

(Continued from Journal 7)

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING SALE

THIS CAUSE COMING on to be heard on this the 6th day of February, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company to offer for and sell to Lottie Randol, or any other person, firm or corporation, who, at the time of said offer a higher or better bid,

NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 16, Township 3 North, Range 4 East, Pottotoc County, Oklahoma,

reserving from said sale an undivided one-fourth interest in and to the oil, gas and other as provided said sale so made shall not be for less than \$1500.00 payable in installments, as fully set forth in said application, and subject to the terms and conditions set forth in said application, and the court finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED, that said application be and the same is hereby sustained, and the said Rex Watkinson, be and he is hereby authorized and empowered forthwith to offer for sale and sell to Lottie Randol, or any other person, firm or corporation, offer a higher and better bid said aforescribed lands, with relation to him, as such receiver, of an undivided one-fourth interest in and to the oil, gas and mineral rights, provided said proposed sale is advertised and conducted in conformity with the applicable laws of the United States and the terms and conditions of said application, that he be further directed, authorized and empowered to do all other things necessary and in order fully and effectually to accomplish the letter and spirit of the application and order.

ENDORSED: Filed Feb 6 1935 F. E. KENNAMER  
H. P. Warfield, Clerk United States District Judge  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING EXECUTION OF EASEMENT

THIS CAUSE COMING on to be heard on this the 6th day of February, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company to make, execute and deliver unto the State Highway Department of Oklahoma, or its nominee, and easement covering following described lands, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 6, 1935

A strip, piece or parcel of land lying in the E $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 25, Twp. 25 N., Rge., 21 East, in Craig County, Oklahoma. Said parcel of land being a Right of Way for Oklahoma U. S. Public Works Project No. M. R. H. 149-C. Said parcel of land being further described as follows:

The South 10 feet of the North 50 feet of said E $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NE $\frac{1}{4}$ . Containing 0.45 acres, more or less.

without advertising the same, provided he shall receive therefor the sum of \$18.00, and for good cause shown, and the court finding that it has jurisdiction to entertain the same and enter an order there on, and being fully advised in the premises, finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said Rex Watkinson, be and he is hereby directed, authorized and empowered to execute and deliver said easement, provided he receive therefor the sum of \$18.00.

ENDORSED: Filed Feb 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
United States District Judge.

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

E. LEE BALCH, et al.,	Plaintiffs, )	
	)	
vs.	)	No. 947 Equity ✓
	)	
INVESTORS ROYALTY COMPANY, INC., et al.,	)	
	) Defendants. )	

ORDER AUTHORIZING ALLOWANCE OF FEES

THIS CAUSE COMING on to be heard on this the 6th day of February, 1935, on the application of Horace H. Hagan, T. Austin Gavin and Albert C. Hunt, for an attorney's fee in the above entitled cause to be paid by the defendant corporation, and said applicants being present in person and Investors Royalty Company, Inc., being present by Benjamin Mossman, Esq., its attorney, secretary and one of the members of the Board of Directors, and J. J. O'Brien, the treasurer of said company, and said application having been duly submitted to the court, all persons interested therein being present by previous agreement among said persons, and statements having been made in support of said application and the court finding that it has jurisdiction to entertain said application and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED as follows: that said applicants shall be and they are hereby entitled to receive as full compensation for the services rendered in the above entitled cause the sum of \$20,000.00, and the said officers and directors of the defendant corporation, Investors Royalty Company, Inc., be and they are hereby directed, authorized and empowered to pay from funds on hand in the treasury of said company the sum of \$10,000 to the said Horace H. Hagan and T. Austin Gavin and the sum of \$10,000.00 to the said Albert C. Hunt.

ENDORSED: Filed Feb 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
United States District Judge.

DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      THURSDAY, FEBRUARY 7, 1935

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Court convened pursuant to adjournment, Thursday, February 7th, 1935.

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

Standish Hall, Trustee, et al.,	Complainants,	)	
		)	
-vs-		)	
		)	
The Knight Realty Company, et al,	Respondents.	)	
		)	
Consolidated with No. 791 Equity		)	No. 708 Equity
		)	
Cheyenne Arms Apartments, Inc., a corporation, et al.,	Complainants,	)	
		)	
-vs-		)	
		)	
Standish Hall, Trustee, et al.,	Respondents.	)	

O R D E R

Now on this 6th day of February, 1935, the above-entitled and numbered coming on for hearing on the motion heretofore filed herein by the plaintiffs for judgment on the principals and sureties on the supersedeas bond given by the defendants in connection with the appeal of this cause to the Circuit Court of Appeals, the plaintiffs appearing by one attorneys of record, H. L. Smith, and the defendant Adah C. Sanders appearing in person, defendants also appearing by their attorney of record, F. E. Riddle, and one of the sureties S. Avery on said supersedeas bond, appearing in person, and said Attorney for the defendants having suggested to the court that more adequate notice should be given to the sureties on said supersedeas bond of the time set for the hearing of said motion for judgment,

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that hearing of the plaintiffs' motion for judgment on the supersedeas bond given by the defendants herein in connection with the aforesaid appeal of this cause be and it is hereby set for February 16th at 9:30 o'clock A.M. before this court on the third floor of the Federal Building in City of Tulsa, Oklahoma.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that within five days from this 6th day of February, 1935, a copy of this order be personally served on each of the sureties on said supersedeas bond if he or she is to be found in Tulsa County, Oklahoma or if any of said sureties is not found in said county within the said five day period, the vice of a copy of this order on any such surety will be deemed to have been made if a copy of has been sent by the solicitors for the plaintiffs by United States Mail, postage prepaid to the last known postoffice address of the said surety.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that a copy of the within and foregoing order which is served on or mailed to each of said sureties

ENDORSED: Filed Feb 7 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
District Judge

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, FEBRUARY 7, 1935

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING GRANTING OF EXTENSION

THIS CAUSE COMING on to be heard on this the 7th day of February, 1935, on application of Rex Matkinson, Receiver of Exchange National Company for authority to enter a certain extension agreement proposed to him as said receiver, relating to those certain per cent gold bonds of Eason Oil Company, owned by the said receiver, and the court having read said application and finding that the execution of said agreement will be for the best interest of said receivership, and finding that it has jurisdiction to entertain the same enter an order thereon, and being fully advised in the premises, finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said appeal be sustained and the said Rex Matkinson be and he is hereby directed, authorized and empowered to enter upon certain extension agreement proposed by Eason Oil Company to him, as the owner of \$10,000.00 worth of the six per cent gold bonds of the said Eason Oil Company, and that he be directed, authorized and empowered to do all other things necessary and proper in order to carry out and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNELER  
United States District Judge.

ENDORSED: Filed Feb 7 1935  
H. P. Warfield, Clerk  
U. S. District Court.

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

THE DOW CHEMICAL COMPANY, a )  
corporation, )  
Plaintiff, )  
vs. ) In Equity No. 968. ✓  
WIL LAMBS BROTHERS WELL TREATING )  
CORPORATION, a corporation, )  
Defendant. )

ORDER ALLOWING APPEAL

The Dow Chemical Company's petition for appeal filed herein is hereby granted and said appeal is hereby allowed, this order to be effective upon The Dow Chemical Company giving bond conditioned as required by law and acceptable to this court in the sum of five hundred dollars (\$500.00), to secure defendant in respect to costs after the date of this order and pending the determination of said appeal.

F. E. KENNELER  
Judge United States District Court.

February 7th, 1935.  
ENDORSED: Filed Feb 7 1935  
H. P. Warfield, Clerk  
U. S. District Court  
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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Esquire Publishing Company, a corporation, )  
Plaintiff )  
vs. ) NO. 1015 EQUITY ✓  
)  
Renberg's, Inc., a corporation, )  
Defendant. )

O R D E R

This matter having come on to be heard on Plaintiff's Motion for an injunction based upon the sworn Bill of Complaint, upon the supporting affidavits of Plaintiff made following persons:

Graham Renfro (sworn to October 17, 1934)  
Graham Renfro (sworn to November 12, 1934)  
John Murphy  
George Kramer  
Paul Brown (sworn to November 12, 1934)  
Paul Brown (sworn to November 15, 1934)  
David A. Smart  
Chad Steward  
May Warren  
Kenneth Musgrave  
Kleber T. Thurmond  
Cora R. Beard  
Verna DeArmond  
Charles A. Kothe, Jr.  
Clinton Clawson  
Robert D. Shaw, Jr.  
Lloyd Dickey  
Norman Roszel  
Donald Shea  
Pat Stinson  
William Dean C. H.  
C. H. Bryant  
James A. Kennedy  
John M. Andrews, Jr.  
Louis G. Saeger  
Gordon Smock  
John Albert Williamson  
Loron Oliver Smith  
Collis P. Chandler  
H. M. McMillan  
Harold H. Cooper;

and the Defendant having filed reply affidavits made by the following persons:

Sam Renberg  
Herbert Barnett  
C. A. Poulton  
Harold Schuman  
M. B. Cooper  
Jack Riley  
S. W. Akin;

upon Plaintiff's reply Affidavit executed by David A. Smart; and upon testimony taken in Court, and, the Court having considered said sworn Bill of Complaint, said Affidavits, said testimony, and, having heard the arguments of counsel for the parties hereto and being fully ac

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, FEBRUARY 7, 1935

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in the premises:

IT IS ORDERED that a preliminary injunction be issued out of and under the authority of this Court during the pendency of this cause enjoining and restraining the defendant, his officers, agents, servants, employers and Attorneys and all persons in active concert or participation with them:

(a) From purchasing, receiving, carrying in stock, advertising, selling or offering for sale, under the name ESQUIRE or any name confusingly similar thereto, articles or services, used by or of interest to men, other than the men's hose like Defendant's Exhibit 1 made or sold by plaintiff, except that defendant shall have permission to sell his present stock on hand of suits, overcoats and hats, which bear the name "ESQUIRE", and which stock on hand consists of not to exceed 100 suits, 25 overcoats, and, 6 hats.

(b) From representing as made, sold, designed or approved or in any way connected with plaintiff, articles not so made, sold, designed or approved.

(c) From publishing, distributing, or circulating, directly or indirectly, causing to be published, distributed or circulated, directly or indirectly, in any manner, advertisement, statement, or other form of publicity which contains or in which appears the name "ESQUIRE" used to refer to or described any article or service, used by or of interest to men other than the men's hose like Defendant's Exhibit 1, not made or sold by plaintiff.

(d) From exhibiting in defendant's store or on defendant's premises or elsewhere any signs, placard, notices or labels, on which is displayed the word "ESQUIRE" used in any manner referring to or relating to articles or services, used by or of interest to men, other than the men's hose like Defendant's Exhibit 1, not made or sold by Plaintiff, except that defendant shall not be required to remove the present "ESQUIRE" labels from the present stock above mentioned.

(e) From doing any acts which constitute an unfair use of Plaintiff's trade name, corporate name, reputation or good will.

(f) From making, either directly or indirectly, any representation that Plaintiff in any manner or sense is responsible for or connected with any merchandise sold by defendant other than the magazine published by plaintiff.

IT IS FURTHER ORDERED that this order shall become effective as to the Plaintiff shall have filed with the Clerk of this Court a good and sufficient Bond or undertaking in the sum of One Thousand Dollars, approved by the Court and conditioned upon payment of such costs and damages as may be incurred or suffered by any party who may be found to have been wrongfully enjoined or restrained hereby. Exception allowed.

ENTER:

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

Dated At Tulsa, Oklahoma  
February 7, 1935.  
O.K. as to form:

ENDORSED: Filed Feb 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

Esquire Publishing Company, a corporation, )  
Plaintiff )  
VS ) NO. 1015 EQUITY  
Renberg's, Inc., a corporation, Defendant. )

O R D E R

This matter coming on to be heard on Defendant's Motion to Dismiss, hereto filed in this cause, the the Court having heard arguments of Counsel and being fully advised the premises

IT IS ORDERED

That said Motion to Dismiss be denied and the Defendant be given ten days which to file its Answer. Exception allowed.

ENTER:

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE for the  
Northern District of Oklahoma.

Dated at Tulsa, Oklahoma  
February 7, 1935.

ENDORSED: Filed Feb 8 1935  
H. P. Warfield, Clerk  
U. S. District Court.

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

Esquire Publishing Company, a corporation, )  
Plaintiff )  
vs. ) NO. 1015 EQUITY  
Renberg's, Inc., a corporation, Defendant. )

O R D E R

On Motion of Esquire Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, and, Esquire Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Delaware,

IT IS ORDERED

That the said corporation, Esquire Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Delaware, be substituted for Esquire Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, as Party Plaintiff in this cause.

ENTER

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

Dated Tulsa, Oklahoma

(continued)

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FEBRUARY 7, 1935

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No. 1015 Equity, Cont'd.

February 7, 1935.

I hereby consent to the Entering of  
the above order:

SILVERMAN ROSENSTEIN & FIST

Attorney for Renberg's, Inc. a corp.

ENDORSED: Filed Feb 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to February 8, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, FEBRUARY 8, 1935

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Court convened pursuant to adjournment, Friday, February 8th, 1935.

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

HOWARD GRAY, as Executor of the Estate of )  
Julia S. Pearman, deceased, Plaintiff, )  
vs. ) No. 877 - Equity. ✓  
EXCHANGE NATIONAL COMPANY, a )  
corporation, et al, Defendants. )

ORDER AUTHORIZING SUCCESSOR TRUSTEE TO SETTLE MORTGAGE  
INDEBTEDNESS.

On this 8th day of February, 1935, upon application of J. H. McBirney, Succ  
Trustee to the Exchange National Bank of Tulsa, Oklahoma, for all of the notes, bonds, mor  
gages, liens, obligations and property held as security for the payment of first lien part  
pation certificates issued by the Exchange National Company, under the trust agreement of  
19, 1928, between said Exchange National Company and Exchange National Bank of Tulsa, Okla  
homa, and it appearing that said successor trustee is the holder of a note executed by Jam  
Pinos, upon which there is a balance due of Eight Thousand Six Hundred Sixty Six & 78/100  
Dollars (\$8,666.78), with interest paid to January 1, 1935, and secured by a real estate m  
gage upon the property described in Successor Trustee's application; and it further appear  
that the maker of said mortgage is without responsibility, and that the property mortgaged  
alone must be looked to for the satisfaction of said indebtedness; and it further appear  
that the said property is improved by a one story brick building, used for a garage and re  
shop, and that Fifty Dollars (\$50.00) per month is the rental obtained therefrom; and it f  
ther appearing that said Successor Trustee has been offered the sum of Seven Thousand Eigh  
dred Dollars (\$7,800.00), in cash, for said mortgage indebtedness, and that the said real  
estate and improvements are unsalable for a sum in excess thereof; and it further appearing  
the Advisory Committee, appointed by this court, has recommended that the Successor Trustee  
accept said sum in full settlement, and for other good cause,

IN THE DISTRICT COURT OF THE TERRITORY OF OKLAHOMA  
 DISTRICT OF OKLAHOMA  
 REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA      FRIDAY, FEBRUARY 8, 1935

IT IS ORDERED, that J. H. McBirney, Successor trustee to the Exchange National Bank of Tulsa, Oklahoma, be and he is hereby authorized and empowered to accept the sum of Seven Thousand Eight Hundred Dollars (\$7,800.00), in cash, as payment in full for said loan numbered 7258, being evidenced by a note executed by James Finos; that said successor trustee authorized to surrender said note and to release the real estate mortgage, upon being paid the sum of Seven Thousand Eight Hundred Dollars (\$7,800.00), in cash.

ENDORSED: Filed Feb 8 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

F. E. KENNAMER  
 District Judge.

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

Milford E. Tapp, et al.,	Complainants,	)	
		)	
vs.		)	No. 897 Equity      ✓
		)	
Charles F. Stuart,	Respondent.	)	

ORDER ALLOWING RESPONDENT EXCEPTIONS TO FINDINGS OF FACT  
 AND CONCLUSIONS OF LAW.

Now on this 11th day of January, 1935, the Court having entered in this case findings of fact and conclusions of law, the respondent Charles F. Stuart be and he is hereby allowed exception to findings numbered Fifth, Sixth, Thirteenth, Fourteenth, Seventeenth, eighteenth and Nineteenth, and is hereby allowed exceptions to each and every conclusion of law announced herein.

ENDORSED: Filed Feb 8 1935  
 H. P. Warfield, Clerk  
 U. S. District Court ME

F. E. KENNAMER  
 District Judge.

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

Milford E. Tapp and Charles H. Tapp, Complainants	)	)	
	)	)	
vs.		)	No. 897 Equity      ✓
		)	
Charles F. Stuart,	Respondent.	)	

O R D E R

Supersedeas bond of \$10,000 having heretofore on January 30, 1935 been required and said supersedeas bond having this day been presented and approved, it is hereby ordered said Petition For Appeal is hereby granted and the appeal allowed. It is further ordered said bond shall suspend and stay all further proceedings in this court until the termination of this appeal by the Circuit Court of Appeals for the Tenth Circuit.

Dated this 8th day of February, 1935.

ENDORSED: Filed Feb 8 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE TERRITORY  
DISTRICT OF OKLAHOMA  
RECEIVED JANUARY 13 1935 - EQUITY SESSION - TULSA, OKLAHOMA - FRIDAY, FEBRUARY 8, 1935

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

ZELA FAULINE WALK, Plaintiff, )  
vs. ) Equity No. 1013 ✓  
MARY B. HOWELL, et al, Defendants. )

ORDER APPOINTING RECEIVER

Now on this 8th day of February, 1935, the matter of the application of the plaintiff for a receiver coming on to be heard, and it appearing to the court that this case was removed from the District Court of Tulsa County, Oklahoma to this court, and that Max Halff was appointed receiver of the property involved in said action, without compensation; and

The Plaintiff appearing by her attorney C. R. Thurlwell and the defendants appearing by their attorney, C. R. Nixon, and the defendant Rainbow Motor Company appearing and

It appearing to the court from the statements of counsel and from the verified petition of the plaintiff that said property is probably insufficient to pay said indebtedness and that the taxes on said property are considerably in arrears and that a receiver should be appointed to collect the rents due from said property; and that the Rainbow Motor Service Company is the tenant of the property described in the petition; and

It further appearing that Max Halff is a suitable person and has agreed to be receiver without compensation and there being no objections to the appointment of said Max Halff as such receiver.

It is therefore ordered, adjudged and decreed by the court that Max Halff be and he is hereby appointed receiver in this action and of the property described in plaintiff's petition, conditioned that he file a bond in the sum of \$1,000 to be approved according to law and also file his oath of office herein.

F. E. KENNAMER  
J U D G E

O.K. C. R. THURLWELL  
Attorney for Plaintiff

O.K. C. R. NIXON  
Attorney for defendants  
Mary B. Howell and  
Joseph W. Howell.

ENDORSED: Filed Feb 8 1935  
H. F. Warfield, Clerk  
U. S. District Court

Court convened pursuant to adjournment, Saturday, February 9th, 1935.

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

The Lincoln National Life Insurance Company, )  
Plaintiff, )  
vs. ) No. 873 Eq. ✓  
Exchange National Company, )  
Defendant. )

ORDER GRANTING LEAVE TO SUE RECEIVER AND MAKE HIM PARTY  
TO SUIT IN THE DISTRICT COURT OF TULSA COUNTY,  
OKLAHOMA.

On this 9th day of February, 1935, comes on to be heard the petition of Robert L. Imler for leave to sue the Receiver herein, Rex Watkinson, in a foreclosure proceeding about to be brought by said Robert L. Imler in the District Court of Tulsa County, Oklahoma, for the foreclosure of a mortgage upon the following described lands situated in the County of Tulsa, State of Oklahoma, to wit:

The Northwest Quarter, except south four (4) acres of the Northwest Quarter of the Southwest Quarter of the Northwest quarter; and the East Half of the Southwest quarter (E2 SW4) and East half of the Southwest quarter of the Southwest quarter (E2 SW4 SW4) and South half of the Northwest quarter of the Northeast quarter (S2 NW4 NE4) and the North half of the Southwest quarter of the Northeast quarter (N2 SW4 NE4) all in Section thirty two (32) township twenty (20) north, Range fourteen (14) East; and all Lot three (3) and the East half of the East half (E2 E2) lot four (4) and Northwest quarter of the East half (NW4 E2) lot four (4) Section five (5) township nineteen (19) North, Range fourteen (14) East, containing in all three hundred twenty four and thirty one one hundredths (324.31) acres,

which said mortgage was executed by J. M. Atkinson and Ora B. Atkinson to Exchange National Company April 9, 1929, and has heretofore been assigned to and is now held by petitioner, Robert L. Imler;

And said petition having been duly considered by the Court, and it appearing that the same should be granted, and the Court being well and sufficiently advised in the premises;

IT IS, BY THE COURT, now ordered that the prayer of said petition be granted that Robert L. Imler be and he is hereby permitted to sue said Rex Watkinson, the Receiver heretofore appointed in this suit, and to make said Receiver a party defendant in the foreclosure proceeding about to be brought by said petitioner in the District Court of Tulsa County, Oklahoma; and said Rex Watkinson, Receiver, submit himself fully to such orders as may be made by said Imler in the District Court of Tulsa County, Oklahoma, in said foreclosure proceeding.

DONE at Tulsa, Oklahoma, this 9th day of February, 1935.

OK HORACE H. HAGAN & T. AUSTIN GAVIN

F. E. KENNAMER

Solicitors for Rex Watkinson, Receiver of

United States District Judge.

ENDORSED: Filed Feb 9 1935 Exchange National Company

H. P. Warfield, Clerk

U. S. District Court ME

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, FEBRUARY 9, 1935

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

Singer Steel and Metal Corporation, a Cor- )  
poration and, Southwestern Pipe and Supply )  
Company, a corporation, Plaintiffs, )  
vs. ) No. 1014 EQUITY )  
Tulsa Steel Corporation, a corporation, and )  
Sheffield Steel Corporation, a corporation, )  
Defendants. )

O R D E R

It appearing to the satisfaction of this Court from the Petition for Leave  
to Intervene, this day filed by and on behalf of Harbison-Walker Refractories Company, that good  
and sufficient cause exists therefor,

IT IS THEREFORE, ORDERED

That permission be given the said Harbison-Walker Refractories Company to file  
its Complaint in Intervention and that it be forthwith entered as an Intervenor in said Action.

That the Intervenor be granted the right to Subpoena directed to the Defendants  
Tulsa Steel Corporation commanding it to appear and answer the allegations contained in the  
Intervention Complaint and to abide and perform such order or decree as this Honorable Court may  
make in the premises.

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

Dated at Tulsa, Oklahoma  
February 9th, 1935.

ENDORSED: Filed Feb 9 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to February 11, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, FEBRUARY 11, 1935.

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Court convened pursuant to adjournment, Monday, February 11th, 1935.

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

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



19  
IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 13, 1935

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First. That S. J. Stewart be and is hereby appointed co-receiver with E. Bowers, with all the powers and duties set forth in the order made and entered by this Court on February 6, 1935, appointing E. J. Bowers sole receiver herein.

Second. That the said S. J. Stewart, before entering upon his duties as co-receiver herein, shall give and file with the Court, together with his oath, a bond in the sum of Ten Thousand (\$10,000.00) Dollars, with surety or sureties approved by this Court, and in addition that he will faithfully perform his duties as co-receiver herein, and well and truly account for any and all moneys or property coming into his hands as such co-receiver, and abide and perform all things, which he is herein or may hereafter be directed to perform in this cause.

Third. That upon the filing and approval of said bond, the said co-receiver be and is hereby authorized, empowered and directed, jointly with the said E. J. Bowers, receiver, to take immediate possession of all and singular the properties of which the said E. J. Bowers was appointed receiver on February 6, 1935, and until the further order of this Court the said co-receiver shall continue to operate same, and to manage, control, conserve and maintain said properties and collect the income, rents and revenues therefrom.

The said receivers shall exercise all such powers as are usually exercised by receivers, and all such as are necessary or convenient to the proper conduct by them of the business now being conducted as the Alvin Hotel, and they shall discharge all such duties within the purpose and scope of their appointment, and apply the moneys collected to the payment of reasonable compensation for themselves and their attorney's and counsel's fees as fixed by the Court, to the payment of the expenses and charges of operating and maintaining said properties including Agents' Commissions, taxes, assessments, water rates upon said premises, heat, light and telephone charges, and insurance premiums for a customary period or term of insurance, repairs and supplies, and to operate and carry on the business heretofore conducted on said properties as completely and unrestrictedly as has been heretofore done, and to incur obligations and issue Receiver's Certificates for such purpose in such amounts, at such times, for such maturities, and at such rate of interest as the Court shall authorize: Provided, however, the receivers shall carry out of the funds in their hands not exceeding Ten Thousand (\$10,000.00) Dollars in open bank checking account, and the remainder of the funds in their hands, except hotel cash not exceeding Twenty-five hundred (\$2500.00) Dollars, shall be carried in special accounts to be paid out only on special order of the Court.

Fourth. That said defendant, Alvin Hotel, Inc., a corporation, and each and every one of its officers, agents and employees and all other persons, associations and corporations are hereby restrained and enjoined during the pendency of this cause and the administration of said receivers from transferring, selling, disposing of or interfering with any of said properties, and from taking possession of or in any way interfering with the same or any part thereof, and from disturbing, preventing or in any way interfering with the receivers in their possession, control, operation or management of said properties or any part thereof, which the said receivers are appointed, and from disturbing, preventing or in any way interfering with the said receivers in the discharge of their duties hereunder.

Fifth. The receivers in operating, conducting and managing the said properties are, until further order of this Court, hereby authorized and empowered:

(a) To manage and operate the said properties in such manner as will in the judgment produce the most satisfactory results.

(b) To collect and receive all income from said properties and debts, accounts and choses in action and revenue, arising out of, pertaining to or connected with the said properties, the operation of same or the income therefrom.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 13, 1935

---

(c) To employ and discharge and fix the compensation of such employees as in the judgment of the receivers deemed necessary to aid in the discharge of their duties authorized.

(d) To institute and prosecute such suits as may be necessary in the judgment of the receivers to protect the properties and trust hereby vested in them, and to likewise defend all such suits and actions as may be instituted against them as receivers, and also assume and undertake the prosecution or defense of any and all suits affecting the said properties, or any of them, or the income therefrom, or as they may deem necessary in the proper management, operation and protection of the said properties, but all attorneys' fees therein are to be subject to the approval of this Court.

(e) The National Bank of Tulsa, Tulsa, Oklahoma, and First National Bank Trust Company of Tulsa, Oklahoma, are hereby designated as depositories.

(f) To keep the said properties hereby placed in their possession and condition insured in the same manner and to the same extent as it was insured by the defendant corporation or as in the judgment of the receivers may seem fit and proper.

(g) To preserve the said properties in good order and condition, make all repairs and replacements thereon.

Seventh. That until further ordered by this Court, the receivers shall, out of and from the income, rents and revenues coming into their hands, pay and discharge all of the expenses of the receivership and of the operation and maintenance of the said property, which are authorized by the Court, including all taxes and charges in the nature thereof lawfully imposed upon the said properties.

Eighth. That the receivers shall acquaint themselves at once with the exact condition of the said properties, and within thirty (30) days from date hereof make and file with this Court a full and comprehensive inventory in triplicate showing the properties in their hands.

Ninth. That A. B. Honnold, having been selected by the receivers, be and is hereby appointed attorney and counsellor for the receivers at such salary and compensation as may be hereafter allowed him by the Court.

Tenth. That the receivers, as of March 31, 1935, or as soon thereafter as conveniently possible, and quarterly thereafter, until the further order of this Court, shall file itemized reports showing their receipts and disbursements, and shall make such other and further reports or report matters in addition thereto as the Court may from time to time direct.

Eleventh. Full right and power are hereby expressly reserved by the Court to issue such other and further orders herein as may hereafter from time to time be deemed necessary and proper.

Dated at Tulsa, Oklahoma, February 13th, 1935.

F. E. KENNAMER  
District Judge

ENDORSED: Filed Feb 13 1935  
H. P. Warfield, Clerk  
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, FEBRUARY 23, 1935

Court convened pursuant to adjournment, Saturday, February 23, 1935.

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

THE DOW CHEMICAL COMPANY, a corporation,	Plaintiff,	)	
vs.		)	In Equity No. 968 ✓
WILLIAMS BROTHERS WELL TREATING CORPORATION, a corporation,	Defendant.	)	

STIPULATION IN RE PLAINTIFF'S EXHIBITS  
NUMBER 7, 8, 9 and 10

It is hereby stipulated by and between the parties to the above entitled case by their respective counsel, that the several letters and reports constituting Plaintiff's exhibits Numbered 7, 8, 9 and 10, introduced in evidence in said cause, may be arranged chronologically in the printed record on appeal.

ARTHUR C. BROWN & ELTON B. HUNT  
Counsel for Plaintiff.

N. A. GIBSON, J. H. MAXEY  
WILBUR J. HOLLEMAN  
Counsel for Defendant.

APPROVED AND SO ORDERED:

F. E. KENNAMER  
Judge United States District Court

ENDORSED: Filed Feb 23 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

THE DOW CHEMICAL COMPANY, a corporation,	Plaintiff	)	
vs.		)	In Equity No. 968 ✓
WILLIAMS BROTHERS WELL TREATING CORPORATION, a corporation,	Defendant	)	

O R D E R

The above entitled cause coming before the Court on stipulation of the parties

IT IS HEREBY ORDERED:

That plaintiff's time for lodging its Narrative Statement of Testimony, and

filing its Praecipe, in said cause be and the same hereby is extended to and including April 19, 1935.

F. E. KENNAMER  
Judge, United States District Court

February 19th, 1935.

ENDORSED: Filed Feb 23 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

THE DOW CHEMICAL COMPANY, a corporation,	Plaintiff	)	
		)	
vs.		)	In Equity No. 968 ✓
		)	
WILLIAMS BROTHERS WELL TREATING CORPORATION, a corporation,	Defendant.	)	

O R D E R

The above entitled cause coming before the Court on stipulation of the parties

IT IS HEREBY ORDERED:

That the time for docketing the above entitled case and filing the record in the Court of Appeals be and the same hereby is extended to and including May 19, 1935.

F. E. KENNAMER  
Judge, United States District Court

February 19th, 1935.

ENDORSED: Filed Feb 23 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to February 25, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, FEBRUARY 25, 1935

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Court convened pursuant to adjournment Monday, February 25, 1935.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.  
H. P. Warfield, 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  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, FEBRUARY 25, 1935

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

UNITED STATES OF AMERICA, Complainant, )  
) )  
VS. ) No. 930 EQUITY. ✓  
) )  
HENRY W. METZGER, ET AL., Respondents. )

O R D E R

Upon consideration of complainant's supplemental bill of complaint filed by leave of Court first and obtained, and for good cause shown, it is

ORDERED that John T. Cole, a citizen and resident of the City of Okmulgee in the Eastern Judicial District of Oklahoma, upon application of said complainant, be made an additional party defendant hereto, and that the Clerk of this Court be, and he is hereby directed to issue subpoena in chancery to the said John T. Cole to appear herein, in accordance with the equity rules, and plead, answer or demur within twenty (20) days after service of subpoena in chancery.

Dated at Tulsa, Oklahoma, this 25 day of Feb., 1935.

ENDORSED: Filed Feb 25 1935 F. E. KENNAMER  
H. P. Warfield, Clerk DISTRICT JUDGE.  
U. S. District Court DC

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

UNITED STATES OF AMERICA, COMPLAINANT, )  
) )  
VS. ) NO. 930 EQUITY ✓  
) )  
HENRY W. METZGER, ET AL., RESPONDENTS. )

O R D E R

NOW on this 25 day of Feb., 1935, upon consideration of the suggestion of the complainant herein that C. D. Lewis, a resident and citizen of the City of Okmulgee within Eastern Judicial District of Oklahoma, has been appointed administrator of the estate of E. Kimbley, deceased, whose estate is named as a defendant in the above entitled cause, and the said C. D. Lewis is now the duly appointed, qualified and acting administrator of the estate of said decedent, it is

ORDERED that the Clerk of this Court issue subpoena in chancery in accordance with the equity rules requiring the said C. D. Lewis, as such administrator, within twenty (20) days after service of such subpoena in chancery, to appear herein and plead, answer or demur to the Amended Bill of Complaint filed herein on the 2nd day of January, 1935.

DONE at Tulsa, Oklahoma, this 25 day of Feb. 1935.

ENDORSED: Filed Feb 25 1935 F. E. KENNAMER  
H. P. Warfield, Clerk DISTRICT JUDGE.  
U. S. District Court DC

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

KENNETH STANLEY McPHERSON and HOWARD ALLEN McPHERSON, Plaintiffs, )  
vs. ) In Equity No. 953. ✓  
JOHN HENRY WIGGINS, Defendant. )

ORDER DENYING PLAINTIFFS' APPLICATION TO FILE MOTION FOR NEW TRIAL.

It appearing to the Court that plaintiffs have made application to file a motion for a new trial herein, and the Court having duly considered said application, finds that said application is not timely and wholly fails to state sufficient grounds for the filing of proposed motion for new trial;

IT IS THEREFORE, ORDERED, DECREED AND ADJUDGED that plaintiffs' application to leave to file a motion for new trial be and the same is hereby denied; to which order deny their application to file a motion for new trial plaintiffs duly except and their excepti by the Court allowed.

Dated this 25th day of February, 1935.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Feb 25 1935  
H. P. Warfield, Clerk  
U. S. District Court

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ESQUIRE PUBLISHING CO., Plaintiff, )  
-vs- ) No. 1015 - Equity. ✓  
RENBURG'S, INC., Defendant. )

Now on this 25th day of February, A. D. 1935, it is ordered by the Court that defendant herein be granted leave to file affidavits and brief.

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Court adjourned to February 26, 1935.

Court convened pursuant to adjournment, Tuesday, February 26, 1935.

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

United Mutual Life Insurance Company, )  
Complainant, )  
vs. )  
The City of Wynona, a municipal corporation, ) No. 971 E. ✓  
K. C. Coleman, Mayor, Martin Brown, City )  
Treasurer, The County Excise Board of Osage )  
County, Oklahoma, and Sim T. Garman, J. J. Page )  
and Frank Quarles, members thereof, )  
Respondents. )

ORDER ALLOWING MOTION TO INTERVENE

This cause coming on to be heard on the motion of Frank E. Sedgwick, J. S. Harris and Alfred Holman, members of the Bondholders Protective Committee to be made a party and the motion having been duly considered, and it appearing to the court that the said petitioners have an interest in the subject-matter of this suit sufficient to enable it to be a party to this suit.

It is therefore, ordered, adjudged and decreed that Frank E. Sedgwick, J. S. Harris and Alfred Holman, members of the Bondholders Protective Committee have leave to intervene in said suit.

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

ENDORSED: Filed Feb 26 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to February 27, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 27, 1935

Court convened pursuant to adjournment, Wednesday, February 27, 1935.

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

UNITED STATES, Plaintiff, )  
vs. ) No. 756 - Equity. ✓  
WILLIAM D. GRAY, Defendant. )

ORDER MODIFYING JUDGMENT

On this 27th day of February, 1935, this cause came on for hearing upon the application of William D. Gray for a modification of the judgment heretofore entered herein,

And it appearing to the court that by the terms of the judgment entered here-

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 27, 1935

on February 12, 1934, H. W. James, the receiver herein, was ordered to pay, on or before day of March, 1934, and at the same time for each succeeding month thereafter until the interest recited in said judgment was satisfied, the sum of Three Hundred Dollars (\$300.00) to the Osage Indian Agency, to be applied as a credit on said judgment, and that during the period of said monthly payments that there should be no execution issued on said payments unless default should be made in said payment, and further providing that on application of the defendant proper showing made, said judgment might be modified as to said payments.

And it further appearing to the court from the report of H. W. James, receiver, that the production from said leases has been reduced to such an extent that the same has not been sufficient to meet the payments required by the terms of said judgment, and at the same time pay the operating expenses of said leases; and that the Gray Oil Company have been compelled to advance monies to said receiver to make the last few payments; and that consequently the receiver does not have sufficient funds to make the January and February, 1935, payments, as required by the terms of said judgment; that the expenses of operation have increased and that in connection with the reduction of production, will in all likelihood render it impossible for said receiver to make said payments as required.

And it further appearing to the court that since this receivership, there has not been paid from the production of said lease the sum of Three Thousand Dollars (\$3,000.00) toward the liquidation of said judgment, and that a reduction in the payments will not jeopardize in any way the interest of the plaintiff herein, and that it is equitable that said payments be reduced until further order of the court.

IT IS, THEREFORE, BY THE COURT ORDERED that the judgment entered herein as to said payments, be and the same is hereby modified in that the payments due for the months of January and February, 1935, in the sum of Three Hundred Dollars (\$300.00) each, may be reduced to the sum of One Hundred Seventy Five Dollars (\$175.00) each, and that all future payments required by the terms of said judgment be reduced to the sum of One Hundred Seventy Five Dollars (\$175.00) per month, until otherwise ordered by the court, without in any manner affecting the said judgment or the validity thereof, and that the said receiver, H. W. James, is authorized and directed to immediately make the January and February, 1935, payments, in the sum of One Hundred Seventy Five Dollars (\$175.00) each, and also to pay as due by the terms of said decree all succeeding monthly payments in a like amount, until otherwise ordered by the Court.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Feb 28 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER INSTRUCTING RECEIVER

THIS CAUSE COMING on to be heard on this the 7th day of February, 1935, on the application of Rex Watkinson for instructions respecting the disbursement of certain funds which have recently come into his hands from the receiver of Wirt Franklin Corporation, said funds amounting to \$13,407.31, and the same being his proportionate part of the seventy-five per cent total distribution of \$200,000.00, and the said applicant being present by his solicitor,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 27, 1935

T. Austin Gavin, and John Rogers, Esq., appearing as personal counsel for J. A. Chapman, the court having read said application and having heard statements made in connection therewith and finding that it has jurisdiction to entertain the same and enter an order thereon, and fully advised in the premises, finds that said application should be sustained; and the court further finds that in that certain decree heretofore entered in the United States District Court for the Western District of Oklahoma, wherein Paul E. Reize was complainant and Wirt Franklin and others were defendants, the same being cause No. 1553, in said court, a judgment was rendered in favor of Rex Watkinson, receiver for the Exchange National Company in the sum of \$159,407.31, and that said judgment was erroneous insofar as the same rendered judgment in said sum to Rex Watkinson, Receiver of Exchange National Company, and in lieu of said judgment in said sum said Court should have entered a decree in favor of the said Rex Watkinson, Receiver for the sum of \$42,746.57, and the remainder of said sum, to-wit, \$116,567.74 should have been a judgment in favor of Exchange Trust Company; the court further finds that those certain notes held by Exchange Trust Company, secured by the \$280,000.00 worth of the bonds of the Wirt Franklin Corporation were long prior to the receivership of Exchange National Company and the liquidation of Exchange Trust Company, pledged to J. A. Chapman, and said notes of the Wirt Franklin Corporation have, for a long time, been and are now owned by the said J. A. Chapman, although formerly owned by the said Exchange Trust Company and pledged to the said J. A. Chapman, as hereinafore set forth.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that that certain judgment heretofore rendered in the United States District Court for the Western District of Oklahoma in that certain cause wherein Paul W. Reize was plaintiff, and Wirt Franklin Corporation and others were defendants, is erroneous in that it fails to find a judgment in favor of Exchange Trust Company in the sum of \$116,567.74;

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that that certain disbursement recently made by the receiver of said Wirt Franklin Corporation, and transmitted to said Rex Watkinson, Receiver of Exchange National Company, in the sum of \$13,407.31, should not be disbursed, insofar as \$9809.92 thereof is concerned to J. A. Chapman.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that hereafter, in execution of the terms of said decree erroneously entered as aforesaid, all disbursements by Wirt Franklin Corporation to Rex Watkinson, receiver of Exchange National Company, shall be upon the theory and assumption that judgment in his favor in said cause should have been in the sum of \$42,746.57, and that the remainder of said judgment rendered in his favor, to-wit, the sum of \$116,567.74 should be and is in favor of J. A. Chapman, and payments and disbursements of said funds shall be made to J. A. Chapman, with like force and effect as had said judgment been rendered in his favor in the sum of \$116,567.74, and all subsequent payments of said receiver of Wirt Franklin Corporation shall be made to said J. A. Chapman upon the assumption and theory that he has a valid judgment in said cause in the sum of \$116,567.74.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that Rex Watkinson, Receiver of Exchange National Company, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order, instructing said receiver.

F. E. KENNAMER  
United States District Court.

ENDORSED: Filed Feb 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity. ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING RELEASE OF SECOND MORTGAGE

THIS CAUSE, coming on to be heard, on the verified application of Rex Watk Receiver of Exchange National Company for an order authorizing, directing and empowering make, execute and deliver a good and sufficient release of that second mortgage covering the following described premises, to-wit:

The  $\frac{7}{8}$  SW $\frac{1}{4}$  Section 8-10N-5 East, Pottawatomie County; and the S $\frac{1}{2}$  SW $\frac{1}{4}$  Section 1-10N-5 East nole County, Oklahoma;

and the Court, having read said application and finding that it has jurisdiction to enter same, and to enter an order thereon, and being fully advised in the premises, finds that application should be sustained;

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the appl of Rex Watkinson, Receiver of Exchange National Company, be and the same is hereby sustain and the said Rex Watkinson, Receiver, be and he is hereby directed, authorized and empowered surrender the notes securing said above described second mortgage, and to make, execute, and deliver a good and sufficient release of said second mortgage, above described, upon the pay to him of the sum of \$50.00, in full discharge of said indebtedness, and to do all other necessary and proper in order fully to accomplish the letter and spirit of said applicatio this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Feb 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING SURRENDER OF NOTES, RELEASE OF MORTGAGE AND DISCLAIMER

THIS CAUSE COMING on to be heard on this the 27th day of February, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company, for authority surrender that certain note in the sum of \$75.00 due on the 1st day of November, 1932, and lease a second mortgage securing the same on the following described premises, to-wit:

S $\frac{1}{2}$  NW $\frac{1}{4}$  Section 31, Township 29 North, Range 21 East, Craig County, Oklahoma  
and to disclaim in that certain litigation wherein Central Life Assurance Society is plain

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 27, 1935

and Rex Watkinson, is one of the defendants, being No. 7385 in said county, involving, sa  
above described lands, wherein your receiver has filed a motion to quash, and the court ha  
read said application and finding that it has jurisdiction to entertain the same and ente  
order thereon, and being fully advised in the premises, finds that said application should  
sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said app  
tion be sustained and the said Rex Watkinson, Receiver of Exchange National Company, be a  
is hereby directed, authorized and empowered to surrender said note, release said second  
gage securing said note, file a disclaimer, and do all other things necessary and proper  
order fully and effectually to accomplish the letter and spirit of the application and th  
order.

F. E. KENNAMER  
United States District Court.

ENDORSED: Filed Feb 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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IN THE UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT OF OKLAHOMA  
THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING SURRENDER NOTE, RELEASE MORTGAGE AND  
COMPROMISE INDEBTEDNESS

THIS CAUSE COMING on to be heard on this the 27th day of February, 1935, on  
verified application of Rex Watkinson, Receiver of exchange National Company, for an order  
rizing, directing and empowering him to surrender five certain notes secured by a certain  
mortgage on the following described premises, to-wit:

SW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$  and W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and W $\frac{1}{2}$  W $\frac{1}{2}$  SE $\frac{1}{4}$  Section 27, Township 10 North,  
Range 25 East, Sequoyah County, Oklahoma,

which said mortgage is recorded in Book 107, page 301 of the books and records of Sequoyah  
Oklahoma, and for and in consideration of the payment to said receiver of Exchange National  
pany the sum of \$50.00, and the Court finding that it has jurisdiction to entertain said ap  
plication and enter an order thereon, and finding that it is for the best interest of the rece  
ship that said offer should be accepted, and being well and truly advised in the premises,  
that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the appli  
tion of Rex Watkinson, Receiver of Exchange National Company be and he is hereby directed,  
authorized and empowered to surrender said notes, more fully described in said application  
hereinabove described, and compromise the indebtedness, represented by said notes and mort  
gage for the sum of \$50.00, and to do all other things necessary and proper, in order fully  
effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Feb 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING TRANSFER OF FUNDS

THIS CAUSE COMING on to be heard on this the 27th day of February, 1935, on application of Rex Watkinson, for an order, directing, authorizing and empowering him to draw from funds now on hand in said receivership in Trustee Account No. 1 in the National Bank of Commerce, the sum of \$25,000.00 to be deposited forthwith in the National Bank of Tulsa in a special time account upon which he shall receive interest at the rate of 1% per annum on the daily average balance and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED, that said application be sustained, and the said Rex Watkinson be and he is hereby directed, authorized and empowered forthwith to withdraw from Trustee Account No. 1 in the National Bank of Commerce of \$25,000.00 which said sum shall be by the said Rex Watkinson redeposited in the National Bank of Tulsa in a special time account on which he shall receive interest at the rate of 1% on the daily average balance.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Feb 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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METROPOLITAN LIFE INS. CO., Plaintiff, )  
vs. ) No. 933 - Equity. ✓  
TULSA APARTMENT CO., ET AL, Defendants. )

Now on this 27th day of February, A. D. 1935, the above styled case comes on for trial. Said case is called and both sides are present and announce ready for trial. The witnesses are sworn and examined by the Court: R. W. Stratton and Mary Brockman. And after, note, mortgage and certified copy of journal entry of Case No. 51,597, District Court Tulsa County, Oklahoma, were introduced in evidence. And thereafter, both sides rest. And thereafter, it is ordered by the Court, after being fully advised in the premises, that docket be entered for Plaintiff, as prayed for, foreclosing mortgage of plaintiff.

And thereafter, it is ordered by the Court that Betty Lee Kolts be substituted in place of Pauline Stockebrand, Defendant.

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 27, 1935

by the complainant and respondent within said period of time and a copy thereof served on opposing counsel.

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

ENDORSED: Filed Feb 27 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to February 28, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, FEBRUARY 28, 1935

Court convened pursuant to adjournment, Thursday, February 28th, 1935.

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

HOWARD GRAY, as Executor of the Estate )  
of Julia S. Pearman, deceased, Plaintiff, )  
vs. ) No. 877 - Equity ✓  
EXCHANGE NATIONAL COMPANY, a cor- )  
poration, et al, Defendants. )

ORDER AUTHORIZING TRUSTEE TO SELL BONDS OF HOME OWNERS  
LOAN CORPORATION AND FEDERAL FARM MORTGAGE  
CORPORATION.

On this 28th day of Feb., 1935, upon the verified application of J. H. McBi Successor Trustee to the Exchange National Bank of Tulsa, Oklahoma, of all of the notes, mortgages, liens, obligations and property held as security for the payment of first lien participation certificates issued by the Exchange National Company under the trust agreement of July 19, 1928, between said Exchange National Company and Exchange National Bank of Tulsa, Oklahoma, and it appearing that said trustee has in his possession bonds issued by the Home Loan Corporation, bearing three per cent (3%) interest, in the principal amount of Sixteen Thousand Two Hundred Seventy Five Dollars (\$16,275.00); bonds of the Home Owners' Loan Corporation, bearing two and three-fourths (2-3/4%) per cent interest, in the principal amount of Thousand Two Hundred Fifty Dollars (\$2,250.00), and bonds of Federal Farm Mortgage Corporation bearing three per cent (3%) interest, in the principal amount of Six Thousand Eight Hundred Dollars (\$6,800.00), and that said bonds are marketable and readily salable, and it further appearing that said bonds have a market value of approximately their par value; and it further appearing that the Advisory Committee appointed by this court to counsel and advise with said trustee have recommended the sale of said bonds, but have directed said trustee to sell the same in his discretion, he deems the sale advisable; and it further appearing that the said trustee is of the opinion that said bonds should be immediately sold and converted into cash, and said bonds be sold at their present market prices; and it appearing that the sale of said bonds is probably advantageous to said trust estate, and for other good cause,

IT IS HEREBY ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized and empowered to sell the bonds in his possession and under his control issued by the Home Owners' Loan Corporation, providing for three per cent (3%) interest, in the principal amount of Sixteen Thousand Two Hundred Seventy Five Dollars (\$16,275.00); bonds of the Home Owners' Loan Corporation, providing for two and three-fourths per cent (2-3/4%) interest, in the principal amount of Thirty Thousand Two Hundred Fifty Dollars (\$30,250.00); and bonds of the Federal Farm Mortgage Corporation, providing for three per cent (3%) interest, in the principal amount of Six Thousand Eight Hundred Dollars (\$6,800.00), and that the sale of said bonds be made immediately at their present market prices.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Feb 28 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States of America,	Complainant,	)
		)
vs.		)
		)
William P. Rogers, otherwise known as		)
Will P. Rogers, R. A. McMahan, R. C.		)
Lowery, Eugene Snelling, Phillips Petroleum Company, a corporation, B. B. Knowlton and T. H. Elrod, Jr., a partnership, and Mid-Continent Petroleum Company, a Corporation,	Respondents.	)

No. 1013 Equity. ✓

FINAL DECREE.

WHEREAS, the United States of America has duly filed a Petition in Condemnation for a certain tract of land situated in the City of Claremore, Rogers County, Oklahoma, described as follows, to-wit:

Fronting Ninety-five (95) feet on the easterly side of Missouri Avenue, and extending westwardly of that width a distance of One Hundred Forty-five (145) feet along the northerly side of Second Street; being the southerly Ninety-five (95) feet of Lots numbers Thirteen (13), Fourteen (14) and Fifteen (15); also the southerly Ninety-five (95) feet of the westerly Five (5) feet of Lot number Twelve (12), all in Block One Hundred and Thirteen (113);

and it appearing from the record that the respondent, William P. Rogers, otherwise known as Will P. Rogers, has filed his answer herein, setting up the ownership of the above described real estate, and agreeing in said answer to accept in full payment for said real estate the sum of Four Thousand (\$4,000.00) Dollars, which it appears from the pleadings herein was the stipulated price to be paid for said property;

And it further appearing that the respondent, Phillips Petroleum Company, a corporation, has filed a disclaimer herein, disclaiming any right, title or interest in or to the above described real estate.

And it further appearing from the record herein that the Mid-Continent Petroleum Company, a corporation, respondent herein, has duly filed a disclaimer in this cause, disclaiming any right, title or interest in or to said above described property;

And it further appearing that the respondent, R. C. Lowery, has filed here a waiver of service of subpoena in equity and has entered a general appearance herein, consenting that said cause may be set down for hearing and disposed of as the Court may direct;

And it further appearing that the respondent, Eugene B. Snelling, has filed in a waiver of service of subpoena in equity and has entered a general appearance herein, consenting that said cause may be set down for hearing and disposed of as the Court may direct;

And it further appearing that the respondents, B. B. Knowlton and T. H. Elrod, a partnership, have filed a waiver of service of subpoena in equity and entered a general appearance herein, consenting that said cause may be set down for hearing and disposed of as the Court may direct;

And it further appearing that no service was had upon the respondent, R. A. Elrod, said cause is hereby dismissed as to said respondent, on motion of the Government, for the reason that said respondent had or has no right, title or interest in or to the above described property;

And it further appearing that the time for said respondents to answer, plead or otherwise demur in said cause has long since passed, the Court hereby adjudges said respondents to be in default herein, and that said respondents have no right, title or interest in or to the above described property.

It further appearing to the Court that said complainant, the United States of America, has heretofore deposited with the Clerk of this Court the sum of Four Thousand (\$4,000.00) Dollars in payment for said premises, and as aforesaid, the respondent, William P. Rogers, otherwise known as Will P. Rogers, has agreed to accept said sum in full payment for the above described real estate, and it appearing to the Court that an order should be made, directing the Clerk of the United States District Court for the Northern District of Oklahoma, to pay over to the said William P. Rogers, otherwise known as Will P. Rogers, the said sum of Four Thousand (\$4,000.00) Dollars, so deposited, in full payment for said real estate, and that the title to said real estate should be vested in fee simple in the United States of America; and it further appearing to the Court that no costs should be assessed herein against the respondent, William P. Rogers, otherwise known as Will P. Rogers, or against any of said respondents herein, but that said respondent, William P. Rogers, otherwise known as Will P. Rogers, should receive the full sum of Four Thousand (\$4,000.00) Dollars, and that no impounding fee should be charged by the Clerk of this Court against said sum;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the title in and to the real estate hereinbefore described be, and it is hereby vested in fee simple in the United States of America, and the said respondents, William P. Rogers, otherwise known as Will P. Rogers, R. C. Lowery, Eugene Snelling, Phillips Petroleum Company, a corporation, B. B. Knowlton and T. H. Elrod, Jr., a partnership, and the Mid-Continent Petroleum Company, a corporation, and each of them, their heirs, devisees, trustees, successors or assigns, or any person or persons claiming through or under them, are hereby perpetually barred and enjoined from asserting or claiming any right, title or interest in or to said above described real estate.

IT IS FURTHER ORDERED that the Clerk of the United States District Court of the Northern District of Oklahoma, be and he is hereby authorized and directed to forthwith pay to the said William P. Rogers, otherwise known as Will P. Rogers, the said sum of Four Thousand (\$4,000.00) Dollars as final, full and complete compensation and purchase price for the real estate hereinbefore described.

IT IS FURTHER ORDERED THAT no costs be assessed herein against any of the respondents, and that no impounding fee be charged against the said sum of Four Thousand (\$4,000.00) Dollars.

IT IS THE FURTHER ORDER of the Court that this decree shall have the effect of a direct conveyance of the real estate hereinbefore described, from William P. Rogers,

wise known as Will P. Rogers, to the United States of America.

Dated this 28th day of February, 1935.

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

The respondent, William P. Rogers, otherwise known as Will P. Rogers, here  
sents and agrees to the terms and conditions of the above and foregoing Final Decree.

HOLTZENDORFF & HOLTZENDORFF  
By R. A. HOLTZENDORFF  
Attorneys for William P. Rogers, otherw  
as Will P. Rogers.

C.E. C. E. BAILEY  
United States Attorney

WITNESSED: Filed Feb 28 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

Singer Steel & Metal Corporation, a )  
corporation, and Southwestern Pipe )  
& Supply Company, a corporation, Plaintiffs, )  
v. ) No. 1014 Equity ✓  
Tulsa Steel Corporation, a corporation, )  
and Sheffield Steel Corporation, a cor- )  
poration, Defendants. )

O R D E R

Now on this 28th day of February, 1935, the above entitled matter comes on  
heard upon the application of Kamen Iron & Metal Company, for leave to intervene in this  
case.

Thereupon the court, being duly advised in the premises, finds that the app  
should be granted leave to intervene.

IT IS THEREFORE, ORDERED that the intervening petition of Kamen Iron & Metal  
pany, tendered herewith, be received and filed and that said Kamen Iron & Metal Company be  
granted leave to intervene herein.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE.

WITNESSED: Filed Feb 28 1935  
H. P. Warfield, Clerk  
U. S. District Court

DISTRICT OF OKLAHOMA  
 REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, MARCH 1, 1935

Court convened pursuant to adjournment, Friday, March 1, 1935.

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

Samuel J. T. Straus and Melvin L. Straus, as Trustees,	Plaintiffs,	)	
		)	
vs.		)	Equity No. 780 ✓
		)	
Alvin Hotel, Inc., a corporation,	Defendant,	)	
		)	
Robert E. Straus, and Edward R. Heinsimer, as Trustees,	Interveners.	)	

O R D E R

Now on this 27th day of February, 1935, the above matter coming on before Court for the fixing of the temporary allowance and monthly drawing account of E. J. Bow J. S. Stewart, Receivers herein, and the Court having duly considered the matter and been advised in the premises, finds: That the partial allowances and monthly drawing accounts said Receivers should be fixed as follows: E. J. Bowers, \$125.00 per month; J. S. Stewart \$250.00 per month, which comprises and includes and is the same in amount as his compensation as Manager of the Alvin Hotel under the former Receiver.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the said Receivers be and are authorized to pay to themselves by check against the receivership estate the said respective sums per month.

ENDORSED: Filed Mar 1 1935 H. P. Warfield, Clerk U. S. District Court	F. E. KENNAMER DISTRICT JUDGE
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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA.

G. V. FRAZIER,	Plaintiff,	)	
		)	
v.		)	No. 927 Equity. ✓
		)	
The Carter Oil Company, a corporation,	Defendant.	)	

O R D E R

Now on this 28th day of February, 1935, the above entitled matter comes on heard upon the application of the Special Master appointed herein for additional time with which to prepare and return his report.

For good cause shown, it is hereby ordered that the time within which report the Special Master appointed herein may be filed be extended from March 1, 1935, until Ma



J. E. McGee, \$25.00  
Security Bank and Trust Co. \$50.00

Each of said advances to be as part payment of the compensation of the master and to apply final compensation allowed to him herein.

F. E. KENNAMER  
JUDGE OF THE UNITED STATES DISTRICT COURT

ENDORSED: Filed Mar 2 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

MILFORD E. TAPP and CHARLES H. )  
TAPP, Complainants, )  
vs. ) No. 897 Equity. ✓  
CHARLES F. STUART, Respondent. )

ORDER ALLOWING APPEAL ON BEHALF OF COMPLAINANTS,  
MILFORD E. TAPP AND CHARLES H. TAPP.

Now on this 2nd day of March, 1935, comes the complainants, Milford E. Tapp and through his solicitors of record, Goldesberry and Klein of Tulsa, Oklahoma, and Charles Tapp, by and through his solicitor of record, Geo. W. Reed, Jr., and present to the court petition for an appeal to the United States Circuit Court of Appeals for the Tenth Circuit said parts or portions of the decision, action, order and judgment of the court in said case in said petition for appeal stated and shown, the said complainants having also presented court and filed herein their assignment of errors in support of said petition for appeal the court being fully advised in the premises finds that such appeal to said United States Circuit Court of Appeals for the Tenth Circuit should be allowed as prayed for in said petition under the assignment of errors presented and filed therewith.

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED that said petition for appeal, together with the assignment of errors in support thereof be and the same hereby ordered filed and an appeal be and the same hereby is allowed to said complainants, Milford Tapp and Charles H. Tapp to the said United States Circuit Court of Appeals for the Tenth Circuit from that part of the decision, action, order and judgment of the court as set out in complainants' petition for an appeal as filed by complainants herein.

ENDORSED: Filed Mar 2 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
J U D G E

Court convened pursuant to adjournment Monday, March 4, 1935.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.  
 H. P. Warfield, 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 THE  
 STATE OF OKLAHOMA.

Clarence Caraker, et al,	Complainants,	)	
		)	
-vs-		)	No. 864 - Equity ✓
		)	
Oklahoma Natural Gas Corporation, et al,	Defendants,	)	
		)	
Consolidated with		)	
		)	
Gas Utilities Company,	Plaintiff,	)	
		)	
-vs-		)	No. 905 - Equity ✓
		)	
Oklahoma Natural Gas Corporation,	Defendants.	)	
		)	

ORDER CONTINUING JURISDICTION

This cause came on further to be heard on this 4th day of March, 1935, on the application of Lewis J. Bickins and C. R. Nixon, attorneys for and on behalf of complainant holders represented by them at the trial of this cause for an order specifically extending jurisdiction of this Court to approve or disapprove election of Directors of Oklahoma Natural Gas Company, and the Court after being fully advised and after giving full consideration of the pleadings, proofs, records and proceedings heretofore had in the above entitled cause that at the time the Court entered the order herein, to-wit: July 2, 1934, counsel for the party applying for said order and Judge Summers Hardy, acting as special representative of Board of Directors of Oklahoma Natural Gas Company were present in Court; that Judge Summers Hardy, in the presence of counsel for the Company and counsel for the stockholders, stated in his opinion the form of order presented and signed retained full and complete jurisdiction in the Court to approve or disapprove the election of officers and Directors of the Company that counsel for the Company, while not expressing agreement with the construction placed upon said order by Judge Hardy, heard said statement made and did not controvert same; that said order would not have been made but for the representations so made to the Court, and belief that all parties were in accord in construing said order as retaining jurisdiction the Court to approve the election of officers and Directors, and the Court is of the opinion that such is the effect of the order of July 2, 1934, but the Court is advised that New York counsel representing Gas Utilities Company construe said order of July 2, 1934, as relinquishment of such jurisdiction, and that it is probable that Gas Utilities Company, owning a majority of the common stock, will elect Directors of its own choosing at a meeting of stockholders to be held in Wilmington, Delaware, on March 5, 1935, without regard to the welfare and interests of other stockholders and security holders of Oklahoma Natural Gas Company, unless restrained from so doing by an order of this Court.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that jurisdiction be and is specifically retained and continued until the further order of this Court, to approve or disapprove the election of officers and Directors of Oklahoma Natural Gas Company.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Gas Utilities Company, its agents, servants, employees and proxies, be and it and they are hereby specifically enjoined from electing Directors at a meeting to be held in Wilmington, Delaware, on March 5, 1935, or any



IT IS HEREBY ORDERED that plaintiffs have of and recover from the defendant Tankersley, Mary Tankersley, M. J. McNulty, Jr., and D. I. McNulty the sum of \$7500.00, let execution issue.

OK HICKMAN & UNGERMAN  
 Attys for Defts Tankersley

F. E. KENNAMER  
 Judge.

ENDORSED: Filed Mar 5 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

United States,	Complainant,	)	
		)	
vs.		)	
		)	
Clarence Lohman, Executor of Last Will of		)	
Mary J. Bryant, deceased, Cecil Bryant,		)	
Anna Belle Bryant Williams, Della Bryant		)	No. 820 Equity. ✓
Wolfe, Cecil Bryant, Arthur Bryant,		)	
Carrie M. Snodgrass, by W. E. McGuire, Gdn.		)	
Beatrice B. Watrous, Frank Bryant, M. A.		)	
Herbert and William Joseph Herbert, by A. B.		)	
Campbell, Gdn., heirs of Mary J. Bryant,		)	
deceased,	Respondents.	)	

DEGREE OF FORECLOSURE

This cause came on for hearing in the United States District Court for the District of Oklahoma, sitting at Tulsa in said District, on September 10, 1934, upon the pleadings and the proof offered herein. The complainant appears by the United States District Attorney, C. E. Bailey. The respondent, Clarence Lohman, Executor, appears in person and by his attorney, M. L. Holcombe. The respondent, Carrie M. Snodgrass, an incompetent person, inasmuch as referred to in the Bill of Complaint as Carrie M. Snodgrass, appeared by her duly appointed and qualified guardian, W. E. McGuire, and his attorney, M. L. Holcombe. The respondent, William Joseph Herbert, a minor, appeared by his duly appointed, qualified and acting guardian, A. B. Campbell. The respondent, Cecil Bryant, having been duly and personally served with subpoena in equity, has filed his answer herein but failed to appear. The respondent, Frank Bryant, having been duly served with subpoena in equity, has failed to answer or otherwise plead to the Bill of Complaint herein, and is adjudged to be in default. The respondent, Anna Belle Bryant Williams, having been duly served with process by publication has filed her answer herein but failed to appear. The respondents, Della Bryant Wolfe, Arthur Bryant, Beatrice B. Watrous, M. A. Herbert, having been duly served with process by publication, have failed to appear, answer or otherwise plead to the Bill of Complaint herein, and are adjudged to be in default. Both parties announce ready for trial, adduce their evidence and rest, and the Court being fully advised in the premises finds:

That on March 13, 1930, Mary J. Bryant and Cecil Bryant, executed and delivered to Pah-se-to-pah, Osage Allottee No. 615, for a good and valuable consideration, their promissory note in writing of that date in the sum of \$7,000.00, due March 13, 1935, with interest at 7% per annum, payable quarterly.

That on the same date, and to secure the payment of said note, said Mary J. Bryant and Cecil Bryant executed and delivered to said Pah-se-to-pah, Osage Allottee No. 615, a mortgage on the following described real estate in Osage County, Oklahoma, to-wit:

N2 of NE4; SE4 of NW4; SW4 of NE4; NW4 of SE4; NE4 of SW4 of Section 12, all in Township 25, Range 8. SW4 of NE4; W2 of SE4; SE4 of SE4 of Section 7, Township 25, Range 9. S2 of SW4 of Section 17; E2 of NE4 of Section 19; NW4; N2 of SW4 of Section 20; E2 of NE4; NE4 of SE4 of Section 28; W2 of SW4 of NW4 of Section 27, all in Township 22, Range 10, Lots 3, 4, 5, 6 and 7, Block 35, original townsite of Pawhuska, Oklahoma.

That said mortgage contains the words "appraisement waived". That since the execution of note and mortgage the said Mary J. Bryant died, leaving a will constituting and appointing Clarence Lohman her executor. That said will has been duly admitted to probate in the County of Osage County, Oklahoma, the county of the residence of said deceased, and the said Clarence Lohman, Executor, qualified and took upon himself the duties of said office and ever since has been and now is the duly appointed, qualified and acting Executor. That the heirs and devisees of the said Mary J. Bryant are Cecil Bryant, Anna Belle Bryant Williams, Del Bryant Wolfe, Arthur Bryant, Carrie M. Snodgrass, inadvertently designated in the Bill of Complaint herein as Cannie N. Snodgrass, William Joseph Herbert, a minor, Beatrice Bryant and Frank Bryant. That M. A. Herbert is the father of William Joseph Herbert, but is not heir or devisee and has no interest in the said lands.

That the terms and conditions of said note and mortgage have been broken in that there is now past due and unpaid upon said note and mortgage the sum of \$5,972.77, with interest thereon at the rate of 7% per annum, payable quarterly, from Dec. 26, 1931, until paid.

That complainant is not entitled to a personal judgment against Clarence Lohman, Executor, for the reason that due notice was given for the payment of claims by said Executor and the complainant failed to file said claim with said Executor for allowance and payment in the time required by the notice to creditors and the laws of the State of Oklahoma, and the same is therefore barred, but that the complainant is entitled to a judgment against the respondent, Cecil Bryant, for the sums hereinbefore mentioned, and has a first lien upon the hereinbefore described for said amounts.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the complainant, the United States, do have and recover judgment against the respondent, Cecil Bryant, in the sum of \$5,972.77, with interest thereon at the rate of 7% per annum, payable quarterly from Dec. 1931, until paid, and all costs of this action, and that said amount be, and the same hereby decreed to be a first and prior lien upon the lands hereinbefore described, and that upon failure of said respondent, Cecil Bryant, to pay said judgment within six months from date of an order of sale issued, and said lands be sold in the manner provided by law, and the proceeds applied to the payment of this judgment. It is further ordered that if the amount from said sale is insufficient to satisfy said judgment, interest and costs, let execution against the said respondent, Cecil Bryant, for the remainder unpaid.

IT IS FURTHER ORDERED AND DECREED that from and after the sale of said real property under and by virtue of this judgment and decree the said respondents, and each of them and all persons claiming under them, or either of them, since the filing of the Bill of Complaint herein, be, and they are forever barred and foreclosed of and from any and every lien upon right, title, interest, estate or equity of, in, or to said real estate or any part thereof.

And now on this 5th day of March, 1935, this cause comes on for further hearing with the appearances hereinbefore noted and with William Joseph Herbert, a minor, appearing by his guardian ad litem, John R. Pearson. And the Court being advised in the premises, finds that William Joseph Herbert, a minor, has been duly served with process and duly constituted before the Court, and that John R. Pearson as guardian ad litem, has filed an answer herein for him. The Court further finds that Carrie M. Snodgrass, inadvertently designated as Carrie Snodgrass in the Bill of Complaint herein, is not a minor but is an adult and represented by her legal guardian, W. E. McGuire, and has heretofore filed her answer herein, and is duly represented in this court by her said guardian and attorney.

The Court further finds that the judgment heretofore rendered herein should in all things be ratified and confirmed as to each and all of the respondents herein, except that the time within which they are allowed to liquidate said judgment shall run from the date hereof.

The Court further finds that John R. Pearson, as guardian ad litem herein, is entitled to reasonable fees herein in the sum of \$25.00, together with costs advanced by him in the sum of \$2.00.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the judgment heretofore rendered in this cause on September 10, 1934, be, and the same hereby in all things ratified and confirmed as to each and all of the respondents herein, except that the order of sale shall not issue until six months from the date hereof.

IT IS FURTHER ORDERED that John R. Pearson is allowed guardian ad litem fee herein in the sum of \$25.00, together with costs advanced by the said John R. Pearson in the sum of \$2.00, and the same shall be taxed as costs herein.

IT IS THE FURTHER ORDER OF THE COURT that the note and mortgage involved herein be merged in this judgment.

O.K. CHESTER A. BREWER Asst U. S. Atty. Attorney for Complainant. F. E. KENNAMER United States District Judge.

M. L. HOLCOMBE Attorney for Clarence Lohman, Executor.

M. L. HOLCOMBE Atty for Guardian of Carrie M. Snodgrass.

JOHN R. PEARSON Guardian ad Litem of Carrie M. Snodgrass

WILLIAM JOSEPH HERBERT, By JOHN R. PEARSON GUARDIAN AD LITEM.

A. B. CAMPBELL Gdn. of Wm. Joseph Herbert

RECORDED: Filed Mar 5 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING SALE OF BONDS

THIS CAUSE COMING on to be heard on this the 27th day of February, 1935, on the filed application of Rex Watkinson for an order authorizing him to sell certain Federal Farm Loan Bonds and certain Home Owners Loan Corporation Bonds, all of the value of \$78,100.00,

provided he shall receive therefor approximately the following figures set opposite the question:

3% Federal Farm Mortgage Bonds	102.
3% H. O. L. C. bonds	102.4
2-3/4% H. O.L. C. bonds	100.6

and the court having read said application and having made inquiry with respect thereto of solicitors for said applicant, and from the applicant himself and from Homer J. Green, who appeared in court in connection with said matter, as the representative of J. A. Chapman, a finding that he has jurisdiction to entertain said application and enter an order thereon being well and truly advised in the premises finds that said application should be sustained

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED And DECREED that said application be and the same is hereby sustained and the said Rex Watkinson, be and he is hereby authorized and directed and empowered to sell, the following described bonds:

belonging to Trustee No. 1 Account	
2-3/4% H.O.L.C. Bonds	\$9,325.00
3% H.O.L.C. Bonds	64,925.00
3% Federal Farm Mortgage Bonds	2,300.00

belonging to Exchange National Company	
2-3/4% H.O.L.C. Bonds	100.00
3% H.O.L.C. Bonds	350.00
3% Federal Farm Mortgage Bonds	1,100.00

provided he shall receive therefor approximately the figures set opposite said bonds.

IT IS THE FURTHER, ORDER, JUDGMENT AND DECREE OF THE COURT that the said Rex Watkinson be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

WITNESSED: Filed Mar 5 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
United States District Judge.

-----  
Court adjourned to March 6, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MARCH 5, 1935

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Court convened pursuant to adjournment, Thursday, March 7, 1935.

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

HOWARD GRAY, as Executor of the Estate )  
of Julia S. Pearson, deceased, Plaintiff, )  
vs. ) No. 877 - Equity. )  
EXCHANGE NATIONAL COMPANY, a cor- )  
poration, et al, Defendants. )

O R D E R

On this 6th day of March, 1935, upon the verified application of J. H. McBratney, successor trustee to the Exchange National Bank of Tulsa, Oklahoma, of all of the notes, mortgages, liens, obligations, and property held as security for the payment of first lien participation certificates issued by the Exchange National Company under the trust agreement of July 19, 1928, between said Exchange National Company and Exchange National Bank of Tulsa, Oklahoma;

And it appearing that among the assets turned over to said petitioner as Successor Trustee, is a note executed by A. L. Martin and Flossie M. Martin, payable to the Exchange National Company for the principal sum of Sixty Five Thousand Dollars (\$65,000.00); that said note is secured by a real estate mortgage dated November 13, 1928, covering the property described in said application; that said premises are improved with a brick building containing small apartments; that said apartments are furnished with furniture and equipment, which said furniture and equipment is mortgaged to secure an indebtedness due the Exchange National Bank of Tulsa, Oklahoma, said Exchange National Bank also being the holder of a second mortgage upon the said real estate; and it further appearing that it is to the best interest of the trust estate involved herein, to have the furniture and furnishings located within said apartment building intact; and it further appearing that the said Exchange National Bank of Tulsa, Oklahoma, has asserted certain rights and interests in and to said furniture and furnishings by reason of their said mortgage and there is danger of foreclosure of said mortgage and removal of said furniture and furnishings from said apartment building; and it further appearing that the said Exchange National Bank of Tulsa, Oklahoma, is agreeable to accepting payment of Eight Hundred Dollars (\$800.00) as payment in full for a release of the said mortgage and to release the furniture and furnishings in said apartment building, and that the owners of said furniture and furnishings are agreeable to executing a chattel mortgage to petitioner securing the said sum of Eight Hundred Dollars (\$800.00), as well as the indebtedness due the note and mortgage first above referred to, and that the said furniture and furnishings and equipment within said apartment building are the following:

51 small apartment ranges  
51 Occasional Chairs, leather seats  
51 Divans, Tapestry covers  
51 Metal bridge lamps  
34 Windsor chairs  
51 Roll around beds  
51 Cotton mattresses  
51 Small gateleg tables  
385 yds carpet  
1015 yds carpet  
180 yds hall carpet  
30 yds lobby carpet  
30 yds stair carpet and treads  
Radio, with 51 loud speakers;

and it further appearing that in the opinion of said trustee it will be impossible to rent said apartment without furniture and furnishings; and it further appearing that the said trustee

has a sum of money on hand, obtained from the rental of said apartments, which may be used to pay said Eight Hundred Dollars (\$800.00), and that it is to the advantage of said estate to acquire a first mortgage upon the furniture and furnishings in said building for the said sum of Eight Hundred Dollars (\$800.00) from rentals collected, for the balance of the existing mortgage thereon; and it further appearing that the said furniture and furnishings are worth a sum greatly in excess of Eight Hundred Dollars (\$800.00), and an additional amount for the sum of Two Thousand Four Hundred Two Dollars (\$2,402.00), in the other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee to the Exchange National Bank of Tulsa, Oklahoma, be and he hereby is authorized and empowered to pay the Exchange National Bank of Tulsa, Oklahoma, the sum of Eight Hundred Dollars (\$800.00), from rentals obtained by the premises hereinabove described, for a release of the chattel mortgage, and a first chattel lien, upon the furniture and furnishings above referred to and described provided, the said trustee obtains a first chattel mortgage upon said furniture and furnishings for the payment of said sum of Eight Hundred Dollars (\$800.00) advanced from said bank as additional and further security for the present existing indebtedness above referred to.

F. E. KENNAMER  
 United States District Judge.

ENDORSED: Filed Mar 6, 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

Ray Robinson, Receiver,	Plaintiff,	)	
		)	
v.		)	No. 883 Equity ✓
		)	
Southwest Bank Shares Corporation,		)	
a Delaware corporation,	Defendant.	)	

ORDER SETTING ASIDE ORDER OF JANUARY 7, 1935,  
 AUTHORIZING SALE OF STOCK IN HELENA NATIONAL  
 BANK OF HELENA, OKLA.

Now on this 5th day of March, 1935, the above entitled matter comes on to be upon the petition of J. H. McBirney, Receiver, to set aside order entered herein on the 7 day of January, 1935, authorizing and directing said receiver to sell, transfer and convey certain stock owned by Southwest Bank Shares Corporation in the Helena National Bank of Helena, Oklahoma, to F. M. Overstreet of Ponca City, Oklahoma, for the sum of \$600 cash, and the being duly advised in the premises finds that said order should be cancelled and set aside.

IT IS, THEREFORE, BY THE COURT, ORDERED that said order of January 7, 1935, authorizing and directing the receiver herein to sell, transfer, and convey to F. M. Overstreet of Ponca City, Oklahoma, certain stock owned by Southwest Bank Shares Corporation in the National Bank, of Helena, Oklahoma, be and the same is hereby cancelled, set aside and brought to naught.

F. E. KENNAMER  
 UNITED STATES DISTRICT JUDGE.

ENDORSED: Filed Mar 6 1935  
 H. P. Warfield, Clerk  
 U. S. District Court.

Court convened pursuant to adjournment, Thursday, March 7, 1935.

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

Rex Watkinson, Receiver of Exchange )  
National Company, Plaintiff, )  
v. )  
J. J. Barnett, State Bank Commissioner ) No. 940 Equity. /  
for the State of Oklahoma, in charge of )  
Exchange Trust Company in Liquidation, )  
Defendant. )

ORDER DIRECTING PAYMENT OF EXPENSES:

Now on this 6th day of March, 1935, this matter comes on to be heard upon the application of W. O. Buck, trustee herein, for authority to reimburse himself for certain expenses incurred in the administration of said trust estate.

Said trustee has in his hands the sum of \$78.65 from the proceeds of collection on assets from the trust estate.

The court further finds that said trustee has expended the sum of \$17.64 in the administration of said estate and should be reimbursed therefor.

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED and ADJUDGED that said trustee be and he is hereby authorized and directed to pay to himself the sum of \$17.64 for expenses incurred by him in the administration of said trust estate.

ENDORSED: Filed Mar 7 1935 F. E. KENNAMER  
H. P. Warfield, Clerk UNITED STATES DISTRICT JUDGE.  
U. S. District Court

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

Rex Watkinson, Receiver of Exchange )  
National Company, Plaintiff, )  
vs. ) No. 940 Equity /  
J. J. Barnett, State Bank Commissioner )  
for the State of Oklahoma, in charge of )  
Exchange Trust Company in Liquidation, )  
Defendant. )

ORDER DIRECTING PAYMENT OF DIVIDEND:

This cause came on to be heard at this term on the application of W. O. Buck, trustee, for authority to pay a dividend on the trust out of the trust funds, said W. O. Buck appearing by his attorney Charles A. Coakley, and there being no appearance in opposition to his application.

DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      THURSDAY, MARCH 7, 1935

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Said trustee has in his hands from the proceeds of collections on assets of the trust estate the sum of \$2,778.65.

The court finds that a dividend of twenty (20%) percent of the face amount of certificates herein should be paid,

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED and ADJUDGED that said trustee be and he is hereby authorized and directed to pay to the beneficiaries herein a dividend of twenty (20%) percent; that the beneficiaries to participate herein are the following persons holding ownership in said trust in the amount set opposite their respective names, and that dividend be paid in proportion to said holdings:

	<u>PAR VALUE</u>
Barton & Co., Inc.	\$ 100.00
Crawford, Cecil H.	500.00
Willis, S. Morse	1,000.00
Jaring, C. A.	500.00
Hudson, Frank, Trustee for Shirley June Hudson	100.00
Jaring, C. A.	500.00
Halley, Wm. W.	800.00
Steigleder, Mrs. Lucile Culp	1,000.00
Metzger, Mrs. H.	1,000.00
Hudson, Annie E.	500.00
Gordon, Miss Betty (Now Mrs. Arthur Haddaway)	3,000.00
Andrew, Earl	500.00
Caldwell, Mrs. Gertrude	4,000.00
	<u>\$13,500.00</u>

DATED this 6th day of March, 1935.

FILED: Filed Mar 7 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
United States District Judge.

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Court adjourned to March 8, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      FRIDAY, MARCH 8, 1935

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Court convened pursuant to adjournment, Friday, March 8th, 1935.

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

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

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

Caroline L. Yeargain, et al, Complainants, )  
-vs- ) In Equity No. 821 ✓  
Joseph D. Yeargain, et al., Defendants. )

ORDER and JUDGMENT

Now on this 8 day of March, 1935 upon consent and stipulation of the parties interested, which stipulation is approved by the Court, it is ordered, adjudged and decreed that the defendant, J. T. Edmondson take in full satisfaction of all the notes set up in his pleaded answer and cross-petition and in full satisfaction of all his claims against the partnership property owned by Scott A. Yeargain and Joseph D. Yeargain the following described property in Ottawa County, Oklahoma:

Lot Twenty-six and the North nine inches of Lot Twenty-seven (27), in Block Ninety-four (94), City of Miami, Oklahoma, including the North Half of Stone Wall constituting the south wall of the building and the South Half of the Stone Wall constituting the north wall of the building now on said lot;

All of Lot Fourteen (14) in Block Ninety-five (95), in the City of Miami, Oklahoma, according to the official recorded plat thereof;

The Southeast Quarter of the Northeast Quarter of Southwest Quarter of Section 31, Township 28 North, Range 23 East of Indian Base and Meridian, containing 10 acres, more or less, also North Half of Northeast quarter of Southwest Quarter and the North 7.8 acres of Lot 11, Section 31, Township 28 North, Range 23 East of Indian Base and Meridian, Cherokee Survey, Containing 28.8 acres, more or less, Ottawa County, Oklahoma;

subject to unpaid taxes thereon and that title to said property be quieted in the defendant Edmondson and that all other parties to this action be enjoined and restrained from asserting any interest therein except that this decree shall not prevent this Court from passing upon lien claims attempted to be set up by J. E. McGhee in this action and that the defendant, J. Edmondson be barred and restrained from asserting any interest in any other property which November 10th, 1926, was owned by Scott A. Yeargain and Joseph D. Yeargain as partners.

O.K. WILLIAM NEFF  
Attorneys for Complainants.

F. E. KENNAMER  
J u d g e.

WALTER S. SMITH  
Attorneys for Defendant J. T. Edmondson

RECORDED: Filed Mar 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, a Corporation, Plaintiff, )  
-vs- ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, a )  
Corporation, Defendant. )

ORDER AUTHORIZING COMPROMISE SETTLEMENT, ASSIGNMENTS OF NOTES AND  
SECOND MORTGAGES SECURING SAME, AND DISMISSAL OF  
PENDING LITIGATION

THIS CAUSE coming on to be heard on this the 8th day of March, 1935, on the filed application of Rex Watkinson, Receiver of Exchange National Company, for an order authorizing, directing and empowering him to make a compromise settlement on two certain notes and mortgages securing same, more fully described and set out in said application, and to assign and deliver to Morris Haas said notes and second mortgages, and to dismiss any pending litigation thereon, upon payment of \$33.00, and to do all other things necessary and proper in order to and effectually to accomplish the letter and spirit of said application. The second mortgages above mentioned and referred to are more fully described as follows:

A certain second mortgage recorded in Book 196 at Page 223 in the office of the County Clerk for Wagoner County, Oklahoma, said mortgage covering and affecting the  $W\frac{1}{2}$  SW $\frac{1}{4}$  & SE $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 2-19N-15E, Wagoner County, Oklahoma; and

also a certain second mortgage recorded in Book 817 at Page 47 in the office of the County Clerk for Tulsa County, Oklahoma, said mortgage covering and affecting the S $\frac{1}{2}$  N $\frac{1}{2}$  & Lots 5 & 6 of Sec. 2-19N-14E, Tulsa County, Oklahoma;

and the Court having read said application and being fully advised in the premises and finding that it has jurisdiction to entertain the same and enter an order thereon, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the said application of Rex Watkinson, Receiver of Exchange National Company, be and the same is hereby sustained and the said Rex Watkinson, Receiver of Exchange National Company be and he is hereby authorized, directed and empowered to assign and deliver to Morris Haas, upon payment of \$33.00 the second mortgages and notes above mentioned and referred to, and to dismiss any pending litigation thereon, and to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of said application and this order.

F. E. KENNAMER  
United States District Judge.

RECORDED: Filed Mar 8 1935  
H. P. Warfield, Clerk  
U. S. District Court  
DC

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, a Corporation, Plaintiff, )  
-vs- ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, a corporation, )  
Defendant. )

ORDER AUTHORIZING COMPROMISE SETTLEMENT, ASSIGNMENTS OF NOTES AND SECOND MORTGAGES SECURING SAME, AND DISMISSAL OF PENDING LITIGATION.

THIS CAUSE coming on to be heard on this the 8th day of March, 1935, on the verified application of Rex Watkinson, Receiver of Exchange National Company, for an order authorizing, directing and empowering him to make a compromise settlement on certain notes and second mortgages securing same, more fully described and set out in said application, and assign and deliver to Morris Haas said notes and second mortgages, and to dismiss any pending litigation thereon, upon payment of \$92.00, and to do all other things necessary and proper order fully and effectually to accomplish the letter and spirit of said application. The mortgages above mentioned and referred to are more fully described as follows:

A certain second mortgage recorded in Book 196 at page 225 in the office of the County Clerk for Wagoner County, Oklahoma, said mortgage covering and affecting the N $\frac{1}{2}$  & W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 21, & S $\frac{1}{2}$  of NW $\frac{1}{4}$  & NE $\frac{1}{4}$  of Sec. 22-19N-15E, Wagoner County, Oklahoma; and, also,

A certain second mortgage recorded in Book 817 at Page 51 in the office of the County Clerk for Tulsa County, Oklahoma, said mortgage covering and affecting the SW $\frac{1}{4}$  Sec. 3, and S $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec. 4, less 2 $\frac{1}{2}$  acres, being described as the E $\frac{1}{2}$  of W $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  in Sec. 4-19N-14E, Tulsa County, Oklahoma;

and the Court having read said application and being fully advised in the premises and finding it has jurisdiction to entertain the same and enter an order thereon, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the said application of Rex Watkinson, Receiver of Exchange National Company, be and the same is hereby sustained and the said Rex Watkinson, Receiver of Exchange National Company be and he is hereby authorized, directed and empowered to assign and deliver to Morris Haas, upon payment of \$92.00 the second mortgages and notes above mentioned and referred to, and to dismiss and pending litigation thereon, and to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of said application and this order.

F. E. KENNAUER  
United States District Judge.

ENDORSED: Filed Mar 8 1935  
H. P. Warfield, Clerk  
U. S. District Court DC

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

CHARLES WASHKASKASY and )  
CHAS. WASHKASKASY by Marguerite )  
Washkaskasy his next friend, ) Plaintiffs, )  
 ) No. 938 Equity ✓  
vs )  
 )  
FRED J. CLINCH and FIDELITY & )  
CASUALTY CO., a corp., ) Respondents. )

"O R D E R"

On this the 8th day of March 1935, on stipulation of counsel for the respective parties herein the Court does hereby approve the above and foregoing stipulation and grant extends to the defendants time to file brief in reply to Plaintiffs' brief herein until March 10th 1935. No action to be taken in this cause until that date.

F. E. KENNAMER  
J U D G E.

ENDORSED: Filed Mar 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

TULSA STEEL CORPORATION, )  
a corporation, ) Plaintiffs, )  
vs. )  
 ) NO. 1014-EQUITY. ✓  
TULSA STEEL CORPORATION, a corporation, )  
 ) Defendants, )  
 )  
MURKIN-WALKER REFRIGERATORS COMPANY, )  
a corporation, ) Intervenor. )

O R D E R

It appearing to the Court, upon good cause shown, that the time heretofore allowed to said defendant, Tulsa Steel Corporation, to plead in the above entitled cause has been exhausted.

IT IS ORDERED that said defendant have, and it is hereby given, ten days additional time from this date within which to plead in this cause.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Mar 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, MARCH 8, 1935

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

SHEFFIELD STEEL CORPORATION, )  
a corporation, ) Plaintiff, )  
 ) )  
vs. ) NO. 1021-EQUITY. ✓  
 ) )  
TULSA STEEL CORPORATION, a cor- )  
poration, ) Defendant. )

O R D E R

IT APPEARING TO THE COURT, upon good cause shown, that the time heretofore  
allowed the defendant, Tulsa Steel Corporation, to plead in the above entitled cause has be  
sufficient,

IT IS ORDERED that said defendant have, and it is hereby given, ten days ad  
al time from this date within which to plead in this cause.

ENDORSED: Filed Mar 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
Judge.

-----  
Court adjourned to March 9, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, MARCH 9, 1935

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Court convened pursuant to adjournment, Saturday, March 9, 1935.

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
a Corporation, ) Plaintiff, )  
 ) )  
vs ) No. 873 Equity ✓  
 ) )  
EXCHANGE NATIONAL COMPANY, A CORPORATION, )  
Defendant. )

ORDER AUTHORIZING COMPRO MISE SETTLEMENT AND  
ACCEPTANCE OF FEDERAL FARM MORTGAGE CORPORA-  
TION BONDS IN SATISFACTION OF INDEBTEDNESS.

THIS CAUSE COMING, on to be heard on this 9th day of March, 1935, on the app.  
tion of Rex Watkinson, Receiver of Exchange National Company, for an order directing, auth.  
and empowering him to accept the sum of \$980.00 in Federal Farm Mortgage Corporation Bonds  
full payment, settlement and satisfaction of that certain indebtedness now represented by  
promissory notes for \$100.00 each, dated September 9, 1929, and due on the first day of No.

DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, MARCH 9, 1935

each and every year beginning with year 1933 and ending ear 1942, said notes signed by R. Simpson and Callie H. Simpson and representing the balance due on their contract dated September 9, 1929, in purchase of the following described land located in Pontotoc County, Oklahoma:

Northwest Quarter of Northwest Quarter and North Half of  
Northeast Quarter of Northwest Quarter and West Half of  
Northwest Quarter of Northwest Quarter of Northeast Quarter  
of Section Fifteen (15), Township Two (2) North, Range Five  
(5) East of the Indian Base and Meridian, containing 65 acres,  
more or less;

and the Court, having read said application and finding that it has jurisdiction to enter same and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the appli of Rex Watkinson, Receiver of Exchange National Company, be, and the same is hereby, sust and the said Rex Watkinson, Receiver of Exchange National Company, be, and he is hereby, authorized and empowered to accept the sum of \$980.00 in Federal Farm Mortgage Corporation in full payment, settlement and satisfaction of the notes hereinabove described and to su said notes, and to do all other things necessary and proper in order fully and effectually accomplish the letter and spirit of said application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Mar 9 1935  
H. P. Warfield, Clerk  
U. S. District Court AS

THE PACIFIC MUTUAL LIFE INSURANCE COMPANY OF CALIFORNIA,	Plaintiff,	)	
		)	No. 1017 - Equity. ✓
-vs-		)	
		)	
PAUL V. HARTMAN,	Defendant.	)	

Now on this 9th day of March, A. D. 1935, it is ordered by the Court that a tation for injunction herein be, and it is hereby, taken under advisement to March 19, 1935. It is further ordered that Restraining Order be continued in force to March 19, 1935.

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

United States,	Plaintiff,	)	
		)	
vs.		)	No. 1024 Equity ✓
		)	
Clarence C. Lynch, Virginia K. Lynch, A. G. Lynch, Joe B. Mills, J. R. Mills, A. W. Letson, Jr., and Charlie Prewitt,	Respondents.	)	

O R D E R

Now on this 9th day of March, 1935, this matter coming on before me pursuan

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, MARCH 9, 1935

notice heretofore served on the above named respondents, and each of them; and the compl appearing by Chester A. Brewer, Assistant United States Attorney for the Northern Distri Oklahoma, and the respondents, A. G. Lynch, Joe B. Mills, J. R. Mills and Charlie Prewit appearing in person and by their attorney, R. L. Cruse, and it appearing to the Court th said matter is before the Court on the appli cation of the complainant for a temporary re ing order, restraining said respondents, and each of them, from interfering with the pos management and control of the surplus allotments of Ellen Colbert and Thompson Colbert, r ted Creek Indians; and the Court being fully advised in the premises, finds that said te restraining order should be granted;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said respondents, and ea of them, are hreby restrained and enjoined from interfering with the possession, managem and control of the

Southwest Quarter of Section Sixteen, Township nineteen North,  
Range Twelve East, Tulsa County, Oklahom,

pending the further order of this Court.

It is the further order of the Court that said respondents, and each of the allowed until March 15, 1935, to deliver up possession of said premises hereinabove descr

C.K. CHESTER A. BREWER  
Assistant United States Attorney

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 9 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to March 13, 1935.

REGULAR MARCH 1935 TERM-EQUITY SESSION VINITA, OKLAHOMA WEDNESDAY, MARCH 13, 1935

Court convened pursuant to adjournment, Wednesday, March 13th, 1935.

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
A CORPORATION, Plaintiff, )  
vs. ) No. 873 Equity ✓  
)  
EXCHANGE NATIONAL COMPANY, A )  
CORPORATION, Defendant. )

ORDER AUTHORIZING EXECUTION OF DEEDS

THIS CAUSE, coming on to be heard on this the 13th day of March, 1935, on th verified application of Rex Watkinson, Receiver of Exchange National Company, for an orde izing, directing and empowering him or any other person, persons or corporation holding ti the following described farms located in Bryan County, Oklahoma;

<u>Number</u>	<u>Name and Description of Farm.</u>
1005-1	Dodson Farm - Southwest Quarter of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter and the South Half of the east Quarter of Section Twelve (12), Township Five (5) South, Range Twelve (1) East of the Indian Base and Meridian, containing 130 acres, more or less.
1190-1	Taylor Farm - Northeast Quarter of the Northwest Quarter and Lot One (1) of Section Eighteen (18), Township Five (5) South, Range Thirteen (13) East of the Indian Base and Meridian, containing 78.26 acres, more or less;

or any interest therein for the Exchange National Company, to execute and deliver good and sufficient deeds to said aforescribed farms to W. M. Taylor, Trustee for B. Porter McFarlin and Sadie E. McFarlin and that he be further authorized, directed and empowered to do all other things necessary and proper fully and effectually to accomplish the letter and spirit of application, and the Court, having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be, and the same is hereby, sustained; and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that Rex Watkins, Receiver of Exchange National Company, or any other person or persons or corporations holding to said above mentioned farms or any interest therein for the Exchange National Company, they are hereby, authorized, directed and empowered to execute good and sufficient deeds conveying said aforescribed farms to W. M. Taylor, Trustee for B. Porter McFarlin and Sadie E. McFarlin; and said receiver is further authorized, directed and empowered to do all other things necessary and proper fully and effectually to accomplish the letter and spirit of said application and this order.

F. E. KENNAMER  
 United States District Judge.

ENDORSED: Filed Mar 13 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

The Lincoln National Life Insurance Company,	)	
	)	
	)	Plaintiff,
vs.	)	No. 873 Equity
	)	
Exchange National Company,	)	Defendant.

ORDER GRANTING PERMISSION TO SUE RECEIVER

This cause coming on to be heard on the application of The Lincoln National Life Insurance Company, for permission to sue Rex Watkins, Receiver of Exchange National Company in a certain cause in Marshall County, Oklahoma, involving the foreclosure of a mortgage on the following described premises to-wit:

Northeast Quarter of the Northwest Quarter and West Half of Southeast Quarter of Northwest Quarter and West Half of Northwest Quarter of Section 27 and East Half of Northeast Quarter and East Half of West Half of Northeast Quarter of Section 28, Twp. 7 South, Range 4 east,

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DISTRICT OF OKLAHOMA  
REGULAR MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MARCH 13, 1935

and the Court having read said application and finding that it has jurisdiction to enter same and enter an order thereon and finding that said application should be sustained,

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED THAT said application be and the same is hereby sustained and that the said applicant be and it is hereby granted leave to sue the said Rex Watkinson, Receiver of Exchange National Company in said action above described.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 13 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to March 14, 1935.

REGULAR MARCH 1935 TERM-EQUITY SESSION VINITA, OKLAHOMA THURSDAY, MARCH 14, 1935

Court convened pursuant to adjournment, Thursday, March 14th, 1935.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.  
H. P. Warfield, 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 THE STATE OF OKLAHOMA.

Clarence Caraker, et al,	Complainants,	)	
		)	
-vs-		)	
		)	
Oklahoma Natural Gas Corporation, et al,	Defendants,	)	
		)	No. 905 Equity ✓
Consolidated with		)	
		)	
Gas Utilities Company,	Plaintiff,	)	
		)	
-vs-		)	
		)	
Oklahoma Natural Gas Corporation,	Defendant,	)	

O R D E R

This cause came on further to be heard on this the 14 day of March, 1935, application of Gas Utilities Company for an order vacating and setting aside the Order of Jurisdiction, entered herein on March 4, 1935, and the Court after having examined said application, and having re-examined said Order of March 4, 1935, together with the Orders entered herein on December 4, 1933 and July 2, 1934, and after hearing Counsel and being fully advised in the premises, finds that said Order Continuing Jurisdiction herein, entered on March 4 should be vacated.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Order Continuing Jurisdiction, entered herein on the 4th day of March, 1935, be and the same is hereby vacated and

DISTRICT OF OKLAHOMA  
REGULAR MARCH 1935 TERM-EQUITY SESSION VINITA, OKLAHOMA THURSDAY, MARCH 14, 1935

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without in anywise affecting, changing or modifying the Order of July 2, 1934.

DATED this 14th day of March, 1935.

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

O.K. PARKER NEWHALL  
R. C. ALLEN  
C. A. COAKLEY  
SUMMERS HARDY  
O.K. NIXON & BICKING

ENDORSED: Filed Mar 14 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to March 18, 1935.

REGULAR MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, MARCH 18, 1935

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Court convened pursuant to adjournment, Monday, March 18th, 1935.

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

Centorp Corporation, a corporation, Plaintiff, )  
vs. )  
Refiners Production Corporation, a cor- ) No. 902 Equity. ✓  
poration, Walter G. Johnson, Ethel B. Johnson, )  
B. F. Green, Julia A. Green, Louis W. Pratt, )  
Saybrook Corporation, a corporation, Hugh )  
Hodges Drilling Company, a corporation, and )  
Frank Russell, Defendants. )

ORDER OF DISMISSAL

Now on this 18th day of March, 1935, the above entitled matter comes on for  
ing on the motion of the plaintiff for an order dismissing this cause with prejudice, at  
plaintiff's cost, and the court, being fully advised in the premises, finds that the caus  
been compromised, settled and adjusted by all the parties hereto and that the motion to d  
should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED AND ADJUDGED that this cause be and  
same is hereby dismissed with prejudice, at the plaintiff's cost.

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

O.K. GIBSON MAXEY & HOLLEMAN Attys for Pltf.  
O.K. LOUIS W. PRATT Atty for Defendants Refiners

ENDORSED: Production Col et al.  
Filed Mar 18 1935  
H. P. Warfield, Clerk, U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, MARCH 18, 1935

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

United Mutual Life Insurance Company, )  
Complainant, )  
vs. )  
The City of Wynona, a municipal cor- )  
poration, K. C. Coleman, Mayor, Martin )  
Brown, City Treasurer, The County ) No. 971 - Equity ✓  
Excise Board of Osage County, Oklahoma, )  
and Sim T. Carmen, J. J. Page, and Frank )  
Quarles, members thereof, Respondents, )  
Carter County, Oklahoma; Roy Holliman )  
County Treasurer, Intervenor. )

O R D E R

Now on this the 18th day of March 1935, upon the motion of Carter County Oklahoma asking to intervene in this cause and the Court being fully advised, is of the opinion said motion be sustained.

Therefore said Carter County is hereby granted permission to intervene in this cause.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Mar 18 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

JOSEPH MAYS, Complainant, )  
vs. )  
J. G. HUGHES, AS RECEIVER OF THE FIRST ) No. 988 Equity ✓  
NATIONAL BANK OF BRISTOW, OKLAHOMA, A )  
NATIONAL BANKING ASSOCIATION, ET AL., )  
Respondents. )

O R D E R

NOW on this 18th day of January, 1935, counsel for complainant appeared and requested leave to file an amendment and supplement to the second amended complaint filed heretofore and, for good cause shown:

IT IS ORDERED that complainant be and he hereby is permitted to file instant amendment and supplement to the second amended complaint heretofore filed in this cause on behalf of complainant, and respondents be and they hereby are granted leave to refile their motion to dismiss, and the same hereby is considered as having been refiled as a motion to dismiss the second amended complaint with amendment and supplement thereto this day filed by complainant, which motion to dismiss, as so refiled, hereby is overruled, to which order of ruling the same the respondents excepted and their exceptions are allowed; and respondents



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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, MARCH 18, 1935

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

SHEFFIELD STEEL CORPORATION, a corporation, Plaintiff, )  
vs. ) No. 1021 - Equity ✓  
TULSA STEEL CORPORATION, a corporation, Defendant. )

O R D E R

On this 18th day of March, 1935, it appearing to the Court that the time heretofore allowed the defendant to plead in the above entitled cause has been insufficient,

IT IS ORDERED that the said defendant have, and it is hereby given 15 additional time from this date within which to plead in this cause.

ENDORSED: Filed Mar 18 1935 F. E. KENNAMER  
H. P. Warfield, Clerk Judge.  
U. S. District Court

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Court adjourned to March 19, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, MARCH 19, 1935

Court convened pursuant to adjournment, Tuesday, March 19th, 1935.

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

Oklahoma Gas and Electric Company, a corporation, Complainant, )  
vs. ) No. 725 Equity ✓  
The Southwest Utility Dairy Products Company, The Southwest Public Service Company, and The Central Oklahoma Service Company, Respondents. )

O R D E R

This matter coming on to be heard this 19th day of March, 1935, upon petition of Paul H. Andres, Receiver herein, for approval of his final report and account and his discharge as Receiver, and the court being fully advised:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the final report of Paul H. Andres, Receiver, is hereby approved and confirmed, and it further appearing that said Receiver has turned over all of the estate of the respondents in his hands to the Trustee appointed

pursuant to Section 77B of the Bankruptcy Laws of the United States as amended, and has in this court the receipt of said Trustee, and it further appearing that the Receiver has faithfully and properly discharged the duties of his office and obeyed in all respects the orders of this court.

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that the said Paul H. And he is hereby, finally discharged as Receiver, and that the surety on his bond be, and he is hereby, released and discharged.

F. E. KENNAMER  
District Judge.

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

Interstate Trust & Banking Company, )  
a Corporation, and Percy H. Sitges, )  
as Trustees, Plaintiffs, ) No. 800 Equity ✓  
vs. )  
Commercial Investment Corporation, )  
et al, Defendants. )

AMENDMENT TO FINAL DECREE.

Now, on this day, by stipulation of the parties, it is ordered that the final decree rendered herein on the 13th day of November, A. D. 1934, be and the same is hereby amended so as to add to the paragraph numbered 12 of said decree the following clause, to-wit:

"And said plaintiff, in person or by agent, is authorized to continue the operation of said premises and to rent and lease rooms in the building thereon until the completion of any sale made herein, or the further orders of the court, and the purchaser under said closure sale shall take the premises subject to any and all contracts of rent or lease so

Done at Tulsa, State of Oklahoma, this 19th day of March, 1935.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

Vivian Wimbish, nee Clayton, Plaintiff, )  
Vs. ) No. 859 Equity ✓  
Charlie Clayton, et al., Defendant. )

JOURNAL ENTRY OF DISMISSAL AS TO THE DEFENDANT, STREETER  
SPEAKMAN, AND QUIETING TITLE IN HIM AS TO SPECIFIC PROPERTY



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

United States, Complainant, )  
 )  
 vs. ) No. 907 Equity ✓  
 )  
 William C. Charlie, Stephen Tripp, )  
 J. T. Stanford and Jack Stanford, Respondents. )

ORDER OF DISMISSAL

Now on this 19th day of March, 1935, this cause coming on for hearing on the regular assignment, and it being shown to the Court that said cause was filed under the provisions of Section 1, Title 2, of the National Prohibition Act, and that said Act has since been repealed and the relief sought by the filing of said cause has been obtained, and that said cause be dismissed;

IT IS THEREFORE ORDERED that said cause be, and the same is hereby dismissed.

O.K. CHESTER A. BREWER  
Assistant United States Attorney

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States, Complainant, )  
 )  
 vs. ) No. 916 Equity. ✓  
 )  
 Maud Weaver, Respondent. )

JOURNAL ENTRY

Now on this 19th day of March, 1935, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding; and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma; and the respondent, Maud Weaver, having been regularly served with process in equity in this cause more than 60 days prior to this date, and an order pro confesso had been taken herein against said respondent, Maud Weaver, more than 30 days prior to this date, said respondent not having appeared, or claimed any right, title or interest in or to the property involved herein, nor denied the execution of the instruments sued upon, she is by the Court declared to be in default.

The Court further finds that J. B. Weaver, one of the makers of the note and mortgage sued upon herein, is now deceased; that Maud Weaver, the other maker of said note and mortgage, has been appointed administratrix of the estate of the said J. B. Weaver, and that said cause has been revived in the name of said administratrix.

And complainant having announced ready for trial, and having introduced its evidence in open court, and presented its exhibits in said cause, and the Court being fully advised in the premises, finds that complainant is entitled to judgment as prayed in the Bill of Complaint herein.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, MARCH 19, 1935

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the complainant, the United States, in its own behalf and in behalf of the heirs of Wiley Whitewing, deceased restricted Osage Allottee No. 686, do have and recover of and from the respondent, Maud Weaver, the sum of \$1,951.00, with interest thereon at 7% per annum from January 24, 1933, unpaid taxes in the sum of \$199.52, and all costs of this suit, and if said judgment is not paid at the expiration of six months from date thereof an order of sale issue out of this court to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, without appraisal, the following described land, located in Osage County, Oklahoma, to-wit:

Lots One, Two and Three, Block Forty of the original townsite of Hominy, Oklahoma,

the proceeds of sale to be applied as follows, to-wit:

- First - To payment of costs of said sale and this suit.
- Second - Payment to the heirs of Wiley Whitewing, deceased Osage Allottee No. 686, of the sum of \$1,951.00, with interest at 7% per annum from January 24, 1933, until paid.
- Third - Payment of all unpaid taxes on the mortgaged property.
- Fourth - The residue, if any, to be paid into this court to await the further orders of the Court;

and that after the sale of said land the defendant, Maud Weaver, and all persons claiming through or under her since the commencement of this suit, be, and they are forever barred from claiming any right, title, interest or estate in or to the land herein involved, or any part thereof. It is further ordered that the original note and mortgage involved herein be merged into the judgment.

F. E. KENNAMER  
JUDGE

O.K. CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States,	Plaintiff, )	
	)	
vs.	) No. 920 Equity	↓
	)	
J. B. Pope, Clara Pope, L. U. Pope and Alfred A. Drummond,	Defendants. )	

JOURNAL ENTRY

Now on this 19th day of March, 1935, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding, plaintiff being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, the defendants, J. B. Pope, Clara Pope, L. U. Pope and Alfred A. Drummond each having been regularly served with subpoena in equity more than 60 days prior to this date, and an order pro confesso having been taken against said defendants more than 30 days prior to this date and it appearing that none of said defendants has appeared, answered or pleaded herein, that by the Court declared to be in default; and the Court finds that plaintiff is entitled to judgment as prayed in the Bill of Complaint herein, and is entitled to have the mortgage in the

cause foreclosed and the mortgaged property sold at the expiration of six months from date of the judgment herein if the indebtedness sued upon is not paid, the proceeds of sale to be applied to the satisfaction of said indebtedness.

The Court further finds that L. U. Pope is the owner of the equity in the land involved herein, he having received same by warranty deed from J. B. Pope and Clara Pope and that L. U. Pope assumed and agreed to pay the indebtedness in this cause.

The Court further finds that Alfred A. Drummond claims some right, title or interest in the land involved herein by reason of a mortgage executed in his favor by the defendants J. B. Pope and Clara Pope, but that said mortgage is subsequent and inferior to the mortgage of this plaintiff sought to be foreclosed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the plaintiff, the United States, in its own behalf and in behalf of Martha Pryor, restricted Osage Allottee No. 99, do have and recover of and from J. B. Pope, Clara Pope and L. U. Pope, and each of them, the sum of \$5,472.00, with interest at 7% per annum from January 11, 1933, until paid, unpaid taxes on the land a sum of \$51.83, with interest and penalties, and all costs of this suit, and for the foreclosure of the mortgage herein covering the following described property, to-wit:

Lots Three and Four of Section Eighteen; Lots One, Two and Three, and East Half of Northwest Quarter; Northeast Quarter of Southwest Quarter; West Half of Northeast Quarter; Northwest Quarter of Southeast Quarter of Section Nineteen, Township Twenty-two, Range Nine; and East Half of Southeast Quarter of Section Twenty-four; North Half of Northeast Quarter of Section Twenty-five, Township Twenty-two, Range Eight, Osage County, Oklahoma,

and if said judgment is not paid at the expiration of six months from date thereof an order of sale issue out of this Court to the United States Marshal for the Northern District of Oklahoma commanding him to advertise and sell, according to law, without appraisalment, the above described land, the proceeds of said sale to be applied as follows, to-wit:

- First - To payment of the costs of said sale and this suit.
- Second - Payment to said allottee, Martha Pryor, the sum of 5,472.00, with interest at 7% per annum from January 11, 1933.
- Third - Payment of all unpaid taxes on the mortgaged property.
- Fourth - The residue, if anythere be, to be paid into this Court, to await further orders of the Court.

It is the further order of the Court that after the sale of said land the defendants, J. B. Pope, Clara Pope, L. U. Pope and Alfred A. Drummond, and all persons claiming an interest in the land since the commencement of this suit, be, and they are forever barred from claiming any title, interest or equity in or to said land or any part thereof.

F. E. KENNAMER  
JUDGE

O.K. CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States, Complainant, )  
 )  
vs. )  
 )  
Sarah Klinesmith, C. B. Wright, ) No. 923 Equity ✓  
doing business under the firm name of )  
Wright Electric Company, and Rounds and )  
Porter Lumber Company, a corporation, )  
Respondents. )

JOURNAL ENTRY

Now on this 19th day of March, 1935, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding; and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma; and the respondents, Sarah Klinesmith, C. B. Wright, doing business under the firm name of Wright Electric Company, and Rounds and Porter Lumber Company, a corporation, having been regularly served with subpoena in equity herein more than 60 days prior to this date; and it appearing that neither of said respondents, Sarah Klinesmith nor C. B. Wright, doing business under the firm name of Wright Electric Company, has answered, demurred or otherwise pleaded herein, and that an order pro confesso has been taken against said respondents more than 30 days prior to this date, they are by the Court declared to be in default, and the Court being fully advised in the premises, finds that complainant is entitled to judgment as prayed for in the Bill of Complaint herein.

The Court further finds that the respondent, Rounds and Porter Lumber Company, a corporation, has filed a disclaimer, disclaiming any right, title or interest in or to the property involved in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the complainant, the United States, in its own behalf and in behalf of the heirs of Wiley Whitewing, deceased, Osage No. 686, do have and recover of and from the respondent, Sarah Klinesmith in the sum of \$1,112.75 with interest at 7% per annum from October 15, 1933, unpaid taxes in the sum of \$1668.22, interest and penalties, and premium paid on insurance on the property involved herein, in the sum of \$216.50, and all costs of this suit, and that complainant is entitled to have the mortgage herein foreclosed and the property involved therein sold at the expiration of six months from the date of this judgment if same is not paid, the proceeds of such sale to be applied to the satisfaction of said indebtedness.

IT IS FURTHER ORDERED that if said respondent fails to pay said indebtedness in six months from date of this judgment an order of sale issue out of this court, directed to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, the land described in said mortgage, as follows, to-wit:

All of Lots Ten, Eleven, Twelve and Thirteen, Block Seventeen,  
original town of Bardsall, Osage County, Oklahoma,

the proceeds of said sale to be applied as follows:

- First: Payment of cost of said sale and this suit.
- Second - Payment of said indebtedness in the sum of \$11,112.75 with interest at 7% per annum from October 15, 1933, until paid.
- Third - Payment of delinquent taxes in the sum of \$1668.22, with interest and penalties and premium on insurance in the sum of \$216.50.
- Fourth - The residue, if any, to be paid into this court to await the further order of the Court.





It is the further order of the Court that the original note and mortgage in this cause be merged in this judgment.

The Court further finds that plaintiff is entitled to have a Receiver appointed in this cause, to take charge of the property involved and hereinbefore described, and it is hereby ordered that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma and he is hereby appointed as such Receiver, to collect the rents on said property until sale thereof, and report same into this court to await the further orders of the Court.

F. E. KENNAMER  
JUDGE

O.K. CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States,	Complainant,	)	
		)	
vs.		)	No. 952 - Equity. ✓
		)	
F. D. Wilson and Nannie E. Wilson,	Respondents.	)	

JOURNAL ENTRY

Now on this 19th day of March, 1935, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding; and the complainant being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma and the respondents, F. D. Wilson and Nannie E. Wilson being non-residents of the State of Oklahoma, residing in the State of Texas, have each made a waiver of service of subpoena in each of these causes, and have entered their general appearance herein for all purposes except appeal, and have reserved that right as non-residents, and have consented that this cause may go forward for trial and disposed of in regular order as the Court may direct.

And the complainant having announced ready for trial, and having introduced evidence in open court, and presented its exhibits in said cause, and the Court being full in the premises, finds that the complainant is entitled to judgment as prayed in the Bill of Complaint herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the complainant herein, the United States, in its own behalf and in behalf of the heirs of John Bruce, decedent, Osage Allottee No. 820, do have and recover of and from the respondents, F. D. Wilson and Nannie E. Wilson the possession of the land involved herein for the purpose of sale and foreclosure as prayed by complainant in its first cause of action in the Bill of Complaint herein, to satisfy said mortgage indebtedness in the sum of \$2,268.33, with interest at 7% per annum from November 20, 1933, until paid, together with unpaid taxes in the sum of \$46.60, with interest and penalties, and all costs of this suit.

It is the further order of the Court that if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court directed to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, the following described land, located in Osage County, Oklahoma, to-wit:

East Half of Lots Fourteen, Fifteen and Sixteen, Block Fourteen,  
Walker's Addition to Hominy, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - Payment of costs of sale and this suit.
- Second - Payment to complainant in behalf of the heirs of John Bruce, deceased Osage Allottee No. 820, of \$2,268.33, with interest at 7% per annum from November 20, 1933, until paid.
- Third - Payment of unpaid taxes in the sum of \$46.60, with interest and penalties.
- Fourth - The residue, if any, to be paid into this court to await the further orders of the Court.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of the Court that the complainant, the United States, in its own behalf and in behalf of the heirs of John Bruce, deceased Osage Allottee No. 820, do have and recover of and from the respondents, F. D. Wilson and Nannie Wilson, possession of the land involved in the second cause of action of complainant's Bill of Complaint herein, for the purpose of sale and foreclosure as prayed therein, to satisfy said mortgage indebtedness in the sum of \$4,536.66, with interest thereon at 7% per annum from November 20, 1933, until paid, together with unpaid taxes in the sum of \$46.45, with interest and penalties, and all costs of this suit.

It is the further order of the Court that if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court directed to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, the following described land, located in Osage County, Oklahoma, to-wit:

The South Sixty feet of Lots Four and Five, Block Thirty-five, original town of Hominy, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - Payment of cost of sale and this suit.
- Second - Payment to complainant in behalf of the heirs of John Bruce, deceased Osage Allottee No. 820, of the sum of \$4,536.66, with interest at 7% per annum from November 20, 1933, until paid.
- Third - Payment of unpaid taxes in the sum of \$46.45, with interest and penalties.
- Fourth - The residue, if any, to be paid into this court to await the further orders of the Court.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE of the Court that after the sale of the two tracts of land hereinabove described, under the decree of the Court herein, the respondents, F. D. Wilson and Nannie E. Wilson, and all persons claiming by, through or under them since the commencement of this suit, be, and they are forever barred from claiming any right, title, interest or estate in or to the land herein involved, or any part thereof.

IT IS FURTHER ORDERED that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be, and he is hereby appointed Receiver in this cause, to take charge of the two tracts of land hereinabove described, collect the rents thereon until the sale thereof and report same into this court to await the further orders of the Court.

IT IS FURTHER ORDERED that the original notes and mortgages involved in this cause be merged in this judgment.

F. E. KENNAMER

O.K. CHESTER A. BREWER Assistant United States Attorney

JUDGE

ENDORSED: Filed Mar 19 1935

H. P. Warfield, Clerk

U. S. District Court



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

United States, Complainant, )  
vs. ) No. 979 Equity ✓  
J. R. Rhodes, Respondent. )

ORDER OF DISMISSAL

Now on this 19th day of March, 1935, it being shown to the Court that the p for which the above suit was instituted has been satisfied as to the first cause of action said suit, by the above named defendant vacating the land involved, and delivering up poss ion of same, and that said cause should be dismissed as to the first cause of action there

IT IS THE ORDER of the Court that said cause be, and the same is hereby disa as to the first cause of action therein.

O.K. CHESTER A. BREWER  
Assistant United States Attorney

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States, Complainant, )  
vs. ) No. 979 Equity ✓  
J. R. Rhodes, Respondent. )

JOURNAL ENTRY OF JUDGMENT

Now on this 19th day of March, 1935, this cause came on to be heard on regul assignment, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and it being shown Court that the respondent, J. R. Rhodes, has been regularly served with subpoena in equity this cause more than 60 days prior to this date, and that said respondent has failed to ans demur or otherwise make an appearance herein, he is by the Court declared to be in default, the Court finds that complainant is entitled to judgment in this cause against said responde for delinquent rental on the land involved in said cause.

The Court further finds that said respondent, J. R. Rhodes, on March 16, 1935 paid the sum of \$50.00, as part payment of said delinquent rental, and that this complainant entitled to judgment against said respondent, J. R. Rhodes, for the balance due on said rent in the sum of \$30.00, with interest at 6% per annum from April 1, 1934, until paid, and all of this suit.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that complainant, in its behalf and in behalf of Rose Haskell Laybank, restricted Osage Allottee No. 238, do have and cover of and from the respondent, J. R. Rhodes, the sum of \$30.00, with interest at 6% per e from April 1, 1934, until paid, and all costs of this suit.

O.K. CHESTER A. BREWER, Assistant United States Attorney

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk, U. S. District Court

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

JOSEPH MAYS,	COMPLAINANT,	)	
		)	
vs.		)	No. 988 Equity
		)	
SAM F. WILKINSON, SUCCESSOR TO J. G.		)	
HUGHES, AS RECEIVER OF THE FIRST		)	
NATIONAL BANK OF BRISTOW, OKLAHOMA,	ET AL.,	)	
	RESPONDENTS.	)	
		)	
	<u>O R D E R</u>	)	

NOW on this 19th day of March, 1935, the above entitled cause came on regular for hearing upon the stipulation of the parties hereto, and for good cause shown:

IT IS ORDERED that this case be stricken from the equity assignment of March 1935, as per stipulation of the parties hereto, and that Sam F. Wilkinson as receiver of T First National Bank of Bristow, Oklahoma, a national banking association, be and he hereby stituted as a respondent in this cause, and instead and in the place of J. G. Hughes as re of said association, without prejudice to any rights that complainant may have against the on the bond of the said J. G. Hughes, as such former receiver; and that the respondents be and they hereby are allowed until the 20th day of March, 1935, within which to file her amended cross-bill and to have process issued against the County Treasurer and the Board of Commissioners of Creek County, Oklahoma.

ENDORSED: Filed Mar 19 1935	F. E. KENNAMER
H. P. Warfield, Clerk	Judge
U. S. District Court	

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 992 - Equity.
		)	
HEIRS OF D. K. WETZEL, et al,	Defendants.	)	

Now on this 19th day of March, A. D. 1935, it is ordered by the Court that c for the United States be entered as per journal entry to be filed.

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

THE FIRST NATIONAL BANK OF KANSAS CITY, a corporation,	Complainant,		
Trustee,			
vs.			IN EQUITY NO. 996.
GILLETTE-KERR INVESTMENT COMPANY, a cor-	Defendant.		
poration,			

DECREE OF FORECLOSURE

Now on this day this cause coming on regularly for trial, upon the Bill of C and Amendment to the Bill of Complaint, both on file herein, the complainant, The First Nat Bank of Kansas City, a corporation, Trustee, appears by Messrs. Isaac P. Ryland, Paul R. St

70  
IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, MARCH 19, 1935

Arthur Mag, Roy B. Thompson, Ray S. Fellows and Joseph A. Gill, Jr., its counsel, and the defendant, Gillette-Kerr Investment Company, a corporation, although three times called in open court, comes not, but makes default, and the court having examined the marshal's return of process in this cause, both with respect to the Bill of Complaint and the Amendment to the Bill of Complaint, hereby finds that defendant has been duly and legally served, whereupon the clerk was directed to note such default in appearance by the defendant; complainant waived trial by jury and defendant by default is held to have waived trial by jury; thereupon, the court, hearing the evidence offered on behalf of complainant and upon hearing the argument of counsel and being fully advised in the premises, finds:

1: That this court has jurisdiction both of the parties to this suit and of the subject matter thereof.

2: That the complainant herein is fully authorized and empowered to institute and maintain this suit.

3: That the facts and allegations contained in the Bill of Complaint and its amendment to Bill of Complaint filed herein are true.

4: That under date of July 6, 1925, the defendant, acting through its proper officers duly authorized so to do, for value received and for good and valuable consideration executed and delivered its several certain negotiable bonds whereby defendant promised to the owners and holders of said bonds the aggregate principal sum of Two Hundred Seventy-five Thousand Dollars (\$275,000.00), with interest thereon at six and one-half per cent (6½%) per annum from their date until paid, payable semi-annually, which said bonds provided for their maturity serially.

5: That in order to secure the payment of said bonds the defendant, under date of July 6, 1925, made, executed and delivered its certain Indenture of Mortgage, sometimes designated as "Indenture of Mortgage and Trust Deed", whereby said defendant did grant, bargain, convey and confirm, assign, transfer, pledge and mortgage to complainant herein, The First National Bank of Kansas City, as principal Trustee, and to the Security National Bank of Tulsa, local Trustee, and to their respective successors, all of the following property in the City of Tulsa, State of Oklahoma, to-wit:

(1) The leasehold estate created by a certain lease dated March 20, 1924, between Emily C. Potter, J. J. Culbertson, Jr., and Forence E. Whittington as Lessors, and J. M. Gillette, Charles W. Bliss and T. B. Bliss as Lessees, leasing for a term of Ninety-nine (99) years, beginning on the 31st day of March, 1924, and ending on the 31st day of March, 2023, all of the North fifty (50) feet of Lot Six (6) and all of Lots seven (7) and Eight (8) in Block One Hundred and Thirty-five (135) in the City of Tulsa, Tulsa County, Oklahoma, according to the Original Plat and Survey thereof, which lease was recorded in the office of the County Clerk within and for Tulsa County, Oklahoma, on May 16th, 1924 in Book 484 at Page 375 of the records in the office of said County Clerk, and said lease has also been heretofore duly assigned to the Company (Gillette-Kerr Investment Company), in pursuance of and in conformity to the provisions of said lease, (said lease, as modified by the supplemental agreement hereinafter described in subdivision (3) of this description, being hereinafter called "Original Lease");

(2) All of the interest of the Company in and to the Original Lease, and in and to the said above described real estate covered by the Original Lease and all the rents and profits thereof;

(3) All of the right, title and interest of the Company in and to a certain agreement supplemental to the said lease dated March twentieth, 1924, said supplemental agreement being dated June tenth, 1925, and being made between Emily C. Potter, J. J. Culbertson, Jr., and Forence E. Whittington as parties of the

(4) All the rentals and all sums whatsoever payable to the Company for the use and occupancy of the premises or parts thereof described in and covered by the Original Lease, or of any buildings or improvements now or hereafter erected upon the said premises or parts thereof, whether by virtue of written leases, month to month tenancies or otherwise, and all of the right, title and interest of the Company in and to any and all subleases upon any of the same, whether now or hereafter made;

(5) All of the right, title and interest of the Company in and to all buildings, improvements, fixtures and appurtenances now upon the premises described in and covered by the Original Lease and/or hereafter erected together with all the rentals, revenues and profits arising from or to arise from said premises, buildings, or improvements, including all rents and profits if any, accruing therefrom after the entry of any decree of foreclosure of the Indenture;

(6) All buildings, improvements, fixtures and appurtenances hereafter erected upon the premises covered by the Original Lease either by the Lessee or by any persons or corporations whomsoever;

6: That said Indenture of Mortgage and Trust Deed was, on the 6th day of April 1925, duly filed for record and recorded in Book 511 at Page 112 of the records in the office of the County Clerk of Tulsa County, Oklahoma, and on the same date a duplicate copy of said conveyance was filed as a chattel mortgage in the office of the County Clerk of Tulsa County, Oklahoma.

7: At the time of filing and recording such Indenture of Mortgage and Trust Deed the complainant herein, as required by law, tendered and paid the proper mortgage tax and fee from the County Treasurer, and exhibited to this court, formal receipt evidencing the full amount of mortgage tax required under the laws of Oklahoma.

8: That said mortgage provided, among other things, in the event of default in the payment of principal, existing and continuing for thirty days, that the whole of said indebtedness might be declared due and payable immediately; that default has been made in the payment of portions of the principal of said indebtedness due July 1, 1933 and July 1, 1934, respectively and in the payment of the interest due on July 1, 1933, January 1, 1934 and July 1, 1934; that said defaults have continued for more than thirty days from their occurrence, and that the amount of the unpaid portion of said indebtedness was, prior to the filing of this suit and in accordance with the provisions and authority of said Indenture of Mortgage and Trust Deed, duly due and payable immediately; that further defaults have been made in the payment of the said principal requirements and in the payment of taxes are required by said Indenture of Mortgage and Trust Deed.

9: That there is, and at the time of the institution of this suit was, an unpaid balance of said indebtedness described in and secured by said Indenture of Mortgage and Trust Deed, of \$82,500.00 as to principal, with 6½% interest thereon from January 1, 1933, which is now due and payable.

10: That subsequent to the execution and delivery of said bonds and said Indenture of Mortgage and Trust Deed, said Security National Bank of Tulsa was merged with and/or absorbed by The First National Bank and Trust Company of Tulsa, Oklahoma, which latter company thereafter became such local trustee.

11: That thereafter, and more than thirty days prior to this date, said The First National Bank and Trust Company resigned as such local Trustee and no successor local Trustee has been designated. That the complainant herein is vested with all the rights and powers conferred by said Indenture of Mortgage and Trust Deed to prosecute this action for and on behalf of the holders of the said bonds executed and secured as aforesaid, and to take all further steps in this proceeding which may be provided for herein or as the Court may at any time authorize or direct.

12: That all the conditions and provisions prerequisite to the institution and maintenance of this suit by the complainant herein have been fully and sufficiently met and complied with.

13: That on or about April 1, 1933, there was released from the lien and encumbrance of said Indenture of Mortgage and Trust Deed (without affecting the lien thereof as to the property released therefrom) the following described property, to-wit:

The Easterly seventy-seven (77) feet of the Northerly fifty (50) feet of Lot Six (6), and the Easterly seventy-seven (77) feet of Lot Seven (7), and a portion of Lot Eight (8) twenty-five by thirty feet (25 x 30) in dimension, but more particularly described as follows:

Starting on a line parallel to the West line of Lot Eight (8), Sixty-seven (67) feet, four (4) inches East of said West line at a point forty-five (45) feet South of the North Line of said lot, and proceeding southerly on said line parallel to the said West line of said lot, a distance of thirty feet to the South line of said lot, thence Easterly on said South line a distance of twenty-five (25) feet, thence Northerly on a line parallel to said West line of said lot, and ninety-two (92) feet four inches East of said West Line a distance of thirty (30) feet to a point, thence Westerly on a line parallel to the North line of said Lot Twenty-five (25) feet to the place of beginning.

All of said property being in Block 135, Original town, now city, of Tulsa, Oklahoma.

14: That said Indenture of Mortgage and Trust Deed constitutes a first and lien upon the premises first hereinabove described, excepting and reserving, however, from said lien the released portion of said premises last hereinabove described; subject only to the payment of any unpaid taxes thereon.

15: That in said Indenture of Mortgage and Trust Deed defendants, by sufficient and appropriate agreement, waived appraisalment of the mortgaged premises, in the event of its sale thereof upon its default, and therefore no appraisalment of the unreleased mortgaged premises need be made and such property, after six months, may be sold without appraisalment.

16: That said Indenture of Mortgage and Trust Deed authorized complainant to select and employ attorneys in and about the execution of its duties thereunder and the payment of compensation of said attorneys by the defendant, and created the obligation for the payment of said compensation as a charge upon the trust estate. That complainant has been compelled by reason of the matters herein found, to consult and employ attorneys to file and prosecute this suit, and to advise complainant of its duties and obligations and authority with respect thereto. That under the terms of said Indenture of Mortgage and Trust Deed, as well as under the laws of Oklahoma relating thereto, complainant is entitled to recover judgment for the reasonable compensation of said attorneys. That in compliance with the authority granted, the complainant herein has employed as its attorneys and counsel Messrs. Isaac P. Ryland, Paul R. Stinson, Arthur Mag, Roy B. Thomson, Ray S. Fellows and Joseph A. Gill Jr., and that said attorneys and counsel are entitled to reasonable compensation for their services as herein found and allowed.

17: That the mortgaged premises above described, except for the aforesaid portion released thereof, are so situated that they cannot be sold except as an entirety, due regard being had to the best interests of those interested in the same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court:

I. That complainant have and recover of and from the defendant the sum of Eighty Two Thousand Five Hundred (\$82,500.00) Dollars, with interest thereon at six and one-half per

cent ( $6\frac{1}{2}\%$ ) per annum from January 1, 1933, to the date of this decree, amounting to \$11,900 or a total sum of principal and interest of \$94,401.77 and that said sum bear interest from date at the rate of  $6\frac{1}{2}\%$  per annum.

II. That Isaac P. Ryland, Paul R. Stinson, Arthur Mag, Roy B. Thomson, Ray lows and Joseph A. Gill Jr., be and they are hereby allowed, as compensation for their services as counsel for complainant, the sum of \$3000.00, which sum the court finds to be reasonable which sum shall be taxed as costs in this case.

III. That all costs be taxed against defendant herein, including said allowance of counsel for complainant.

IV. That said Indenture of Mortgage and Trust Deed be foreclosed, and unless the aggregate sums for which judgment is herein rendered against the defendant, including all of the attorneys' fees allowed herein, be paid in full within six months from the date of this decree, that the property hereinabove described, and not released from the lien of said mortgage as herein found, be sold as an entirety and without appraisal in the manner herein provided.

V. That said sale shall be made at public auction to the highest bidder thereat at 12 o'clock Noon, at the West front door of the Tulsa County Court House in the City of Tulsa, State of Oklahoma, on a date to be named in his notice of sale by the Special Master herein appointed, and before making said sale the Special Master shall publish a notice thereof once a week at least five (5) weeks prior to said sale, in the Tulsa Daily World, which the court heretofore is a newspaper printed regularly, issued, and having a general circulation in the County of Tulsa and State of Oklahoma. Such notice of sale shall contain a description of the property to be sold, a statement of the time, place, terms and conditions of such sale, and shall refer to this decree for further particulars. Said Special Master, before making such sale, may, either personally or by some person to be designated by him to act in his name and by his authority, adjourn the said sale from time to time without further advertisement, but only at the request of the complainant or his solicitors, or by order of the court.

VI. That the said Special Master shall receive no bid from anyone offering to purchase the premises above described who shall not deposit with him at or prior to the time of sale as a pledge that he will make good his payment in case of its acceptance, the sum of \$5,000 in cash or by certified check, and that the deposit received from any unsuccessful bidder shall be returned to him when the property shall be sold; provided that in lieu of cash required to be deposited, any holder of bonds described in and secured by said mortgage, may deposit such bonds on the basis of one-half of their face value. The balance of the purchase price shall be paid in cash at time of confirmation of sale hereunder and time of delivery to purchaser of deeds of conveyance to the property purchased, or in accordance with the terms or provisions of any decree of reorganization approved by the court as hereinafter provided.

VII. That in case any bidder or purchaser shall fail to make good his bid upon the acceptance by the Special Master, or after such acceptance shall fail to comply with any order of the court relating to payment thereof, or the consummation of the purchase, then the sums in cash or bonds deposited by such purchaser or purchasers as hereinbefore provided; shall be forfeited as a penalty for such failure, the cash bond or bonds to be applied toward the expenses of a resale and toward making good any deficiency or loss in case the property shall be sold at a price less than that bid at the prior sale.

VIII. That the purchaser may satisfy and make good any part of his bid by tendering the same in cash or by check, and in case he fails to do so, the court may order the same to be cancelled or credited as herein provided, any bonds and unpaid coupons secured by said Indenture of Mortgage and Trust Deed to complainant, and such purchaser shall be credited on account of such purchase price payable by him with the sum apportionable or applicable out of the net proceeds to the payment of or as a credit on the bonds and coupons as presented, but a sufficient amount of the purchase price must be paid in cash as will meet the payment of court costs and unpaid taxes on the mortgaged premises, master's fees and expenses and attorneys' fees. The

TUESDAY, MARCH 19, 1935

apportionable or applicable out of the net proceeds for the purpose of this provision shall determine on the basis that the mortgage to complainant is a valid and subsisting lien on property herein ordered to be sold.

IX. That any person or persons or corporation or corporations interested in the defendant and/or its property described herein and ordered to be sold who desires or bids to bid on behalf of or for the benefit of any corporation or corporations organized or to be organized, with the intention that it or they shall become the owner or owners of said property or any part thereof or any beneficial interest therein pursuant to any plan of reorganization shall file with the Special Master a complete copy of such plan within five days after the first publication of the notice of sale to be given by the Special Master as in this decree provided. Within two days following the expiration of said five days the Special Master, if such plan or reorganization shall be submitted to him, shall cause the substance of such plan to be published for two successive days in the same newspaper as is published the notice of sale of said property; on the fifth day following the expiration of the aforesaid five day period or if the fifth day be Sunday or a legal holiday, then on the next day not a Sunday or legal holiday, at ten o'clock in the forenoon, or as soon thereafter as the same may be heard by court, the court shall hear complaints as to the equity of the provisions of any reorganization plan or plans so filed with the Special Master affecting the respective rights of all persons and corporations interested in the property described in this decree, and this court reserves exclusive jurisdiction to determine whether the provisions of such plan or plans, and/or the objections thereto, are equitable.

X. That Joseph R. McGraw, be and he hereby is designated and appointed Special Master to make the sale hereby ordered and decreed and to report his action fully to this court and to execute and deliver a deed of conveyance of the property to be sold to the purchase money purchaser thereof and an order of the court confirming such sale, the court, however, reserves the right to appoint another person such Special Master with like powers in case of the death or inability to act of the Special Master hereby designated, or in case of his resignation or failure to act or removal by the court.

XI. From and after confirmation by this court of the sale herein directed, the property herein directed to be sold shall be acquired and held by the successful purchaser at said sale, free and discharged of and from all lien of the Indenture of Mortgage and Trust Deed herein foreclosed, and free and discharged of and from any and all liens, claims, and demands whatsoever upon or against said property in favor of any party or parties to this cause or in favor of any persons, firms or corporations claiming by, through, or under any of the parties to this cause, and free and discharged from all right, title, estate and equity of record of the defendant, Gillette-Kerr Investment Company; and all persons claiming or to claim in or against said defendant shall be forever barred and foreclosed by said sale.

XII. This court reserves full and complete jurisdiction over the parties and the subject-matter hereof to make any further, other or additional orders with respect to the manner, and conduct of the sale of properties as hereinabove described and ordered sold, the supervision, approval or disapproval of any plans of reorganization as hereinabove provided, including the conditional amendment or modification of any plan, the confirmation of any sale in pursuance hereof, and such other matters may properly come before the court with reference thereto, including the application of proceeds of the sale by the Special Master herein.

DATED this 19th day of March, 1935.

F. E. KENNAMER  
JUDGE OF UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court.

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

United States, Complainant, )  
vs. ) No. 1007 Equity ✓  
Ray Branstetter and Josephine Branstetter, Respondents. )

JOURNAL ENTRY

Now on this 19th day of March, 1935, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma; and each of the above named respondents, Ray Branstetter and Josephine Branstetter, having been regularly served with subpoena in equity in this cause more than 60 days prior to this date, and neither of said respondents having appeared, or claimed any right, or interest in or to the land involved herein, nor denied the execution of the instruments upon, they are by the Court declared to be in default.

And the complainant having announced ready for trial, and having introduced evidence in open court, and presented its exhibits in said cause; and the Court being fully advised in the premises, finds that complainant is entitled to judgment as prayed in the Bill of Complaint herein.

IT IS THEREFORE THE ORDER, JUDGMENT AND DECREE of the Court that the complainant, the United States, in its own behalf and in behalf of Andrew Pryor, restricted Osage Allottee No. 612, do have and recover of and from the respondents, Ray Branstetter and Josephine Branstetter and each of them, the sum of \$9,535.84, with interest thereon at 7% per annum from November 3, 1934, until paid, together with unpaid taxes in the sum of \$298.02, with interest and penalties and all costs of this suit, and if said judgment is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court directed to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, without appraisal, the following described land, located in Osage County, Oklahoma

South Half of Southwest Quarter of Section Twenty-three; Northwest quarter; West Half of Northeast Quarter; Northwest Quarter of Section Twenty-six; Southeast Quarter of Northeast Quarter; Northeast Quarter of Southeast Quarter of Section Twenty-seven, all in Township Twenty-two North Range Eleven East,

the proceeds of said sale to be applied as follows, to-wit:

- First - Payment of costs of sale and this suit.
- Second - Payment to this complainant in behalf of Andrew Pryor, restricted Osage Allottee No. 612, of the sum of \$9,535.84, with interest at 7% per annum from November 3, 1934, until paid.
- Third - Payment of all unpaid taxes on the mortgaged property.
- Fourth - The residue, if any, to be paid into this court to await the further orders of the Court.

IT IS FURTHER ORDERED that after the sale of the land hereinabove described to the respondents, Ray Branstetter and Josephine Branstetter, and all persons claiming under them from the commencement of this suit, are forever barred from claiming any right, title, interest or equity in or to said land, or any part thereof.

It is the further order of the Court that the original note and mortgage in this cause be merged in this judgment.

The Court further finds that complainant is entitled to have a Receiver appointed in this cause, to take charge of the property involved and hereinabove described, and it hereby ordered that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be, and he is hereby appointed as such Receiver, to collect the rents on said property until the sale thereof, and report same into this court to await the further orders of the

O.K. CHESTER A. BREWER  
Assistant United States Attorney

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 19 1935  
H. P. Warfield, Clerk  
U. S. District Court

-----  
Court adjourned to March 20, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MARCH 20, 1935

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Court convened pursuant to adjournment, Wednesday, March 20, 1935.

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

AMERICAN SHEET AND TIN PLATE COMPANY, )  
Plaintiff, )  
-vs- ) IN EQUITY No. 608 ✓  
)  
NICHOLS WIRE, SHEET & HARDWARE CO., )  
a Corporation, Defendant. )

ORDER AUTHORIZING RECEIVER'S CERTIFICATES.

This cause coming on to be heard this 20th day of March, 1935, upon the application of the receiver herein for instructions concerning issuance of receiver's certificates the parties hereto appearing by counsel of record; and the Court being advised in the premises  
FINDS:

That on the 15th day of March, 1935, in the United States District Court for Western District of Missouri, the jurisdiction in which a receiver in this cause for the defendant company was first appointed, and the jurisdiction in which the principal place of business and the executive offices of the defendant company are located, an order was entered authorizing the issuance of receiver's certificates herein.

WHEREFORE, In Conformity to Said Order, IT IS ORDERED, ADJUDGED and DECREED:

That the receiver be, and he is hereby authorized, subject to the limitation hereinafter stated, to issue receiver's certificates in the principal total amount of Seventy-five Thousand and no/100 Dollars (\$75,000.00), said certificate to bear interest at not to exceed

and one-half per cent per annum, payable quarterly; which said certificates shall constitute first and prior lien upon all of the property and assets of the defendant corporation and come therefrom; and said certificates shall be prior to any final allowance to be made here to the receiver or his counsel, but not prior to such allowances on account as may be made time to time to the receiver and his counsel, and said certificates shall be prior to the of all creditors and parties interested.

It is further ordered that the receiver may presently negotiate, issue and the principal amount of Seventy-five Thousand Dollars (\$75,000.00) of said certificates. Further ordered that the Seventy-five Thousand Dollars (\$75,000.00) in amount of receiver's certificates presently to be issued as aforesaid may be issued and delivered by the receiver, Commerce Trust Company to evidence the indebtedness of the receiver to said Commerce Trust Company for a loan by said Commerce Trust Company of Kansas City, Missouri, to said receiver, said amount of Seventy-five Thousand Dollars (\$75,000.00); and the receiver is hereby authorized to agree with said Commerce Trust Company upon the maturity or serial maturity of said certificates, and to fix such date or dates therefor as in the opinion of the receiver shall be best and to which said Commerce Trust Company may agree, and the Receiver shall in no case issue of said Receiver's Certificates to any party other than Commerce Trust Company of Kansas City, Missouri.

Upon the maturity of said certificates or any of them the receiver may negotiate for and agree upon a renewal thereof or extension of the time of payment, and for such purpose the receiver may, with the consent and approval of the holder or holders of all of the outstanding receiver's certificates, issue new certificates solely for the purpose, however, of effecting such renewal or extension of time of payment.

ENDORSED: Filed In Open Court  
Mar 20 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
District Judge.

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NORTH AMERICAN CAR CORP. A CORP.,	Plaintiff,	)	
		)	
-vs-		)	No. 802 - Equity. ✓
		)	
WHITE OAK CORP. A CORP.,	Defendant.	)	

Now on this 20th day of March, A. D. 1935, it is ordered by the Court that interveners herein be permitted to file amended Bill. And thereafter, further hearing is had, and of Intervention of Shell Petroleum Corporation. All witnesses are sworn in open court and their statements of counsel are made. Thereafter, the Intervener introduces evidence and proof with the following witness: B. F. Green. And thereafter, the noon hour having arrived, court recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in session. All parties present as heretofore and the Intervener present in person and by counsel. The Intervener continues with further testimony and proof with the following witnesses: W. G. Johnson, J. E. Steese, And thereafter, the Intervener rests. Thereupon, the Defendant introduces evidence and proof with the testimony of W. J. Sherry, N. L. Howard. And thereafter, the hour for court adjournment having arrived, court is adjourned to 9:30 o'clock A.M., March 21, 1935.

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MARCH 20, 1935.

VIVIAN WEMBISH, nee CLAYTON, Plaintiff, )  
) )  
-vs- ) No. 859 - Equity. ✓  
) )  
CHARLIE CLAYTON, et al, Defendants. )

Now on this 20th day of March, A. D. 1935, it is ordered by the Court that above case be reassigned for Monday, March 26, 1935. It is further ordered that all witnesses and they are hereby recognized back. It is further ordered that filing of reply herein permitted.

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

The Lincoln National Life Insurance Company, Plaintiff, )  
) )  
vs. ) No. 873 Equity. ✓  
) )  
Exchange National Company, Defendant. )

ORDER GRANTING LEAVE TO SUE RECEIVER AND MAKE HIM PARTY  
TO SUIT IN THE DISTRICT COURT OF TULSA COUNTY, OKLAHOMA.

On this 20 day of March, 1935, comes on to be heard the petition of Robert Imler for leave to sue the Receiver herein, Rex Watkinson, in a foreclosure proceeding about to be brought by said Robert L. Imler in the District Court of Tulsa County, Oklahoma, for foreclosure of a mortgage upon the following described lands situated in the County of Tulsa and State of Oklahoma, to wit:

Westerly fifty (50) feet of Lot Seven (7), Block One Hundred Twenty (120) of the Original Town, now City of Tulsa, Tulsa County, Oklahoma, according to the official plat thereof,

which said mortgage was executed by William A. Birbilis, Pota Birbilis, Gus J. Athens and F. Athens to Exchange National Company March 22, 1929, and has heretofore been assigned to and held by petitioner, Robert L. Imler;

And said petition having been duly considered by the Court, and it appearing that the same should be granted, and the Court being well and sufficiently advised in the premises

IT IS, BY THE COURT, now ordered that the prayer of said petition be granted that Robert L. Imler be and he is hereby permitted to sue said Rex Watkinson, the Receiver heretofore appointed in this suit, and to make said Receiver a party defendant in the foreclosure suit about to be brought by said petitioner in the District Court of Tulsa County, Oklahoma and that said Rex Watkinson, Receiver, submit himself fully to such orders as may be made by said District Court of Tulsa County, Oklahoma, in said foreclosure proceeding.

Done at Tulsa, Oklahoma, this 20th day of March, 1935.

O.K. HORACE H. HAGAN T. AUSTIN GAVIN Solicitors F. E. KENNAMER  
for Rex Watkinson Receiver for Exchange United States District Judge.  
National Company.

ENDORSED: Filed Mar 20 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Milford E. Tapp, et al, Complainant, )  
 )  
-vs- ) No. 897 Equity. ✓  
 )  
Charles F. Stuart, Respondent. )

ORDER EXTENDING TIME TO FILE TRANSCRIPT OF RECORD.

For satisfactory reasons appearing to the court the time for filing the record in this case in the Circuit Court of Appeals for the Tenth Circuit, pursuant to the appeal is extended until the 19th day of April, 1935.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Mar 20 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to March 21, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, MARCH 21, 1935

Court convened pursuant to adjournment, Thursday, March 21st, 1935.

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

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

NORTH AMERICAN CAR CORP. a corp., Plaintiff, )  
 )  
-vs- ) No. 802 - Equity. ✓  
 )  
WHITE OAK CORP. a corp., Defendant. )

Now on this 21st day of March, A. D. 1935, at 9:30 o'clock A.M., court is in session. All parties present as heretofore. The Defendant continues with introduction of evidence and proof with the following witnesses: N. L. Howard, C. Pchetti, Mr. Robley, G. Brigham. And thereafter, the Defendant rests. And thereafter, the Interveners offer in testimony of W. G. Johnson. And thereafter, both sides rest. Thereupon, it is ordered by the Court that said case be and it is hereby taken under advisement. Mr. Marshall given ten (10) days by the Court to file brief after transcript is furnished. Mr. Maxey given ten (10) days thereafter to file brief. It is further ordered that permission be granted to substitute exhibits.





The south half of lot 4, and southwest quarter of southeast quarter of northwest quarter, and southwest quarter of northwest quarter, and west half of northeast quarter of southwest quarter, and northwest quarter of southwest quarter, and northeast quarter of southwest quarter of southwest quarter of section 1, and south half of lot 1, and southeast quarter of northeast quarter, and south half of south half of southwest quarter of northeast quarter, and north half of southeast quarter, and northeast quarter of northeast quarter of southwest quarter of section 2, township 23 north, range 20 east of Indian Base and Meridian; subject, however, to a pipe line right-of-way granting belonging to Ajax Pipe Line Company,

It further appearing to the court that said mortgage contains words waiving appraisement, and the plaintiff having elected to sell said premises without appraisement provided for in said mortgage, IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that, in event the said sums due the plaintiff and the costs of this action, remain unpaid for a period of six months from the date hereof, the Clerk of this court, upon proper praecipe therefor, shall issue an execution and order of sale, that said real estate be levied upon, advertised and sold according to law, without appraisement, and the proceeds of such sale applied as follows: (1) In payment of the costs of this action and of said sale; (2) In payment of the sums due plaintiff as aforesaid; (3) In Payment of taxes due upon said premises, if any; and (4) The residue, to be paid to the Clerk of this court to abide the further order of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court, in event the proceeds of such sale be insufficient to satisfy plaintiff's said judgment, that the plaintiff may move for a deficiency judgment against the defendants, W. E. Ross and Nelle S. Ross, for any such amount remaining unpaid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that from and after the date of said real estate under and by virtue of this decree, the defendant herein, and each of them, and all persons claiming under them, or any of them, since the commencement of this action, and they hereby are, forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity of, in or to said real estate, or any part thereof.

IT IS FURTHER ORDERED by the court that John A. Wise, be, and he hereby is, appointed Special Master for the purpose of levying upon, advertising and sell the said real estate as hereinbefore provided for and as provided by law, and said Special Master shall make a proper full and true return of his proceedings in the matter of such sale as required by law, and, upon the due approval and confirmation of such sale by this court, the said Special Master shall execute and deliver a good and sufficient deed of conveyance of said real estate to the purchaser thereof.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Mar 21 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE PACIFIC MUTUAL LIFE INSURANCE COMPANY )  
OF CALIFORNIA, a corporation, Complainant, )  
vs. ) No. 1017 - Equity ✓  
PAUL V. HARTMAN, Respondent. )

ORDER ALLOWING TEMPORARY INJUNCTION AND OVERRULING RESPON-  
DENT'S MOTION TO TRANSFER TO LAW SIDE OF DOCKET.

The above entitled cause came on for hearing on the 19th day of March, 1935; the verified bill of complaint filed herein and upon the verified application for temporary injunction filed herein on behalf of complainant and upon the response of the respondent herein to said bill of complaint and application for temporary injunction, and upon the motion of the respondent herein heretofore filed to transfer this cause to the law side of the docket of court; complainant appearing by its solicitors of record and respondent appearing by its solicitors of record.

Thereupon, the respondent offered to introduce evidence in addition to his verified response on the question of the total permanent disability of the respondent, and the upon objection of complainant, denied the right of the respondent to offer said evidence on the ground that it was immaterial to the issues here presented to the court, to which ruling of court respondent excepted and the exception was allowed;

The court, after examining said verified bill of complaint, the verified application for temporary injunction and the verified response thereto of respondent herein, and hearing argument of counsel, and being fully and sufficiently advised in the premises, finds that the temporary injunction herein prayed for should be granted, and that the motion of the respondent herein to transfer this cause to the law side of the docket of this court should be denied, to each of which findings respondent separately excepted and his exception was allowed.

The court further finds that on the 25th day of January, 1935, the complainant instituted this action by filing its bill of complaint herein, and that chancery subpoena issued and was served upon the respondent, Paul V. Hartman, on the 29th day of January, 1935, and further finds that said respondent, Paul V. Hartman, did on the 30th day of January, 1935, institute suit against the respondent herein in the district court of Tulsa County, Oklahoma, same being cause numbered 60011 therein, wherein the said Paul V. Hartman is plaintiff and Pacific Mutual Life Insurance Company of California, a corporation, is defendant, seeking recovery of benefits under the policies of insurance herein sought to be rescinded and canceled by complainant herein, and that the respondent herein, his agents, servants, attorneys and persons acting by his authority should be restrained and enjoined from prosecuting or proceeding further in said cause aforesaid in the district court of Tulsa County, Oklahoma, pending the order of this court, or further instituting or prosecuting any other suit or suits in state court, or in any other federal court, on the several policies of insurance herein sought to be cancelled and rescinded.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that the motion of the respondent to transfer this cause from the equity docket to the law docket of this court be and the same hereby is overruled and denied, to which order of the court respondent duly excepted and his exception was allowed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the complainant's application for temporary injunction herein be, and the same is hereby, granted, enjoining and restraining the respondent, his agents, servants, attorneys and all persons acting under his authority, from prosecuting or proceeding further in cause numbered 60011 in the district court of Tulsa County, Oklahoma, wherein the said Paul V. Hartman is plaintiff and the said The Pacific Mutual Life Insurance Company of California is defendant.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, MARCH 21, 1935

Mutual Life Insurance Company of California, a corporation, is defendant, and further enjoined and restraining said respondent, his agents, attorneys and all persons acting by his authority from instituting or prosecuting any other action in any state court or in any other federal court upon the policies of insurance herein sought to be rescinded and cancelled, to which findings and judgment the respondents excepted, and his exception was allowed.

IT IS FURTHER ORDERED that the complainant shall, on or before three days from the date hereof, execute a good and sufficient bond in favor of the respondent in the penal sum of Twenty-five Hundred Dollars (\$2500.00), conditioned that the complainant will pay damages, not exceeding said penal sum, as the said Paul V. Hartman may sustain by reason of said temporary injunction if the court shall finally decide that said complainant was not entitled to said temporary injunction.

DATED this 19th day of March, 1935.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 21 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE PACIFIC MUTUAL LIFE INSURANCE COMPANY )  
OF CALIFORNIA, a corporation, Complainant, )  
vs. ) No. 1017 Equity ✓  
PAUL V. HARTMAN, Respondent. )

O R D E R

IT IS ORDERED AND ADJUDGED that the respondent in the above cause is granted (20) days from the 19th day of March, 1935, within which to file his answer to complainant's

DATED this 21st day of March, 1935.

F. E. KENNAMER  
Judge

ENDORSED: Filed Mar 21 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to March 22, 1935.





No. 954 Continued.

O.K. YANCEY SPILLERS & BROWN  
Attorneys for Plaintiff.

O.K. TRAVIS I. MILSTEN  
Attorneys for LALLIE LYONS and ISADORE MAZUR,  
Executors of the Estate of Mayme Lyons, Deceased;  
LALLIE LYONS, Executor of the Estate of Jake Lyons,  
Deceased; LALLIE LYONS, NIXIE LYONS, J. & L. LYONS  
COMPANY, a Corporation.

ENDORSED: Filed Mar 22 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

CONNECTICUT GENERAL LIFE INSURANCE COMPANY,	)	
a corporation,	)	Plaintiff,
	)	
-vs-	)	No. 954 Equity ✓
	)	
LALLIE LYONS, et al.,	)	Defendants.

ORDER OF SALE

Now on this 22 day of March, 1935, before the Honorable Franklin E. Kennamer of the United States District Court for the Northern District of Oklahoma, comes on for he the plaintiff's motion requesting that this court order the court clerk to issue a special tion and order of sale in this action. The Court being fully advised and finding that not been paid on the judgment rendered herein, nor any part thereof has been paid, and that th of six (6) months has elapsed;

IT IS THEREFORE ORDERED that the clerk of this court issue to the United St: shal for the Northern District of Oklahoma, a special execution and order of sale in accord with the decree of this court made on the 13th day of September, 1934.

F. E. KENNAMER  
Judge of the United States District Court.

ENDORSED: Filed Mar 22 1935  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,	)	Plaintiff,
	)	
-vs-	)	No. 963 - Equity. ✓
	)	
D. C. HOWARD, ET AL,	)	Defendants.

Now on this 22nd day of March, A. D. 1935, it is ordered that judgment for t Government be entered as per stipulation of facts, all as per journal entry to be filed her

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

New York Underwriters Insurance Company, a corporation, Plaintiff, )

vs. )

No. 965 - Equity.

A. B. Crowell, Rowena Crowell, C. E. Dawson as executor of the last will and testament of A. B. Crowell, deceased and Mary E. Crowell, Defendants. )

O R D E R

Now this 22nd day of March, 1935, the defendants Mary E. Crowell, Rowena Crowell and C. E. Dawson as executor of the last will and testament of A. B. Crowell, deceased met in person and by their respective attorneys of record. Thereupon said defendants did present to the court a stipulation of settlement between themselves wherein they did agree as to the distribution of the fund of \$1436.20 paid into the office of the Clerk of the court for the benefit of said defendants. The court having examined said stipulation and finding the same to be the actual agreement of the parties and that the same is fair and just as between the parties

IT IS ORDERED in pursuance of said stipulation that of and from said sum of \$1436.20 deposited with the clerk of this court by the plaintiff, for the defendants, the court costs in said case in the sum of \$30.50 shall first be deducted and paid; that next the sum of \$600.00 be deducted from said monies so on deposit with the clerk of this court and paid to the defendant Mary E. Crowell in full satisfaction of any and all claims that she has to said monies; that the rest and residue of said fund in the hands of the clerk of this court shall be paid to the defendants, Rowena Crowell and C. E. Dawson and executor of the last will and testament of A. B. Crowell, deceased in equal parts, and it is further ordered that no other party to this action have any interest or claim of any kind or character as against said fund of money. It is so ordered that this action be and same is dismissed with prejudice.

F. E. KENNAMER

FRANK NESBITT Atty for Rowena Crowell, C. E. Dawson, Judge.  
 Exc.

GREEN & FARMER Atty for Mary E. Crowell

O.K. HUGH WEBSTER Atty for Plaintiff.

ENDORSED: Filed Mar 22 1935  
 H. P. Warfield, Clerk  
 U. S. District Court ME

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 SINGER STEEL & METAL CORP. ET AL, Plaintiffs, )

-vs-

) No. 1014 - Equity. ✓

)  
 TULSA STEEL CORP. ET AL, Defendants. )

Now on this 22nd day of March, A. D. 1935, it is ordered by the Court that Mr. Wills be appointed to hear testimony and make report to the Court as to whether or not a Receiver should be appointed.

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SHEFFIELD STEEL CORP. A CORP., Plaintiffs, )  
 )  
-vs- ) No. 1031 - Equity. ✓  
 )  
TULSA STEEL CORP. A CORP., Defendants. )

Now on this 22nd day of March, A. D. 1935, Mr. R. H. Mills is appointed by Court to hear testimony in the above cause and make report to said Court as to whether or Receiver should be appointed.

-----  
Court adjourned to March 25, 1935.

SPECIAL MARCH 1935 TERM-Equity Session TULSA, OKLAHOMA MONDAY, MARCH 25, 1935

Court convened pursuant to adjournment, Monday, March 25th, 1935.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.  
H. P. Warfield, 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,  
SITTING AT TULSA, OKLAHOMA.

LOUIS F. GANSMANN, Plaintiff, )  
 )  
-vs- )  
 ) NO. 796 Equity. ✓  
THE OAK GAS COMPANY, a corporation, THE )  
LENAPAH GAS COMPANY, a corporation, and )  
CHARLES ANDERSON OF COFFEYVILLE, KANSAS, or )  
PAULDING, OHIO. Defendants. )

ORDER ALLOWING RECEIVER'S AND ATTORNEYS' FEES.

BE IT REMEMBERED, that on this 25th day of March, 1935, the above matter came for hearing before the court upon the motion of plaintiff to dismiss the receivership proceeding herein, upon the final report of the receiver, and upon the applications for allowance of the receiver, to his attorney and to the attorneys for the plaintiff herein, the plaintiff being by his attorneys Frank Hickman and Irvine E. Ungerman, the receiver being present in person and by his attorney John F. Pendleton, and the matter having been fully presented to the court and the court having been advised in the premises, finds that good cause exists to continue application for dismissal and the passing upon the receiver's final account pending the filing of a supplement thereto, and the court deeming it proper at this time to allow fees as prayed for in said applications, and the court having found that the sum of \$425.00 is a reasonable fee paid to the attorneys for the plaintiff, and the receiver should be allowed a final fee of \$100.00 in addition to that heretofore paid, and that the attorney for the receiver should be allowed a fee of \$900.00 to that heretofore paid, and that funds ample to pay the same are now in the hands of the receiver, and that same should be paid forthwith, and a report thereof continued in the receiver's supplement to his final report to be filed herein.

IT IS ORDERED that the receiver be and he is hereby directed to pay to Frank Hickman and Irvine E. Ungerman, attorneys for the plaintiff, the sum of \$425.00, in payment of their services in this proceeding, and to pay to John F. Pendleton, attorney for receiver, the sum of \$900.00 in addition to that heretofore paid him, and to pay himself as final fee for his services the sum of \$900.00 in addition to that heretofore paid, and that the receiver file a

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF  
DISTRICT OF OKLAHOMA  
SPECIAL TERM FOR BANKRUPTCY SESSION      TULSA, OKLAHOMA      MONDAY, MARCH 16, 1936

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attorneys C. A. Johnson and R. B. McDermott, and the Intervenor Harrison-Auker Refractor Company appearing by its attorney, Howell E. Hays and the court have considered the bill of complaint and the petitions in intervention and being fully advised in the premises, and the parties having consented and agreed to the appointment of a receiver, the court finds that receiver should be appointed for the defendant, Tulsa Steel Corporation, and for all of its properties and assets wherever located; and

IT IS, THEREFORE, CONSIDERED, ORDERED, AND ADJUDGED:

(1) That T. H. STEFFENS be, and he is hereby, appointed Receiver of the Defendant, Tulsa Steel Corporation, and of all of its properties, real, personal and mixed, of kind whatsoever, now or hereafter located or situated within the jurisdiction of this court together with all of its rights, interests, and choses in action, and the appurtenances thereto pertaining and belonging, with full power to demand, sue for, collect, receive and take into their possession all the goods chattels, rights, credits, moneys, effects, lands, tenements and hereditaments, books, paper, choses in action, bills, notes and property of every description belonging to said defendant.

(2) That the said Receiver before entering upon his duties as such, do take oath prescribed by law and give a bond with sufficient surety or sureties to the United States of America in the sum of Twenty Thousand (\$20,000.00) Dollars conditioned for the faithful performance of his duties; said bond to be approved as to form, validity and sufficiency of surety or sureties by the court.

(3) That said defendant, its officers and agents and all persons acting by or under its direction, shall, upon presentation of a certified copy of this order, deliver to said Receiver any and all properties of the defendant, Tulsa Steel Corporation, real, personal or mixed, now in its possession or under its control, and that all persons, including sheriffs, marshals, constables, and firms and corporations, be, and they are hereby, enjoined from in any wise disturbing the possession of the said Receiver, and from prosecuting any action or suit whatsoever which affects or may affect the properties of said defendant, and from issuing or levying a writ of attachment, execution or other process thereon.

(4) That until the further order of this court said Receiver be, and he is hereby authorized forthwith to take and to have complete and exclusive control, possession and custody of all the assets and properties of the Tulsa Steel Corporation; and all persons, firms and corporations, including the Tulsa Steel Corporation, its officers, agents and servants, shall forthwith deliver to said Receiver all the said properties of the defendant of every nature and description.

(5) That said Receiver be, and he is hereby authorized to continue, manage, operate and conduct the business of Tulsa Steel Corporation until the further order of this court, with full authority to carry on, manage, operate and conduct said business, to buy and sell merchandise, supplies or stock in trade, for cash or on credit, and as may be deemed advisable by said Receiver, and to consider and determine which of the contracts, leases or other contractual arrangements between Tulsa Steel Corporation, and any and all other persons, firms and corporations, he will renounce or adopt, and to adopt and perform such of said contracts, leases or other contractual arrangements of the defendant as he may deem desirable or necessary in the conduct of the defendant's business, or in furtherance of its interests to adopt and perform the same, provided, however, that the Receiver shall be allowed ninety (90) days from the date of this order within which to elect to adopt or continue in force or refuse to adopt or continue in force any such lease or contract not fully performed and pending the further order of this court none of said Receiver's acts or omissions in the performance or failure to perform any of said contracts, leases or other contractual arrangements shall constitute or be considered an election to adopt or an estoppel to renounce any of them.

(6) That said Receiver be, and he is hereby, authorized in his discretion to employ, pay and discharge from time to time such managers, agents, employees, and servants as in his judgment be advisable or necessary in the management, conduct, control or custody of the affairs of the Tulsa Steel Corporation, and of the assets thereof; and that said Receiver and he is hereby, authorized to make such payments and disbursements as may be needed or proper for the preservation of the properties of the Tulsa Steel Corporation, all subject to the order of the court.

(7) That said Receiver be, and he is hereby, authorized to receive and collect all rents, incomes and profits of any and all of the properties of the Tulsa Steel Corporation to receive and collect any and all moneys due and owing to the defendant in any manner whatsoever whether the same are now or shall hereafter become due and payable; and that said Receiver and he is hereby, authorized to do such things, enter into such agreements and employ such persons in connection with the management, care and preservation of the properties of the defendant as may deem advisable, and are authorized to incur such expense and make such disbursements as in his judgment be advisable or necessary in connection with the care, preservation and maintenance of the properties of the Tulsa Steel Corporation.

(8) Subject to the order of this court, said Receiver be, and he is hereby authorized and empowered to institute, prosecute and defend, compromise, adjust, intervene and become party to such suits, actions or proceedings at law, or in equity, including ancillary proceedings in state or federal courts, and in the courts of any foreign country, as may in his judgment be necessary or proper for the protection, maintenance and preservation of the assets of the defendant, or the carrying out of the terms of this decree; and, likewise, to defend, compromise or adjust, or otherwise dispose of, any or all suits, actions or proceedings in which he is or may be against him as Receiver, or against the Tulsa Steel Corporation; and also to appear in and conduct the prosecution or defense of any suit upon order of court, or upon order of court and to compromise any actions or proceedings now pending in any court by or against the Tulsa Steel Corporation where such prosecution, defense or other disposition or such suits, actions, or proceedings will, in the judgment of said Receiver be advisable or proper for the protection of the properties of the Tulsa Steel Corporation.

(9) That all creditors, stockholders and other persons be enjoined from instituting or prosecuting, or continuing the prosecution of any action, or suits at law or in equity or under any statute, against the Tulsa Steel Corporation, and from levying any judgment, execution or other process upon or against any of the properties of the Tulsa Steel Corporation or hereafter located or situated within the jurisdiction of this court, or from taking, or attempting to take, into their possession the said property, or any part thereof.

(10) That said Receiver be, and he is hereby, authorized and directed to pay the current payroll from March 15, 1935 to this date in order to prevent any interruption in the continuous operation of the properties of Tulsa Steel Corporation.

F. E. KENNAMER  
J u d g e.

O.K. as to form  
MARVIN T. JOHNSON  
O.K. COAKLEY & McDERMOTT  
TRAVIS I. MILSTEN DAVID R. MILSTEN  
ENDORSED: Filed Mar 25 1935  
H. P. Warfield, Clerk  
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, MARCH 26, 1935

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Court convened pursuant to adjournment, Tuesday, March 26, 1935.

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

VIVIAN WIMBISH, nee Clayton, )  
Plaintiff, )  
vs. ) No. 859 - Equity ✓  
CHARLIE CLAYTON, et al, )  
Defendants. )

ORDER EXTENDING TIME FOR PLEADING

Now on this 22nd day of March, 1935, upon application of the defendants, Henry Lowrance, W. H. Odell and Dan Odell,

IT IS ORDERED that the said defendants, Henry Lowrance, W. H. Odell and Dan Odell, they are hereby allowed fifteen (15) days from this date in which to plead to the complaint of plaintiff herein filed.

IT IS FURTHER ORDERED that the defendants, Henry Lowrance and W. H. Odell, they are hereby allowed fifteen (15) days from this date in which to plead to the amended and counterclaim of defendant, Charlie Clayton.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Mar 26 1935  
H. P. Warfield, Clerk  
U. S. District Court.

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UNITED STATES OF AMERICA, )  
Plaintiff, )  
-vs- ) No. 998 - Equity. ✓  
L. E. TAYLOR and MONROE LANDERS, )  
Defendants. )

Now on this 26th day of March, A. D. 1935, the above styled case is called for trial. Both sides present and announce ready for trial. All witnesses are sworn in open court and opening statements of counsel are made. The Government introduces evidence and proof with the following witnesses: H. Rudroff. And thereafter, the Government rests. The Defendant introduces exhibits herein. And thereafter, both sides rest. And thereafter, after being advised in the premises, it is ordered by the Court that Decree for Government be entered as prayed for as per journal entry to be filed. Exception allowed.

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UNITED STATES OF AMERICA, Plaintiff, )  
)  
-vs- ) No. 1009 - Equity. ✓  
)  
GOLDIE GERTRUDE MCGUIRE, ET AL, Defendants. )

Now on this 26th day of March, A. D. 1935, the above styled case is called. Both sides announce ready and opening statements of counsel are made. Thereupon, it is ordered by the Court that note and mortgage herein be and they are hereby introduced. Thereafter, Government introduces evidence and proof with the following witness: W. H. Rudroff. And after, no evidence is introduced by the Defendant. And thereupon, it is ordered by the Court after considering the facts and evidence herein, that Decree for Government be entered, as per journal entry to be filed.

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Court adjourned to March 27, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MARCH 27, 1935.

Court convened pursuant to adjournment, Wednesday, March 27, 1935.

Present: Hon. F. E. Kennamer, Judge, U. S. Dist. Court.  
H. P. Warfield, 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

United States of America, Plaintiff )  
)  
vs. )  
) No. 488 Equity. ✓  
)  
Ralph Hughes, County Treasurer of Osage )  
County, Fred Whiting, County Assessor of )  
Osage County, T. L. Lillard, Earl Gray and )  
F. E. Pennell, Board of County Commissioners of )  
Osage County, and Homer O'Dell, Tax Ferret )  
of Osage County, Defendants. )

PETITION FOR ALLOWANCE OF APPEAL.

Come now the defendants L. L. Houston, County Treasurer of Osage County, Oklahoma, successor to Ralph Hughes, former County Treasurer of Osage County, Oklahoma, L. D. E. County Assessor of Osage County, Oklahoma, successor to Fred Whiting, County Assessor of Osage County, Oklahoma, Paul H. Smith, Earl Gray and F. M. McCauley Board of County Commissioners of Osage County, Oklahoma, successors to T. L. Lillard, Earl Gray and F. E. Pennell, former Board of County Commissioners of Osage County, Oklahoma, and Homer O'Dell, Tax Ferret of Osage County, Oklahoma, and feeling themselves aggrieved by the judgment and decree rendered by the court above cause on the 27th day of December, 1934, holding certain property of members of the O. Tribe of Indians to be non-taxable and making permanent the temporary injunction theretofore against these said defendants insofar as the property held by said judgment and decree to be taxable, do hereby appeal from said decree to the Circuit Court of Appeals for the Tenth Circuit because of the reasons set forth in their assignment of errors herein.

WHEREFORE said defendants pray that an appeal in the above cause be duly allowed.

S. T. CARMAN  
County Attorney of Osage County, Okla.

FRANK T. McGOY  
JNO. T. CRAIG  
JOHN R. PEARSON  
Special Counsel.  
Attorneys for Defendants.

The above and foregoing Petition for Appeal is hereby duly allowed this 27th day of March,

F. E. KEMMNER  
United States District Judge.

ENDORSED: Filed Mar 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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UNITED STATES OF AMERICA, Plaintiff, )  
 )  
-vs- ) No. 674 - Equity. ✓  
 )  
ROSA MASHUNKASHEY, ET AL, Defendants. )

Now on this 27th day of March, A. D. 1935, it is ordered by the Court that I file and spread of record the Mandate in the above cause, same being in words and figures as to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

✓

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT  
THE UNITED STATES FOR THE NORTHERN DISTRICT  
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 United States of America, complainant and Rosa Mashunkashey et al., respondents, No. 674 Equity, the decree of the said District Court in said cause entered on November 22, 1932, was in the following words, viz:

DECREE.

This cause having come on regularly to be heard on the 4th day of October, 1932, and the complainant, United States of America, having appeared by its solicitors, John M. Goldesberry, United States District Attorney, Harry Seaton, Assistant United States District Attorney, and Louis N. Stivers, Osage Tribal Attorney, and the defendant Rosa Mashunkashey, Jesse L. Warren, Clayton N. Smith, D. C. Howard and Ida Warren, alias Ida L. Warren, having appeared in person and by their solicitors, C. B. Stuart, E. J. De R. D. Hudson, M. L. Holcombe and Clarence Lohman, and the defendant Lucille Stafford, alias Lucille White, having appeared in person and by her guardian ad litem R. D. Hudson, and defendants Ralph A. Barney and Samuel Blair having appeared in person and by their solicitor Merrick A. Whipple, and the defendant Exchange National Bank of Tulsa, Oklahoma, having

appeared by its solicitor, J. A. Hull, and the defendant Missouri State Life Insurance Company having appeared by its solicitor Frank Settle and the defendants Theodore Mort M. O. Stephenson, Tressa M. Stephenon, Kenneth Trough, J. B. Talbutt and Maggie Talbut having not appeared but having made default; and the court having heard the arguments the respective solicitors for the parties litigant herein, and having said cause under advisement pending consideration thereof, and the court being fully advised in the premises of the opinion that judgment should be rendered in accordance with the findings of fact and conclusions of law filed herein on this 22nd day of November, 1932, pursuant to Equity Rule No. 70½;

Now, therefore, it is ordered, adjudged and decreed that the certificate of competency heretofore issued on the 21st day of March, 1928, to Charles Mashunkashey, full blood lottee No. 464, by the Secretary of the Interior to become effective April 20, 1928, by the same is hereby vacated, set aside and held for naught with the same force and effect though said certificate of competency had not been issued and became effective in the instance; and

It is further ordered, adjudged and decreed that the property settlement entered by and between the said Charles Mashunkashey and Rosa Mashunkashey on the 29th day of September, 1930, and approved by the District Court of Osage County, Oklahoma, in cause No. 4160, by decree dated the 6th day of October, 1930, insofar as the same respects and affects any property, real, personal or mixed, involved in the subject-matter of this cause, Equity No. 674, be and the same is hereby vacated, set aside and held for naught, for reason that the said District Court of Osage County was wholly without jurisdiction to any decree whatsoever with respect to the restricted property of the said Charles Mashunkashey and

It is further ordered, adjudged and decreed that in extinguishment of the rights of the said Rosa Mashunkashey as former wife, divorcee or otherwise, of the said Charles Mashunkashey and as compensation for her efforts and services during the seven years of their marital life in conserving and preserving the property of the said Charles Mashunkashey and the adjustment of equities asserted in her favor heretofore found by the court, that she, the said Rosa Mashunkashey, retain, have, receive and be awarded her and for her separate and apart property, the following described property, to-wit:

The cash sum of twenty thousand (\$20,000.00) Dollars, to be paid or realized from the proceeds of the sale of the real estate, out of the funds, credits and properties of the said Charles Mashunkashey now in the hands or under the control of the receiver herein or in the hands and under the control of the Secretary of the Interior;

Lot Nine (9), in Block Seven (7), Ridgeway Addition to the City of Tulsa, Oklahoma, according to the recorded plat thereof, and all furniture, household goods and fixtures acquired by the said Charles Mashunkashey and the said defendant Rosa Mashunkashey as husband and wife, and now situate on or about the premises last above described, which said above described parcel of land and improvements thereon shall be set free and clear of all taxes and special assessments accruing prior to the year 1930. All that property, whether real, personal or mixed, which grows out of or is attached to be set forth in paragraph No. 14 of the amended bill of complaint herein, or by reason of any transaction or transactions involving said property so described therein or any other right in and to any property located in the State of Texas.

That the title to the said Rosa Mashunkashey in and to the property aforesaid be and the same is hereby decreed to be her separate and absolute property, be, and the same is hereby adjudged decreed to be quieted against the claims, demands and pretensions of the said Charles Mashunkashey, and persons acting for or on his behalf, or claiming by, through, or under him, each of them, are hereby perpetually estopped, enjoined and restrained from setting up or asserting any right, title, interest, estate or demand in and to the property aforesaid any part thereof, adverse to the said Rosa Mashunkashey; and

It is further ordered, adjudged and decreed that the said defendant, Rosa Mashunkashey having made a full, true and perfect accounting of all monies, funds, person, real and mixed property belonging to the said Charles Mashunkashey, which over at any time came her possession or under her control, that she be and she is hereby absolved and discharged from further accounting; and

It is further ordered, adjudged and decreed that the whole premium policy No. 772636, issued on the 30th day of December, 1929, wherein Rosa Mashunkashey and Luc Stafford are named and designated as beneficiaries, and all unpaid accrued payments thereunder, be and the same is hereby, adjudged to be a part and parcel of the restricted estate of the said Charles Mashunkashey and that the said Rosa Mashunkashey and Lucille Stafford and each of them, be decreed to have no right, title, interest or estate in and to said policy and the unpaid accrued payments thereunder, and the said Missouri State Life Insurance Company is hereby ordered and directed to issue in lieu of said policy No. 772636 a policy in substantially the same form and manner to the Secretary of the Interior, and to make future payments thereunder to the Secretary of the Interior for the use and benefit of Charles Mashunkashey, and further to cancel the said policy No. 772636 heretofore issued aforesaid; and the said Rosa Mashunkashey, and Lucille Stafford, and each of them, and persons claiming by, through or under them are perpetually estopped, enjoined and restrained from asserting any claim, right, title, interest, estate or demand under said policy and against the said Missouri State Life Insurance Company by reason of its having complied with this decree; and

It is further ordered, adjudged and decreed that the certain parcel of real estate together with the improvements situate thereon and the appurtenances thereunder belonging, situate in the County of Tulsa, State of Oklahoma, and described as follows, to-wit:

Lot Twenty (20), Block Seven (7), Sunset Addition to the City of Tulsa, Oklahoma, according to the recorded plot thereof, and more commonly known and described as 2519 South Cincinnati Street, Tulsa, Oklahoma,

be and the same is hereby decreed to be a part and parcel of the restricted estate of Charles Mashunkashey, and since the legal title thereto is vested in said defendant Rosa Mashunkashey but nevertheless in trust for the said Charles Mashunkashey, she is hereby ordered and directed to forthwith execute appropriate instrument of conveyance whereby the legal title to said parcel of real estate, together with the improvements thereon, is conveyed to the said Charles Mashunkashey, but subject nevertheless to the restriction against alienation thereof, existing by and with the consent of the Secretary of the Interior first had and obtained; and

It is further decreed that the title of the said Charles Mashunkashey and of complainant in and to the property aforesaid, be, and the same is hereby quieted against claims, demands and pretensions of the said defendant, Rosa Mashunkashey, and of all the defendants hereinbefore named in the caption hereof, and each of them; and said defendant, each of them, and all persons claiming by, through or under them, are hereby adjudged to have no right, title, or interest or estate in and to the property aforesaid, or any part thereof, and the said Rosa Mashunkashey, and all other defendants named in the above caption, and each of them, are hereby perpetually estopped, enjoined and restrained from setting up or asserting any right, title, interest, estate, claim or demand in and to the property aforesaid, any part thereof.

It is further ordered, adjudged and decreed that the certain tract or parcel of real estate, together with the improvements thereon, and the appurtenances thereunto belonging, situate in the County of Osage, State of Oklahoma, and described as follows, to-wit:

Northeast Quarter of the Southeast Quarter of Section Twenty-nine (29) and the Southeast Quarter of the Southeast Quarter of Section Twenty (20), Township

six (26) North, Range Ten (10) East, and Lots One (1), and Two (2), and the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter and the East half of the Northwest Quarter and the North Half of the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section Thirty-one (31), Township Twenty-eight ( 28) North, Range Ten (10) East, and the North half of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter and the North Half of the Northeast Quarter of the Southeast Quarter of Section Twenty-two (22), Township Twenty-nine (29), North, Range Nine (9) East, and Lots Ten (10), Eleven (11), Twelve (12), and Thirteen (13), Block Fifty-three (53), original townsite, of Pawhuska, Oklahoma,

be and the same is hereby decreed to be a part and parcel of the restricted estate of the said Charles Mashunkashey, and since the defendant, D. C. Howard, has filed herein a disclaimer whereby he disclaims all right, title and interest in and to the aforesaid real estate or any part thereof, it is accordingly adjudged and decreed that the certain instrument of conveyance from Charles Mashunkashey to the said defendant, D. C. Howard, filed for record in the office of the County Clerk (Register of Deeds) of Osage County, Oklahoma, in book 71 page 10, be and the same is hereby cancelled, set aside and held for naught; and it is further decreed, that the title of the said Charles Mashunkashey and of the complainant in and to the property aforesaid be and the same is hereby quieted against the claims, demands and pretensions of the said defendant, D. C. Howard, and of all the other defendants hereinbefore named in the caption hereof, and each of them, and the said defendants, and each of them, and all persons claiming by, through or under them, are hereby adjudged to have no right, title or estate in and to the property aforesaid, or any part thereof, and the said D. C. Howard, and all other defendants named in the above caption, and each of them, are hereby perpetually estopped, enjoined and restrained from setting up and asserting any claim or demand in and to the property aforesaid, or any part thereof; and,

It is further ordered, adjudged and decreed that the certain tract or parcel of real estate, together with the improvements thereof and the appurtenances thereunto belong, situate in the county of Osage, State of Oklahoma, and described as follows, to-wit:

Southwest quarter of Section Twenty-nine (29), Township Twenty-nine (29)  
North, Range Eight (8) East, Indian Base and Meridian,

be and the same is hereby decreed to be a part and parcel of the restricted estate of the said Charles Mashunkashey, and since the defendant, Clayton N. Smith, has filed herein a disclaimer whereby he disclaims all right, title and interest in and to the aforesaid real estate, or any part thereof, it is accordingly adjudged and decreed that the certain instrument of conveyance and devise from Charles Mashunkashey to the said defendant, Clayton N. Smith, filed for record in the office of the County Clerk ( Register of Deeds) of Osage County, Oklahoma, in book Mis. Rec. 40 page 200, be and the same is hereby cancelled, set aside and held for naught and it is further decreed that the titles of the said Charles Mashunkashey and of the complainant in and to the property aforesaid be and in the same is hereby quieted against the claims, demands and pretensions of the said defendant, Clayton N. Smith, and of all the other defendants hereinbefore named in the caption hereof and each of them, and the said defendant and each of them, and all persons claiming by, through or under them, are hereby adjudged to have no right, title, interest or estate in and to the property aforesaid, or any part thereof, and the said Clayton N. Smith, and all other defendants named in the above caption, and each of them, are hereby perpetually estopped, enjoined and restrained from setting up and asserting any claim or demand in and to the property aforesaid, or any part thereof; and,

It is further ordered, adjudged and decreed that the said Charles Mashunkashey is the owner of a valid and subsisting mortgage lien on certain real estate situate in Osage

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DISTRICT COURT OF THE UNITED STATES IN AND FOR OSAGE COUNTY  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1930 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MARCH 27, 1930

County, State of Oklahoma, described as follows, to-wit:

West Half of the Northwest quarter and the Southeast quarter of the Northwest quarter of Section Twenty-five (25), Township Twenty-six (26) North, Range Nine (9) East of Indian Base and Meridian,

said mortgage lien being evidenced by a certain real estate mortgage on the above real estate executed by the defendants J. B. Talbutt and Maggie Talbutt; that said mortgage is a part and parcel of the restricted estate of the said Charles Mashunkashey; and it is further decreed that the title of the said Charles Mashunkashey and of the complainant in and to the real estate mortgage and mortgage lien aforesaid be and the same is hereby quieted against the claims, demands, and pretensions of the said defendant, Rosa Mashunkashey, and all persons claiming by, through or under her, and the said defendant Rosa Mashunkashey, and all persons claiming by, through or under here, are adjudged to have no right, title, interest or estate in and to said mortgage and mortgage lien, or any part thereof, and the said Rosa Mashunkashey is hereby perpetually estopped, enjoined and restrained from setting up and asserting any claim or demand in and to the mortgage and mortgage lien aforesaid, or any part thereof; and,

It is further ordered, adjudged and decreed that the said Charles Mashunkashey is the owner of a certain judgment in foreclosure brought in the District Court of Osage County, Oklahoma, as cause No. 13367, entitled Charles Mashunkashey vs. M. C. Stephenson and Tressa Stephenson, husband and wife, wherein was and is involved the foreclosure of a mortgage lien certain real estate situate in Osage County, State of Oklahoma, described as follows, to-wit:

Lots 11 and 12, Block 38, in the City of Pawhuska, Oklahoma,

that said judgment in foreclosure constitutes a part and parcel of the restricted estate of the said Charles Mashunkashey; and it is further decreed that the title of the said Charles Mashunkashey and of the complainant in and to said mortgage foreclosure judgment be and the same is hereby quieted against the demands, claims and pretensions of the said defendant, Rosa Mashunkashey, and all persons claiming by, through or under her; and the said Rosa Mashunkashey, and all persons claiming by, through or under her, are hereby adjudged to have no right, title, interest or estate in and to said mortgage foreclosure judgment, or the mortgage or mortgage lien therein involved, or any part thereof, and the said Rosa Mashunkashey is hereby perpetually estopped, enjoined and restrained from setting up and asserting any claim or demand in and to the mortgage foreclosure judgment, mortgage or mortgage lien aforesaid; and,

It is further ordered, adjudged and decreed that the certain real estate mortgage and note secured thereby now in possession of the receiver herein, executed by the defendant Kenneth Trough to Rosa Mashunkashey, covering certain real estate situate in Osage County, State of Oklahoma, described as follows, to-wit:

West Half of Lot 5, and Lot 6, in Block 39, in the Town of Pawhuska, Oklahoma,

which mortgage is of record in the office of the County Clerk (Register of Deeds) of Osage County, Oklahoma, in Book Mort. 57, page 272, be and the same is hereby decreed to be a part and parcel of the restricted estate of the said Charles Mashunkashey, and since the said Rosa Mashunkashey is hereby adjudged and decreed to have no right, title, interest or estate, claim or demand thereon she is hereby ordered and directed to forthwith execute an appropriate assignment of said mortgage and note whereby the title to same is conveyed to the said Charles Mashunkashey, but subject nevertheless to restriction against alienation thereof except by and with the consent of the Secretary of the Interior first had and obtained; and it is further decreed that the title of the said Charles Mashunkashey and of the complainant in and to the mortgage and note aforesaid be and the same is hereby quieted against the claims, demands and pretensions of the said Rosa Mashunkashey, and all persons claiming by, through or under her, and the said Rosa Mashunkashey is hereby perpetually estopped, enjoined and restrained from setting up and asserting any right, title, interest, or claim or demand in and to the mortgage and mortgage note; and,

It is hereby ordered, adjudged and decreed that the aforesaid note in the amount of \$100.00 executed by W. E. Robinson in favor of K. T. Carson as guardian of James D. Childs, recorded as aforesaid, constitute a certain real estate situate in Osage County, State of Oklahoma described as follows: to-wit:

Lot 2, Block 61; and Lot 17, Block 61; and the West Half of Lot 2; and Lot 3, in Block 62, in the City of Pawnee, Oklahoma,

which mortgage is recorded in Book 48, page 571, in the office of the County Clerk (Registrar of Deeds) of Osage County, Oklahoma, be and the same is hereby decreed to be a part and parcel of the restricted estate of the said Charles Mashunkashey; and it is further decreed that the title of said Charles Mashunkashey and of the complainant in and to said note and mortgage be and the same is hereby quieted against the claims, demands and pretensions of the defendant, Rosa Mashunkashey and all persons claiming by, through or under her, and the said Rosa Mashunkashey and all persons claiming by, through or under her are hereby adjudged to have no right, title, interest or claim in and to said note and mortgage or any part thereof, and the said Rosa Mashunkashey is hereby perpetually estopped, enjoined and restrained from setting up and asserting any right, title, interest, estate, claim or demand in and to said note and mortgage, or any part thereof, and

It is further ordered, adjudged and decreed that all other property, real, personal and mixed mentioned and described in the complainant's amended bill of complaint be and the same is hereby decreed to be a part and parcel of the restricted estate of the said Charles Mashunkashey and said property and all other property hereinbefore decreed to the said Charles Mashunkashey hereby adjudged, declared and decreed to be subject nevertheless to certain restrictions upon the title imposed and in force and effect by virtue of certain Acts of Congress relating to full and complete title of the Osage Indian allottees and full blood heirs of such allottees, and subject to the supervisory control of the Secretary of the Interior under and by virtue of the provisions of such acts; and it is further decreed that all adverse claims of the said defendants hereinbefore named in the bill of complaint and each of them, in and to any of the said property hereby decreed to the said Charles Mashunkashey and all persons claiming the same, or any part thereof, by, through or under the said defendant or any of them, are hereby adjudged to be invalid and groundless; and it is further adjudged and decreed that the title of the said complainant, United States of America, and of the said Charles Mashunkashey to the property aforesaid as herein decreed to the said Charles Mashunkashey, be and the same is hereby adjudged and decreed to be quieted against the claims, demands and pretensions of the defendants aforesaid, and each of them, and they are hereby perpetually estopped, enjoined and restrained from setting up and asserting any right, title, interest, estate, claim or demand in and to the property aforesaid hereby decreed to the said Charles Mashunkashey, or any part thereof; and,

It is further ordered, adjudged and decreed that the claims as set forth in the said amended bill of complaint of the said complainant United States of America against the defendants Exchange National Bank of Tulsa, Oklahoma, and Ralph A. Barney and Theodore Morton be and the same are without equity and the said defendants the Exchange National Bank of Tulsa, Oklahoma, Ralph A. Barney and Theodore Morton, be, and they are hereby dismissed as parties defeated herein with prejudice; and,

It is further ordered, adjudged and decreed that the said Charles Mashunkashey and his respective agents, servants, employees, personal representatives and attorneys, and each of them, be and they are hereby perpetually enjoined and restrained from prosecuting or attempting to prosecute any suit or action, proceeding or proceedings, cause or causes, matter or matters, touching, concerning, involving or embracing or in any manner dealing with the subject matter of the amended bill of complaint in and wherein is involved the property of the state of the said Charles Mashunkashey, a full and complete title of the Osage Indian, and particularly from further prosecuting or attempting to prosecute the following causes of action, suits, matters and proceedings, to-wit:

Case No. D4309 in the District Court of Osage County, Oklahoma, entitled Charles Mashunkashey vs. Rosa Mashunkashey;

Probate matter No. 3282 in the County Court of Osage County, entitled "In the Matter of the Estate of Mary Elaine (Min-ka-she) Osage Allottee No. 461, deceased," wherein the said Charles Mashunkashey by Fred S. Clinton, his legal guardian, petitioned said county court to reopen said probate matter require the said Rosa Mashunkashey, as administratrix, to account for certain properties alleged to have been wrongfully obtained by her;

Case No. D6170 in the District Court of Tulsa County, Oklahoma, entitled Rosa Mashunkashey vs. Charles Mashunkashey, wherein the said Charles Mashunkashey by Fred S. Clinton, his legal guardian, petitions the court to vacate set aside and hold for naught, a certain judgment of said court rendered in said case on December 27, 1929;

Probate matter 3032 in the County Court of Osage County, Oklahoma, entitled "In the Matter of the Estate of John Cannon, Osage Allottee No. 107, Deceased Clarence Lohman, Executor," wherein the said Charles Mashunkashey by Fred S. Clinton, his legal guardian, has petitioned said county court to vacate said certain judgments and orders of said court made and entered therein;

Petition of Charles Mashunkashey by Fred S. Clinton, his legal guardian, in No. D 4150, in the District Court of Osage County, Oklahoma, entitled Rosa Mashunkashey vs. Charles Mashunkashey, by his said guardian, seeks to vacate, set aside and hold for naught the decree of divorce and property settlement made and entered therein;

The certain suit of Charles Mashunkashey in propria persona, or by Fred S. Clinton, his legal guardian, or by next friend, brought in some court in the State of Texas, which involves moneys, funds and credits as set out in paragraph No. 1 of the bill of complaint filed herein, and other properties growing out of said transaction;

Case No. 345096 in the Circuit Court of Jackson County, State of Missouri, entitled Charles Mashunkashey vs. Rosa Mashunkashey and the Missouri State Life Insurance Company, a corporation;

and the said Charles Mashunkashey, his agents, servants, employees, personal representatives and attorneys, and each of them, are hereby strictly enjoined and commanded to forthwith dismiss said suits, causes of action, matters and proceedings; and

It is further ordered that the receiver herein be, and he is hereby authorized and empowered and directed to forthwith pay and discharge all tax and special assessment, claims and liens against the property described as:

Lot Nine in Block Seven, Ridgeway Addition to the City of Tulsa, according to the recorded plat thereof;

accruing prior to the year 1932; and

It is further ordered that said receiver shall forthwith surrender unto the said defendant Theodore Morton, the certain automobile described as: Buick Sedan, 1930 model, Motor 2604094, Title No. 1005228 B., which said automobile is now in the possession of or under the control of the said receiver, and which is the property of the defendant Theodore Morton; and,

It is further ordered, adjudged and decreed that the parties hereto each pay taxed with the respective costs heretofore by them incurred laid out and expended and that they be not otherwise taxed against the parties hereto.

To which decree, order and ruling of the court, the respective parties here and each of them, except and exceptions are hereby allowed.

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

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and thirty-four, 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 was argued by counsel.

On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said district court for further proceedings in conformity with the opinion of this court.

- - September 13, 1934.

You, therefore, are hereby commanded that such further proceedings be had in this 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.

WITNESSES, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, on the 25th day of March, in the year of our Lord one thousand nine hundred and thirty-five.

COSTS OF  
 Clerk, \$-- --  
 Printing Record, -- --  
 Attorney, \$-- --  
 \$-- --

ALBERT TREGO  
 Clerk of the United States Circuit Court of Appeals, Tenth Circuit.

ENDORSED: Filed Mar 27 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

UNITED STATES OF AMERICA, Plaintiff, )  
 )  
 -vs- ) No. 674 - Equity. ✓  
 )  
 ROCA MASHUNKASNEY, ET AL, Defendants. )

Now on this 27th day of March, A. D. 1935, it is ordered by the Court that file and spread of record, the mandate in the above cause, same being in words and figures as follows, to-wit:

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.

GRLETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in cause between United States of America, com

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UNITED STATES DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF OREGON  
SPECIAL AND LONG TERM SESSION TULSA, OREGON WEDNESDAY, MARCH 27, 1935

and Ross Mashunkashey et al., respondents, No. 354 Equity, and Decree of the said District Court in said cause entered on November 22, 1932, was in the following words, viz:

Clark's Note;  
(Decree of this Court entered verbatim as heretofore recorded in Journal 5, Page 765.

and by the inspection of the transcript of the record of the said District Court, which was taken into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Ross Mashunkashey agreeably to the Act of Congress, in such case made and provided, fully and at length;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and thirty-four, 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 was argued by counsel;

On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said district court for further proceedings in conformity with the opinion of this court.

\* \* September 13, 1934.

You, therefore, are hereby commanded that such further proceedings be had in this 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.

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, this 27th day of March, in the year of our Lord one thousand nine hundred and thirty-five.

COSTS OF - - - - -  
Clerk, \$-- --  
Printing Record, \$-- --  
Attorney, \$-- --  
\$-- --

ALBERT TREGO  
Clerk of the United States Circuit Court of Appeals  
Tenth Circuit.

ENDORSED: Filed Mar 27 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Caroline L. Yeargain, et al, Complainants, )  
vs- ) No. 821 Equity. ✓  
Joseph D. Yeargain, et al, Defendants. )

O R D E R

NOW ON THIS 27 day of March, 1935, upon the consent and the agreement of the parties interested, and upon the approval of this order by the interested parties,

IT IS ORDERED, ADJUDGED and DECREED by the Court that the intervenor, J. E. McGee, be dismissed from this case, and that his intervening petition is hereby dismissed with prejudice as to the complainants, and

IT IS FURTHER ORDERED that said intervening petitioner expressly waives his claim heretofore filed herein except that he does not waive the lien represented by a six hundred (\$600.00) dollar rider of a certain insurance policy which was issued on June 16, 1934 by The Firemen's Insurance Company of Newark, N. J., and which is No. F668, which rider covers certain Delco Light system which has heretofore been the subject of controversy in this act

IT IS FURTHER, as a condition precedent to the making of this order, ordered that the complainants release any claim or claims which they may have for rents against the intervenor J. E. McGee.

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

O.K. WILLIAM NEFF  
Attorneys for complainants

F. W. CHURCH  
Attorney for Intervenor J. E. McGee.

ENDORSED: Filed Mar 27 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, Defendant. )

ORDER AUTHORIZING EXECUTION OF RELEASE OF MORTGAGE  
AND SURRENDER OF NOTES

THIS CAUSE COMING on to be heard on this the 27th day of March, 1935, on the filed application of Rex Watkinson, Receiver of Exchange National Company, for an order directing and empowering, and authorizing him to release a certain second mortgage and surrender notes secured thereby, covering and affecting;



DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, MARCH 28, 1935

Court convened pursuant to adjournment, Thursday, March 28, 1935.

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

Lincoln National Life Insurance Co., )  
Plaintiff, )  
vs. ) EQUITY NO. 873 ✓  
Exchange National Company, )  
Defendant. )

O R D E R

Upon application of Robert L. Inler, he is given leave to sue Exchange National Company and Rex Watkinson, Receiver of Exchange National Company, a Corporation to foreclose a mortgage executed by Exchange Mortgage and Investment Company to Exchange National Company covering:

Lot 10, Block 3, Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

Dated this 29th day of March, 1935.

F. E. KENNAMER  
JUDGE.

ENDORSED: Filed Mar 28 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to March 29, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, MARCH 29, 1935

Court convened pursuant to adjournment, Friday, March 29th, 1935.

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

METROPOLITAN LIFE INSURANCE COMPANY, )  
a corporation, ) Plaintiff, )  
-vs- ) NO. 933 - EQUITY. ✓  
TULSA APARTMENT COMPANY, a corpora- )  
tion, et al., ) Defendants. )

DECREE OF FORECLOSURE.

This cause came on regularly for trial on the 27th day of February, A. D.,

pursuant to continuance from the 25th day of February, A. D., 1935. Plaintiff appears by solicitors Harold R. Williams and Herbert S. French; the defendants Tulsa Apartment Company, a corporation, H. P. Glidden, R. E. Parham, Pauline Stockebrand, and Farm and Home Company, a corporation, by their solicitor, I. H. Cox; the defendant Mary A. Brockman in person and her solicitor I. H. Cox; the defendant R. W. Stratton, Receiver, in person and by his attorney Henry R. Duncan; the defendants Exchange National Company, a corporation, and Rex Watson, Receiver of said Exchange National Company, by their solicitor T. Austin Gavin; the defendant The State of Oklahoma on the relation of W. J. Barnett, State Bank Commissioner, State of Oklahoma, by its solicitors Rollin E. Gish and A. J. Kriete; the defendant Kint Brothers Company, a corporation, by its solicitors Elton B. Hunt and W. L. Eagleton; the defendant The Western Southern Life Insurance Company, by its solicitor A. J. Kriete; the defendants Exchange Trust Company, a corporation, B. J. Emery, Frank F. Hall, Nettie Levitt and Eads Brothers Furniture Company, a corporation, appear not, either in person or by their solicitors, although subpoenas had been duly served upon them or they had voluntarily entered their appearances and filed pleadings herein, or had disclaimed any right, title, interest or estate in the subject-matter of this suit; and Betty Lee Kolts, appearing by her solicitor I. H. Cox, and asking leave to be substituted in this suit for the defendant Pauline Stockebrand as owner of the chattel mortgage pleaded by the said Pauline Stockebrand, and to file herein her answer adopting the answer of the said Pauline Stockebrand, is granted such leave and it is hereby so ordered, and said answer is filed instant.

The court having heard the evidence and upon consideration thereof made its separate findings of fact and conclusions of law on file herein, hereby incorporated hereinto, made a part of this decree;

(1) It is therefore by the court ORDERED, ADJUDGED and DECREED that the defendant Tulsa Apartment Company is indebted to the plaintiff, Metropolitan Life Insurance Company, by reason of plaintiff's promissory note and mortgage involved in this action, in the sum of \$380,814.36 with interest thereon at the rate of eight per cent. (8%) per annum from February 27, 1935, and in the further sum of Ten Thousand Dollars (\$10,000.00) attorney's fee, with interest thereon at the same rate from said date, together with any proper expenditures which may be made subsequently by the plaintiff for the protection and preservation of the mortgaged property, the validity and amounts of such expenditures to be determined by this court at the time plaintiff applies for an order of sale after due notice to all parties interested, and the said defendant Tulsa Apartment Company be and it hereby is ordered to pay all of said sum and all of the costs of this action, and all such expenditures by the plaintiff, as aforesaid, with interest as aforesaid, to said plaintiff, within six (6) months from February 27, 1935.

(2) IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff's mortgage, executed by the defendant Tulsa Apartment Company, dated July 14, 1928, and filed for record July 16, 1928, in the office of the County Clerk of Tulsa County, State of Oklahoma, and duly recorded in Book 680, at page 375, of the Records in said office, is a valid and subsisting and prior lien upon the premises and property described therein and in the Bill of Complaint and upon the property and premises hereinafter described, and superior and paramount to all other liens and encumbrances thereon, except taxes lawfully and legally assessed against the same.

(3) IT IS FURTHER ORDERED, ADJUDGED and DECREED, that plaintiff's promissory note executed by the defendants Tulsa Apartment Company and Mary A. Brockman, and allegedly H. P. Glidden, dated July 14, 1928, and secured by the above described mortgage has been executed and delivered and at all times has been and still is the valid, subsisting and binding obligation of the defendant Tulsa Apartment Company, the liability thereon, if any, of the defendant H. P. Glidden being reserved for determination until such time as the plaintiff may move for judgment against the said H. P. Glidden in the event of and after foreclosure sale under said mortgage, the defendant Mary A. Brockman being not liable personally on said note on reason of her discharge in bankruptcy.

(4) IT IS FURTHER ORDERED, ADJUDGED and DECREED that the amounts aforesaid to be due the plaintiff from the defendant Tulsa Apartment Company, together with any and amounts which may be expended by the plaintiff subsequent to this date for the protection and preservation of the mortgaged premises and property, after determination and adjudication by court, be and they hereby are declared to be and to constitute valid first liens upon the premises and property hereinafter described, and are secured by plaintiff's said mortgage by virtue thereof, subject to the taxes as aforesaid.

(5) IT IS FURTHER ORDERED, ADJUDGED and DECREED that the defendants H. I. Mary A. Brockman, Exchange National Company, a corporation, Rex W. Robinson, Receiver thereof, Chase Trust Company, a corporation, R. E. Parham, Pauline Stockbrand, Betty Lee Kolts, E. Emery, Frank F. Hall, Farm and Home Company, a corporation, a corporation, and The Western Southern Life Insurance Company, a corporation, have and each of them has, no right, title, interest or estate in or to the property and premises involved in this action and embraced in first mortgage of the plaintiff, except that the defendant Betty Lee Kolts has a chattel mortgage upon, and the Farm and Home Company owns, certain fixtures covered by plaintiff's mortgage as hereinafter more fully set forth, and the defendant Kimball Brothers Company is entitled to the possession of a certain elevator in the building on and constituting part of the mortgaged property, as more fully hereinafter set forth.

(6) IT IS FURTHER ORDERED, ADJUDGED and DECREED that the South elevator situate in the building constituting part of the hereinafter described property and premises is the property of and belongs to the defendant Kimball Brothers Company, a corporation, and said company is entitled to possession thereof and is authorized to remove the same from the premises provided such removal be made without damage to the premises, and that execution and all process issue to enforce this portion of this decree, provided, however, that said defendant not remove said elevator nor shall execution or process issue for the removal of the same until the expiration of a period of ninety (90) days from this date, or for such additional period or periods as the court may order.

(7) IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the defendant Tulsa Apartment Company fails within six months from this date, to wit, February 27, 1935, to pay to the plaintiff the total indebtedness herein decreed to be due it from said defendant, with interest as aforesaid, and said attorney's fees and all the costs of this action, and any additional amounts expended by the plaintiff in the manner aforesaid, and any and all additional and subsequent accrued amounts hereafter bound due by the Court, a special master will be appointed by the court to sell in one parcel at public sale to the highest bidder for cash, without appraisal, the following described real estate, property and premises located and situate in Tulsa County and State of Oklahoma, to wit:

The South Thirty (30) feet of Lot Two (2), and all of Lot Three (3) of Block One Hundred Eighty (180) of the Original Town, now City of Tulsa, according to the official recorded plat thereof;

and all the hereditaments and appurtenances thereunto belonging or in any wise appertaining including storm and screen doors and windows, gas, steam, electric, and other heating and lighting apparatus, except as set forth in said findings of fact and conclusions of law, and all other fixtures appertaining to said premises, as set forth in said findings of fact and conclusions of law made in this cause, including the refrigerator boxes, compressors outside the storerooms and connections, all built-in kitchen cabinets, and all attached Murphy beds in the apartments in the building located on said premises.

(8) IT IS FURTHER ORDERED, ADJUDGED and DECREED that if at the expiration of a six months' period the mortgaged property be still in the possession and under the control of the District Court of Tulsa County, Oklahoma, through its receiver, and said court is still exercising jurisdiction over the same and has not surrendered the same to this court, that then and in such event said special master to be hereafter appointed, or any receiver that may hereafter be appointed herein, or the plaintiff itself, in the event neither such special master or receiver

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DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, MARCH 29, 1935

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appointed, or the receiver appointed in the State Court, he being a party to this action, specially ordered by this court to do so, shall apply to said District Court of Tulsa County an order relinquishing and surrendering to this court jurisdiction of the mortgaged property for the purpose of effecting the foreclosure sale under plaintiff's mortgage.

(9) IT IS FURTHER ORDERED, ADJUDGED and DECREED that all sums and amounts accruing and to accrue from the rents from the mortgaged premises and property, including in the hands of the State Court Receiver or which may come into his hands, are covered by and included in the plaintiff's mortgage and which said mortgage is senior, prior and paramount to any lien upon or claim thereof of any of the parties to this action.

(10) IT IS FURTHER ORDERED, ADJUDGED and DECREED that, the taxes assessed against the mortgaged premises for the years 1933 and 1934, and which are unpaid and delinquent, are a first and prior lien upon said premises, and that the defendant, R. W. Stratton, receiver of said premises, appointed by the District Court of Tulsa County, Oklahoma, be and he hereby is ordered and directed to apply to said court for an order of that court authorizing and directing him to pay said taxes out of the funds in his hands, or which may come into his hands from the rents from said premises, and that plaintiff have such other and further orders as may be necessary or advisable to carry out the purpose and object of this portion of this Decree.

(11) IT IS FURTHER ORDERED, ADJUDGED and DECREED that said sale be held at the West Front Door of the County Court House of Tulsa County, State of Oklahoma, in the City of Tulsa, said County and State, upon a day to be fixed by such Special Master, and that public notice of such sale and of the time and place where the same is to be made, together with the manner and terms upon which the said sale is to be conducted and the description of the property to be sold, shall be given by said Special Master by publication thereof once a week, for at least four weeks prior to said sale, in a newspaper printed, regularly issued, and having a general circulation in the County of Tulsa and State of Oklahoma.

(12) IT IS FURTHER ORDERED, ADJUDGED and DECREED that at such foreclosure sale the plaintiff may purchase the property sold at such sale, and in the event of such purchase the plaintiff may apply, as so much cash, to the purchase price any part, or all, of the total amount of the indebtedness hereby decreed to be owing it.

(13) IT IS FURTHER ORDERED, ADJUDGED and DECREED that after making such sale the said master shall forthwith make his report to this court for its confirmation and approval and of his acts and proceedings in connection therewith.

(14) IT IS FURTHER ORDERED, ADJUDGED and DECREED that upon the confirmation of such sale and the payment of the purchase price, said Special Master shall forthwith execute and deliver to the purchaser at such sale, a good and sufficient deed of conveyance and all instruments of conveyance necessary to convey the property sold, and he shall be entitled to such other and further orders and decrees as may be necessary and requisite to effectuate the purpose and object of this portion of this decree.

(15) IT IS FURTHER ORDERED, ADJUDGED and DECREED that the proceeds of such sale shall be applied, unless otherwise ordered by this Court, as follows:

FIRST: To the payment of the costs of such sale and of this suit, including the said attorney's fee in the sum of \$10,000.00.

SECOND: To the payment to the plaintiff of the said sum of \$380,814.36 decreed to be owing it from the Tulsa Apartment Company, and to the payment of all sums advanced or expended by the plaintiff since the date of this Decree for the protection and preservation of the mortgaged property, as approved by this Court.

THIRD: The surplus, if any, to be paid to the Clerk of this court to abide by any further order or orders of this Court.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, MARCH 28, 1935

(16) IT IS FURTHER ORDERED, ADJUDGED and DECREED that from and after the sale of said property pursuant to this decree, and the confirmation of such sale and the delivery of said deed and/or instruments of conveyance, all the defendants to this action and hereinbefore named, and each of them, and all persons or parties claiming under them, or any of them, be they hereby are forever barred and foreclosed of and from any and every lien upon, right, interest, estate or equity in and to said land, premises and property so sold and conveyed any part thereof.

(17) IT IS FURTHER ORDERED, ADJUDGED and DECREED that the jurisdiction of this court be, and the same is hereby retained for the purpose of making such other and further orders and decrees as may be necessary or convenient to carry out, enforce, correct, modify, enlarge or change this Decree in any respect for cause shown, including the appointment of a receiver, and for the further purpose of determining the matter of a decree for deficiency provided for in Rule 10 of the Equity Rules of the Supreme Court of the United States, and for other purposes as may properly arise.

F. E. KENNAMER  
District Judge.

ENDORSED: Filed Mar 29 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

FARM & HOME SAVINGS & LOAN )  
ASSOCIATION OF MISSOURI, a cor- )  
poration, ) Plaintiff )  
vs. ) No. 1025 Equity )  
EDNA J. WAKELY and JOHN D. WAKELY her )  
husband, and C. L. SMITILE doing business )  
as NORTH SIDE GROCERY, ) Defendants. )

ORDER EXTENDING TIME TO ANSWER

And now on this 29th day of March, 1935, said defendants Edna J. Wakely and John D. Wakely make application for an order enlarging the time in which to plead or answer hereunto, and there appearing no objection, said defendants are hereby granted twenty days from and after the answer day described in the Subpoena in this cause, to wit until the 20th day of April, 1935, within which to answer herein.

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
JUDGE

Court convened pursuant to adjournment, Monday, April 1, 1935.

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

Samuel J. T. Straus and Melvin L. Straus, as Trustees,	Plaintiffs,	)	
		)	
vs.		)	Equity No. 780 ✓
		)	
Alvin Hotel, Inc., a corporation,	Defendant,	)	
		)	
Robert E. Straus, and Edward R. Heinsimer, as Trustees,	Interveners.	)	

O R D E R

On this 1st day of April, 1935, it being brought to the attention of the Court the receivership of Arthur J. Devlin, as Receiver for the Alvin Hotel, terminated as of close of business on February 6, 1935, he being succeeded by E. J. Bowers and S. J. Stewart, Receivers for the Alvin Hotel, and that the audit now being made by Arthur Young & Company under order of the Court of March 10, 1935, will cover the period of Mr. Devlin's receivership to and including February 6, 1935, and it further appearing that the present receivers are in need of the report of the audit in order to complete their inventory and their first report to this Court, which inventory in accordance with the order appointing the present receivers, should have been heretofore filed and which report is due to be filed as of March 31, 1935, or as soon thereafter as is convenient possible:

NOW, THEREFORE, IT IS ORDERED that the certified report of the audit being made by Arthur Young & Company be filed with the present receivers at their office in the Alvin Hotel instead of with the Court, so that same may be available at the earliest possible date for the present receivers in filing proper reports in this Court.

AND, IT IS FURTHER ORDERED that the present receivers file their inventory and their first report with this Court on or before the 10th day of April, 1935, and that the said Arthur J. Devlin file his final report on or before the 3rd day of April, 1935.

AND, IT IS FURTHER ORDERED that the agreement made on behalf of the present receivers with the said auditing firm, and duly reported to this Court, that the additional charge for the audit for bringing it down to the close of business as of February 6, 1935, instead of as originally contemplated, might equal but should not exceed \$500.00 in addition to the amount originally agreed upon, be hereby approved.

F. E. KENNAMER  
DISTRICT JUDGE.

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING EXECUTION OF ALIAS ASSIGNMENT OF MORTGAGE AND ASSIGNMENT OF RENTS

THIS CAUSE COMING on to be heard on this the 1st day of April, 1935, on the filed application of Rex Watkinson, Receiver of Exchange National Company, for authority to execute and deliver an alias assignment of mortgage and assignment of rents to Howard J. Johnson, Bank Commissioner of the State of Oklahoma, in charge of the liquidation of Exchange Company, in connection with the following described lands, to-wit:

Lots 11, 12 and 14 all in Block 1 Sequoyah Place, a sub-division of Cherokee Acres, an addition to the City of Tulsa, Oklahoma,

and likewise to take similar action when the same state of facts occurs hereafter, in connection with other transactions, and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises finds that said application should be sustained;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, BY THE COURT, that the application of Rex Watkinson, Receiver of Exchange National Company, be and the same is hereby sustained and Rex Watkinson be and he is hereby directed, authorized and empowered to make, execute and deliver unto the said Howard J. Johnson, State Bank Commissioner of the State of Oklahoma, in charge of the liquidation of Exchange Trust Company, said alias assignment of mortgage and assignment of rents covering and affecting the above described premises, and that he likewise be authorized to take similar action when a corresponding state of facts is hereafter presented to him, in connection with the assignments herein, and all other assignments executed, pursuant to the general authority conferred herein, he take such action as will accomplish the letter and spirit of said application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity. ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING ENTRY OF APPEARANCE AND DISCLAIMER

THIS cause coming on to be heard on this the 1st day of April, 1935, on the application of Rex Watkinson, Receiver of Exchange National Company, for an order directing, authorizing and empowering the undersigned to enter an appearance and disclaimer for the said Exchange National Company, in the above entitled cause, do hereby certify that the same has been done.

and empowering him to enter his appearance in that certain cause heretofore filed in the Court of Tulsa County, State of Oklahoma, wherein J. H. McBirney was designated as receiver of Exchange National Company, the same being cause No. 60,244 in said court, and said cause of action being one for a money judgment and for the foreclosure of a certain first mortgage following described premises:

That part of Lot 10 in Block 5 in Reservoir Hill Addition to the City of Tulsa Tulsa County, Oklahoma, according to the recorded plat thereof, described as follows: Beginning at the NW corner of said Lot 10, thence in a Southerly direction on a curve along the West lot line of said Lot a distance of 65.0 feet; thence in an Easterly direction upon a straight line to the SE corner of said Lot; thence North along the East line thereof 34.3 feet to the NE corner; thence West along the North line thereof to the point or place of beginning;

and accordingly, the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises, that said application should be sustained.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained and the said Rex Watkinson be and he is hereby directed authorized and empowered to enter his appearance as receiver of Exchange National Company said cause hereinabove described and that he be further directed, authorized and empowered all other things necessary and proper in order fully and effectually to accomplish the let spirit of the application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, ) Plaintiff, )  
vs. ) No. 873 Equity )  
EXCHANGE NATIONAL COMPANY, ) Defendant. )

ORDER AUTHORIZING ALLOWANCE

THIS CAUSE, coming on to be heard on this the 1st day of April, 1935, on the application of Horace H. Hagan and T. Austin Gavin for an allowance of attorneys' fee for services rendered from February 1, 1935, to March 31st, 1935, and a further order granting the reasonable monthly allowance, and the Court having read said application, and being fully advised in the premises, and finding that it has jurisdiction to hear and determine said matter, it is that said application should be sustained;

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained; and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that Horace H. Hagan and T. Austin Gavin, be and they are hereby allowed the sum of \$500.00 for services rendered to

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE TERRITORY  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, APRIL 1, 1935

Receiver of Exchange National Company from February 1st, 1935, to March 31st, 1935, and the said Receiver of Exchange National Company be and he is hereby authorized, directed and empowered to pay from the funds of said receivership, to the said Horace H. Hagan and Austin Gavin, the sum of \$800.00, the amount above provided.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, ) Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, ) Defendant. )

ORDER AUTHORIZING EXECUTION OF RELEASES OF ASSIGNMENTS OF RENTS AND  
SURRENDER OF ASSIGNMENT OF RENTS

THIS CASE COMING on to be heard on this the 1st day of April, 1935, on the filed application of Rex Watkinson, for authority to surrender assignments of rents and releases of rents, in connection with properties therein Exchange National Company, or of them, have no right, title, interest or estate in the properties affected thereby, but records of Tulsa County and otherwise reflect that said Receiver may have some interest in and the court having read said application and finding that it has jurisdiction to entertain same and enter an order thereon, and being fully advised in the premises, finds that said action should be sustained;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, that said application and the same is hereby sustained, and the said Rex Watkinson, Receiver of Exchange National Company, be and he is hereby directed, authorized and empowered, in any instance where Exchange National Company has no interest in property, except by reason of the fact that there appears record an assignment of rents, in connection with said properties, or otherwise, to surrender any and all such assignments, in the event a request is made therefor, and likewise to execute releases of any and all assignments of rents appearing of record in the manner above described as described in said application, and likewise to execute such releases, whether said assignments appear of record or not.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, ) Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, ) Defendant. )

ORDER AUTHORIZING EXECUTION AND DELIVERY OF WAIVER OF PRIORITY

THIS CAUSE COMING on to be heard on this the 1st day of April, 1935, on a verified application of Rex Watkinson, Receiver of Exchange National Company, for an order directing, authorizing and empowering him to waive that certain judgment in cause No. 17, in the District Court of Okmulgee County, Oklahoma, insofar as the same may be in any manner or incumbrance senior and superior to a proposed oil and gas lease covering and affecting the

SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 25, Township 12N, Range 12 East,  
Okmulgee, County, Oklahoma,

and the court finding that it has jurisdiction to entertain said application and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said Rex Watkinson, be and he is hereby authorized, directed and empowered to make, execute and deliver unto M. J. King, or his nominee or assignee a waiver of priority of that certain judgment which the said Exchange National Company now has in said above described cause of action, in favor of that certain oil and gas lease proposed to be executed to said M. J. King, on said aforescribed premises, and that he be authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 1 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, ) Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, ) Defendant. )

ORDER AUTHORIZING PAYMENT OF COMMISSION

THIS cause coming on to be heard on this the 1st day of April, 1935, on the verified application of Rex Watkinson, Receiver of Exchange National Company for an order authorizing, directing and empowering him to pay unto R. E. Carpenter the sum of \$75.00 as and for commission for services rendered by the said R. E. Carpenter in procuring a purchaser for the following described premises, to-wit:





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

H. C. Spahr & Sons Company, et al, Complainant, )

vs. )

City of Shidler, a municipal corpora- )  
tion, et al, Respondents, )

No. 854 Equity ✓

George Lohr Knights of Pythias, )  
et al, Interveners. )

O R D E R

The motion of C. Edgar Honnold, intervenor, coming on to be heard this 3rd April, 1935, for an order to require L. L. Houston, County Treasurer of Caddo County, Okla to remit to the registry of this court all funds which he has in his possession or under his control collected for the purpose of meeting the interest and sinking fund requirements on the six per cent water works bond issue of the City of Shidler, dated January 15, 1924, the court being fully advised,

IT IS ORDERED, ADJUDGED AND DECREED that L. L. Houston, County Treasurer of Caddo County be, and he is hereby directed to forthwith remit to the registry of this court all which he now has on hand or subject to his control, which were collected for the purpose of meeting the interest and sinking fund requirements on the six per cent water works bond issue of the City of Shidler dated January 15, 1924.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Apr 3 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE DON CHEMICAL COMPANY, a cor- )  
poration, Plaintiff, )

vs. )

In Equity No. 968. ✓

WILLIAMS BROTHERS WELL TREATING CORPORA- )  
TION, a corporation, Defendant. )

S T I P U L A T I O N

It is hereby stipulated by and between the parties to the above entitled case by their respective counsel, that, with the consent of the Honorable Court, plaintiff's filing its Narrative Statement of Testimony, and for filing its Praecipe, in said cause be extended twenty (20) days, or to and including April 29, 1935.

APPROVED AND SO ORDERED:  
April 3, 1935.

F. E. KENNAMER Judge United States District Court.

ENDORSED: Filed Apr 3 1935  
H. P. Warfield, Clerk  
U. S. District Court

ELTON B. HUNT  
ARTHUR C. BROWN  
Counsel for Plaintiff.

GIBSON, MCKEY & HOLLEMAN  
Counsel for Defendant.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA, MIAMI DIVISION.

AFFILIATED ENTERPRISES, INC., Plaintiff )  
VS. ) No. 989 IN EQUITY ✓  
J. D. WINELAND, Defendant. )

JUDGMENT DISMISSING SUIT AS IN CASE OF NON-SUIT AND WITHOUT  
PREJUDICE TO RENEW THE SAME.

This matter coming on for hearing on this 3rd day of April, A. D. 1935, on motion of Plaintiff, Affiliated Enterprises, Inc., to dismiss the above entitled and numbered cause, as in case of Non-suit, and without prejudice to the rights of the plaintiff in the premises, and the Court being of the opinion that said motion should be granted, at plaintiff costs:

IT IS ORDERED, ADJUDGED AND DECREED that the above entitled and numbered cause be dismissed at plaintiff's costs, as in case of non-suit, and without prejudice to the rights of the plaintiff, in the premises.

F. E. KENNAMER  
J U D G E.

ENDORSED: Filed Apr 3 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 1027 - Equity. ✓  
ALLEN BUTCHER, Defendant. )

Now on this 3rd day of April, A. D. 1935, the above cause comes on for hearing on application for injunction. Thereafter, the following witnesses are sworn and examined before the Court: Carl Diebel, J. Evans and Mr. Butcher. And thereafter, it is ordered by the Court after being fully advised in the premises, that Decree for Government be entered, as prayed for.

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Court adjourned to April 4, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, APRIL 4, 1935

Court convened pursuant to adjournment, Thursday, April 4th, 1935.

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

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



bond as security for cost to be required of them to perfect their appeal be made.

F. E. RIDDLE  
Counsel for Defendants, Adah C. Sanders and Cheyenne  
Arms Apartments, Inc.

Petition granted and appeal allowed, cost bond fixed at \$200.00, having been  
executed and approved as required by law and order of the court.

This 3rd day of April, A. D. 1935.

F. E. KEIDAMER  
Judge.

ENDORSED: Filed Apr 4 1935  
H. P. Warfield, Clerk  
U. S. District Court.

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THE LINCOLN NATIONAL LIFE INS. CO. A CORP., )  
Plaintiff, )  
vs. ) No. 873 Equity. ✓  
)  
EXCHANGE NATIONAL CO. OF TULSA, Defendant. )

Now on this 4th day of April, A. D. 1935, it is ordered by the Court that a  
caption for instructions be granted and certain property to be delivered to J. C. Denton, e  
Trustees, to which G. C. Matson excepted. It is further ordered that application for inst  
tions re: note, etc., of Harry H. Rogers be, and it is hereby passed.

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IN THE UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT OF OKLAHOMA  
THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
)  
EXCHANGE NATIONAL COMPANY, Defendant. )

ORDER CONFIRMING SALE

THIS CAUSE COMING on to be heard on this the 4th day of April, 1935, on the  
turn of sale and motion to confirm sale of the following described premises,

NE $\frac{1}{4}$  AND SE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 16, Township 3 North, Range 4 East, Pontotoc  
County, Oklahoma,

to LOTTIE RANDOL, said receiver having reserved unto himself, as such receiver, an undivide  
fourth interest in the oil, gas and other minerals in and under the above described premise  
the sum of \$1500.00, payable \$800.00 in cash, and \$700.00 to be represented by two promisso  
notes, one in the sum of \$300.00 due July 1st, 1935, and the other in the sum of \$400.00, d  
January 1st, 1936, each bearing 6% interest per annum from date this sale is confirmed unti  
said notes to be secured by a first real estate mortgage on the above described lands, and  
part of said consideration your receiver shall pay all taxes which are now due and unpaid o  
land from the year 1929 to 1934, both inclusive, and to furnish said purchaser with a compl  
abstract of title, to and including the sale of said land, provided said purchaser shall pa

recording fee on her deed and mortgage, and all expenses incident to the abstract to disc said deed and mortgage in said abstract; and the Court having examined the proceedings in to said sale, and notice thereof, and finding that said proceedings are in all things as by law, and the order of this Court, and finding that it has jurisdiction to entertain s tion to confirm and enter an order thereon, and being fully advised in the premises finds said motion to confirm should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said mot to confirm said aforescribed sale, be and the same is hereby sustained, and the said Re son, Receiver of Exchange National Company, be and he is hereby authorized, directed and ed to make, execute and deliver a good and sufficient deed to said aforescribed propert said Lottie Randol, reserving unto himself an undivided one-fourth interest in and to the gas and other minerals in and under the above described premises, and take from said purc two promissory note, evidencing the balance due on the purchase price, and said receiver ther directed, authorized and empowered to do all things necessary and proper in order fu effectually to accomplish the letter and spirit of the application and order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 4 1935  
H. P. Warfield, Clerk  
U. S. District Court DC

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, ) Plaintiff )  
vs. ) No. 873 Equity ✓ )  
EXCHANGE NATIONAL COMPANY, ) Defendant. )

ORDER AUTHORIZING CANCELLATION OF LAND CONTRACT AND CANCELLATION  
AND SURRENDER OF NOTES

THIS CAUSE COMING on to be heard on this the 4th day of April, 1935, on th filed application of Rex Watkinson, Receiver of Exchange National Company for authoity to notice of cancellation of land sales contract on the following described premises, to-wit:

SE $\frac{1}{4}$  Section 24, Township 8 North, Range 16 East, and Lot 4 Section 19,  
Township 8 North, Range 17 East of the I. B. & M., containing 192.37 acres,  
more or less, according to the U. S. Survey thereof, Pittsburgh County,  
Oklahoma,

and upon failure of the purchasers under said contract to pay all amounts now due, under s tract, to surrender certain notes executed in connection therewith, and said land sales co and take possession of said premises and the Court having read said application and findi it has jurisdiction to entertain the same and enter an order thereon, and being fully advi the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the appli of the said Rex Watkinson, Receiver of Exchange National Company, be and the same is heret tained and the said Rex Watkinson, Receiver of Exchange National Company, be and he is her directed, authorized and empowered to give notice of cancellation of said land sales contri described in said application, and upon failure of said purchasers thereunder to pay all s due under and by virtue of the terms of said contract, that said receiver declare said or cancelled, surrender the same and all notes executed incident to said contract, take posse

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, APRIL 4, 1935

of said premises, free and clear of any claim of said vendees under said land sales contract do all other things necessary and proper in order fully and effectually to accomplish the law and spirit of the application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 4 1935  
H. P. Warfield, Clerk  
U. S. District Court DC

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

St. Louis Union Trust Company, a corporation, and George G. Chase, as Trustees, Plaintiffs. )  
vs. ) No. 906 Equity ✓  
Octavia Owens and A. B. Owens, Defendants. )

ORDER APPROVING RECEIVER'S FINAL REPORT.

The above entitled cause comes on for hearing this 4th day of April, 1935, on final report of Clark H. Whiteside, Receiver, filed February 21, 1935, and no objections being filed to said report and the court having considered the same and being well and sufficiently advised, approves the said final report of Clark H. Whiteside as Receiver, and

IT IS BY THE COURT ORDERED that said Clark H. Whiteside be, and he is hereby, allowed the sum of Two Hundred Fifty (\$250.00) Dollars for his services rendered as such Receiver.

O.K. VILLARD MARTIN For Plt.  
F. E. KENNAMER  
J u d g e.

ENDORSED: Filed Apr 4 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States, Complainant,

vs.

The unknown heirs, executors, administrators, and assigns, immediate and remote, of D. K. Wetzel, sometimes known as King Wetzel, Martha C. Wetzel, widow, Jennie Jackson, Lou Vaughan, Emma Hurley, Claude Wetzel, Ida May Tinnin, Oliver Wetzel, Edwin Wetzel, surviving heirs of Charles Wetzel, deceased; John W. John ( Also John W. Johnson), Oscar E. Johnson, Dannie L. Johnson, now Cooper, Roy W. Johnson, surviving heirs of Lizzie Johnson, deceased; Ava C. Mason and Charles L. Mason, surviving heirs of Minnie C. Mason, deceased; E. C. Ghormley, Beulah Ghormley, Lillian Ghormley, Carrie Harris, Janice F. Ghormley, Hugh Ghormley and E. Marvin Ghormley, surviving heirs of Ida Ghormley, deceased; Charles N. Kay, Loyd C. Kay, Dannie J. Kay, Christie M. Kay and Ida L. Kay, surviving heirs of Stella M. Kay, deceased; Ed Little and Elijah Johnson, surviving heirs of Margaret E. Little, deceased, Respondents.

No. 992 Equity ✓

D E C R E E

Now on this 19th day of March, 1935, this cause coming on before me on regular assignment, and the complainant, the United States appearing by Chester A. Brewer, Assistant States Attorney for the Northern District of Oklahoma, and the respondents, Martha C. Wetzel, Jennie Jackson, Lou Vaughan, Emma Hurley, Claude Wetzel, Ida May Tinnin, Oliver Wetzel, Edwin Wetzel, surviving heirs of Charles Wetzel, deceased; John W. John ( Also John W. Johnson), E. Johnson, Dannie L. Johnson, now Cooper, Roy W. Johnson, surviving heirs of Lizzie Johnson, deceased; Ava C. Mason and Charles L. Mason, surviving heirs of Minnie C. Mason, deceased; E. Ghormley, Beulah Ghormley, Lillian Ghormley, Hugh Ghormley and E. Marvin Ghormley, surviving heirs of Ida Ghormley, deceased; Charles N. Kay, Loyd C. Kay, Dannie J. Kay, Christie M. Kay and Ida L. Kay, surviving heirs of Stella M. Kay, deceased; Ed Little and Elijah Johnson, surviving heirs of Margaret E. Little, deceased, appearing neither in person nor by attorney; and it appearing to the Court that due and legal service by publication was had upon all of said respondents, notifying each of them to answer or otherwise plead in said cause on or before November 20, 1934, that said respondents have failed and neglected to answer or otherwise plead to the Bill of Complaint herein, they are found to be in default; and it further appearing that personal service was had upon the respondents, Carrie Harris and Janice F. Ghormley, and that said respondents have failed to answer or plead to the Bill of Complaint filed herein, they are found to be in default; and the Court being fully advised in the premises, finds the issues in this cause in favor of the complainant and against said respondents, and each of them.

The Court further finds that Mattie Center, nee Alberty, is a restricted Cherokee Indian of one-half degree Indian blood, enrolled opposite Roll No. 1997. That by virtue of enrollment the said Mattie Center, nee Alberty, was allotted as her homestead the following described land, to-wit:

North Half of the Northeast Quarter of the Northwest Quarter; Southwest Quarter of Northeast Quarter of Northwest Quarter of Section Twenty-nine, Township Twenty-two North, Range Twenty-five East, Delaware County, Oklahoma.

That notwithstanding the restrictions against alienation of said land, and without the approval of the Secretary of the Interior, the said Mattie Center, nee Alberty, and Dallas Center, her husband,

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, APRIL 4, 1935

on December 23, 1908, executed and delivered to one King Wetzel a warranty deed covering the above described land. That said deed was not approved by the Secretary of the Interior, and is therefore void, and should by the Court be canceled.

The Court further finds that on October 23, 1909, the said Mattie Center, nee Alberty, and Dallas Center, husband, executed and delivered to the heirs at law of D. K. Wetzel a warranty deed covering the above described land. That said deed was not approved by the Secretary of the Interior, and is therefore void, and should be canceled.

The Court further finds that on January 23, 1916, a Sheriff's deed was issued by Bud Thomason, the then Sheriff of Delaware County, Oklahoma, to Jennie Jackson, covering the above described land. That said deed was not approved by the Secretary of the Interior and is therefore void, and should be canceled.

The Court further finds that Mattie Center, nee Alberty, half-blood, restricted Cherokee Indian, appearing opposite Roll No. 1997, is the legal owner of the premises described herein, and that her title thereto is valid and superior to any right or interest claimed by respondents herein, and that said respondents, or either of them, or any one claiming by, to or under them, or either of them, have no right, title or interest or equity or estate in a said land.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the title of Mattie Center, nee Alberty, half-blood Cherokee Indian, appearing opposite Roll No. 1997, is to the following described land, to-wit:

North Half of the Northeast Quarter of the Northwest quarter;  
Southwest Quarter of Northeast Quarter of Northwest Quarter of  
Section Twenty-nine, Township Twenty-two North, Range Twenty-five  
East, Delaware County, Oklahoma,

and the same hereby is forever settled and quieted in Mattie Center, nee Alberty, half-Cherokee Indian, appearing opposite Roll No. 1997, against all claims or demands of said respondents, Martha C. Wetzel, Jennie Jackson, Lou Vaughan, Emma Hurley, Claude Wetzel, Ida May T. Oliver Wetzel, Edwin Wetzel, surviving heirs of Charles Wetzel, deceased; John W. Johnson (Al. John W. Johnson), Oscar E. Johnson, Dannie L. Johnson, now Cooper, Roy W. Johnson, surviving heirs of Lizzie Johnson, deceased; Ava C. Mason and Charles L. Mason, surviving heirs of Minnie G. Ghormley, deceased; E. C. Ghormley, Beulah Ghormley, Lillian Ghormley, Carrie Harris, Janice F. Ghormley, Hugh Ghormley and E. Marvin Ghormley, surviving heirs of Ida Ghormley, deceased; Charles Kay, Loyd C. Kay, Dannie J. Kay, Christine M. Kay and Ida L. Kay, surviving heirs of Stella Kay, deceased; Ed Little and Elijah Johnson, surviving heirs of Margaret E. Little, deceased or any one claiming by, through or under them, or either of them.

IT IS THE FURTHER ORDER OF THE COURT that the warranty deed from Mattie Center, nee Alberty, and Dallas Center, her husband, dated December 23, 1908, to King Wetzel, filed of record in the office of the County Clerk of Delaware County, Oklahoma, on January 11, 1909, and the same hereby is canceled of record, for the reason that said deed was never approved by the Secretary of the Interior, and therefore is void.

IT IS THE FURTHER ORDER OF THE COURT that the deed dated October 23, 1909, from Mattie Center, nee Alberty, and Dallas Center, her husband to the heirs at law of D. K. Wetzel, filed of record in the office of the County Clerk of Delaware County, Oklahoma, purporting to convey the above described land, is void, for the reason that same was never approved by the Secretary of the Interior, and said deed is hereby canceled.

IT IS THE FURTHER ORDER OF THE COURT that the purported Sheriff's deed executed by Bud Thomason, the then Sheriff of Delaware County, Oklahoma, on January 24, 1916, to Jennie Jackson, and filed of record January 24, 1916, in the office of the County Clerk of Delaware County, Oklahoma, covering the above described land, be, and the same hereby is canceled of record,

reason that same was never approved by the Secretary of the Interior, and is therefore void. And that said deeds above mentioned, and each of them are hereby removed as clouds on the title of the said Mattie Center, nee Alberty, in and to said above described premises.

IT IS THE FURTHER ORDER OF THE COURT that said respondents above named, any and all of them, be, and they are hereby perpetually enjoined and forbidden from claiming any right, title, interest or estate in or to said premises by virtue of said deeds above mentioned on either of them, hostile or adverse to the title and possession of the said Mattie Center, nee Alberty; and said respondents, and each of them, and the unknown heirs, executors, administrators and assigns, immediate and remote, of D. K. Wetzel, or any one claiming by, through or under him, are hereby perpetually enjoined from commencing any suit to disturb the said Mattie Center, nee Alberty, in her possession and title to said premises hereinabove described, or from setting up any claim or interest adverse to the right, title and interest of the said Mattie Center, nee Alberty, and from disturbing the said Mattie Center, nee Alberty, in her peaceful and quiet possession of the premises hereinabove described.

And it is further adjudged by the Court that the complainant, the United States, do have and recover its costs herein from said respondents.

F. E. KENNAMER  
 JUDGE

O.K. CHESTER A. BREWER  
 Assistant United States Attorney

ENDORSED: Filed Apr 4 1935  
 H. P. Warfield, Clerk  
 U. S. District Court DC

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

United States,	Complainant,	)	
		)	
vs.		)	
		)	
Goldie Gertrude McGuire, sometimes known as		)	No. 1009 Equity ✓
Goldie G. McGuire, Goldie G. McGuire, Executrix of		)	
the Estate of Bird McGuire, deceased, Kathleen		)	
McGuire, a minor, and Joe McGuire, and the un-		)	
known heirs and assigns, immediate and remote, of		)	
Bird McGuire, deceased,	Respondents.	)	

JOURNAL ENTRY OF JUDGMENT.

Now on this 26th day of March, 1935, this cause came on regularly to be heard in open court upon the pleadings herein, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and the respondents, Goldie Gertrude McGuire, sometimes known as Goldie G. McGuire, Goldie G. McGuire, Executrix of the estate of Bird McGuire, deceased, and Kathleen McGuire, a minor, appearing by their attorney, J. J. D. Cobb, and it appearing to the Court that the respondent, Joe McGuire, has been regularly served with subpoena in equity in this cause more than 60 days prior to the date, and that said respondent has failed to appear, answer or otherwise plead herein, he is by the Court declared to be in default. Both parties announce ready for trial, and present the evidence, and the Court being fully advised in the premises, finds:

That there is due and unpaid on the note and mortgage sued upon herein the sum of \$16,630.77, with interest at the rate of 7% per annum from October 22, 1934, until paid, together with unpaid taxes on the mortgaged property in the sum of \$413.31, for which complainant

is entitled to judgment against Goldie Gertrude McGuire, and to the foreclosure of said mortgage and the sale of the mortgaged property if said indebtedness is not paid at the expiration of six months from date of said judgment.

The Court further finds that on November 22, 1934, J. J. D. Cobb was appointed Guardian ad Litem for the respondent, Kathleen McGuire, a minor, and as such Guardian ad Litem is entitled to a reasonable attorney's fee herein in the sum of \$25.00, to be taxed as par costs in this suit.

The Court further finds that heretofore Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, has been appointed Receiver in this cause, to take charge, manage, control and collect the rents and profits from the property covered by the mortgage involved herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the complainant, the United States, in its own behalf and in behalf of its wards, the heirs of Bird Tuman, restricted (Allottee No. 206, deceased, do have and recover of and from the respondent, Goldie Gertrude McGuire, the sum of \$16,630.77, with interest at the rate of 7% per annum from October 22, 1934, until paid, together with unpaid taxes in the sum of \$413.31, and all costs of this suit.

IT IS FURTHER ORDERED that complainant, the United States, have judgment for closing the mortgage herein, and if said judgment is not paid at the expiration of six months from date thereof that an order of sale issue out of this court to the United States Marshal for Northern District of Oklahoma, commanding him to advertise and sell according to law, without appraisal, the following described land, to-wit:

Lots Three and Four and East Half of Southwest Quarter; West Half of West Half of Southwest Quarter of Southeast Quarter of Section Eighteen; Lots One and Two; Northeast Quarter of Northwest Quarter; Northwest quarter of Northeast Quarter; Southwest Quarter; East Half of Northeast Quarter; Southwest Quarter of Northeast Quarter; Southeast Quarter of Northwest Quarter of Section Nineteen, all in Township Twenty-eight, Range Twelve, Osage County, Oklahoma,

the proceeds of said sale to be applied as follows, to-wit:

- First - To payment of costs of said sale and this suit.
- Second - Payment to complainant in behalf of the heirs of Bird Tuman, deceased Osage Allottee No. 206, the sum of \$16,630.77, with interest at 7% per annum from October 22, 1934, until paid.
- Third - Payment to J. J. D. Cobb, Guardian ad Litem for minor respondent herein, the sum of \$25.00.
- Fourth - The payment of delinquent taxes in the sum of \$413.31.

IT IS THE FURTHER ORDER OF THE COURT that from and after the sale of the land above described under this judgment, the respondents, Goldie Gertrude McGuire, sometimes known as Goldie G. McGuire, Goldie G. McGuire, executrix of the Estate of Bird McGuire, deceased, Kathleen McGuire, a minor, and Joe McGuire, and all persons claiming by, through or under them at the commencement of this suit, be, and they are forever barred from claiming any right, title, interest or estate in or to said land or any part thereof.

It is the further order of the Court that the original note and mortgage involved herein be merged in this judgment.

O.K. CHESTER A. BREWER

Assistant United States Attorney

J. J. D. COBB

Attorney for Goldie Gertrude McGuire, Goldie G. McGuire

Executrix of estate of Bird McGuire, dec'd. and Guardian

F. E. KENNAMER

JUDGE

No. 1009 Eq. Cont'd.

ad Litem for Kathleen McGuire, a minor.

ENDORSED: Filed Apr 4 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE PACIFIC MUTUAL LIFE INSURANCE COMPANY )  
OF CALIFORNIA, a corporation, Complainant, )  
vs ) No. 1017 - Equity. ✓  
PAUL V. HARTMAN, Respondent. )

PETITION FOR APPEAL

To Honorable Franklin E. Kennamer,  
Judge of the United States District  
Court for the Northern District of Oklahoma:

The above named respondent, Paul V. Hartman, feeling himself aggrieved by order made and entered in this cause on the 19th day of March, 1935, does hereby appeal from said order to the Circuit Court of Appeals of the United States 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 citation issue as provided by law, and that a transcript of the record proceedings and papers upon which said order was based, duly authenticated, may be sent to the United States Circuit Court of Appeals for the Tenth Circuit at Denver, Colorado.

Your petitioner further prays that proper order touching the security to be required of him to perfect his appeal be made.

BENJAMIN C. CONNER and  
JOHN M. WINTERS, JR.  
Attorneys for Respondent.

Above and foregoing petition for appeal granted and appeal allowed, upon giving bond conditioned as required by law, in the sum of One Hundred Dollars (\$100.00).

DATED this 4th day of April, 1935.

F. E. KENNAMER  
Judge

ENDORSED: Filed Apr 4 1935  
H. P. Warfield, Clerk  
U. S. District Court

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ZELLA PAULINE WALL, Plaintiff, )  
 )  
-vs- ) No. 101B - Equity. ✓  
 )  
MARY B. HOWELL, JOSEPH W. HOWELL and )  
RAINBOW MOTOR COMPANY, Defendants. )

Now on this 4th day of April, A. D. 1935, it is ordered by the Court that all of Defendants to make more definite and certain be and is hereby, overruled. Given twenty days to answer.

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

LAURA B. WELLS, Complainant, )  
 )  
vs. )  
 ) IN EQUITY NO. 1020 ✓  
A. L. CARMICHAEL, as County Treasurer; )  
ANDY STOKES, as County Clerk, and the )  
BOARD OF COUNTY COMMISSIONERS of Tulsa )  
County, Oklahoma, Respondents. )

ORDER DISMISSING BILL

Now on this 4th day of April, 1935, this cause comes on for hearing upon the motion of respondents, to dismiss the bill herein and the court, being well and sufficiently advised in the premises, finds that the bill herein as amended should be dismissed for the reason that a federal question is involved and the court is for that reason without jurisdiction to hear, and determine said cause.

It is therefore, by the court, ordered, considered and adjudged that the bill herein as amended, be and the same is hereby dismissed for the reasons heretofore stated, to the action and judgment of the court the complainant excepts.

F. E. KENNAMER  
DISTRICT JUDGE

ENDORSED: Filed Apr 8 1935  
H. P. Warfield, Clerk  
U. S. District Court

-----  
Court adjourned to April 5, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, APRIL 5, 1935

Court convened pursuant to adjournment, Friday, April 5, 1935.

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

Singer Steel & Metal Corporation, a corporation, et al., Plaintiffs, )  
vs. )  
Tulsa Steel Corporation, et al., Defendants, )  
and ) No. 1014 - Equity ✓  
Sheffield Steel Corporation, a corporation, Plaintiff, ) Consolidated.  
vs. )  
Tulsa Steel Corporation, a corporation, Defendant. )

O R D E R

The application of the Receiver for instructions as to the future conduct of Receiver, with reference to the handling of the assets of the Tulsa Steel Corporation, is set for hearing before the undersigned, F. E. Kennamer, Judge of the United States District for the Northern District of Oklahoma, in the Federal District Court Room, Federal Building Oklahoma, at 9:30 A.M., on Tuesday, April 9, 1935, and the Receiver, T. H. Steffens, is hereby ordered and directed to give notice of the time and place of said hearing to the creditors of said Tulsa Steel Corporation.

Done at Tulsa, Oklahoma, this 4th day of April, 1935.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Apr 5 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

Singer Steel & Metal Corp., et al., Plaintiffs, )  
vs. )  
Tulsa Steel Corporation, et al., Defendants, )  
and ) No. 1014 - Equity ✓  
Sheffield Steel Corporation, a corp., Plaintiff, ) Consolidated.  
vs. )  
Tulsa Steel Corporation, a corp., Defendant. )

O R D E R

On application of the Receiver to pay to the Southwestern Bell Telephone Co the sum of \$50.12, for toll charges and exchange service rendered to the Tulsa Steel Corpor

DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION    TULSA, OKLAHOMA    FRIDAY, APRIL 5, 1935

---

to the 23rd day of March, 1935, and for good cause shown, it is hereby ordered that the re be, and he is hereby directed and authorized to pay to the Southwestern Bell Telephone Com the sum of \$50.12, in full payment for exchange service and toll charged incurred by the T Steel Corporation during the month of March, 1935, to the 23rd day of March, 1935, and to credit for said sum.

Done at Tulsa, Oklahoma this 4th day of April, 1935.

F. E. KENNAMER  
Judge.

ENDORSED: Filed Apr 5 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to April 6, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION    TULSA, OKLAHOMA    SATURDAY, APRIL 6, 1935

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Court convened pursuant to adjournment, Saturday, April 6th, 1935.

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

Singer Steel & Metal Corporation, et al,	)	
	)	
vs.	)	
	)	
Tulsa Steel Corporation, et al,	)	
and	)	No. 1014 - Equity    ✓
	)	Consolidated.
	)	
Sheffield Steel Corporation, a corp., Plaintiff,	)	
vs.	)	
	)	
Tulsa Steel Corporation, a corp.,	)	Defendant.

ORDER AUTHORIZING RECEIVER TO EXECUTE SUBSCRIBER'S AGREEMENT

Now on this 6th day of April, 1935, comes on for hearing the application of ceiver for authority to execute Subscriber's Agreement at Consolidated Underwriters, through T. H. Mastin & Company, a copy of which Subscriber's Agreement is attached to the applicati and to pay to the said T. H. Mastin & Company the sum of \$127.19, for compensation insuranc premium for the month of March, to March 23, 1935, and the court being fully advised in the mises, and for good cause shown,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the Receiver be, and he i by authorized and directed to execute the Subscriber's Agreement on form attached to his ap tion.

He is further ordered and directed and authorized to pay to the said T. H. & Company the sum of \$127.19, covering premiums due from the said Tulsa Steel Corporation

pensation insurance, for the month of March, to March 23, 1935.

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

F. E. KENNAMER  
Judge.

ENDORSED: Filed Apr 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to April 8, 1935.

Court convened pursuant to adjournment, Monday, April 8, 1935.

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

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

VIVIAN WIMBISH, nee CLAYTON,	Plaintiff,	)	
		)	
-vs-		)	No. 859 - Equity. ✓
		)	
CHARLIE CLAYTON, ET AL,	Defendants.	)	

Now on this 8th day of April, A. D. 1935, there comes on for hearing various motions to dismiss. Thereafter, arguments of counsel are made. And thereafter, it is ordered the Court that said case be submitted upon briefs. Given ten (10) days to file brief and ten days to file answer brief.

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,	Plaintiff	)	
		)	
vs.		)	No. 873 Equity ✓
		)	
EXCHANGE NATIONAL COMPANY,	Defendant.	)	

ORDER AUTHORIZING RELEASE OF SECOND MORTGAGE.

THIS CAUSE COMING on to be heard on this the 8th day of April, 1935, on the application of Rex Watkinson, Receiver of Exchange National Company, for authority to execute and deliver a release of the second mortgage dated November 13th, 1930, and executed by Elv nee Morrison, and Willis Tally, her husband, recorded in book 167 at page 334 of the books and records of Bryan County, Oklahoma, which said mortgage covers and affects the

SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 8 and NE $\frac{1}{4}$  of NE $\frac{1}{4}$  and SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 17, Township 8 South, Range 7 East of the Indian Base and Meridian, containing 160 acres, more or less, according to the United States Survey thereof, situated in Bryan County, Oklahoma,

and the court having read said application and finding that it has jurisdiction to entertain





IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, APRIL 8, 1935

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fifteen \$1000 six per cent sanitary sewer bonds of the City of Wynona, both bond issues be dated December 1, 1920, and numbered as follows:

Waterworks bonds numbered 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20, 21, 22, 23, 29, 30, 31, 58, 146 and 147; and sanitary sewer bonds numbered 1, 2, 11, 12, 13, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36,

which mature December 1, 1945, have and recover of and from respondent, City of Wynona, a pro rata part of the moneys herein ordered to be paid into the registry of this court, being 35/300 part of said fund upon surrender of interest coupons equivalent in value thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that intervenors, Frank E. Sedgwick, J. S. Harris and Alfred Holman, members of the Bondholders Protective Committee, the owner and holder of Fifty \$1000 six per cent water works bonds of the Town of Wynona and fifteen \$1000 six per cent sanitary sewer bonds of the Town of Wynona, being numbered as follows:

Waterworks bonds of 1920 2, 3, 4, 5, 6, 13, 14, 25, 26, 28, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 59, 60, 61, 62, 114, 120, 121, 122, 124, 125, 126, 127, 128, 192, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140 and sanitary sewer bonds of 1920 5, 6, 8, 16, 17, 22, 23, 24, 25, 26, 116, 117, 118, 119, and 120,

which mature December 1, 1945, have and recover of and from respondent, City of Wynona, a pro rata part of the moneys herein ordered to be paid into the registry of this court, being 300 part of said fund, upon surrender of interest coupons equivalent in value thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Board of County Commissioners of Carter County, intervenor in this suit and the owner of fifty-nine (59) \$1000 six per cent waterworks bonds of the Town of Wynona, and eighty-six (86) \$1000 six per cent sanitary sewer bonds of the Town of Wynona, both dated December 1, 1920, being numbered as follows:

Waterworks bonds of 1920 numbered 63 to 113, inclusive, and 121 to 128, inclusive, and sanitary sewer bonds of 1920 numbered 37 to 105, inclusive, and numbered 129 to 145 inclusive.

which mature December 1, 1945, have and recover of respondent municipality, the City of Wynona, its pro rata part of the moneys herein ordered to be paid into the registry of this court, being 145/300 part of said fund, upon surrender of interest coupons equivalent in value thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that out of the money paid into the registry of this court by the respondent, Martin Brown, as heretofore directed the respondent, United Mutual Life Insurance Company, and intervenors, Frank E. Sedgwick, J. S. Harris and Alfred Holman, members of the Bondholders Protective Committee, and the Board of County Commissioners of Carter County, Oklahoma and all other holders of the said waterworks and sanitary sewer bonds of 1920 of the City of Wynona, shall be paid a pro rata part based upon the number of bonds held by each. Each of said bondholders is directed to surrender to the clerk of this court a sufficient and necessary amount of unpaid interest coupons at the time he receives his pro rata portion of the money herein directed to be paid. In making payment hereunder the clerk is directed to cancel all coupons paid in full and to indorse the amount paid on each coupon not paid in full and return same to the holder thereof.

The court will reserve jurisdiction of this proceeding to make such other and further orders in the premises as may be necessary to effectually carry out the terms of this decree; and,

IT IS FURTHER ORDERED AND DECREED THAT if no satisfactory compromise and settlement is agreed upon between the City of Wynona bondholders and the respondents, that this Court

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, APRIL 8, 1935

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the 27th day of May, 1935, will make further orders and decrees pertaining to the relief for in the original Bill of Complaint.

F. E. KENNAMER  
Judge.

O.K. RAINEY, FLYNN, GREEN & ANDERSON  
Attorneys for Complainant

O.K. GEO. F. FAGIN  
Attorneys for Intervenors, Frank E. Sedgwick, J. S.  
Harris and Alfred Holman.

O.K. W. W. POTTER  
Attorneys for Intervenors, Board of County Commissioners.

O.K. LEANDER HALL  
WM. S. HAMILTON  
Attorneys for Respondents.

ENDORSED: Filed Apr 9 1935  
H. P. Warfield, Clerk  
U. S. District Court

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SINGER STEEL & METAL CORP. ET AL, Plaintiffs, )  
vs. ) No. 1014 - Equity ✓  
TULSA STEEL CORP. ET AL, Defendants. )

Now on this 8th day of April, A. D. 1935, hearing is had on application of for instructions. Statements of counsel are made as follows: R. H. Wills and Mr. Steffi And thereafter, it is ordered that Murray Doan be appointed to investigate and make repor within five (5) days as to the advisability of continuation in operation of Tulsa Steel C ration.

-----  
Court adjourned to April 9, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, APRIL 9, 1935

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Court convened pursuant to adjournment, Tuesday, April 9, 1935.

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

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

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

CHARLES KNETZGER, Plaintiff, )  
 )  
vs. )  
 )  
PLEASANT GRAYSON, MAMIE J. HOWARD, ROBERT B. )  
KEENAN, A. G. SWANSON, ECK E. BROOK, WILLIAM )  
A. WRIGHT, C. E. CORBETT, S. E. DUNN, EDWARD )  
M. LOTRIDGE, J. R. PICKERING LUMBER COMPANY, )  
a corporation, THE GRAVES FARM LOAN INVESTMENT )  
COMPANY, a corporation, UNITED STATES OF AMERICA, )  
INVESTORS SYNDICATE, a corporation, VERGIE HALE, )  
RILLA HALE, his wife, ANN KILBOURNE, a widow, )  
and THURMAN KILBOURNE, a single man, )  
Defendants. )

No. 908 Equity.

FINAL DECREE.

This cause came on to be heard on this the 4th day of February, 1935. Plaintiff appeared in person and by its attorneys, Yancey, Spillers and Brown, and all of the defendants failed to appear, except the United States of America, who appeared by and through Chester assistant U. S. District Attorney for the Northern District of Oklahoma; it appearing to the Court that Pleasant Grayson, Mamie J. Howard, Eck E. Brook, William A. Wright, C. E. Corbett, Vergie Hale, Rilla Hale, Ann Kilbourne, Thurman Kilbourne, S. E. Dunn, Edward M. Lotridge, United States of America were duly served by subpoena; that the defendants, A. G. Swanson, Pickering Lumber Company, a corporation, and the Graves Farm Loan Investment Company, a corporation, were served in due and legal form by publication, an affidavit having been filed to show service by publication showing that this is one of a class of cases in which publication service may be had, and that said defendant were non-residents of the State of Oklahoma, which publication service is approved by the court.

The United States of America has filed its answer and cross-bill of complaint. The Investors Syndicate, a corporation, Robert B. Keenan, Edward M. Lotridge, William A. and S. E. Dunn have filed good and sufficient disclaimers in and to the property sought to be foreclosed in this cause; that an order pro confesso has been entered against Pleasant Grayson, Mamie J. Howard, Eck E. Brook, C. E. Corbett, Vergie Hale, Rilla Hale, Ann Kilbourne and Thurman Kilbourne, on the 23rd day of November, 1933, and the time for these defendants to plead has elapsed and has not been extended. The court finds that all of the defendants who have not answered and have not filed disclaimers in said cause are in default and so adjudges.

WHEREUPON, the plaintiff and the United States of America, the only parties appearing, announced ready for trial. It appearing to the court that, heretofore, to-wit, on the 11th day of July, 1922, the defendant, Pleasant Grayson, a single man, and Mamie J. Howard, widow, for good and valuable consideration, made, executed and delivered their certain promissory note in writing to the Graves Farm Loan Investment Company, a corporation, in the principal sum of Four Thousand Dollars (\$4000.00), bearing interest at 7 per cent per annum from until paid. The principal of said note matured on August 1, 1932. The court finds that at the time, and as a part and parcel of the same transaction, and for the purpose of securing the promissory note, the said defendants, Pleasant Grayson and Mamie J. Howard made, executed and delivered, in writing, their certain real estate mortgage in favor of the Graves Farm Loan Investment Company, a corporation; that said note and mortgage, for a good and valuable consideration has been assigned to the plaintiff herein, who is the owner and holder thereof, and is entitled to enforce all the terms, provisions and conditions thereof.

The court specifically finds that there is no liability upon the United States

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, APRIL 9, 1935

American for any of the costs of this action, the court, upon the cross-bill of complain by the United States of America, finds that Robert B. Keenan, became indebted to the United States of America for unpaid income taxes for the years 1924 and 1925, in the sum of One Thousand Five Hundred Thirty-five Dollars and Fifty-two cents (\$1,535.52), including interest, and that a proper notice of said tax lien has been filed in the clerk's office of the United District Court for the Northern District of Oklahoma, on December 22, 1932, as provided in the Internal Revenue laws of the United States, governing such indebtedness. The court finds that the plaintiff has a first and paramount lien upon the property sought to be foreclosed in this action for the indebtedness due it, together with interest, attorneys' fees and costs; and that the United States of America has a second lien, junior only to that of the plaintiff, to secure its indebtedness, including interest and costs, if any.

THE COURT DOETH THEREFORE, ORDER, ADJUDGE AND DECREE AS FOLLOWS:

That there is due from Pleasant Grayson and Mamie J. Howard, the principal sum of Four Thousand Nine Hundred Sixty Dollars (\$4,960.00), with interest thereon at the rate of 10 per cent per annum from the 1st day of August, 1933, until paid, for the further sum of Four Hundred Dollars (\$400.00) attorneys' fees and costs. The court further finds and adjudges that the plaintiff has a first and paramount lien upon the real estate and premises described in said bill of complaint, by virtue of the said mortgage as security for the payment of said indebtedness, interest and attorneys' fees and costs, which said property is described as follows to wit:

"The North Half (N $\frac{1}{2}$ ) of the South Half (S $\frac{1}{2}$ ) of Section Fifteen (15), Township Seventeen (17) North, Range Fourteen (14) East, of the Indian Base and Meridian, containing 160 acres, more or less, according to the government survey thereof, located in Tulsa County, State of Oklahoma."

the court further finds that the United States of America has a second and junior lien on the above described property for the payment of the indebtedness due the United States of America together with its interest and costs, if any;

The court further finds that after the sale of said property, and, in the event that the same does not sell for a sufficient amount to pay the principal sum due the plaintiff herein, together with interest, attorneys' fees and costs of this action, then, and in the event, the plaintiff shall have a deficiency judgment against the defendants, Pleasant Grayson and Mamie J. Howard, for the balance remaining due and unpaid.

The court further finds that a mortgage sued upon herein contains the words "appraisal waived", or words to that effect

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the said plaintiff do have and recover a judgment against the defendants, Pleasant Grayson and Mamie J. Howard, the principal sum of Four Thousand Nine Hundred Sixty Dollars, with interest thereon at the rate of 10 per cent per annum, from the 1st day of August, 1933, until paid, and the further sum of Four Hundred Dollars (\$400.00) attorneys' fees, and costs of this action, accrued and accruing.

IT IS THE FURTHER JUDGMENT AND ORDER OF THE COURT that the plaintiff be, and she is hereby, granted a decree of foreclosure on said property hereinabove described, and, in the event appearing to the court that said mortgage contains the words "Appraisal waived,"

IT IS FURTHER ORDERED AND ADJUDGED BY THE COURT that in case the said defendants, Pleasant Grayson and Mamie J. Howard, shall fail for six months from the date of the rendering of this judgment to pay the said plaintiff the principal sum herein, together with interest



H. O. Bland, and the cause was duly submitted to the Court for its final decree herein.

And the Court having carefully considered the evidence heretofore introduced in this cause and being fully advised in the premises and on consideration thereof, finds that the plaintiff is entitled to the relief prayed for and that the order heretofore entered in this cause restraining and enjoining the defendant from transferring to other persons, firms or corporations or otherwise utilizing or causing to be utilized any of the fund now appropriated and available for the payment of gas furnished to the defendant herein by the plaintiff in this action, should be made permanent;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order heretofore entered in this cause, restraining and enjoining the defendant from transferring to other persons, firms or corporations or otherwise utilizing or causing to be utilized any of the fund now appropriated and available for the payment of gas furnished to the defendant herein by the plaintiff in this action, be and the same hereby is made permanent and perpetual against the defendant, and said defendant and those acting under it or for and on its behalf are hereby forever enjoined and restrained from transferring to other persons, firms or corporations or otherwise utilizing or causing to be utilized any of the fund now appropriated and available for payment of gas furnished to the defendant herein by the plaintiff in this action; and it is further ordered that the defendant pay all costs of this action; to which order of the Court the defendant duly excepts and said exception is by the Court allowed.

F. E. KENNAMER  
U. S. District Judge

O.K. H. O. BLAND CITY ATTY.  
O.K. ALLEN UNDERWOOD & CANTERBURY Attys for Plaintiff

ENDORSED: File Apr 9 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE PACIFIC MUTUAL LIFE INSURANCE COMPANY of CALIFORNIA, a corporation,	)	Complainant	)
	)		)
vs.	)	IN EQUITY NO. 1017	✓
	)		)
PAUL V. HARTMAN,	)	Respondent.	)

O R D E R

For good cause shown, the respondent is given ten (10) days additional time April 8, 1935, within which to file his answer to the bill of complaint,

F. E. KENNAMER  
Judge

ENDORSED: Filed Apr 9 1935  
H. P. Warfield, Clerk  
U. S. District Court

Court convened pursuant to adjournment, Wednesday, April 10, 1935.

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

HOWARD GRAY, as Executor of the Estate of Julia S. Pearman, deceased,	)	
	)	
vs.	)	No. 877 - Equity
	)	
EXCHANGE NATIONAL COMPANY, a cor- poration, et al,	)	
	)	
	)	Defendants.

ORDER ALLOWING COMPENSATION

On this 10th day of April, 1935, there came on to be heard the application of H. McBirney for compensation, and the said J. H. McBirney appearing in person and by his attorney, F. A. Bodovitz, and the Advisory Committee appearing in person, to-wit: James B. D. N. C. Cross, Charles Krause and George C. Matson, and other certificate holders appearing N. A. Gibson, John Rogers and Charles Yancey; and it appearing to the court that J. H. McBirney was appointed receiver of all of the notes, bonds, mortgages, liens, obligations and property held by the Exchange National Bank of Tulsa, Oklahoma, as security for the payment of guaranty first lien participation certificates, issued by the Exchange National Company, on the 21st day of June, 1933, and that he qualified on said date and performed the duties and services of receiver to the said 4th day of December, 1933; that said services were valuable and required a great deal of the time of said receiver, and the court finds that the reasonable value for performance of said services is Four Thousand Five Hundred Dollars (\$4,500.00).

The court further finds that on the 4th day of December, 1933, J. H. McBirney was appointed Successor Trustee to the Exchange National Bank, and that he filed his final report in as receiver, and turned over and delivered all of the assets held by him as receiver, to said Successor Trustee; that said J. H. McBirney qualified as such Successor Trustee on the 4th day of December, 1933, and has ever since acted as such trustee; that the said J. H. McBirney has not received any compensation for his services as trustee; that he has rendered valuable services as such trustee, and said services have been beneficial to said trust estate and the performance of said services has required a great deal of the time of said trustee.

The court further finds that the said trustee should be paid final and in full for his services as such trustee for the month of December, 1933, and for the entire year 1933, and finds that Seven Hundred Fifty Dollars (\$750.00) per month is fair and reasonable compensation in full for said services.

The court further finds that the said trustee should be allowed Five Hundred Dollars (\$500.00) per month as an interim allowance, commencing on the 1st day of January, 1934, and that the matter of the allowance of a final fee is reserved by the court for consideration upon the termination of the services of said trustee and the completion of the performance of the duties and obligations of said trustee.

The court further finds that the members of the Advisory Committee, as well as the attorneys who have appeared as representing certificate holders, had been duly notified of the hearing upon the allowance of fees.

IT IS, THEREFORE, ORDERED that J. H. McBirney be and he is hereby allowed the sum of Four Thousand Five Hundred Dollars (\$4,500.00) as compensation in full for his services as receiver as above described, from the 21st day of June, 1933, to the 4th day of December, 1933.

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, APRIL 10, 1935

IT IS FURTHER ORDERED that J. H. McBirney be and he is hereby allowed the sum of Nine Thousand Seven Hundred Fifty Dollars (\$9,750.00) as compensation in full for his services as Successor Trustee to the Exchange National Bank of Tulsa, Oklahoma, for the month of December, 1933, and for the year 1934.

IT IS FURTHER ORDERED THAT J. H. McBirney be and he is allowed the sum of Five Hundred Dollars (\$500.00) per month as an interim allowance on account of services performed by him as such successor trustee, commencing January 1, 1935, and that the matter of the allowance of a final fee for services performed from and after said 1st day of January, 1935, be and the same is hereby reserved for consideration at the termination of this said action or upon completion of the performance of the services of said successor trustee.

IT IS FURTHER ORDERED that J. H. McBirney, as Successor Trustee, be and he is hereby authorized and empowered to immediately disburse the funds hereinabove ordered paid to him in his possession.

F. E. KENNER  
United States District Judge,

ENDORSED: Filed Apr 10 1935  
H. P. Warfield, Clerk  
U. S. District Court

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ANNA R. LEBOW, Plaintiff, )  
-vs- ) No. 984 - Equity. ✓  
R. FELDMAN, ET AL., Defendants. )

Now on this 10th day of April, A. D. 1935, the above styled case is called for trial. Both sides present and announce ready for trial. All witnesses are sworn in open court and opening statements of counsel are made. The Plaintiff introduces the note and mortgage in and rests. The Defendants introduce evidence and proof with the following witnesses: Mrs. R. Feldman. And thereafter, the Interveners introduce their evidence and proof with the following witnesses: Ray Pharris and R. C. Lyon. And thereafter, all parties rest. Thereupon it is ordered by the Court that said case be submitted on briefs. Intervenor given ten (10) days to file brief. Other parties given ten (10) days to file reply briefs.

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

THE SINGER STEEL & METAL CORPORATION, A CORPORATION, ET AL PLAINTIFFS )  
VS ) NO. 1014 EQUITY ✓  
THE TULSA STEEL CORPORATION, A CORPORATION, )  
THE SIFFIELD STEEL CORPORATION, A CORPORATION, )  
ET AL, DEFENDANTS. )

ORDER PERMITTING RECEIVER TO BE MADE A PARTY TO CLAIM PENDING BEFORE STATE INDUSTRIAL COMMISSION.

This matter coming on to be heard before me the Honorable Franklin E. Kenna

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, APRIL 10, 1935

Judge of said United States District Court on this 10th day of April, 1935, upon the Application of Chas. W. Kelley for an Order of this Court permitting him the said Chas. W. Kelley, a creditor of the defendant the Tulsa Steel Corporation, to make T. H. Steffens as Receiver of said Tulsa Steel Corporation, a party Respondent in Cause No. A-86449 now pending before The State Industrial Commission of the State of Oklahoma and for leave to prosecute the said claim against the said Receiver, the said Applicant appearing by his attorney Chas W. Wortman and the Court upon reading said Application and being fully advised in the premises finds: That said application should be granted and allowed and that an order should be entered herein accordingly.

IT IS THEREFORE ORDERED AND ADJUDGED by the Court that the said applicant Chas W. Kelley be and he is hereby given permission and is authorized to make the said Receiver T. H. Steffens a party Respondent in said cause No. A-86449 styled Chas W. Kelley Claimant vs. The Tulsa Steel Corporation, Respondent and to prosecute the same against said Receiver.

F. E. KENNAMER  
JUDGE OF SAID DISTRICT COURT

ENDORSED: Filed Apr 10 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE SINGER STEEL & METAL CORPORATION, A CORPORATION, ET AL, Plaintiffs, )  
VS ) NO. 1014 EQUITY ✓  
THE TULSA STEEL CORPORATION, A CORPORATION, ET AL, DEFENDANTS. )

ORDER PERMITTING MELVIN WISER TO MAKE RECEIVER A PARTY TO CLAIM PENDING  
BEFORE THE STATE INDUSTRIAL COMMISSION.

This matter coming on to be heard before me the Honorable Franklin E. Kennamer Judge of said District Court on this 10th day of April, 1935, upon the Application of Melvin Wiser for an order of this Court authorizing and permitting him to make T. H. Steffens as Receiver of the defendant The Tulsa Steel Corporation, a party Respondent in Cause No. A-85939 now pending before the State Industrial Commission of the State of Oklahoma and for leave to prosecute said claim against said Receiver, and the said Applicant being present by his attorney Chas Wortman and the Court after reading said Application and being fully advised in said premises finds: That the said Application should be granted and that an order of this Court should be entered accordingly.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE COURT, that the said Applicant Melvin Wiser be and he is hereby authorized and given permission to make the said T. H. Steffens as Receiver of said defendant The Tulsa Steel Corporation, a party Respondent and to prosecute his said claim against said Receiver, in said Cause No. A-85939 Melvin Wiser, Claimant vs. Tulsa Steel Corporation, Respondent, now pending before the State Industrial Commission of State of Oklahoma.

F. E. KENNAMER  
JUDGE OF SAID DISTRICT COURT

ENDORSED: Filed Apr 10 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE SINGER STEEL & METAL CORPORATION  
A CORPORATION, ET AL, PLAINTIFFS,

VS

THE TULSA STEEL CORPORATION, A CORPORATION,  
ET AL, DEFENDANTS.

NO. 1014 EQUITY ✓

ORDER PERMITTING WILLIAM SULLIVAN TO MAKE RECEIVER A PARTY  
TO CLAIM PENDING BEFORE STATE INDUSTRIAL COMMISSION.

This matter coming on to be heard before me the Honorable Franklin E. Kennamer Judge of said District Court, on this 10th day of April, 1935, upon the Application of W. Sullivan for an order of this Court permitting him to make T. H. Steffens Receiver of the Tulsa Steel Corporation defendant herein, a party respondent to Cause No. A-85251, styled William Sullivan, Claimant vs The Tulsa Steel Corporation, Respondent, now pending before State Industrial Commission of the State of Oklahoma and for leave to prosecute said claim said Receiver in said Cause No. A-85251, the said Applicant being present by his attorney W. Wortman and the Court after reading the said Application and being fully advised in the premises finds: That the said applicant is a creditor of the said Tulsa Steel Corporation and the said application should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE COURT, that the said Applicant Sullivan be and he is hereby given permission to make the said Receiver of the said Tulsa Corporation a party respondent in said Cause No. A-85251 and to prosecute the said claim the said Receiver.

F. E. KENNAMER  
Judge of said District Court

ENDORSED: Filed Apr 10 1935  
H. P. Warfield, Clerk  
U. S. District Court

-----  
Court adjourned to April 11, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, APRIL 11, 1935

Court convened pursuant to adjournment, Thursday, April 11th, 1935.

Present: Hon. F. E. Kennamer, Judge, U. S. Dist. Court.  
H. P. Warfield, 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.

Frederic M. Wilhelm, Helen B. Wilhelm, )  
Frederic B. Wilhelm, A. W. Drohen, )  
August Bauman, Arthur G. Dana, Verma )  
G. Jaeger, and Edna Hyde Rose, Plaintiffs, )

vs.

In Equity No. 970. ✓

Consolidated Oil Corporation, a corporation, )  
Sinclair Prairie Pipe Line Company, a )  
corporation, Sinclair Prairie Oil Company, )  
a corporation, Sinclair Prairie Oil )  
Marketing Company, a corporation, and )  
Sinclair Refining Company, a corporation, )  
Defendants. )

O R D E R.

Now on this 11th day of April 1935, for good cause shown, defendants are granted an extension of five (5) days from the time originally allowed in which to file reply brief herein.

F. E. KENNAMER  
Judge.

O.K. SUMMERS HARDY  
O.K. LOUIS J. RICKING

ENDORSED: Filed Apr 11 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States, Complainant, )  
vs. )  
J. H. Gorden and Minnie Gorden, his wife, )  
C. H. Gorden, sometimes known as Clide H. )  
Gorden, and Edith Gorden, his wife, M. J. )  
Richardson & Company, a co-partnership com- )  
posed of M. J. Richardson and R. E. Richard- )  
son, Walter S. Thornton and Walter Jackson, )  
Respondents. )

No. 974 Equity ✓

D E C R E E

Now on this 19th day of March, 1935, this cause came on to be heard on regular assignment, and complainant being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and the respondents, J. H. Gorden, Minnie Gorden, C. H. Gorden, sometimes known as Clide H. Gorden, Edith Gorden, M. J. Richardson & Company, a co-partnership composed of M. J. Richardson and R. E. Richardson, Walter S. Thornton, Walter Jackson appearing neither in person nor by attorney; and it being shown to the Court personal service has been heretofore had upon the respondents, J. H. Gorden, Edith Gorden,

M. J. Richardson & Company, a co-partnership composed of M. J. Richardson and R. E. Richardson and that the said M. J. Richardson & Company, a co-partnership, has filed a disclaimer in cause, disclaiming any right, title, or interest in the property involved herein; and it appearing to the Court that the respondents, C. H. Gorden, sometimes known as Clide H. Gorden and Walter S. Thornton have quit claimed to the heirs of John Jackson, Cherokee, Roll No. 3126, all of their right, title and interest in and to the land involved herein; and it further appearing that the respondent, Walter Jackson, has filed herein a waiver of service of subpoena equity, and entered a general appearance, agreeing that said cause may be set down and tried at any time, without further notice to him; and the Court being fully advised in the premises finds that John Jackson was a full-blood Cherokee Indian, enrolled opposite Roll No. 3126, that the said John Jackson departed this life during the year 1909, and that a certificate of competency had never been issued to him.

The Court further finds that by reason of his citizenship in said Cherokee Territory of Indians the said John Jackson was duly allotted the following described land, to-wit:

The Southwest Quarter of the Southwest quarter of Section Twenty-Three, Township Twenty-five North, Range Thirteen East, Washington County, Oklahoma

The Court further finds that Lillie Jackson, now Hendricks, James Jackson, Jackson, Edward Jackson, Clarence Jackson and Harry Bixler are the heirs at law of the said John Jackson, deceased.

The Court further finds that Clarence Jackson, one of the heirs of John Jackson, deceased, was born on April 5, 1909, subsequent to March 4, 1906, and that the land herein described was the homestead of the said John Jackson, and was restricted against alienation.

The Court further finds that the said Lillie Jackson, now Hendricks, executed and delivered to the respondent, J. H. Gorden, a purported warranty deed, attempting to convey divided one-third interest in and to the land hereinabove described, which deed was placed of record in the office of the County Clerk of Washington County, Oklahoma, in deed records 29, page 174. That said deed is void and of no force and effect, and should be canceled, set aside and held for naught.

The Court further finds that notwithstanding the fact that the land hereinabove described was restricted against alienation the said James Jackson, one of the heirs of John Jackson, deceased, did, on March 17, 1915, execute and deliver to the respondent, C. H. Gorden, a purported warranty deed, attempting to convey an undivided two-twenty firsts interest in the land hereinabove described, which deed was placed of record in the office of the County Clerk of Washington County, Oklahoma, in deeds record 29, at page 204. That said deed is void and of no force and effect, and should be canceled, set aside and held for naught.

The Court further finds that Pearl Long Bone, nee Jackson, one of the heirs of John Jackson, deceased, and her husband, George Long Bone, did, on March 10, 1915, execute and deliver to the respondent, C. H. Gorden, a purported warranty deed, attempting to convey an undivided two-twenty firsts interest in and to the land hereinabove described, which deed was placed of record in the office of the County Clerk of Washington County, Oklahoma, in deed records 29, page 205. That said deed is void and of no force and effect, and should be canceled, set aside and held for naught.

The Court further finds that notwithstanding the fact that said land hereinabove described was restricted against alienation, on March 3, 1926, an order of court of Washington County, Oklahoma, was made in Probate No. 1617, approving the deed hereinabove referred to, said James Jackson to C. H. Gorden, and the deed hereinabove referred to, by the said Pearl Long Bone, nee Jackson, and her husband, George Long Bone, to C. H. Gorden. That the order of the County Court of Washington County, Oklahoma, in Probate No. 1617, approving said deeds is void and of no force and effect, and should be canceled.

The Court further finds that on May 25, 1915, the said Lillie Hendricks, nee Jackson, as guardian of Addie Jackson, Andrew Jackson, Clarence Jackson, Walter Jackson and Edward Jackson, minors, made, executed and delivered to C. H. Gorden, a guardian's deed, attesting to convey an undivided ten-twenty firsts interest in and to the land hereinabove described. That said deed was placed of record in the office of the County Clerk of Washington County, Oklahoma, in deed records 19, at page 119.

The Court further finds that on May 25, 1915, the County Court of Washington County, Oklahoma, made an order confirming the sale under the guardian's deed above described which order was placed of record in the office of the County Clerk of Washington County, Oklahoma, in Miscellaneous Records 23, at page 132. That said deed and the order confirming the sale are void and of no force and effect, and should be canceled and set aside.

The Court further finds that on January 2, 1919, the respondents, J. H. Gorden and Minnie Gorden, his wife, made, executed and delivered to C. H. Gorden a quit claim deed covering the land hereinabove described, which quit claim deed was placed of record in the office of the County Clerk of Washington County, Oklahoma, in deed records 35, at page 524. That said quit claim deed is of no force and effect, and should be canceled and set aside.

The Court further finds that on June 3, 1924, the respondents, Clide H. Gorden and Edith Gorden, his wife, made, executed and delivered to Walter Jackson a quit claim deed covering the land hereinabove described, which quit claim deed was placed of record in the office of the County Clerk of Washington County, Oklahoma, in deed records 56, at page 321. That said quit claim deed is void and of no force and effect, and should be canceled and vacated.

That on June 4, 1924, the respondent, Walter Jackson and Gladys Jackson, his wife, made, executed and delivered to C. H. Gorden a real estate mortgage covering the land hereinabove described, which mortgage was placed of record in the office of the County Clerk of Washington County, Oklahoma, in mortgage records 40, at page 328. That said mortgage is void and of no force and effect, and should be canceled and set aside.

The Court further finds that on November 14, 1925, the respondent, Walter Jackson and Gladys Jackson, his wife, executed and delivered to the respondent, M. J. Richardson & Company, an assignment of rents and profits accruing under certain leases on the land hereinabove described, which assignment of rents was placed of record in the office of the County Clerk of Washington County, Oklahoma, in Book 55 of Miscellaneous Records, at page 259. That said assignment of rents is void and of no force and effect, and should be canceled and vacated.

The Court further finds that on November 14, 1925, the respondent, Walter Jackson and Gladys Jackson, his wife, executed and delivered to M. J. Richardson & Company a real estate mortgage covering the land hereinabove described, which mortgage was placed of record in the office of the County Clerk of Washington County, Oklahoma, in mortgage records 41, at page 370. That said mortgage is void and of no force and effect, and should be canceled and set aside.

The Court further finds that on November 14, 1925, the respondent, Walter Jackson and Gladys Jackson, his wife, executed and delivered to Walter S. Thornton a mortgage covering the land hereinabove described, which mortgage was placed of record in the office of the County Clerk of Washington County, Oklahoma, in mortgage records 41, at page 370. That said mortgage is void and of no force and effect, and should be canceled and set aside.

The Court further finds that because of the fact that the land hereinabove described was restricted against alienation at the time the instruments hereinabove referred to were made, executed and delivered, and because of the further fact that said instruments have not been approved by the Secretary of the Interior, that same are null and void and of no force and effect as against the rights of this complainant and the heirs of the said John Jackson, deceased, full-blood Cherokee, Roll No. 31260, deceased. That said instruments and each of them constitute a cloud on the title of said heirs of John Jackson, deceased, and should be canceled and the title to said land quieted in the said heirs, Lillie Jackson, nee Hendricks, James Jackson, Walter Jackson, Edward Jackson, Clarence Jackson and Harry Bixler.

The Court further finds that service has not been had upon the respondent, Gorden, but that the said Minnie Gorden, during her lifetime conveyed all her interest in to the land hereinbefore described to the respondent, C. H. Gorden, sometimes known as Cl Gorden, and that said respondent, Clide H. Gorden, has quit claimed all his right, title interest in and to the said land to the heirs of John Hackson, full-blood restricted Cher Roll No. 31260, deceased, and that this cause of action should be dismissed as to the res Minnie Gorden.

The Court further finds that John Jackson, full-blood Cherokee, Roll No. 31 departed this life during the year 1909, and left as his heirs at law his widow, Lillie J now Hendricks, James Jackson, Walter Jackson, Pearl Jackson, Edward Jackson, Andrew Jacks Addie Jackson and Clarence Jackson. That since the death of the said John Jackson, decea said Pearl Jackson and Andrew Jackson have departed this life, leaving no husband or wife, child or children, nor any child or children of any deceased child or children. That the Addie Jackson has departed this life, leaving as her sole and only heir at law, her husban Harry Bixler.

That the following are the heirs of John Jackson, full-blood Cherokee, Roll 31260, deceased; Lillie Jackson, now Hendricks, James Jackson, Walter Jackson, Edward Jack Clarence Jackson and Harry Bixler.

IT IS THEREFORE THE ORDER, JUDGMENT AND DECREE of the Court that the title possession of the said Lillie Jackson, now Hendricks, James Jackson, Walter Jackson, Edwa Jackson, Clarence Jackson and Harry Bixler in and to said premises be, and the same hereby forever quieted and settled in them as against all claims and demands of said respondents, each of them, or any one claiming by, through or under them.

That the following instruments: The deed from Lillie Jackson, now Hendrick J. H. Gorden, dated January 26, 1915, and recorded in the office of the County Clerk of Wa ton County, Oklahoma, in deed records 29, at page 174; the deed dated March 17, 1915, from Jackson to C. H. Gorden, filed of record in the office of the County Clerk of Washington C Oklahoma, in deed records 29, at page 204; the deed dated March 10, 1915, from Pearl Long Nee Jackson, and George Long Bone, her husband, to C. H. Gorden, filed of record in the of of the County Clerk of Washington County, Oklahoma, in deed records 29, at page 205; the of the County Court of Washington County, Oklahoma, in Probate No. 1617, approving the deeds referred to, by James Jackson to C. H. Gorden, and the deed by Pearl Long Bone, nee Jackson George Long Bone, her husband, which order was dated March 3, 1926, and recorded in the off of the County Clerk of Washington County, Oklahoma, in Miscellaneous Records 26, at page 21 the deed dated May 25, 1915, by Lillie Hendricks, nee Jackson, guardian of Addie Jackson, Jackson, Clarence Jackson, Walter Jackson and Edward Jackson, minors, to C. H. Gorden, file record in the office of the County Clerk of Washington County, Oklahoma, in deed records 15 at page 119; the order of the County Court of Washington County, Oklahoma, dated May 25, 19 approving said guardian's deed, which order was filed of record in the office of the County of Washington County, Oklahoma, in Miscellaneous Records 23, at page 133; the quit claim de dated January 2, 1919, from J. H. Gorden and Minnie Gorden, his wife, to C. H. Gorden, file record in the office of the County Clerk of Washington County, Oklahoma, in deed records 35 page 624; the quit claim deed dated June 3, 1924, from Clide H. Gorden and Edith Gorden, hi to Walter Jackson, filed of record in the office of the County Clerk of Washington County, homa, in deed records 56, at page 321; the mortgage dated June 4, 1924, executed by Walter and Gladys Jackson, his wife, to C. H. Gorden, filed of record in the office of the County of Washington County, Oklahoma, in mortgage records 40, at page 323; the assignment of rent dated November 14, 1925, from Walter Jackson and Gladys Jackson, his wife, to M. J. Richard and Company, filed of record in the office of the County Clerk of Washington County, Oklaho in Miscellaneous Records 55, at page 259; the mortgage dated November 14, 1935, executed by and Gladys Jackson, his wife, to M. J. Richardson and Company, filed of record in the offic the County Clerk of Washington County, Oklahoma, in mortgage records 41, at page 367; the m dated November 14, 1925, executed by Walter Jackson and Gladys Jackson, his wife, to Walter

Thornton, filed of record in the office of the County Clerk of Washington County, Oklahoma in mortgage records 41, at page 370, be, and the same are hereby canceled, set aside and removed as a cloud on the title of the heirs of John Jackson, full-blood Cherokee, Roll 31260, deceased, in and to the following described land, to-wit:

The Southwest Quarter of the Southwest Quarter of Section Twenty-three, Township Twenty-five North, Range Thirteen East, Washington County, Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said respondents, J. H. Gordon, sometimes known as Clide H. Gordon, and Edith Gordon, his wife, M. J. Richardson and Company, a co-partnership composed of M. J. Richardson and R. E. Richardson, Walter Thornton and Walter Jackson, and each of them, or any one claiming by, through or under them, be, and they are hereby perpetually enjoined and forbidden from claiming any right, title, interest or estate in or to said premises by virtue of said instruments hereinabove described or either of them, hostile or adverse to the title and possession of the said heirs of John Jackson, full-blood Cherokee, Roll No. 31260, deceased; and said respondents, and each of them, and any one claiming by, through or under them, are hereby perpetually enjoined from coming any way to disturb said heirs of John Jackson, Cherokee, Roll No. 31260, deceased, in or their title and possession of said premises, or from setting up any claim or interest adverse to the title of said heirs.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that the complainant, the United States, have and recover its costs herein from said respondents.

F. E. KENNAMER  
JUDGE

O.K. CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed Apr 11 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States,	Complainant,	)	
		)	
vs.		)	No. 998 Equity ✓
		)	
L. E. Taylor and Monroe Landers,	Respondents.	)	

D E C R E E

Now on this 26th day of March, 1935, this matter coming on before me on regular assignment, and the complainant, the United States appearing by C. E. Bailey, United States Attorney, and Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma; and the respondents, L. E. Taylor and Monroe Landers, appearing by their attorney M. E. Michaelson, of Bartlesville, Oklahoma; and after testimony of witnesses being duly sworn and examined in open court; and after hearing the arguments of counsel, and being fully advised in the premises, the Court finds that the allegations contained in complainant's Bill of Complaint herein are true and correct, and finds all issues in favor of the complainant, and against the respondents.

IT IS THEREFORE THE ORDER, JUDGMENT AND DECREE of the Court that the complainant, the United States, do have and recover judgment against the respondents, L. E. Taylor and

DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      THURSDAY, APRIL 11, 1935

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Monroe Landers, or any one claiming by, through or under them, for the cancellation of the certain mortgage recorded in Book 60 of the mortgage records of Osage County, Oklahoma, a page 192, covering the

Southwest Quarter of the Southwest quarter of Section One, Township Twenty-six North, Range Eleven East, Osage County, Oklahoma,

and for the cancellation of an assignment of the above mentioned mortgage, which assignment of record in Book 43, page 581 of the records of the County Clerk of Osage County, Oklahoma, said assignment of mortgage covering the land hereinabove described.

IT IS THE FURTHER JUDGMENT of the Court that said respondents, L. E. Taylor, Monroe Landers, or any one claiming by, through or under them, have no right, title or interest of whatsoever nature in or to any of the above described land, and that the title thereto hereby quieted in and to, and for and on behalf of Roy S. McLain, Osage Allottee No. 1553, that all of the contracts for debt mentioned in complainant's Bill of Complaint herein, are hereby held for naught, and are void and of no force and effect as to the said Roy S. McLain, Osage Allottee No. 1553, and said respondents, L. E. Taylor and Monroe Landers, and any one claiming by, through or under them, are hereby enjoined from claiming or asserting any right title or interest by virtue thereof in or to any of the land hereinbefore described; to wit: the respondents, and each of them, except, and exceptions are allowed.

F. E. KENNAMER  
JUDGE.

O.K. C. E. BAILEY  
United States Attorney

CHESTER A. BREWER  
Assistant United States Attorney  
Attorneys for Complainant.

M. E. MICHAELSON  
Attorney for Respondents.

ENDORSED: Filed Apr 11 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to April 15, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      MONDAY, APRIL 15, 1935

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Court convened pursuant to adjournment, Monday, April 15, 1935.

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

New York Life Insurance Company,	)	
	)	
vs.	)	
	)	No. 936 Equity
Secretary of the Interior, and John R.	)	
Pearson, Executor of the estate of	)	
Wayne M. Penn, deceased,	)	Defendants.

ORDER EXTENDING TIME FOR FILING STIPULATION AND BRIEFS.

Now on this 15th day of April, 1935, this matter coming on before me, and appearing that this cause of action was set for trial on the Special March, 1935, assigned on March 22, 1935; and it further appearing that an order was made providing for the filing of Stipulation of Facts and Briefs in this cause on or before April 15, 1935, and it now being shown to the Court that 30 days additional time is necessary for the filing of a Stipulation of Facts and Briefs herein;

IT IS THEREFORE ORDERED that the parties hereto have until May 15, 1935, in which to file a Stipulation of the Facts involved and Briefs in said cause of action.

F. E. KENNAMER  
JUDGE

O.K. CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed Apr 15 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

SINGER STEEL AND METAL CORPORATION, a	)	
corporation,	)	
	)	Plaintiff,
vs.	)	
	)	
TULSA STEEL CORPORATION, a corporation,	)	
	)	Defendant.
AND	)	NO. 1014 EQUITY *
	)	Consolidated
SHEFFIELD STEEL CORPORATION, a corporation,	)	
	)	Plaintiff,
vs.	)	
	)	
TULSA STEEL CORPORATION, a corporation,	)	
	)	Defendant.

O R D E R

On this 15th day of April, 1935, it is ordered that the attached motion for to file interrogatories in the above entitled cause on behalf of the Tulsa Steel Corporation answered by Sheffield Steel Corporation is granted, and leave is hereby given to file such

interrogatories as provided by Equity Rule 58.

F. E. KENNELMER  
Judge.

ENDORSED: Filed Apr 15 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

JACK J. DREW,	Plaintiff,	)	
		)	
vs.		)	No. 1016 - E. ✓
		)	
THE SOUTH WEST BOX COMPANY,		)	
a corporation,	Defendant.	)	

ORDER ALLOWING PLAINTIFF ADDITIONAL TIME TO FILE BRIEF.

Now on this 11th day of April, 1935, for good cause shown, plaintiff in the entitled cause is hereby allowed and granted ten (10) days from this date additional time to file trial brief herein. The defendant to have ten (10) days thereafter to file answer and the plaintiff five (5) days to reply thereto.

F. E. KENNELMER  
J U D G E.

ENDORSED: Filed Apr 15 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

The Pacific Mutual Life Insurance	Company of California, a corporation,	Complainant,	
		)	
vs.		)	No. 1017 - Equity ✓
		)	
Paul V. Hartman,	Respondent.	)	

FINAL DECREE

The above entitled cause coming on for hearing on the 15th day of April 1935, upon the bill of complaint herein and the stipulation of parties heretofore filed hereon and the argument of counsel, and thereupon, upon consideration thereof, it was ordered, adjudged and decreed as follows, to-wit:

That the policy of insurance number 5516939, issued by the complainant to respondent on the 5th day of June, 1928, and set forth in complainant's first cause of action herein; and policy of insurance number 5525689, issued by complainant to respondent on the 31st day of January, 1929, and set forth in complainant's second cause of action herein; and policy of insurance number 5606857, issued by complainant to respondent on the 6th day of April, 1930, and set forth in complainant's third cause of action herein be, and each and all of them are hereby nullified, set aside and held for naught.

It is further ordered and decreed that the original policies of insurance before mentioned be surrendered and delivered to complainant herein immediately, and that the payment of the sum of Four Thousand (\$4000.00) Dollars by complainant to respondent, as to in the stipulation on file herein, complainant herein be, and it is hereby forever released and discharged of and from all liability of whatsoever nature to respondent herein under and by virtue of the issuance and delivery of said policies of insurance, and each of them, and said respondent, his heirs, executors, and administrators, and each of them, be, and they hereby perpetually enjoined from instituting or prosecuting any action or actions in any court, or in any other Federal court, against complainant herein, to recover upon, or from asserting any benefits or rights under said policies of insurance, aforesaid, and each of them.

It is further ordered and decreed that complainant retain the premiums heretofore paid it by respondent on said several policies of insurance and tendered to respondent by complainant in the bill of complaint herein, and said complainant shall be relieved of liability and responsibility for the return of said premiums to said respondent.

It is further ordered and decreed that complainant do not recover herein or other or further relief sought for the benefits heretofore paid by it to respondent under said several policies of insurance herein mentioned and as set forth in its said bill of complaint.

It is further ordered that the costs of this action shall be taxed to the complainant.

DATED this 15th day of April, 1935.

O.K. EMBRY JOHNSON CROWE & TOLBERT  
Attorneys for Complainant

F. E. KEMMELER  
J U D G E.

PAUL V. HARTMAN  
Respondent

CONNER & WINTERS  
Respondent's Attorneys

ENDORSED: Filed Apr 15 1935  
H. P. Warfield, Clerk  
U. S. District Court

-----  
IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLA

The Pacific Mutual Life Insurance Company, )  
of California, a corporation, Complainant, )  
vs. ) No. 1017 - Equity. ↓  
Paul V. Hartman, )  
Respondent. )

ORDER DISCHARGING PRINCIPAL AND SURETY AND ORDERING RETURN OF FUNDS TO  
COMPLAINANT

It appearing to the court that a final decree has been entered herein on the 20th day of March, 1935, by agreement of the parties and that the principal and surety on the injunction bond filed on the 20th day of March, 1935, should be discharged;



receivership estate that said oil and gas mining lease be executed by Paul E. Taliaferro, for Petroleum Royalties Company, a Trust, and it is, therefore,

ORDERED, ADJUDGED, AND DECREED that Paul E. Taliaferro, Trustee for Petroleum Royalties Company, a Trust, be and he is hereby ordered, authorized and directed to execute oil and gas mining lease to Leo Wood as Lessee as to the 1/6 royalty interest in and to the Northeast quarter (NE/4) of the Northwest Quarter (NW/4) of Section Twenty five (25), Towns Nine (9) North, Range Six (6) East, Seminole County, Oklahoma, according to the terms and conditions as set out in copy of said proposed oil and gas mining lease attached to the petition of the Receiver herein and to carry out the terms and conditions thereof.

DATED at Tulsa, Oklahoma, this 15 day of April, 1935.

F. E. KENNAMER  
 UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Apr 16 1935  
 H. P. Warfield, Clerk  
 U. S. District Court ME

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

Henry F. J. Rupp and Ora Wortman,	Plaintiffs,	)	
		)	
vs.		)	
		)	
The Bankers Mortgage Company of Topeka,		)	IN EQUITY NO. 934 ↓
Kansas, a corporation; James A. Kell;		)	
Joseph F. Kell; John A. Fleming; and The		)	
International Investment Corporation, a cor-		)	
poration,	Defendants.	)	

ORDER DIRECTING THE EXECUTION OF DEED AND APPROVING SALE.

Now, on this 16th day of April, 1935, comes on for hearing the Ancillary Report and Motion to Confirm a sale made by him of the following described property, to-wit:

Lot One (1), Block Two (2), in Durant's Addition to the City of Miami,  
 Ottawa County, Oklahoma,

to Robert H. Middleton and Bertha Z. Middleton, his wife.

The Court after examining said Ancillary Receiver's Report and Motion to Confirm Sale finds that heretofore said Receiver has sold at private sale, the above described property to Robert H. Middleton and Bertha Z. Middleton, his wife, for the sum of Three Thousand Dollars (\$3000) represented by the cash surrender value of Bankers Mortgage Company bonds; that said sale has been approved by the officers of The International Investment Corporation and have consented to execute a deed to the purchasers above named; that the above sum is the highest and best offer which said Receiver has obtained for said property and it is for the best interest of the estate that said property be sold.

THEREUPON the Court finds that the proceedings were had in accordance with the requirements of law.

IT IS THEREFORE BY THE COURT ADJUDGED AND DECREED that said report be and is approved and said sale is confirmed and the Ancillary Receiver is directed to execute and

to said Robert H. Middleton and Bertha Z. Middleton, his wife, a Receiver's Deed, conveying above described property, subject to any unpaid taxes, upon the execution of a deed to said chasers by the officers of The International Investment Corporation and upon payment to the receiver of the consideration aforesaid.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 16 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to April 18, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, APRIL 18, 1935

Court convened pursuant to adjournment, Thursday, April 18th, 1935.

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

Samuel J. T. Straus and Melvin L. Straus, as Trustees, Plaintiffs, )

vs. )

Alvin Hotel, Inc., a corporation, Defendant. )

EQUITY NO. 780 ✓

Robert E. Straus, and Edward R. Heinsinger, as Trustees, Interveners. )

ORDER CONFIRMING REPORT AND DISCHARGING RECEIVER.

On this 18th day of April, 1935, came on for hearing the Report of Arthur J. Devlin, as Receiver herein, the parties being present by their respective counsel, and the Court duly considered said Report and there being no objections thereto, the Court finds that said report should be confirmed;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Report of Arthur J. Devlin, as Receiver herein, be and the same is hereby approved, and the said Arthur J. Devlin is hereby discharged as such Receiver, and the surety on his bonds is released from liability.

F. E. KENNAMER  
District Judge.

ENDORSED: Filed Apr 18 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

The Lincoln National Life Insurance Company, a corporation,	)				
	)	Plaintiff,	)		
vs.	)		)	No. 873 Equity	✓
	)		)		
Exchange National Company, of Tulsa,	)		)		
	)	Defendant.	)		

O R D E R

The above entitled matter came on for hearing on this 4th day of April, 1939 on the application for instructions heretofore filed in this cause on the 12th day of October 1933, in which the Receiver herein prayed for instructions as to whether he should deliver C. H. Sweet, F. M. Sowle and J. C. Denton, as Trustees for J. A. Chapman under an agreement August 13, 1932, and under the subsequent modifications thereof, certain notes, mortgages, securities, obligations and evidences of indebtedness theretofore deposited by the said Trustees with Exchange National Company, of which at said time J. H. McBirney was Receiver, and which now Rex Watkinson is successor Receiver, under the terms of a certain contract dated 8, 1933, by and in which the said Trustees designated and appointed Exchange National Company their agent to receive and collect the said securities and to account to them for the proceeds thereof; and the Court being fully advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED by the court that Rex Watkinson, the present receiver of Exchange National Company, be, and he is hereby, authorized, ordered and directed to turn over to the said Trustees C. H. Sweet, F. M. Sowle and J. C. Denton, or their attorney representatives, all of the said notes, mortgages, securities, obligations and evidences of indebtedness of every kind so deposited with said Exchange National Company as agent for the Trustees, by the contract dated April 8, 1933, and shown in an account upon the books of Exchange National Company designated as "Trustee No. 4", or in the event any of the same have been in part thereof paid, all of the proceeds of such collections heretofore received by the said Receivers, a full description of the said notes, mortgages, securities, obligations and evidences of indebtedness, with proceeds of the collection thereof, being as follows, to-wit:

Check No. 406, dated January 9, 1935, signed by J. H. McBirney, Receiver of Southwest Bank Shares Corporation, to Rex Watkinson, Receiver of Exchange National Company and C. H. Sweet, J. C. Denton and F. M. Sowle, Trustees, for 51% payment on note of Southwest Bank Shares Corporation, principal and interest in the amount of \$14,420.25.

Cash in the hands of Rex Watkinson, Receiver of Exchange National Company, held as "Special Investors' Funds", \$7,327.88.

Cash in the hands of Rex Watkinson, Receiver of Exchange National Company, held as "Rental Funds", \$346.57.

Total Deposit - cash & check - - - - - \$22,094.75

Home Owners' Loan Corporation bonds, due 1939/49, interest 2-3/4%, amount \$3,575.00.

Federal Farm Mortgage Corporation Bonds, - - - - - \$900.00

Demand note, Southwest Bank Shares Corporation, face amount \$26,000.00, unpaid balance \$11,079.75, dated October 13, 1932, due on demand.

Accounts Receivable

8116-2      W. L. Foster - - - - - \$ 23.74

Real Estate Mortgages as follows, to-wit:

I.

CITY MORTGAGES - FIRST - STRAIGHT

<u>Loan No.</u>	<u>Name of Maker</u>	<u>Dated</u>	<u>Original Amount</u>	<u>Unpaid Balance</u>	<u>Amount owned by Trustees</u>
8770-7	Horner, J. Turner	7-7-32	\$1,750.00	\$1,750.00	\$1,750.00
8116-2	Foster, W. L. & Perle B.	1-26-31	4,500.00	4,300.00	1,000.00
8634-5	Wells, Geo. W. & Genevieve	10-20-31	7,500.00	6,000.00	4,500.00
8757-5	Sanderson, C. A. & Elizabeth	4-25-32	4,500.00	4,226.37	4,226.37
8694-12	Guinn, I. B. & J. F.	12-17-31	3,500.00	3,400.00	3,400.00
8768-6	McCarty, Earnest & Ethel Estel	6-1-32	2,250.00	2,250.00	2,250.00
			\$24,000.00	\$21,926.37	\$17,126.37

II.

CITY MORTGAGES - FIRST - MONTHLY PAY

<u>Loan No.</u>	<u>Name of Maker</u>	<u>Dated</u>	<u>Amount Original</u>	<u>Unpaid Balance</u>	<u>Amount owned by Trustees</u>
7545-M	Lassetter, W. F. & D'Ola F.	3-28-30	\$4,000.00	\$1,500.00	\$ 1,500.00
7918-M	Duke, M. L., Elizabeth and Fannie Lou	10-9-30	2,500.00	2,402.15	2,402.15
			\$6,500.00	\$3,902.15	\$ 3,902.15

III.

CITY MORTGAGE - SECOND - STRAIGHT

<u>Loan No.</u>	<u>Name of Maker</u>	<u>Dated</u>	<u>Original Amount</u>	<u>Unpaid Balance</u>	<u>Amount owned by Trustees</u>
8188-3	Artlin Realty Co., a corp., "PARTICIPATION AGREEMENT"	7-26-32	\$4,800.00	\$4,800.00	\$4,800.00

REAL ESTATE SALES CONTRACTS

<u>Number</u>	<u>Name of Maker</u>	<u>Dated</u>	<u>Original Amount</u>	<u>Unpaid Balance</u>	<u>Amount owned by Trustees</u>
5772-12/10	Doran, Sam	11-7-31	\$3,200.00	\$ 400.00	\$ 400.00
4454-11/12	Thompson, Chas. W. & Ella	4-2-32	2,600.00	2,270.95	2,270.95
			\$5,800.00	\$2,670.95	\$2,670.95

FARM COMMISSION NOTES

<u>Loan No.</u>	<u>Name of Maker</u>	<u>Dated</u>	<u>Original Amount</u>	<u>Unpaid Balance</u>	<u>Amount owned by Trustees</u>
1018-1	Folk, John & Fannie	12-9-27	\$ 180.00	\$ 36.00	\$ 36.00
5184-1	Gilliam, S. H. & Anna May	11,14-31	140.00	70.00	70.00
5455-1	Ewing, Edith (nse Miller) & T. A.	12-1-31	100.00	50.00	50.00

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8973-1	Southwick, Charles S. & Alice	18-16-27	300.00	13.13	13.13
1050-2	Sanders, John B. & Carrie G.	12-13-27	125.00	25.00	25.00
1515-2	Louis, Alice (Nee Dobyns) & Allen	2-10-32	50.00	25.00	25.00
3280-2	Harris, Fulton & Kate	2-9-32	300.00	300.00	300.00
4485-3	Ferrell, Elizabeth C., James R., W. H., and Leota	2-21-31	200.00	100.00	100.00
4888-9	Hill, G. W. & Ipa M.	7-2-31	70.00	35.00	35.00
3754-10	Smith, Mattie Z. & J. Lee	7-1-25	700.00	280.00	280.00
1141-5	Watson, Young & Pearl	2-23-28	315.00	135.00	135.00
1383-11	Holt, Anna M. & J. R.	10-28-31	75.00	75.00	75.00
1916-11	Caskey, C. D. & Nettie E.	11-2-29	330.00	83.00	83.00
2914-5	Garner, J. H.	4-6-31	40.00	40.00	40.00
2975-5	Shives, J. W. & Daisy	4-14-31	200.00	100.00	100.00
3237-11	Butler, W. H. & Sadie	9-11-31	150.00	150.00	150.00
3248-11	Ziegenfuss, F. H. & Ida A.	11-17-31	100.00	100.00	100.00
3331-11	Rubash, Tony & Vina	9-14-31	125.00	125.00	125.00
3687-5	O'Conner, Francis P. & Marie E.	3-31-32	225.00	112.50	112.50
3415-11	Harshaw, Naeta M. (nee Butts) & F.A.	9-5-28	266.00	38.00	38.00
639-12	Garrett, J. A. & Kate	11-19-29	137.50	75.00	75.00
1784-12	McGregor, J.G. & Lelia	10-20-31	75.00	75.00	75.00
5065-12	Davis, J. W. & Alice	11-13-31	37.50	37.50	37.50
5319-12	Reavis, A. D. & Nellie	7-31-29	150.00	50.00	50.00
			\$4,481.00	2,130.13	2,130.13

That the said Receiver shall take the receipt of the said Trustees for the funds and securities so to be delivered to them, and report his acts and doings in the present together with a complete report of account known as "Trustee No. 4", and application for satisfaction for handling said account and servicing the securities contained therein.

To all of which order and decree the intervener George C. Matson excepts, and exceptions are allowed.

F. E. KERNAMER  
Judge.

O.K. HAGAN & GAVIN  
Solicitors for Rex Watkinson, Receiver  
of Exchange National Company.

ENDORSED: Filed Apr 18 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States of America,	Complainant,	)
		)
vs.		)
		)
D. W. Howard, American National Bank of Pawhuska,		) No. 963 Equity
Oklahoma, Joseph S. Westerheide, Alfred A. Drummond,		)
otherwise known as A. A. Drummond, Madelaine R.		)
Drummond, First National Bank of Hominy, Oklahoma,		)
and R. C. Drummond,	Respondents.	)

D E C R E E

Now on this 22nd day of March, 1935, the above entitled cause coming on before pursuant to regular assignment, and the complainant, the United States of America, appear

DISTRICT OF OKLAHOMA  
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C. E. Bailey, United States Attorney, and Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and the respondents, and each of them appearing by attorney, Wm. S. Hamilton, of Pawhuska, Oklahoma, and it appearing to the Court that on July 9, 1934, the respondents, and each of them, filed herein their motion to dismiss complainant's Bill of Complaint; that said motion was set for hearing on July 9, 1934, and after hearing the arguments of counsel the Court instructed the counsel to file a brief in support of their contentions in said motion; that thereafter, and on November 7, 1934, an opinion of the Court was filed, overruling respondents' motion to dismiss complainant's Bill of Complaint, and that on December 29, 1934, the respondents herein, and each of them filed their answer to said Bill of Complaint; and on March 22, 1935, this cause coming on for trial, and it being shown to the Court that the facts involved in this cause of action are set out in complainant's Bill of Complaint, and the Court being fully advised in the premises instructed counsel to prepare and submit Findings of Fact and Conclusions of Law finding the issues in said cause in favor of complainant.

That on April 4, 1935, said Findings of Fact and Conclusions of Law were filed herein, finding all the issues in favor of the complainant, the United States of America, against the respondents, D. C. Howard, American National Bank of Pawhuska, Oklahoma, Joseph Westerheide, Alfred A. Drummond, otherwise known as A. A. Drummond, Madelaine R. Drummond, National Bank of Hominy, Oklahoma, and R. C. Drummond, and each of them.

The Court further finds that Wah-hrah-lum-pah, full-blood restricted Osage Allottee No. 295, was allotted the following described land, to-wit:

Southeast Quarter of Southeast Quarter of Section Eight; Lots One, Two, Three, and Four; Northwest Quarter of Northwest Quarter of Section Sixteen, in Township Twenty-three North, Range Four East, Osage County, Oklahoma, (as homestead).

Northwest Quarter of Northwest Quarter of Section Twenty-six; North Half of Northeast Quarter of Section Twenty-seven, in Township Twenty-five North Range 6 East, Osage County, Oklahoma, (as surplus).

That Wah-hrah-lum-pah departed this life, intestate, on December 10, 1911, having received a certificate of competency, and left surviving her, as her sole and only at law two daughters, Patricia Butler, nee Harris, now Patricia Butler Waters, and Grace Entokah Abbott, both full-blood, restricted Osage allottees, who have never received certificates of competency, and who, by virtue of the laws of descent and distribution of the State of Oklahoma became the owners in equal shares of the above described land.

The Court further finds that under the terms of Section 6 of the Act of Congress of April 18, 1912, Patricia Butler Waters, Osage Allottee No. 296, instituted suit in the District Court of Osage County, Oklahoma, against Grace Entokah Abbott for the partition of the land above described, and on February 24, 1922, the District Court of Osage County, Oklahoma rendered its final decree, awarding and setting over in kind to Patricia Butler Waters the

Southeast Quarter of the Southeast quarter of Section Eight; Lots One, Two, Three, and Four, and the Northwest Quarter of the Northwest quarter of Section Sixteen, Township Twenty-Three North, Range Four East, Osage County, Oklahoma,

and awarding to Grace Entokah Abbott the remaining portion of said land, described as follows to-wit:

Northwest Quarter of Northwest Quarter of Section Twenty-six; North Half of Northeast Quarter of Section Twenty-seven, all in Township Twenty-five North Range Six East, Osage County, Oklahoma.

That on October 9, 1922, the Sheriff of Osage County, Oklahoma, executed deeds in said heirs, conveying to each her respective portion of said inherited lands, which deeds

decree of partition were on December 30, 1922, approved by F. M. Goodwin, Assistant Secretary of the Interior.

That on April 7, 1931, the respondent, D. C. Howard, procured from Patricia Butler Waters a warranty deed purporting to convey to him the land hereinabove described as a part to said Patricia Butler Waters. That said deed was made for a valuable consideration but was not approved by the Secretary of the Interior. That said deed was placed of record in the office of the County Clerk of Osage County, Oklahoma, in Book 71, at page 422.

The Court further finds that on April 13, 1931, the respondent, D. C. Howard, to secure a promissory note in the sum of \$750.00, executed to the respondent, American National Bank of Pawhuska, Oklahoma, a purported mortgage covering the land hereinabove described as awarded to Patricia Butler Waters, which purported mortgage was filed of record in the office of the County Clerk of Osage County, Oklahoma, in Book 38, at page 394.

The Court further finds that on April 1, 1933, the respondent, D. C. Howard, executed and delivered to the respondent, Joseph S. Westerheide, a warranty deed, purporting to convey to him the land hereinabove described as set over to Patricia Butler Waters, which deed was placed of record in the office of the County Clerk of Osage County, Oklahoma, in County Deeds Book 74, at page 276.

The Court further finds that on April 20, 1931, the respondent, Alfred A. D. Howard, procured from complainant's ward, Grace Entokah Abbott, a warranty deed, purporting to convey to him the land above described as set over to said Grace Entokah Abbott. That said deed was for a valuable consideration but was not approved by the Secretary of the Interior. That deed was placed of record in the office of the County Clerk of Osage County, Oklahoma, in Warranty Deeds Book 71, at page 456.

The Court further finds that on October 11, 1932, the respondent, Alfred A. D. Howard, to secure payment of his promissory note in the sum of \$7300.00, executed and delivered to the First National Bank of Hominy, Oklahoma, respondent herein, a purported mortgage covering the land hereinabove referred to as awarded to Grace Entokah Abbott, said mortgage being recorded in the office of the County Clerk of Osage County, Oklahoma, in Book 60, at page 134.

The Court further finds that on December 8, 1932, the respondents, Alfred A. D. Howard and Madelaine R. Drummond, his wife, executed and delivered to the respondent, R. C. Drummond, a warranty deed purporting to convey the land hereinabove described as awarded to Grace Entokah Abbott, which deed was placed of record in the office of the County Clerk of Osage County, Oklahoma, and recorded in Book 73 of Warranty Deeds, at page 132.

The Court further finds that the title acquired by Patricia Butler Waters to

Southeast quarter of the Southeast Quarter of Section Eight; Lots One, Two and Four; Northwest Quarter of Northwest quarter of Section Sixteen, Township Twenty-three North, Range Four East, Osage County, Oklahoma,

and the title acquired by Grace Entokah Abbott to the

Northwest quarter of Northwest quarter of Section Twenty-six; North Half of Northeast Quarter of Section Twenty-seven, Township Twenty-five North, Range Six East, Osage County, Oklahoma,

under the partition proceedings in the District Court of Osage County, Oklahoma, upon the approval of said deeds and the decree in the partition proceedings by the Secretary of the Interior, without restrictions, the two heirs became the owners of the land in question by purchase free from all restrictions.

DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1937 TERM-EQUITY SESSION    TULSA, OKLAHOMA    THURSDAY, APRIL 18, 1938

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The Court further finds that Section 3 of the Act of Congress of February 1925, reimposed restrictions upon the land involved herein. That said lands were acquire by inheritance and then by reason of partition proceedings, and the estate was changed to of purchase, and that by Section 3 of the Act of Congress of February 22, 1925, restricti were reimposed upon the alienation of said land. That the land involved was restricted a date of the conveyances hereinbefore described, restrictions having been re-imposed, and said conveyances are void.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the purported warranty dated April 7, 1931, from complainant's ward, Patricia Butler Waters to the respondent, D Howard, recorded in the office of the County Clerk of Osage County, Oklahoma, in book 71, page 422; the purported mortgage dated April 13, 1931, from the respondent, D. C. Howard, respondent, American National Bank of Pawhuska, Oklahoma, recorded in the office of the Co Clerk of Osage County, Oklahoma in book 58, at page 394; the purported warranty deed dated April 1, 1933, from the respondent, D. C. Howard, to the respondent, Joseph S. Westerheide, corded in the office of the County Clerk of Osage County, Oklahoma, in book 74, at page 27; purported warranty deed dated April 20, 1931, from complainant's ward, Grace Entokah Abbot the respondent, Alfred A. Drummond, recorded in the office of the County Clerk of Osage Co Oklahoma, in book 71, at page 456; the purported mortgage dated October 11, 1932, by the r pondent, Alfred A. Drummond, to the respondent, the First National Bank of Hominy, Oklaho corded in the office of the County Clerk of Osage County, Oklahoma, in book 60, at page 15; purported warranty deed dated December 8, 1932, from the respondent, Alfred A. Drummond ar laine R. Drummond, his wife, to the respondent, R. C. Drummond, recorded in the office of County Clerk of Osage County, Oklahoma, in book 73, at page 132, be, and they hereby are c set aside and held for naught.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the respondents, D. C. Ho: American National Bank of Pawhuska, Oklahoma, Joseph S. Westerheide, Alfred A. Drummond, c wise known as A. A. Drummond, Madelaine R. Drummond, First National Bank of Hominy, Oklaho and R. C. Drummond, and each of them, and any person claiming by, through or under them, c either of them, be, and they hereby are perpetually enjoined from claiming or asserting an right, title, interest or estate of whatsoever nature in or to the land hereinabove descri virtue of the instruments set out herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the land set to Patricia Butler Waters, described as the

Southeast Quarter of the Southeast Quarter of Section Eight; Lots One, Two and Four; Northwest Quarter of Northwest Quarter of Section Sixteen, Townsh Twenty-three North, Range Four East, Osage County, Oklahoma,

be, and the same hereby is quieted and settled in the said Patricia Butler Waters.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the land set to Grace Entokah Abbott, described as the

Northwest Quarter of the Northwest Quarter of Section Twenty-six; North Half of Northeast Quarter of Section Twenty-seven, Township Twenty-five North, Range Six East, Osage County, Oklahoma,

be and the same hereby is quieted and settled in the said Grace Entokah Abbott.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the complainant, the Unit States of America, recover its costs herein from the respondents, D. C. Howard, American N al Bank of Pawhuska, Oklahoma, Joseph S. Westerheide, Alfred A. Drummond, otherwise known: A. A. Drummond, Madelaine R. Drummond, First National Bank of Hominy, Oklahoma, and R. C. and each of them; to which decree respondents, and each of them, except, and exceptions ar allowed.

No. 863 Equity Cont'd.

F. E. KENNAMER  
JUDGE

O.K. G. E. BAILEY United States Attorney  
CHESTER A. BRADY, Assistant United States  
Attorney.  
Attorneys for Complainant.

WM. S. HAMILTON  
J. I. HOWARD  
Attorney for Respondents.

ENDORSED: Filed Apr 18 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to April 19, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, APRIL 19, 1935

On this 19th day of April, A. D. 1935, the District Court of the United States  
pursuant to adjournment.

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

GEORGE KRELL, Plaintiff, )  
vs. ) No. 888 In Equity. ✓  
THE BOVAIRD SUPPLY COMPANY, a )  
corporation, Defendant. )

D E C R E E

This cause came on to be heard at this term on this 11th day of September, 1934,  
the plaintiff appeared by his attorneys, Silverman, Rosenstein & Fist, by Mr. C. H. Rosen-  
stein of Tulsa, Oklahoma and Mr. T. L. Blakemore, of Sapulpa, Oklahoma, and the defendant  
appeared by its attorneys, Banks, O'Brien & McVey of Independence, Kansas, by Mr. W. N. Banks  
of Independence, Kansas.

The evidence was submitted and the cause argued by counsel, and thereupon, upon  
consideration thereof, the Court filed its Memorandum Opinion herein upon March 19, 1935, and  
Findings of Fact and Conclusions of Law were filed upon the 19th day of April, A. D., 1935.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that:

- (1) Judgment is rendered herein in favor of the defendant and against the plaintiff  
and that plaintiff take nothing by his suit.
- (2) That the costs be paid by the plaintiff.



Court convened pursuant to adjournment, Monday, April 22, 1935.

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

CREDIT ALLIANCE CORPORATION, a corpora- )  
tion, and GRAVER CORPORATION, a corpora- )  
tion, ) Plaintiffs, )  
vs. )

BECKETT COMPANY, INC., a corporation, WESTERN )  
OIL CORPORATION, a corporation, TRAVIS-SESTER ) No. 636 Equity ✓  
REFINING COMPANY, a corporation, J. F. DARBY, C. F. )  
LYNDE, J. R. TRAVIS, I. H. PATTON, JR., CARL )  
PURSEL, and GERALDINE H. SNEDDEN and THE FIRST )  
NATIONAL BANK & TRUST COMPANY OF TULSA, a national )  
banking corporation, Executors of the Estate of )  
George William Snedden, Deceased, )  
Defendants. )

O R D E R

On motion of Jenkins Petroleum Process Company for leave to file a petition of intervention in the above-entitled suit, and said motion having been fully considered,

It is ordered, that the said motion hereby is granted and that the Jenkins Petroleum Process Company hereby is permitted to file its petition of intervention in the above-entitled cause.

F. E. KENNAMER  
U. S. District Judge

Entered:

Dated: April 22, 1935.

ENDORSED: Filed Apr 22 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

North American Car Corporation, )  
a corporation, ) Plaintiff, )  
vs. ) No. 802 Equity. ✓  
White Oak Corporation, a corpora- )  
tion, et al, ) Defendants. )

O R D E R

The receiver herein is authorized and directed to pay to Geo. H. Lessley the sum \$300.00 for transcribing the evidence taken in a hearing heretofore had in this cause in the of the intervention of the Shell Petroleum Corporation, et al, and to take the receipt of Geo. H. Lessley therefor.



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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,    )  
  Plaintiff    )  
  ) No. 873 Equity    ✓  
  )                    )  
vs.    )  
  )                    )  
EXCHANGE NATIONAL COMPANY,                    Defendant.    )

ORDER AUTHORIZING SALE

THIS CAUSE COMING on to be heard on this the 22nd day of April, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company to offer for and sell to L. B. Prather, or any other person, firm or corporation, who, at the time of may offer a higher or better bid, the following described premises:

Lot 1 of Section 28 and Lots 3 & 4 of Section 21, all in Township 25 North, Range 24 East, Delaware County, Oklahoma,

provided said sale so made shall not be for less than \$1500.00, in cash, \$100.00 of which has been paid as earnest money, as more fully set forth in said application, and subject terms and conditions set forth in said application, and the court finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the pre finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said Rex Watkinson, be and he is hereby authorized and empowered forthwith to offer for sale and sell to L. B. Prather, or a other person, firm or corporation, who offers a higher or better bid, said aforescribed provided said proposed sale is advertised and conducted in conformity with the applicable of the United States and the terms and conditions of said application, and that he be further directed, authorized and empowered to do all other things necessary and proper in order to and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 22 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

In Re: Exchange National Company, A            )  
Receivership,                                    (    No. 873 Equity    ✓  
Rex Watkinson, Receiver.                    )

ORDER AUTHORIZING RECEIVER OF EXCHANGE NATIONAL COMPANY TO BE SUED.

Now on this 22nd day of April, 1935, comes the said Central Life Assurance Society, (Mutual) A Corporation, by its attorney and presents its application asking for authority to sue Rex Watkinson, Receiver of Exchange National Company, a corporation, in the District Court of McCurtain County, for the foreclosure of a mortgage covering the following described lands and premises:

The 1/2 of Section 35, less 6.62 acres for Railway right of way; and the 1/2 of Section 36, less 6.62 acres for Railway right of way in Township 8 South, Range 26 East of the Indian Base and Meridian; and the South 18.71 acres of Lot 3; and all of Lot 4 of Section 18 in Township 10 South, Range 27 East of the Indian Base and Meridian, all in McCurtain County, Oklahoma, containing 682.81 acres of land more or less according to the Government survey thereof.

And it appearing from said application and from the evidence introduced to said Central Life Assurance Society is the holder of a first mortgage on the above described lands, and that the same is in default, and that the said Central Life Assurance Society (Mutual), a Corporation, is seeking to foreclose its said mortgage, and that it is necessary in order to perfect title when the foreclosure is completed that the said Receiver, REX WATKINSON, be made a party defendant in said action for the reason that there is a second mortgage of the Exchange National Company, the same being subsequent to the mortgage of the said Central Life Assurance Society, (Mutual) a corporation. The court therefore finds that the authority prayed for should be granted.

IT IS THEREFORE, by the court ordered, considered, adjudged and decreed that the said Central Life Assurance Society, (Mutual), a Corporation be and it is hereby authorized to file suit against the said Rex Watkins n, Receiver of the said Exchange National Company a Corporation, in a action in the District Court of McCurtain County, Oklahoma, wherein the said Central Life Assurance Society, (Mutual) a Corporation is plaintiff and William Spencer, July B. Spencer and Rex Watkinson, Receiver, of the Exchange National Company, a Corporation defendants.

O.K. HAGAN & GAVIN Attys for Rex  
Watkinson, Receiver of Exchange  
National Company.  
F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 22 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, Plaintiff, )  
-vs- ) NO. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, Defendant. )

ORDER GRANTING PERMISSION TO SUE RECEIVER

This cause coming on to be heard on the application of C. B. Cannon for permission to sue Rex Watkinson, Receiver of Exchange National Company in cause No. 18979 in the District Court of Seminole County, Oklahoma, involving the quieting of title to the following described land, situate in Seminole County, Oklahoma, to-wit:

The West Half (W<sup>1</sup>/<sub>2</sub>) of the Northwest Quarter (NW<sup>1</sup>/<sub>4</sub>) of Section Thirty-three (33), Township Ten (10) North, Range Six (6) East,

and a determination of heirship, and the Court having read said application, and finding that the court has jurisdiction to entertain the same and enter an order thereon and finding that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED and DECREED that said ap-  
tion be and the same is hereby sustained and that the said applicant be and he is hereby  
leave to sue the said Rex Watkinson, Receiver of Exchange National Company in said cause  
action above described.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 22 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE DOW CHEMICAL COMPANY, a )  
corporation, ) Plaintiff )  
vs. ) In Equity No. 968 ✓  
WILLIAMS BROTHERS WELL TREATING )  
CORPORATION, a corporation, ) Defendant. )

O R D E R

The above entitled cause coming before the Court on stipulation of the par-

IT IS HEREBY ORDERED:

That the time for docketing the above entitled case and filing the record  
of in the Court of Appeals be and the same hereby is extended to and including June 19, 1

F. E. KENNAMER  
Judge, United States District Court

April 22, 1935.

ENDORSED: Filed Apr 22 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to April 23, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, APRIL 23, 1935

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Court convened pursuant to adjournment, Tuesday, April 23, 1935.

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

UTILITIES PRODUCTION CORPORATION, )  
Plaintiff, )  
vs. ) No. 560 Equity. ✓  
THE CARTER OIL COMPANY, )  
Defendant. )

ORDER APPOINTING SPECIAL MASTER.

Now on this the 23rd day of April, 1935, upon consideration of the decree fore entered in this cause and the mandate of affirmance by the United States Circuit Court of Appeals for the Tenth Circuit, and the plaintiff being present by its attorney of record, Lundy, and the defendant being present by its attorney of record, James A. Veasey, the court is of the opinion that a special master should be appointed in this cause to take the evidence and the accounting which has heretofore been reserved in the opinion and decree of the Court, no objection being made to the appointment of a special master, it is now here ordered that Preston C. West, of Tulsa, Oklahoma, be, and he is hereby appointed a special master, with powers of a Master in Chancery to take the evidence on the accounting in the above styled numbered cause, in accordance with the provision for an accounting contained in the decree of this Court, entered in said cause on February 10, 1933, and in accordance with the opinion of said Court, and with the opinion of the United States Circuit Court of Appeals affirming the same.

It is further ordered that the said special master, after taking the said evidence, shall report the same to the Court, with his findings of fact, conclusions of law and recommendations for a decree, all subject to examination, consideration, approval, modification or disposal by the Court.

It is further ordered that when the special master's report of his findings of fact, conclusions of law and recommendations for a decree is completed, that the same shall be filed with the clerk of this Court, and a copy of such report shall be delivered by him to the respective counsel for the parties, who shall file and present their exceptions thereto, if any, within the time allowed by law and the rules of this court.

In taking said evidence the special master shall have authority to employ stenographic help for the taking and transcribing of said evidence, and the allowance to the special master and the compensation of such stenographic services shall be charged against the parties, to be borne by the parties, in such proportions as the Court hereafter may direct.

DATED this 23rd day of April, 1935.

F. E. KEMMNER  
Judge.

ENDORSED: Filed Apr 23 1935  
H. P. Warfield, Clerk  
U. S. District Court DC

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W. G. ARN, )  
Plaintiff, )  
-vs- ) No. 316 - Equity. ✓  
OPERATORS ROYALTY CO. ET AL, )  
Defendants. )

Now on this 23rd day of April, A. D. 1935, the above styled cause comes on for the continuance of hearing. All witnesses are sworn in open court and the rule invoked. The plaintiff introduces depositions of W. G. Arn, and testimony of the following witnesses: Mr. Tiedeman

No. 816 Equity, Cont'd.

Mr. Pearilat, R. A. Morrison. and thereafter, the noon hour having arrived, court is rec to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., court is again in session. All part present as heretofore. The Plaintiff continues with the testimony of the following witne Ray M. Dunnett, Steve B. Nelson. and thereafter, the hour for adjournment having arrived court is adjourned to 9:30 o'clock A.M., April 24, 1935.

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, Defendant. )

ORDER AUTHORIZING RECEIVER TO TRADE IN OLD CAR ON A  
NEW CAR.

THIS CAUSE COMING on to be heard on this the 23rd day of April, 1935, on t verified application of Rex Watkinson, Receiver of Exchange National C mpany, for an ord authorizing and empowering him to purchase a new moderate priced car, and trade in the ol now owned by said receivership, the cost price over and above the price received for the not to exceed the sum of \$750.00, and the court having read said application, and finding it has jurisdiction to entertain the same and enter an order thereon, and being fully adv the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED, that said a tion be and the same is hereby sustained, and the said Rex Watkinson, be and he is hereby rected, authorized and empowered to purchase a new car for said receivership, and to trad now owned by said receivership in on the new car, with the balance of the purchase price : exceed the sum of \$750.00, and said receiver is further directed, authorized and empowere do all other things necessary and proper in order fully and effectually to accomplish the and spirit of the application and this order.

F. E. KENAMER  
United States District Court.

ENDORSED: Filed Apr 23 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, Defendant. )

ORDER AUTHORIZING EXECUTION OF EXTENSION AGREEMENT

This cause coming on to be heard on this the 23rd day of April, 1935, on th



No. 816 Equity, Cont'd.

Thereupon, the Plaintiff continues with the reading of cross examination of Ray M. Dunne taken in Sapulpa and further testimony of Steve B. Nelson. And thereafter, it is ordered by the Court that case be dismissed on motion of Plaintiff as to Bradshaw Oil and Gas Company. And thereafter, the Plaintiff rests. Thereafter, the Defendants introduce evidence and proof with the following witnesses: Marion Boles and Ray E. Dunnett. And thereafter the hour for adjournment having arrived, court is adjourned to April 25, 1935.

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Court adjourned to April 25, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      THURSDAY, APRIL 25, 1935

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Court convened pursuant to adjournment, Thursday, April 25th, 1935.

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

Samuel J. T. Straus and Melvin L. Straus, as Trustees,	Plaintiffs,	)	
		)	
vs.		)	
		)	EQUITY NO. 780 ✓
Alvin Hotel, Inc., a corporation,	Defendant,	)	
		)	
Robert E. Straus, and Edward R. Heinsimer, as Trustees,	Interveners.	)	

O R D E R

NOW on this 25th day of April, 1935, on consideration of the application of Receivers herein, it is ordered and adjudged that the said Receivers be and are hereby authorized and directed to pay the last half of the 1934 taxes assessed against the Alvin Hotel property amounting to \$5,920.77 by their check drawn on the Special Deposit in the First National Bank and Trust Company of Tulsa, Tulsa, Oklahoma.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 25 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      THURSDAY, APRIL 25, 1935

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its attorney, Chester A. Brewer, Assistant United States Attorney, for the Northern District of Oklahoma, and moves the Court to confirm a sale of real estate made by the United States Marshal for said district, under a writ of execution and order of sale issued out of the office of Clerk of the United States District Court for said District, on the 26th day of Feb., 1935, the sale being of the following described property, to-wit:

Lot 8, Block 19, original town of Fairfax, Oklahoma, Osage County.

And the Court having examined the proceedings of said sale by United States Marshal under said writ and order, finds that said proceedings have been performed in all respects in conformity to law, and that no exceptions have been filed and no objections made to said sale.

It is therefore ordered by the Court that said sale and the proceedings thereunder, and the return thereof, be, and the same are hereby approved and confirmed in all things.

It is further ordered by the Court that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by said return, to the heirs of Amanda Claremore, deceased, Osage Allottee No. 308, the mortgagee herein, a good and sufficient marshal's deed for the premises so sold, restrictions on alienation of said land without the approval of the Secretary of the Interior, to be retained.

O.K. CHESTER A. BREWER  
Assistant United States Attorney.

F. E. KENNAUER  
JUDGE

ENDORSED: Filed Apr 25 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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W. G. ARN,	Plaintiff, )	
	) )	
-vs-	) No. 816 - Equity. ✓	
	) )	
OPERATORS ROYALTY CO. ET AL.,	Defendants. )	

Now on this 25th day of April, A. D. 1935, the above cause comes on for consideration of trial. The Defendants continue with the following witnesses: Jno. Wheeler, Glen W. Johnson, Defendant Operators Royalty Co. and Dunnett, Mr. and Mrs. Dan Dunnett, Mr. Claud & Disney. And thereafter, the Defendants rest. Thereupon, the Plaintiff offers in rebuttal testimony Steve Nelson. And thereafter, the noon hour having arrived, court is recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in session. All parties present as heretofore. Now at this time, Intervener Randerson introduces the following testimony: R. S. Randerson, Steve B. Nelson. And thereafter, all parties rest. Thereupon, the Defendants move for judgment herein; Plaintiffs move for judgment herein. Thereupon, it is ordered by the Court that said case be and it is hereby taken under advisement. Plaintiff given fifteen (15) days to file brief herein. Defendants given fifteen (15) days to file answer brief.

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

G. W. FRAZIER, Plaintiff, )  
v. ) No. 927 Equity ✓  
THE CARTER OIL COMPANY, Defendant. )

O R D E R

For good cause shown the time for the filing of the report of the master by extended to May 10, 1935.

Dated at Topeka, Kansas, this 25th day of April, 1935.

ENDORSED: Filed Apr 26 1935  
H. P. Warfield, Clerk  
U. S. District Court

GEO. T. McDERMOTT  
Judge.

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Court adjourned to April 29, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, APRIL 29, 1935

Court convened pursuant to adjournment, Monday, April 29th, 1935.

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

Samuel J. T. Straus and Melvin L. Straus, as Trustees, Plaintiffs, )  
vs. ) EQUITY NO. 780 ✓  
Alvin Hotel, Inc., a corporation, Defendant, )  
Robert E. Straus, and Edward R. Heinsimer, as Trustees, Interveners. )

O R D E R

The application of A. B. Honnold, attorney at law, for allowance of compensation as attorney for the former and present receivers herein, has been presented to the Court, and Court being fully advised in the premises finds that applicant is entitled to allowance and at this time of an additional sum on account for services rendered:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that E. J. Bowers and S. J. Stewart, receivers, be authorized and directed to pay to A. B. Honnold, as partial payment on account for services rendered as attorney for the said receivers, the additional sum of \$500.

Dated this 29 day of April, 1935.

F. E. KENNAMER  
 District Judge.

ENDORSED: Filed Apr 29 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,	)	
	Plaintiff	)
vs.	)	No. 873 Equity ✓
	)	)
EXCHANGE NATIONAL COMPANY,	Defendant.	)

ORDER AUTHORIZING PAYMENT OF TAXES

THIS CAUSE COMING on to be heard on this the 29th day of April, 1935, on a verified application of Rex Watkinson, Receiver of Exchange National Company, for an order authorizing him to withdraw from the general funds of the Exchange National Company receivership of \$5,194.81 in order to pay the delinquent taxes on city and farm properties belonging to Exchange National Company receivership, as shown by the statements marked exhibits 1 and 2 attached to the application, and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises, that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained; and the said receiver is directed, authorized and empowered to withdraw from the general funds of the Exchange National Company Receivership the sum of \$5,194.81 and pay the taxes due on city and farm properties belonging to said receivership, as indicated by the exhibits attached to said application, and said receiver is further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to carry out the letter and spirit of the application and this order.

F. E. KENNAMER  
 United States District Judge

ENDORSED: Filed Apr 29 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,	)	
	Plaintiff	)
vs.	)	No. 873 Equity ✓
	)	)
EXCHANGE NATIONAL COMPANY,	Defendant.	)

ORDER AUTHORIZING COMPROMISE OF INDEBTEDNESS AND RELEASE OF JUDGMENT

THIS CAUSE COMING on to be heard on this the 29th day of April, 1935, on the application of Rex Watkinson, receiver of Exchange National Company for authority to compromise indebtedness and release a judgment in cause No. 4015, in the District Court in and for Marshall County, Oklahoma which judgment was obtained on May 5th, 1931, against W. G. Sterling, in the

\$89.46, together with interest and costs, and accept in compromise of said indebtedness the \$35.00, and the court having read said application and being fully advised in the premises, finding that it has jurisdiction to entertain the same and enter an order thereon, finds th application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said ap tion be and the same is hereby sustained, and the said Rex Watkinson, Receiver of Exchange Company, be and he is hereby directed, authorized and empowered to compromise said indebted for the sum of \$35.00, and release the above described judgment, and do all other things ne and proper in order fully and effectually to accomplish the letter and spirit of the applic and this order.

ENDORSED: Filed Apr 29 1935  
H. P. Warfield, Clerk  
U. S. District Court AC

F. E. KENNAMER  
United States District Judge

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER APPROVING FINAL REPORT AND ACTION RELINQUISHING ASSETS,  
AND EXECUTION OF RECEIPT

This cause coming on to be heard on this 29th day of April, 1935, on the v application of Rex Watkinson, Receiver of Exchange National Company for an order approving final report of his account prepared in connection with the administration of that certain known as Trustee Account #4, and approving his action in relinquishing unto C. H. Sweet, J. Denton, and F. M. Sowle, Trustees of Account #4, that certain property which he has heretof in his possession and under his control pursuant to an order of this court, and the court f that an order has heretofore been entered directing said receiver to relinquish said proper said trustees, and the court finding that it has jurisdiction to entertain said application enter an order thereon, and being fully advised in the premises finds that said application be sustained.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that the final of said receiver attached hereto as Exhibit #1, be approved and that the action of said rec in relinquishing said property represented by the receipt attached as Exhibit #2 to the for application, be and the same are hereby approved, and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that the receipt by said receiver for said property so relinquished, be and the same is hereby approved.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Apr 29 1935  
H. P. Warfield, Clerk  
U. S. District Court

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, APRIL 29, 1935

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,	)		
	Plaintiff	)	
vs.		)	No. 873 Equity ✓
		)	
EXCHANGE NATIONAL COMPANY,	Defendant.	)	

ORDER AUTHORIZING PAYMENT OF TAXES ON PROPERTIES HYPOTHECATED TO  
J. A. CHAPMAN IN TRUSTEE ACCOUNT NO. ONE

THIS CAUSE COMING on to be heard on this the 29th day of April, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company, for an order authorizing, directing and empowering him to withdraw the sum of \$19,554.38 from Trustee No. 1 General Fund in the National Bank of Commerce of Tulsa, Oklahoma, and thereupon deposit the same in the Trustee No. 1 Operating Account in the National Bank of Commerce, Tulsa, Oklahoma in order to pay the taxes due on city and farm properties which have been hypothecated to J. A. Chapman in Trustee Account No. 1, and as indicated by the exhibit attached to said application, and the court having read said application and finding that it has jurisdiction to entertain the same, do hereby enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said Rex Watkinson, Receiver of Exchange National Company, be and he is hereby directed, authorized and empowered to withdraw the sum of \$19,554.38 from Trustee No. 1 General Fund in the National Bank of Commerce of Tulsa, Oklahoma, and to deposit the same in the Trustee No. 1 Operating Account in the National Bank of Commerce, Tulsa, Oklahoma, in order to pay the taxes on the city and farm properties hypothecated to J. A. Chapman in Trustee No. 1 Account, which properties are shown on the exhibit attached to said application, and your receiver be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of said application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Apr 29 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,	)		
	Plaintiff,	)	
vs.		)	No. 873 Equity ✓
		)	
EXCHANGE NATIONAL COMPANY,	Defendant.	)	

ORDER AUTHORIZING BID AT SHERIFF'S SALE

THIS cause coming on to be heard on the 29th day of April, 1935, on the verified application of Rex Watkinson, Receiver of Exchange National Company, for an order directing and empowering him not to bid less than \$750.00 nor more than \$1350.00 at that sheriff's sale on the 6th day of May, 1935, in connection with the case of Exchange National Company vs. Dend Cause 16782, in Garvin County, Oklahoma covering and affecting a foreclosure mortgage on:

N $\frac{1}{2}$  of SE $\frac{1}{4}$  and E $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; and SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of SW $\frac{1}{4}$  and

$3\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 29, Township 2 North, Range 3 West,  
containing 170 acres,

and the court having read said application and being fully advised in the premises, and finding that it has jurisdiction to entertain the same and enter an order thereon, finds that said application should be sustained.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said Rex Watkinson Receiver of Exchange National Company be and he is hereby directed, authorized and empowered to bid at said sheriff's sale above described cause not less than \$750.00 nor more than \$1,350.00, and that he be directed to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

ENDORSED: Filed Apr 29 1935  
H. P. Warfield, Clerk  
U. S. District Court

F. E. KENNAMER  
United States District Judge

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING COMPROMISE OF INDEBTEDNESS, SURRENDER OF NOTE AND  
RELEASE OF MORTGAGE

This cause coming on to be heard on the verified application of Rex Watkinson Receiver of Exchange National Company for a order authorizing and empowering him to compromise indebtedness represented by a note in the sum of \$70.00, together with interest thereon as represented by said note and a mortgage securing the same covering and affecting the following property:

Lots 3 and 4 and the East Half of Southwest Quarter of Section 19,  
Twp. 9 North, Range 14 East,

and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon and being fully advised in the premises finds that said application should be sustained.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said Rex Watkinson, Receiver of Exchange National Company be, and he is hereby directed, authorized and empowered to compromise said indebtedness more fully described in said application hereinabove upon the payment of \$70.00 surrender of note securing the same, and releasing said mortgage and to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of said application this order.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Apr 29 1935  
H. P. Warfield, Clerk  
U. S. District Court  
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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

SPECIAL MARCH 1935 TERM-EQUITY SESSION      TULSA, OKLAHOMA      TUESDAY, APRIL 30, 1935

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W. J. Carl, for repairs on garage at 2519 So. Cincinnati.....	\$2.25
Guy W. Johnson, Fire Insurance Premium on dwelling and garage, 2519 So. Cincinnati,.....	23.45
Court Clerk of Osage County, Oklahoma, balance due on costs in Tal- butt foreclosure.....	1.00
County Clerk of Osage County, Oklahoma, recording Talbutt Deed...	1.75

The Court further finds that the following bills, being now past due and should be paid by said Receiver, to-wit:

Taxes due on Lots 7 and 8, Block 4, Pawhuska, Oklahoma.....	279.77
Pawhuska Abstract & Title Co., Insurance Premium on Dwelling on Lot 11, Block 38, Original Town of Pawhuska, Oklahoma.....	17.50
A. D. Plumbing Company, supplies furnished and plumbing done at 2519 So. Cincinnati, Tulsa, Okla. Dec. 29, 1934, \$2.25; Jan. 2. 1935, \$3.56 and Apr. 23, 1935, \$1.50, making a total due of.....	7.31
General Taxes due on Lot 20, Blk. 7, Sunset Terrace Addition to Tulsa, Oklahoma.....	116.35
General taxes due on Lot 9, Block 7, Ridgewood Addition to the City of Tulsa, Oklahoma, for 1933 and 1934.....	511.38

IT IS THEREFORE, By the Court, ORDERED, ADJUDGED AND DECREED that C. S. W Receiver herein, be, and he is hereby directed and instructed to draw his check as such Receiver and deliver same to the parties heretofore mentioned in this order, for the above-listed and paid bills, taking their receipted bills for same. And, it is further ordered that the above-listed paid bills be, and the same are hereby approved by this Court.

O.K. C. E. BAILEY  
U. S. Atty.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 30 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

UNITED STATES OF AMERICA, Complainant, )  
-vs- ) No. 674 Equity ✓  
ROSA MASHUNKASHEY, et al., Respondents. )

ORDER

Now on this the 30th day of April, 1935, this matter came on to be heard : application heretofore filed herein, by C. S. Walker, the Receiver heretofore appointed he: for an allowance of One Hundred Dollars (\$100.00) per month to cover the months of February April, 1935, and the Court, having heard said application and being advised in the premise: that the Court has heretofore made allowances on fees in the sum of \$100.00 per month to se ceiver, and that said Receiver should be allowed said amount for said four months above mer

IT IS THEREFORE, by the Court, ORDERED, ADJUDGED and DECREED, thatthe Rece and he is hereby allowed on his fee the sum of \$100.00 per month for the months of February April, 1935, and that said receiver be, and he is hereby directed and instructed to draw hi check payable to himself, for said amount.

O.K. C. E. BAILEY U. S. Atty. F. E. KENNAMER JUDGE.

ENDORSED: Filed Apr 30 1935  
H. P. Warfield, Clerk  
U. S. District Court

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STANDISH HALL, TRUSTEE, ET AL, Plaintiffs, )  
-vs- ) No. 708 - Equity. ✓  
THE KNIGHT REALTY CO. A CORP. )  
ET AL, Defendants. )

Now on this 30th day of April, A. D. 1935, there comes on for hearing moti judgment on supersedeas bond. Thereafter, C. P. Chandler is sworn and examined by the Cour And thereafter, the noon hour having arrived, court is recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in all parties present as heretofore. Thereupon, the Plaintiff continues with the testimony c Chandler. And thereafter, the Plaintiff rests. Thereafter, the Defendant and Sureties int the testimony of Ada Sanders. And thereafter, both sides rest. And thereafter, the Defend move for a decree herein, which motion is overruled by the Court and exception allowed. An after, it is ordered by the Court that Decree for Plaintiff be entered for \$350.00 per mont time property was in possession under supersedeas bond, all as per journal entry to be file Exception allowed. Defendant, et al, given ten (10) days to supersede or vacate. Supersed fixed at the sum of \$10,000.00. It is further ordered by the Court that motion for new tri set for May 9, 1935.

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

LINCOLN NATIONAL LIFE INSURANCE COMPANY,	Complainant	)	
		)	IN EQUITY NO. 873 ✓
vs.		)	
		)	
EXCHANGE NATIONAL COMPANY,	Defendant.	)	

O R D E R

Now, on this 30th day of April, 1935, this matter came on for hearing upon application of the Receiver for authority to release certain collateral deposited with the Exchange National Company as security for the obligations of H. M. McMillin, W. H. Clarke, S. Grimes and Morris Kohlmann, hereinafter referred to as Sureties, and to join with J. H. McMillin as successor Trustee of Exchange National Bank of Tulsa, in executing a covenant not to sue said Sureties upon a \$25,000.00 note dated August 28, 1929; and the court being fully advised in the premises;

IT IS ORDERED, ADJUDGED AND DECREED, that Rex Watkinson, Receiver of Exchange National Company, be, and he hereby is, authorized and directed to join with the said J. H. McMillin in executing said Covenant Not to Sue, and to release all collateral belonging to the said Sureties, or either of them, and said Receiver is specifically authorized and directed to execute a release of the following insurance policies deposited with said Exchange National Company as collateral to the obligations of said Sureties:

Policy No. 459339, issued by the Travelers Insurance Company to Morris Kohlmann, in the sum of \$5,000.00;

Policy No. 8284583, issued by the New York Life Insurance Company to Morris Kohlmann, in the sum of \$1,500.00;

Policy No. 8284852, issued by the New York Life Insurance Company of New York to Morris Kohlmann, in the sum of \$2500.00;

F. E. KENNAMER  
District Judge.

ENDORSED: Filed Apr 30 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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

HOWARD GRAY, as Executor of the Estate of Julia S. Pearman, deceased,	)	
Plaintiff,	)	
	)	
vs.	)	
	)	In Equity No. 877 ✓
EXCHANGE NATIONAL COMPANY, a corporation, REX WATKINSON, as Receiver of EXCHANGE NATIONAL COMPANY, a corporation, EXCHANGE NATIONAL BANK OF TULSA, OKLAHOMA, and JAMES A. CHAPMAN,	)	
Defendants.	)	

ORDER AUTHORIZING TRUSTEE TO EXECUTE COVENANT NOT TO SUE.

On this 30th day of April, 1935, upon the verified application of J. H. McMillin



IT IS FURTHER ORDERED that R. W. Kellough as counsel for plaintiff herein and he hereby is, granted and allowed the sum of \$250.00 for his services in and for the institution of this action, and that Lashley & Rambo be, and they hereby are, granted and allowed of \$250.00 for their services as attorneys for the said receivers herein; which said amount hereby taxed as costs and directed to be paid by said defendant corporation.

DONE in open Court this the day and year first above set forth.

F. E. KENNAMER  
 District Judge.

ENDORSED: Filed Apr 30 1935  
 H. P. Warfield, Clerk  
 U. S. District Court ME

MRS. S. E. CORPENNY, Plaintiff, )  
 -vs- ) No. 1033 - Equity. ✓  
 STANDISH HALL, ET AL, Defendants. )

Now on this 30th day of April, A. D. 1935, it is ordered by the Court that to dismiss herein be and it is hereby sustained. Exception allowed. Plaintiff given ten days to amend.

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 Court adjourned to March 6, 1935.

Court convened pursuant to adjournment, Monday, May 6th, 1935.

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

United States of America, Plaintiff, )  
 vs. )  
 Ralph Hughes, County Treasurer of Osage County, ) No. 488 Equity ✓  
 Fred Whiting, County Assessor of Osage County, T. L. )  
 Lillard, Earl Gray and F. E. Pennell, Board of County )  
 Commissioners of Osage County, and Homer O'Dell, Tax )  
 Ferret of Osage County, Defendants. )

ORDER EXTENDING TIME IN WHICH TO PREPARE, SERVE AND FILE RECORD.

Now, on this 3rd day of May, 1935, the defendants in the above entitled cause having filed their petition praying an appeal in the above cause to the Circuit Court of Appeals the Tenth Circuit, and said appeal having heretofore been allowed and it appearing to the court that it is necessary that said defendants have an extension of time in which to prepare, serve and file a record in said cause, the court finds that good and sufficient cause exists for such extension of time. it is therefore.



IT IS FURTHER ORDERED that the receiver take receipts from the proper parties evidencing the payment of said sums and file the same with the Clerk of this Court upon which his discharge and release shall become complete.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed May 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, )  
Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, )  
Defendant. )

ORDER AUTHORIZING EXECUTION AND DELIVERY OF ASSIGNMENTS AND RE-LEASES OF MORTGAGES

This cause coming on to be heard on this 6th day of May, 1935, on the verified application of Rex Watkinson, Receiver of Exchange National Company, to execute and deliver C. H. Sweet, F. M. Sowle and J. C. Denton, Trustees for J. A. Chapman in that certain account known as Trustee Account No. 4, certain assignments of mortgages heretofore in the possessive control of Rex Watkinson, Receiver of Exchange National Company and the general assets in which account were relinquished unto said trustee by a former order of this court, and likewise to execute and deliver releases of mortgages in said same account as and when the same are requested, the execution and delivery thereof by said receiver has been approved by said trustees, and the court having read said application and finding that it has jurisdiction to entertain the same and to make an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained and the said Rex Watkinson be and he is hereby directed, authorized and empowered to assign to C. H. Sweet, F. M. Sowle and J. C. Denton, Trustees for J. A. Chapman in that certain account known as Trustee Account No. 4, any and all mortgages which heretofore been in the possession and under the control of Rex Watkinson, Receiver of Exchange National Company, but which have recently been delivered unto said trustees pursuant to the order of this court; and that he likewise be directed, authorized and empowered, as and when required to deliver releases of mortgages in said same account provided the execution and delivery thereof by the said Rex Watkinson, Receiver of Exchange National Company, has been duly approved by said trustees and that he be further directed, authorized and empowered to surrender any and all evidence of indebtedness secured by said mortgages and that he be further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of said application and this order.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed May 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

THE LINCOLN NATIONAL LIFE INSURANCE )  
COMPANY, Plaintiff, )  
vs. ) No. 873 Equity ✓  
EXCHANGE NATIONAL COMPANY, Defendant. )

ORDER AUTHORIZING DEPOSIT OF FUNDS

This cause coming on to be heard this 6th day of May, 1935, on the verification of Rex Watkinson, Receiver of Exchange National Company, for an order authorizing, and empowering him to deposit funds in the sum of \$74,300.00 received from the sale of Owners' Loan Corporation bonds and the sum of \$2,300.00 derived from the sale of Federal Farm Mortgage Corporation bonds in a Special Time Account Trustee Account #1 in the National Bank of Tulsa, Tulsa County, Oklahoma, and the court having read said application and finding that jurisdiction to entertain the same and enter an order thereon and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained and the said Rex Watkinson be and he is hereby directed, authorized, and empowered forthwith to deposit the proceeds derived from the sale of Home Owners' Loan Corporation bonds and proceeds derived from the sale of Federal Farm Mortgage Corporation bonds in the National Bank of Tulsa, Tulsa County, Oklahoma, in a Special Time Account Trustee Account #1, and the said Rex Watkinson, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the intent and spirit of said application and this order.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed May 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

METROPOLITAN LIFE INSURANCE COMPANY, )  
a corporation, Plaintiff, )  
-vs- ) NO. 933 - IN EQUITY. ✓  
TULSA APARTMENT COMPANY, a corporation, )  
ET AL., Defendants. )

SUPPLEMENTAL AND PARTIAL AMENDATORY DECREE.

On the 2nd day of May, A. D., 1935, this cause comes on to be further heard upon the motion of the defendant State of Oklahoma, ex rel, W. J. Barnett, Bank Commissioner State of Oklahoma, to modify the judgment or decree of this court of February 27, A.D., 1935 upon the response of the plaintiff, Metropolitan Life Insurance Company, to said motion, an argument by counsel and upon due consideration,

IT IS ORDERED, ADJUDGED and DECREED that Section (9) of said decree be modified and amended to read as follows:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, MAY 6, 1935

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(9) It is further ORDERED, ADJUDGED, and DECREED that plaintiff's mortgage its terms includes the rents and income from said premises and is prior to the mortgage of defendant State of Oklahoma, ex rel. W. J. Barnett, Bank Commissioner, and the claims of any parties to this action, provided however, nothing in this Decree shall be construed to decide any controversy, nor to adjudicate any claim in and to the rents and income from said premises held by the State Court or its Receiver. This Court reserves jurisdiction to hear further and to entertain any further proceedings that are necessary to determine all claims of any to this cause to said rents and income from the premises, either accrued or to accrue, in the event the said District Court of Tulsa County, Oklahoma, shall release possession of the premises and/or of the rents and income therefrom except insofar as said claims or controversy over right to said funds or any part or parts thereof, shall have been adjudicated and determined by the order of the District Court of Tulsa County, Oklahoma, prior to its relinquishing jurisdiction in Case No. 51,599, State of Oklahoma, ex rel. W. J. Barnett, Bank Commissioner, Plaintiff vs. Tulsa Apartment Company, et al., defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Section (10) of said Decree be modified and amended to read as follows:

(10) IT IS FURTHER ORDERED, ADJUDGED and DECREED that taxes assessed against mortgaged premises for the years 1933, and 1934, and which are unpaid and delinquent, are a first and prior lien upon the said premises.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said Decree be not considered as vacated or as amended, modified or changed in any respect except as herein set forth, but otherwise remain in full force and effect as originally rendered and entered.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that jurisdiction of this court and the same is hereby retained for the additional purpose of making such other and further orders and decrees as may be necessary or convenient to carry out, enforce, correct, modify, enlarge, amend or change the Decree of this court of February 27, 1935, or this Supplemental and Part Amendatory Decree, in any respect for cause shown, including the appointment of a receiver, for the further purpose of determining the matter of a Decree for deficiency as provided for Rule 10 of the Equity Rules of the Supreme Court of the United States, and for such other purposes as may properly arise.

F. E. KENNAMER  
District Judge.

APPROVED:

MASON, WILLIAMS & FRENCH  
Solicitors for Plaintiff.

ROLLIN E. GISH  
A. KRIETE  
Solicitors for defendant State of  
Oklahoma ex rel. W. J. Barnett,  
Bank Commissioner.

ENDORSED: Filed May 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

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

United States, Complainant, )  
vs. ) No. 1027 Equity ✓  
Allen Butcher, Respondent. )

ORDER OF DISMISSAL

Now on this 6th day of May, 1935, it being shown to the Court that the purpose for which the above suit was instituted has been obtained by the above named respondent vacating the premises involved and delivering up possession of same;

IT IS THEREFORE ORDERED that said cause be, and the same is hereby dismissed.

O.K. CHESTER A. BREWER  
Assistant United States Attorney

F. E. KENNAMER  
JUDGE.

ENDORSED: Filed May 6 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to May 8, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, MAY 8, 1935

Court convened pursuant to adjournment, Wednesday, May 8th, 1935.

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

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

FREDERIC M. WILHELM, ET AL, Plaintiffs, )  
-vs- ) No. 970 - Equity. ✓  
CONSOLIDATED OIL CORP. A CORP. )  
ET AL, Defendants. )

Now on this 8th day of May, A. D. 1935, it is ordered by the Court that certain portions of Bill of Complaint referred to Kansas violating Federal Constitution be and it is stricken on motion of Plaintiffs herein. It is further ordered that all motions to quash be they are hereby taken under advisement.

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Court adjourned to May 9, 1935.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, MAY 9, 1935.

Court convened pursuant to adjournment, Thursday, May 9th, 1935.

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

Standish Hall, Trustee, et al., Complainants, )  
vs. ) No. 708 Equity ✓  
Knight Realty Company, et al., Respondents. )

O R D E R

Now on this 30th day of April, 1935, the above-mentioned cause comes on for hearing upon the motion of the plaintiff Collis Chandler, Trustee, for judgment against the principal and the sureties upon the supersedeas bond, the plaintiff being present by Brooks, B. & Fleeson and H. L. Smith, his attorneys, and the defendants and their sureties being present by F. E. Riddle, their attorney. The said matter is tried to the court, the respective parties in their cases, introduce their evidence, and rest. Whereupon the court finds for the plaintiff that the amount of the damage sustained by the plaintiff covered by the supersedeas bond is an amount of \$350.00 for each month covered by the supersedeas bond, or a total of \$4,340.00. THEREFORE CONSIDERED, ORDERED AND DECREED that the complainant Collis P. Chandler, successor in trust, have and recover of the defendants Cheyenne Arms Apartments, Inc., and Adah C. Sanders and the sureties C. I. Trimble, Cyrus S. Avery, Mary Brockman, and J. E. Buffington, the sum of \$4,340.00; the judgment is limited however to the amount of \$1000.00 as against the surety Mary Brockman. Execution is stayed for a period of ten (10) days from this date. Supersedeas bond to the execution of said money judgment is fixed at the amount of Ten Thousand (\$10,000.00) to be approved by the judge of this court within said period of ten days.

Now on this 9th day of May, 1935, it is CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that the defendants' motion for a new trial of this cause, filed herein on May 4, 1935, is permitted to be filed as of said date. Thereupon comes on for hearing the said motion for a new trial, and also the motion of the principal and the sureties on the supersedeas bond to vacate the judgment rendered against them and to dismiss the plaintiffs' motion for a judgment on said supersedeas bond. After argument, and the court being fully advised in the premises, IT IS ORDERED as follows: The amount of the money judgment against the principal and the sureties on said supersedeas bond is reduced from \$4,340.00 to \$3,590.00, and IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that the complainant Collis P. Chandler successor in trust, have and recover of the defendants Cheyenne Arms Apartments, Inc., and Adah C. Sanders and the sureties C. I. Trimble, Cyrus S. Avery, Mary Brockman, and J. E. Buffington the sum of \$3,590.00; this judgment is limited however to the amount of \$1000.00 as against the surety Mary Brockman. Execution however is fixed until and including May 19, 1935, and supersedeas bond as to the execution of said money judgment is fixed at the amount of \$4,500.00, to be approved by the judge of this court on or before May 19, 1935.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that the motion of the principal and sureties on said supersedeas bond to vacate the judgment rendered against them and to dismiss plaintiffs' motion for judgment on said supersedeas bond, and the motion of the said principal and sureties for a new trial are hereby overruled and denied, and exceptions therefrom are allowed.

Thereupon comes on for further hearing the motion of complainants for a writ of assistance, and the court being fully advised in the premises IT IS ORDERED that said writ of assistance shall issue as prayed as to the property not already in the possession of the parties who purchased same at the sale conducted by the Special Master appointed by this court; said writ







IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that C. S. Walker Receiver heretofore appointed herein, be and he hereby is empowered, directed and instructed draw his check in favor of said John A. Erhard for the sum of \$750.00 and deliver same to said John A. Erhard in full satisfaction of his legal services rendered up to and including this date and that he take a receipt for said amount and file with his records in this case.

O.K. C. E. BAILEY U. S. Atty. F. E. KENNAMER  
 JUDGE.

ENDORSED: Filed May 14 1935  
 H. P. Warfield, Clerk  
 U. S. District Court ME

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

UNITED STATES OF AMERICA, Complainant, )  
 )  
 VS ) NUMBER 674 IN EQUITY ✓  
 )  
 ROSA MASHUNKASHEY, ET AL, Respondents. )

On this the 14th day of May, A. D. 1935, came on to be heard the application of C. S. Walker, receiver herein, for authority to intervene in Cause #96346-F, styled Stidham vs Indian States Oil Company, et al, pending in the 116th District Court of Dallas County Texas, and to demand, receive and collect the sum of approximately \$3200.00 held by the receiver in such cause for the benefit of Charles Mashunkashey;

And it appearing to the Court that said sum of \$3200.00 is the segregated and restricted property of Charles Mashunkashey:

It is, therefore, ORDERED AND DECREED by the Court that C. S. Walker, receiver herein, and he hereby is fully authorized, empowered and directed to intervene in said cause and to receive and collect said sum of approximately \$3200.00 and to execute full and binding receipts therefor.

O.K. C. E. BAILEY U. S. Atty. F. E. KENNAMER  
 JUDGE

ENDORSED: Filed May 14 1935  
 H. P. Warfield, Clerk  
 U. S. District Court

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

UNITED STATES OF AMERICA, COMPLAINANT, )  
 )  
 VS ) NUMBER 674 IN EQUITY: ✓  
 )  
 ROSA MASHUNKASHEY, ET AL, RESPONDENTS. )

On this the 14th day of May, A. D. 1935, this matter came on to be heard upon the petition of C. S. Walker, receiver, heretofore appointed herein, asking for permission of the Court to compromise and settle a purported claim for \$500.00 due Joseph W. Bailey, Jr., in Dallas, Texas, in connection with services rendered in certain litigation in the state courts in Dallas County Texas;

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

SPECIAL MAY 1935 TERM-EQUITY SESSION BARTLESVILLE, OKLAHOMA TUESDAY, MAY 14, 1935

And the Court being fully advised in the premises and after due consideration thereof finds that said settlement as outlined in said petition is for the best interest of estate and all parties concerned therein and that said settlement with said Joseph W. Bailey should be consummated at the earliest date possible to the end that the said receivership in this Court may be finally wound up and determined;

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that C. S. Weaver receiver herein, be and he is hereby empowered, authorized and instructed to draw his check receiver in the sum of \$250.00 and deliver the same to said Joseph W. Bailey, of Dallas, Texas in full compromise and settlement of any and all claims that he has against said estate or of said estate now in the hands of said receiver, and to take his receipt therefor in full payment of all his services rendered in connection herewith.

F. E. KENNAMER  
JUDGE.

C. E. BAILEY  
U. S. Atty.

ENDORSED: Filed May 14 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to May 16, 1935.

SPECIAL MAY 1935 TERM-EQUITY SESSION BARTLESVILLE, OKLAHOMA THURSDAY, MAY 16, 1935

Court convened pursuant to adjournment, Thursday, May 16th, 1935.

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

Sheridan P. Tschappat and Harold Callahan, vs. Hinderliter Tool Company,  
Plaintiffs )  
In Equity No. 1032 )  
U. S. Patent No. 1,830,893 )  
Defendant. )

O R D E R

Now on this the 16th day of May, 1935, for good cause shown, the Defendant Hinderliter Tool Company, is given until on or before June 18th, 1935, within which to answer or move Motion with respect to the Bill of Complaint herein.

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

ENDORSED: Filed May 16 1935  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to May 18, 1935.

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Court convened pursuant to adjournment, Saturday, May 18th, 1935.

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

Samuel J. T. Straus and Melvin L. Straus,	)	
as Trustees,	Plaintiffs,	)
	)	
vs.	)	
	)	EQUITY NO. 780 ✓
Alvin Hotel, Inc., a corporation,	Defendant,	)
	)	
Robert E. Straus, and Edward R. Heinsimer, as Trustees,	Interveners.	)

O R D E R

NOW, on this 18th day of May, 1935, the application of the Receivers herei instructions relative to the lease entered into between Alvin Hotel, Inc., lessor, and Bosto Shop, Inc., lessee, under date of February 5, 1932, for a term of five (5) years, coming on hearing, and the Court having heard the statements of the Receivers and being fully advised premises:

IT IS ORDERED AND ADJUDGED that the Receivers be authorized and directed t accept the proposal of the lessee, under which the lessee has paid over to the Receivers the \$801.15 in cash and given the Receivers its note dated March 1, 1935, maturing one year from bearing interest at 6% per annum, for the sum of \$800.00, and agrees that in lieu of the mon rental of \$250.00 per month stipulated in the lease the rental, exclusive of light and power which are in additions, shall be charged and fixed at 6% of the total sales with a minimum g of \$175.00 per month in addition to the light and power bills, as evidence of which total sa lessee agrees to furnish monthly statements and duplicates of reports filed with the Oklahoma Commission.

AND, IT IS FURTHER ORDERED that the said lease be deemed modified in that : and to that extent and not otherwise.

ENDORSED: Filed May 18 1935	F. E. KENNAMER
H. P. Warfield, Clerk	DISTRICT JUDGE
U. S. District Court	

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

Frederic M. Wilhelm, Helen B. Wilhelm, Frederic B. Wilhelm, A. W. Drohen, August Bauman, Arthur G. Dana, Verna G. Jaeger and Edna Hyde Rose, Plaintiffs,  
vs.

Consolidated Oil Corporation, a corporation, Sinclair Prairie Pipe Line Company, a corporation, Sinclair Prairie Oil Company, a corporation, Sinclair Prairie Oil Marketing Company, a corporation, and Sinclair Refining Company, a corporation, Defendants.

Harold Osborne, Gertrude A. Osborne, B. Foote, Kenneth L. Ozmun, Lillian H. Ozmun, Carl H. Grohsmeier and Louis H. Freise, Gilman Anderson, Mrs. Emanuella Serritella, Applicants.

In Equity, No. 970.

ORDER MAKING ADDITIONAL PARTIES PLAINTIFF

This matter coming on to be heard before me, the undersigned Judge, upon the 18th day of May, 1935, upon the application of the above named applicants, and the court being advised in the premises, finds that said applicants are entitled to join the action as parties plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that said applicants, Harold Gertrude A. Osborne, B. Foote, Kenneth L. Ozmun, Lillian H. Ozmun, Carl H. Grohsmeier, Louis Freise and Gilman Anderson and Mrs. Emanuella Serritella are hereby joined and made parties plaintiff in the above and foregoing entitled and numbered cause.

F. E. KENNAMER  
Judge.

ENDORSED: Filed May 18 1935  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to May 20, 1935.

SPECIAL MARCH 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, MAY 20, 1935

Court convened pursuant to adjournment, Monday, May 20th, 1935.

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

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