence without day and to recover their costs from the plaintiffs, to which finding and judgment the plaintiffs then and there excepted and exception was allowed by the court.

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

F. E. KESSELER, Judge.

W. C. Reserve

J. T. Stuart, Coakley & Boerner.

ENDORSED: Filed Feby. 21, 1929. H. F. Warfield, Clerk.

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

WILLIAM BECK, Complainant,)

vs.)

H. M. CORY AND TORREDO SHELL
MANUFACTURING COMPANY, INCORPORATED,
Defendants.)

No. 429-Subdty.

TEMPORARY INJUNCTION

This cause coming on for hearing before me, F. E. Kesseler, Judge of the said Court, upon the application of William Beck for a temporary injunction, and the plaintiff appearing by his attorney, A. G. Spillers, and the defendant Torredo Shell Manufacturing Company appearing by its attorney, George Schwabe, and the defendant H. M. Cory appearing in person and by his attorney, George Schwabe; and the plaintiff having introduced his testimony and rested and the defendants having introduced their testimony and rested; and the Court having heard the argument of counsel, and being fully advised in the premises, finds that a temporary injunction should issue herein.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the defendants, their agents, attorneys, and any and all persons acting under or by virtue of authority from them, or either of them, be, and they are hereby, enjoined from manufacturing, double-shell nitroglycerin containers as described in the letters Patent introduced in evidence herein until further order of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff be, and he is hereby, required to make good in the sum of \$1500.00, conditioned as provided by law.

Done in open Court this 3d day of April, 1929.

F. E. KESSELER, Judge.

ENDORSED: Filed Apr. 3, 1929. H. F. Warfield, Clerk.

Court adjourned until April 4, 1929.

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

NORTHERN

District of

OKLAHOMA

REGULAR SESSION

TULSA, OKLAHOMA,

MONDAY, APRIL 4, 1929.

Court convened pursuant to adjournment, Thursday, April 4th, 1929.

Present: Hon. F. M. Pennington, Judge, U. S. District Court.
W. L. Garfield, Esq., Clerk, U. S. District Court.

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

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

HEWES TOOL COMPANY,)
Plaintiff,)
vs.) Co. 178-14119.
INTERNATIONAL SUPPLY COMPANY,)
Defendant.)

ORDER OF COURT FOR THE
FILING OF APPEAL OF CASE NO.

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, that it is necessary to reproduce a part of the record a large number of documentary exhibits the reproduction of which will require an unusual length of time, and that other good and sufficient reason exists insofar as it is upon application of Hewes Tool Company, plaintiff in the above styled and numbered cause, and upon stipulation of the parties filed therein, ordered and decreed that the time set in which plaintiff, appellant, may docket this case in the honorable United States Circuit Court of Appeals for the Ninth Circuit, and file its record on this appeal may be and the same is hereby extended to and including June 26th, 1929.

F. M. PENNINGTON,
United States District Judge.

Dated at Tulsa, Oklahoma:
Apr. 4, 1929.

W. L. GARFIELD, Clerk.
F. M. PENNINGTON, Judge.

WITNESSED: Filed Apr. 4, 1929. W. L. GARFIELD, Clerk.

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

NORTHERN

District of

OKLAHOMA

WESTERN UNION TELEPHONE COMPANY

WESTERN UNION TELEPHONE COMPANY

FRIDAY, APRIL 5, 1929.

Court convened according to adjournment, Friday, April 5th, 1929.

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

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

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

CHRISTIE ROSSBY, ET AL., Plaintiffs,)
vs.) No. 658-Dequity.
JAMES A. SULLIVAN, ET AL., Defendants.)

O R D E R

Now on this 5th day of April, 1929, the defendants herein appeared and prayed for an extension of time within which to file their statement of the evidence heretofore ordered in this cause, and the Court being advised in the premises,

IT IS HEREBY ORDERED AND DECREED that the defendants be, and they are hereby, allowed fifteen days from and after this date within which to file said statement.

F. E. LEHMAN, Judge.

WITNESSED: Filed Apr. 5, 1929. W. T. Warfield, Clerk.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

OKLAHOMA OIL AND REFINING COMPANY, Plaintiff,)
vs.) No. 436-Dequity.
THOS. E. MLLIOTT, Defendant.)

O R D E R

Upon application of Defendant, defendant is granted five (5) days to file an amended answer and crossbill.

Dated this 5th day of April, 1929.

F. E. LEHMAN, Judge.

WITNESSED: Filed Apr. 5, 1929. W. T. Warfield, Clerk.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

OIL WELL SUPPLY COMPANY, Plaintiff,)
vs.) No. 452-Dequity.
CHARLES F. HOBBS, ET AL., Defendants.)

O R D E R

For good cause shown the defendants First National Bank & Trust Company and J. C. Pinkerton are hereby given until April 13, 1929, in which to file their answer in said cause.

F. E. LEHMAN, Judge.

WITNESSED: Filed Apr. 5, 1929. W. T. Warfield, Clerk.

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

FORTIETH

District of

OKLAHOMA

THIRTY SESSION

TULSA, OKLAHOMA,

APRIL 5, 1939.

IN THE UNITED STATES COURT FOR THE DISTRICT OF OKLAHOMA

ONE TRAIL SUPPLY COMPANY,
Plaintiff,

vs.

No. 487-Deputy.

CHARLES M. ROSE, et al., Defendants.

ORDER

For good cause shown, the First National Bank & Trust Company of Tulsa is hereby given until April 15, 1939, in which to file answer in said cause.

W. H. HENDERSON, Judge.

THOUGHT: Filed Apr. 5, 1939.

J. D. Sheffield, Clerk.

FIRST NATIONAL BANK, Tulsa, Plaintiff,

vs.

No. 29-Deputy.

vs.

FIRST NATIONAL BANK COMPANY, Defendant.

Now on this 5th day of April, A. D. 1939, there came on for hearing the citation for contempt in said cause entitled cause, the Receiver G. W. Smith, being represented by Leonard E. Smith, and the defendants Claude Dixon, et al, being represented by W. C. Swenter, et al, attorney at law of Pryor, Oklahoma, and all the respondents being present excepting Jack Rabbit, J. G. Cavette, being absent on account of sickness, and J. J. Hilbert not being served by process, and after hearing the witnesses for the complainant, it is ordered by the Court that all the parties mentioned herein they are hereby discharged, save and except Ned Case, et al. excepting J. G. Cavette. Thereupon, said cause is continued for further investigation and for further hearing on April 27, 1939, at 11 o'clock A. M.

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

District of

U.S. DISTRICT COURT
No. 15440

Washington, D.C.

Court convened pursuant to adjournment, March 27, April 24, 1939.

Present: Hon. F. W. Johnson, Judge, U. S. District Court.
W. D. Bradford, Esq., Clerk, U. S. District Court.

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

I. THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

THE MISSOURI VALLEY TRUST COMPANY, A CORPORATION,
Complainant,

vs.

No. 1544-Sub C.

J. W. WILKINSON, W. D. WILKINSON,
J. R. WILKINSON, Defendants.

ORDER FOR VERIFICATION AND VERIFICATION OF CLAIMS IN REPLY TO PETITION OF ASSOCIATED EMPLOYERS RECIPROCAL

This cause coming on again to be heard on this day on the verified petition of James W. Bullett, Receiver for Subscribers at Associated Employers Reciprocal, heretofore appointed herein, presenting a plan for the further proof and verification of claims in this receivership proceeding, and praying for an order approving said plan, and ordering that claims be filed in accordance therewith, and it appearing to the Court that due notice of the presentation of this petition has been given to all counsel of record in this cause, the Court finds:

(1) That the said JAMES W. BULLETT is the duly appointed, qualified and acting receiver for the said Subscribers at Associated Employers Reciprocal, having been appointed and continued such receiver in this cause by decree entered herein, heretofore, which decree provided that the said Receiver should, after the collection of assets and further progressed, by petition present a plan for the further proof and verification of claims and for the satisfaction thereof.

(2) That for a number of years prior to July 22, 1934, Sherman F. Ellis, Inc., one of the above-named defendants, acted as attorney-in-fact for said Subscribers and that on said date said Sherman F. Ellis, Inc., substituted W. T. Irwin as such attorney-in-fact and that said W. T. Irwin acted as such attorney-in-fact from July 22, 1934, to October 8, 1934, the date on which receivers were appointed for said subscribers at Associated Employers Reciprocal in the above-entitled cause.

(3) That from and after July 22, 1934, at 12 o'clock noon, no further contracts of indemnity and insurance were exchanged by said Subscribers; that on said date there were approximately 14,000 pending claims covered by contracts of indemnity and insurance exchanged by said Subscribers residing in the States of Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kentucky, Arkansas, Idaho, Mississippi, Alabama, Louisiana, Texas, Oklahoma, Kansas, Arizona, Maryland, Tennessee and other states, that many of the persons asserting such claims reside in this jurisdiction, and that said claims were reported as said Subscribers under the following classes of insurance contracts: Workmen's Compensation, Employers' Liability, General Liability, Public Liability, Property Damage and Collision, and that a large number of said claims have been paid by the said Subscribers, and that said claims consist of claims of Subscribers and claims of third parties not subscribers, including among other classes of claims, medical expenses and legal expenses incurred in defending claims, and claims of injured employees and their dependents.

(4) That a large number of claimants, particularly subscribers who have paid claims, as also said, have heretofore reported their claims for said payments to James W. Bullett, as Receiver, together with evidence of their payment of claims where such was the case, and in support of their claims in other cases.

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

District of

Massachusetts

Case No.

RECEIVED AND FILED

APR 9 1939

The Receiver shall receive and subscribe, at least a
condensed copy of any objections filed to the allowance of said claims
and shall notify said subscribers, of trusts and creditors, at least
ten days' written notice of the date on which such claims and claims
shall be heard by the receiver, and by Special Master or other com-
missioner appointed for such purpose, and in further

AND THIS COURT DIRECTS that after all said claims have
been allowed or the objections thereto have been disposed of, the
receiver shall present his report, and in such report in his capacity
as receiver herein, and in his capacity as the said principal re-
ceiver and of other parties thereto, and elsewhere, together with
the total claims allowed in said receivership and in the various other
receiverships for subscribers to said Employees' Benefit Fund, and
shall present a plan for the satisfaction of said claims.

WITNESSETH: W. A. BROWN, Judge.

FILED: Filed Apr. 9, 1939. W. P. Farfield, Clerk.

Court adjourned until April 10, 1939.

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

SOUTHERN

District of

MISSISSIPPI

NORTH DIVISION

MEMPHIS, TENNESSEE,

APRIL 10, 1939.

Court convened pursuant to adjournment, Wednesday, April 10th, 1939.

Present: Hon. F. G. Hammond, Judge, U. S. District Court. W. T. Kerfield, Esq., Clerk, U. S. District Court.

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

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

WILLIAM W. WATKINS, et al., Plaintiffs, vs. W. T. KERFIELD, et al., Defendants. No. 224-Equity.

ORDER RE-ADJUDICATING CASE NO. 224

WHEREAS, by order of this court, the case entitled as above was set down for trial on April 10, 1939 before the honorable John G. Tollock, and

SPECIAL, it appears that the following cannot be done on said date,

IT IS THEREFORE, ORDERED, ADJUDICED AND DECREED, that said case be and hereby is set down for final hearing, April 20, 1939, at 10:30 o'clock A. M. before the honorable John G. Tollock in the Court Room, Federal Building, Memphis, Tennessee.

F. G. HAMMOND, Judge.

WITNESSED: Filed Apr. 10, 1939. W. T. Kerfield, Clerk.

WILLIAM WATKINS, et al., Plaintiffs, vs. W. T. KERFIELD, et al., Defendants. No. 224-Equity.

Now on this 10th day of April, 1939, there came on for hearing plea of Rec Adjudication in the above entitled case. And it is so ordered by the Court ordered that said case be and the same is hereby set for next trial docket in May, 1939.

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

District of

Oklahoma

Monday, April 8, 1939.

Doth appear before the undersigned, Justice, with the

plaintiff, J. M. Hamaker, Judge, U. S. District Court.

And doth appear before the undersigned, Justice, with the

defendants, J. M. Hamaker, Judge, U. S. District Court.

vs. J. M. Hamaker, Judge, U. S. District Court.
No. 30-1011.

O R D E R

On this 8th day of April, 1939, said Justice...
and upon consideration of said petition,

IT IS ORDERED, ADJUDGED AND DECREED that the above entitled cause of action be and the same is hereby dismissed with plaintiff's costs and that defendant have and recover his costs herein in the sum of twenty-five dollars.

F. N. SCHNEIDER, Judge.

W. P. Maricle, Clerk.

U. S. DISTRICT COURT DISTRICT COURT OKLAHOMA

J. M. Hamaker, Plaintiff, vs. J. M. Hamaker, Defendant. No. 30-1011.

JUDICIAL ENTRY

Now on this 8th day of February, A. D. 1939, there coming on for hearing the above entitled cause of action, the plaintiff, J. M. Hamaker, a corporation, appearing by its attorney of record, J. M. Hamaker, and the defendants, and each of them, a viva voce trial called in open court appear together in person and by attorney; and the court having ordered that said defendants be in default, and having ordered that the allegations contained in said plaintiff's petition be taken as confessed; and it appearing to the court that due and legal personal service has been had upon each of said defendants, and the court having heard all the evidence and oral testimony of witnesses sworn and examined in open court, and being fully advised in the premises, now on consideration thereof, finds that said plaintiff, J. M. Hamaker, a corporation, is the rightful and lawful owner of a certain valid oil and gas lease made and executed on the 25th day of June, 1916, by David Jones, guardian of the estate of Robert Jones, a minor, as lessor, and H. Earl of Carter, as lessee, and said oil and gas lease covering the S. 10 of Sec. 3, Township 17 North, Range 10 East, in Creek County, Oklahoma, containing about seven more or less, and being a part of the allotment of the said Robert Jones, a minor; and having been made for a term during the minority of said Robert Jones and as such together therewith to oil and gas in paying quantities, and said oil and gas

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

District of

IN RE: THE ESTATE OF DONALD F. OAK, DECEASED
COURT OF PROBATE AND VICES REGIMINE

Donald F. Oak, deceased,
vs.
The Honorable Court of Probate and Vices Regimine,
Plaintiff,
vs.
The Honorable Court of Probate and Vices Regimine,
Defendant.

COURT OF PROBATE AND VICES REGIMINE

That, on the 10th day of April, 1929, this court sitting in open court on the petition of the complainants for the appointment of a receiver, and the court having read and considered the petition and the affidavits thereto, and counsel for the said complainants, and the court having entered its order and decree of appointment of said receiver, to wit:

That, to-wit: That Donald F. Oak, of the County of Adams, and State of Oklahoma, he, the said court do hereby appoint receiver of this Court of all and singular the assets of the late Donald F. Oak, Refining Company, a corporation, of all money, claims in actions, credits, bonds, stocks, leaseholds interests, realty interests, operating contracts, real estate, and other assets of every kind, held or possessed by said defendant company, as a receiver to-wit: the said court do hereby, and under the orders and directions of this court.

The said receiver is hereby authorized and directed to take immediate possession of all and singular the property aforesaid, and to continue the business of said defendant company.

And that every one of the officers, directors, agents and employees of said late Donald F. Oak, Refining Company, a corporation, are hereby required and commanded to-wit: upon demand of the said receiver, to turn over or deliver to said receiver any books, papers, notes, checks, receipts or vouchers for property, under their control and belonging to said company, or coming into their possession, as such officers, directors, agents or employees of said company.

The said Donald F. Oak, Refining Company and its officers are hereby directed immediately to execute and deliver to said receiver deeds of all real estate, and proper assignments and transfers of all leaseholds and partly interests now owned or possessed by said defendant, and proper transfers of any and all other property, personal or real, belonging to said defendant company.

Said receiver is hereby fully authorized to institute and prosecute all such actions as may deem necessary, and to defend all such actions instituted against him as such receiver, and to appear in and conduct the prosecution or defense of any actions now pending and which the said late Donald F. Oak, Refining Company is a party, and to retain and hire attorneys for the prosecution and defense of such actions, and to incur and pay such incidental expenses as are necessary for the proper protection of the interests of said defendant in said actions.

The said receiver is hereby authorized and directed, out of the moneys coming into his hands, to pay and discharge all amounts due to employees upon the current payroll, and incidental expenses required for the proper carrying on of the business of said defendant; and said receiver is required to file with the Clerk of this Court, within 30 days from this date, a proper bond with sureties to be approved by the Clerk of this Court, in the penal sum of \$5,000.00.

All creditors of the Donald F. Oak, Refining Company, a corporation, are hereby enjoined from in any way interfering with the property hereby directed to be turned over to said receiver, and all cir-

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

WESTERN

District of

OKLAHOMA

TRUSTEES

TRUST, OKLAHOMA,

NOVEMBER, APRIL 15, 1929.

agents, officers and agents of said company are hereby enjoined from interfering with or disposing of said property of said defendant company, or any part thereof, in any way, except to transfer, convey and turn over the same to the said receiver.

Dated at Tulsa, Oklahoma, the 15th day of April, 1929.

F. H. SCHMIDT,
District Judge.

RECORDED: filed Apr. 15, 1929. J. D. Griffith, Clerk.

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

District of

Oklahoma

U.S. GOVERNMENT PRINTING OFFICE: 1917 354613

Case No. 10,000, in the case of Harwood, Plaintiff,

vs.

James H. Harwood, Defendant. Judge, W. C. Johnston, Clerk.

James H. Harwood, Plaintiff, vs. James H. Harwood, Defendant.

and the said James H. Harwood are both of Oklahoma,

to-wit:

IN SENATE AND HOUSE OF REPRESENTATIVES
OF THE DISTRICT OF COLUMBIA

W. C. JOHNSTON, U. S. JUDGE,
District of Columbia,)
Plaintiff,)
vs.)
James H. Harwood,)
Defendant.)

No. 10,000-1917.

DECLARATION

I, the undersigned, Donald F. Oak, having been appointed
receiver of the Harwood Lumber Company, a corporation, do
solemnly swear that I will faithfully perform the duties of said re-
ceiver and obey all the orders of said court. So help me God.

DONALD F. OAK

Subscribed and sworn to before me this 10th day of April,
1917.

W. C. JOHNSTON,
Deputy Clerk U. S. District Court
Northern District of Oklahoma.

Filed Apr. 10, 1917. W. D. Harfield, Clerk.

Court adjourned until April 19, 1917.

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

District of

WASH. DISTRICT COURT WASH., D.C. FRIDAY, APRIL 19, 1939.

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

EDWARD ROSEY, ET AL, Plaintiffs,)
vs.) No. 432-Subjty.
U. S. MARSHAL, ET AL, Defendants.

ORDER

On this 19th day of April, 1939, the case above shown, it is ordered that the defendants in possession here until the 29th day of April, 1939, within which to file their statement of the evidence in this cause.

W. D. [Name], Judge.

Filed Apr. 19, 1939. U. S. District, D.C.

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

EDWARD ROSEY, ET AL, Plaintiffs,)
vs.) No. 432-Subjty.
U. S. MARSHAL, ET AL, Defendants.

ORDER

Now, on this 19th day of April, 1939, on application of defendant and for cause shown, the court hereby give an extension of time of [time] days, within which to file the depositions of [Name], [Name], [Name], and [Name].

Done in open court, this 19th day of April, 1939.
W. D. [Name],
United States District Judge.

Filed Apr. 19, 1939. U. S. District, D.C.

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

EDWARD ROSEY, ET AL, Plaintiffs,)
vs.) No. 432-Subjty.
U. S. MARSHAL, ET AL, Defendants.

This cause comes on for trial at [time] o'clock [P.M.] on [date] at the [courtroom] of the [court].

The court hereby orders that the parties to this cause shall appear at the trial on the date and at the time above specified, and that they shall bring with them all the evidence and witnesses in support of their respective claims and defenses.

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

FILED APR 19 1934

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

WILLIAM W. WHELAN, JR.,
Plaintiff,
vs.
SILVER STAR, Defendant.

No. 400-Grandy.

WILLIAM W. WHELAN, JR.,
Plaintiff,
vs.
SILVER STAR, Defendant.

ORDER

And now on this 19th day of April, 1934, upon the presentation and full consideration of the petition for writ of habeas corpus, the grant of which is prayed for in the petition and in the affidavits of the petitioner, and upon the affidavits of the respondent, the court doth hereby order that the writ of habeas corpus be granted, and that the respondent be released from custody, and that the costs of the proceedings be allowed by the court.

W. H. WHELAN,
District Court District Judge for the District of Columbia.

FILED: Filed Apr. 19, 1934.

