

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1934 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JANUARY 2, 1935.

Court convened pursuant to adjournment, Wednesday, January 2, 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, Complainant,)
)
Vs.)
)
HENRY W. WEITZGER, THE CENTRAL NATIONAL)
BANK OF OKMULGEE, OKLAHOMA, ROBERT E. REA,)
V. V. MORGAN, THE ESTATE OF E. W. KIMBLEY,) EQUITY NO. 930. ✓
DECEASED, BY)
ADMINISTRATOR, V. V. MORGAN AND THE ESTATE OF)
E. W. KIMBLEY, DECEASED, BY)
) ADMINISTRATOR,
JOINTLY, TIDEWATER OIL COMPANY, a corporation,)
OKLAHOMA GASOLINE PLANTS, INCORPORATED,)
GYPSY OIL COMPANY, a corporation, and)
CARPATHIA PETROLEUM COMPANY, a corporation,)
Respondents.)

O R D E R

Now on this the 2nd day of January, A. D. 1935, it appearing to the Court complainant, United States of America, has filed herein, within the time allowed by the Court Amended Bill of Complaint.

NOW, THEREFORE, it is

ORDERED that a copy of said Amended Bill of Complaint be served upon each respondents who have appeared herein by delivering to their Solicitors of record a true copy of, together with a certified copy of this order, and that each of said respondents so served have and they are hereby granted twenty (20) days from the date of such service to plead, or demur to said Amended Bill of Complaint.

F. E. KENNAMER
DISTRICT JUDGE

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

Court adjourned to January 3, 1935.

DISTRICT OF OKLAHOMA
SPECIAL WINTER 1934 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JANUARY 3, 1935

the delivery of the possession of the real property and premises involved in this case to Claude T. Porter, as Successor Individual Trustee to George G. Chase, one of the original Trustees of the Exchange National Bank of Tulsa, Oklahoma, and the defendant The First National Bank Trust Company of Tulsa, Oklahoma, appearing by J. C. Pinkerton, its attorney, and the defendant C. C. Cole and Audrey Rudd Cole appearing by Villard Martin, their attorney, and defendants C. G. Cole and Audrey Rudd Cole appearing by F. B. Dillard, their attorney, and there being no objection to the approval of said agreement.

IT IS BY THE COURT ORDERED that the agreement made and entered into between Claude T. Porter, on the one part, and C. C. Cole and Audrey Rudd Cole, on the other part, under the terms of the application of the plaintiffs and of the defendants C. C. Cole and Audrey Rudd Cole, be and the same is hereby in all respects approved.

MADE AND ORDERED ENTERED This 3d day of January, 1935.

F. E. KENNAMER
J u d g e.

ENDORSED: Filed Jan 3 1935
H. P. Warfield, Clerk
U. S. District Court

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

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

ORDER AUTHORIZING DISBURSEMENT OF FUNDS

THIS CAUSE coming on to be heard on this, the 3rd day of January, 1935, on the verified application of REX WATKINSON, Receiver of Exchange National Company, for authority to withdraw from the general account of Trustee No. 1 the sum of \$357.97, for the purpose of paying the same to the bondholders, having and owing paying tax bonds on

Lots 13 and 14, Block 82, Original Town, Okmulgee, Okmulgee County,
State of Oklahoma,

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 application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the application of Rex Watkinson to disburse certain funds be and the same is hereby sustained, and the said Rex Watkinson, Receiver of Exchange National Company, be and he hereby is directed, authorized and empowered to withdraw said sum of money above named, and to utilize the same for the purposes set forth in said application, and the said Rex Watkinson is further directed, authorized and empowered to do all 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 Jan 3 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 1934 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, JANUARY 5, 1935

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

The Toledo Trust Company and James P. Schrider, Trustees, and The National Supply Company of Texas, a Texas Corporation, Complainants,

vs.

In Equity No. 684 ✓

Enfisco Oil Corporation, The Goodyear Oil Company, Bailes Jones Oil Company, Max Kurzrok, Trustee, Standard Oil Company of Maryland, a corporation, and Security Oil Company, a corporation, Defendants.

ORDER CONFIRMING MARSHAL'S SALE

Now, on this 5th day of January, 1935, come the plaintiffs and move the court confirm the sale of the property made by the United States marshal for the Northern District State of Oklahoma, on the 11th day of December, 1934, to C. E. Hall and Tom Dietle, of Pawnee Oklahoma, under a writ of execution issued out of the office of the Clerk of the United States District Court for the Northern District of Oklahoma, dated the 15th day of October, 1934, of the following property, to-wit:

All of the working interest in an oil and gas lease covering the West Half of the Northwest quarter of Section 20, Township 20 North, Range 7 East, in Pawnee County, Oklahoma, executed by Fred Laurent to N. Z. Turner, and by assignments becoming the property of Enfisco Oil Corporation;

and the court, having carefully examined the proceedings of said Marshal and writ of execution, is satisfied that the same have been performed in all respects in conformal law; that due and legal notice of said sale was given by publication for 30 days in the *Clove American*, a newspaper printed in and of general circulation in Pawnee County, State of Oklahoma as shown by proof of said publication on file herein; and that on the day fixed therein, to-wit: the 11th day of December, 1934, said property was sold to C. E. Hall and Tom Dietle, of Pawnee Oklahoma, they being the highest and best bidders therefor. The Clerk is accordingly directed make an entry on the Journal of said court that the court is satisfied of the legality of said sale, and no exceptions being filed nor objections made, IT IS ORDERED AND ADJUDGED by the court that said sale and the proceedings be, and the same are hereby, approved and confirmed; and it is further ORDERED that John P. Logan, United States Marshal for the Northern District of the State of Oklahoma, make and execute to the said purchasers at said sale, C. E. Hall and Tom Dietle, a good and sufficient instrument of conveyance for the said property so sold.

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

WITNESSED: Filed Jan 5 1935
H. P. Sheffield, Clerk
U. S. District Court

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

The Toledo Trust Company and James P.)
Schrider, Trustees, and The National Supply)
Company of Texas, a Texas corporation,)
Complainants,)

vs.)

In Equity No. 654. ✓

Esfisco Oil Corporation, The Goodyear Oil)
Company, Bailey Jones Oil Company, Max)
Kurzrok, Trustee, Standard Oil Company of)
Maryland, a corporation, and Security Oil)
Company, a corporation,)
Defendants.)

ORDER CONFIRMING MARSHAL'S SALE

Now, on this 5th day of January, 1935, come the plaintiffs and move the court to confirm the sale of the property made by the United States Marshal for the Northern District of the State of Oklahoma, on the 11th day of December, 1934, to James Brann, of Bartlesville, Oklahoma, under a writ of execution issued out of the office of the Clerk of the United States District Court for the Northern District of Oklahoma, dated the 15th day of October, 1934, the following property, to-wit:

An undivided one-thirty-second (1/32) interest in the working interest in an oil lease covering the Southeast Quarter of Section 35, Township 27 North, Range 7 East, in Osage County, Oklahoma, executed by the Osage Tribe of Indians, with the approval of the Department of the Interior, to Esfisco Oil Corporation;

And the court, having carefully examined the proceedings of said Marshal under said writ of execution, is satisfied that the same have been performed in all respects in conformity to law; that due and legal notice of said sale was given by publication for 30 days in the Weekly Osage Journal, a newspaper printed in and of general circulation in Osage County, State of Oklahoma, as shown by proof of said publication on file herein; and that on the 11th day of December, 1934, said property was sold to James Brann, Bartlesville, Oklahoma, he being the highest and best bidder therefor. The Clerk is accordingly directed to make an entry on the journal of said court that the court is satisfied of the legality of said sale; and, no exceptions being filed nor objections made, IT IS ORDERED, JUDGED by the court that said sale and the proceedings thereon, and the same are hereby, affirmed and confirmed; and it is further ORDERED that John P. Loman, United States Marshal for the Northern District of the State of Oklahoma, take and execute to the said purchaser at said James Brann, a good and sufficient instrument of conveyance for the said property so sold.

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

RECORDED: Filed Jan 5 1935
H. B. Maulfield, Clerk
U. S. District Court

Court convened pursuant to adjournment, Monday, January 7th, 1935.

Present: Hon. F. E. Kenamer, Judge, U. S. District Court.
Hon. Geo. T. McDermott, Circuit Judge, U. S. Court.
H. P. Farfield, 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.

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

PARTIAL DISMISSAL

Now on this 7th day of January, 1935, upon motion of the complainants it is ordered that the above action be dismissed as to the following persons and property without prejudice.

As to the defendants D. C. Sellers and Lydia G. Sellers and as to SW $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ all in Section 10, Township 24 North, Range 24 East in Delaware County, Oklahoma:

As to the defendant G. T. Fueston and as to NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Section 24, Township 28 North, Range 20 East in Craig County, Oklahoma;

As to the defendants Lester H. Johnston and Louis Bagby and as to NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 28 North, Range 19 East in Craig County, Oklahoma:

As to Vinita Building and Loan Association and C. E. Testerman and as to 10 feet and East 10 feet of Lot 7, all in Block 26 in Town of Grove, State of Oklahoma:

As to the defendant the Town of Grove, a municipal Corporation and as to 10 feet of Lot 13, Block 26 of the original Town of Grove, Oklahoma:

As to the defendant Alfred M. Pearson and as to a part of Block 26 in the original Town of Grove, Oklahoma, described as follows: beginning at the Northeast corner of Block 26 and thence running West 132 feet to the alley, for a place of beginning; thence 75 feet, thence West 20 feet, thence North 75 feet, thence East 20 feet:

As to the defendant Frances B. Perry and as to the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 24 North, Range 24 East, in Delaware County, Oklahoma:

As to defendant O. W. Smithpeter and as to NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 24 North, Range 24 East in Delaware County, Oklahoma.

F. E. KENAMER
J U D G E,

ENCLOSED: Filed Jan 7 1935
H. P. Farfield, Clerk
U. S. District Court

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

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

Lincoln National Life Insurance Company,)
a corporation, Plaintiff,)
v.) In Equity No. 873. ✓
The Exchange National Company, a cor-)
poration, Defendant.)

ORDER PERMITTING REX WATKINSON, RECEIVER FOR THE EXCHANGE NATIONAL COMPANY TO BE MADE A PARTY DEFENDANT.

It appearing from the application of Mrs. Alfred Cook in her behalf and in half of her two minor children, Kenneth and Ralph, that they desire to bring a suit in good faith in the District Court of Tulsa County, Oklahoma, versus John M. Walker and Rex Watkinson, Receiver for the Exchange National Company, arising out of the alleged wrongful death of Alfred L. Cook at 15th Street and Troost in the city of Tulsa, on the evening of December 29th, 1934, same is hereby ordered allowed.

It is further allowed by the Court that in event the widow desires to bring as administrator of the estate of Alfred L. Cook, permission is hereby granted.

F. E. KENNAMER
United States District Judge.

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

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

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

ORDER REDUCING DIVIDEND RATES, DIRECTING DISBURSEMENTS OF FUNDS AND RETURN OF OVERPAID AMTS:

Now on this 7th day of January, 1934, the above entitled matter comes on to be heard upon the petition of J. H. McBirney, receiver, for authority to reduce the dividend rate previously ordered by this court and to make disbursements at the rate of \$15 from the funds in the hands of said receiver on the claims set out in said petition.

That under the previous order of this court certain dividend disbursements were made and the persons specifically named in said petition will, when said dividend rate is reduced from 55% to 51 1/2, be overpaid the amounts set out in said petition.

IT IS, THEREFORE, BY THE COURT, ORDERED, CONSIDERED and ADJUDGED that said Receiver be and he is hereby authorized and directed to reduce the dividend rate as specified in the order of this court of July 18, 1934, from 55% to 51 1/2, and make disbursements from the funds now in his hands as follows:

Geo. L. Aycock, Receiver First National Bank, Muskogee,	\$11,230.00
Geo. L. Aycock, Receiver Cherokee National Bank	1,530.00
W. J. Barnett, State Bank Commissioner in charge of First Bank & Trust Company, of Watonga, Oklahoma,	2,550.00
W. J. Barnett, State Bank Commissioner in charge of Bank of Sasakwa, Oklahoma,	4,233.00
W. J. Barnett, State Bank Commissioner in charge of Exchange Bank of Commerce, Wetumka, Oklahoma	11,475.00
C. C. Benton	255.00
Rex Matkinson, Receiver Exchange National Company	3,400.34
C. H. Sweet, Trustee for J. A. Chapman	14,420.25
E. L. Stacker, for National Bank of Tulsa	251.65
Total	\$54,851.24

IT IS HEREBY ORDERED that the following persons shall forthwith pay to the payee herein the amounts set opposite their names:

C. C. Benton	\$	20.00
National Bank of Tulsa		19.73
Rex Matkinson, Receiver Exchange National Company		353.32

F. E. KENNEDY
UNITED STATES DISTRICT JUDGE.

FORWARDED: Filed Jan 7 1935
H. A. Warfield, Clerk
U. S. District Court

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

Rex Matkinson, Receiver,	Plaintiff,)
	) No. 883 Equity ✓
Southwest Bank & Trust Company, a Delaware corporation,	Defendant.)

ORDER AUTHORIZING SALE OF BANK STOCK AND RESERVING
RIGHT TO RECEIVE DIVIDEND

On this 5th day of January, 1935, the above entitled matter comes on to be heard upon the petition of J. H. McBirney, receiver, for authority to sell certain shares owned by said receivership estate in the Helena National Bank, of Helena, Oklahoma, and to file therewith the requisite certain dividends now contemplated to be paid upon said stock.

That said receiver has been offered the sum of \$500.00 in cash for the 27 shares of the said Helena National Bank, of Helena, Oklahoma, owned by said receivership estate in said Helena National Bank, of Helena, Oklahoma, by F. L. Overstreet, of Ponca City, Oklahoma.

That said receiver represents that it is to the best interest of said estate said stock be so sold.

IT IS, THEREFORE, BY THE COURT, ORDERED, CONSIDERED and ADJUDGED that said receiver be and he is hereby authorized and directed to convey, sell, assign and deliver the shares of stock in Helena National Bank, of Helena, Oklahoma, to F. L. Overstreet, of Ponca City, Oklahoma, upon receipt of the sum of \$500.00 in cash, reserving unto said receiver the right to

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.)

O R D E R

Now on this the 8th day of January, 1935, this matter came on to be heard on application heretofore filed herein, of C. S. Walker, the Receiver heretofore appointed here an allowance of One Hundred Dollars (\$100.00) per month to cover the months of October, Nov and December, 1934 and January, 1935, and the Court, having heard said application and been sed in the premises, finds that the Court has heretofore made allowances on fees in the sum \$100.00 per month to said Receiver, and that said Receiver should be allowed said amount fo four months above mentioned.

IT IS THEREFORE, By the Court, ORDERED, ADJUDGED AND DECREED, That the Rec and he is hereby allowed on his fee the sum of \$100.00 per month for the months of October, ber and December, 1934, and January 1935, and that said Receiver be, and he is hereby direc instructed to draw his check payable to himself, for said amount.

O.K. C. E. BAILEY U. S. Atty.

F. E. KEINAMER
JUDGE.

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

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

Lincoln National Life Insurance Company,)
a corporation, Plaintiff,)
vs.) IN EQUITY NO. 873 ✓
Exchange National Company, a corporation,)
Defendant.)

ORDER PERMITTING INSTITUTION OF SUIT BY LUTKO CORPORATION, ET AL.

On this 8th day of January, 1935, a regular day of a regular term of this C this cause comes on for hearing on the application of Lutko Corporation, a corporation, and Denton, C. H. Sweet and F. M. Sowle as Trustees for the permission of this Court to join Ex National Company and Rex Watkinson as Receiver for Exchange National Company as parties def in an action to be brought by applicants for the foreclosure of a mortgage owned by them co

East 100 feet of Lots 14, 15 and 16, and all of Lot 13, of Block 14
of the Acredded Plat of the City of Shawnee, Pottawatomie County, Oklahoma,

all parties appearing by counsel and the Court being advised in the premises finds that said action should be granted;

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✓

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JANUARY 8, 1935

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Lutko Corporation, a corporation, and J. C. Denton, C. H. Sweet and F. M. Bowie as Trustees be and they hereby granted permission and authority to join Exchange National Company and Rex Watkins as its Receiver as parties defendant in an action to be brought in the District Court of Pottawatomie County, Oklahoma, for the foreclosure of a mortgage held by applicants upon the above described property, provided that in said action the applicants, as plaintiffs, shall take no money judgment against Exchange National Company or Rex Watkins as its Receiver.

O.K. HAGAN & GAVIN Solicitors for Rex Watkins
Receiver of Exchange National Company
F. E. KLEINER
DISTRICT JUDGE.

ENDORSED: Filed Jan 8 1935
H. P. Jarfield, Clerk
U. S. District Court ME

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

HOWARD GRAY, as Executor of the Estate of Julia S. Pearson, deceased, Plaintiff,
vs. Exchange National Company, a corporation, et al, Defendants.
No. 877 - Equity. ✓

O R D E R

That on 3th day of January, 1935, upon the application of J. E. McBirney, Senior Trustee of Exchange National Bank of Tulsa, Oklahoma, and it appearing that among the assets held by said trustee is a mortgage executed by Robt. E. Adams and Sara E. Adams, his wife and J. C. Raddin and Lucille Raddin, his wife, for the principal sum of Twenty Five Thousand Dols (\$25,000.00), and on which there is a balance unpaid of Ten Thousand Dollars (\$10,000.00) upon the principal thereof; and it appearing that said principal sum is secured by a mortgage certain lots described therein, and that certain of said lots included in said mortgage were leased thereunder to the Exchange National Company prior to the filing of your petition as trustee, and that:

Said lots (2), Block Three (3), Avondale Addition to the City of Tulsa, Oklahoma,

have been released from said mortgage by the Exchange National Bank of Tulsa, Oklahoma, and that at the time of the execution of said release of mortgage, said mortgage had been assigned to Exchange National Bank of Tulsa, to-wit, on the 12th day of January, 1934, and that said assignment was not filed for record until some time subsequent thereto, and that your petitioners recorded said assignment on the 1st day of January, 1934; that the recording of said assignment constituted a cloud upon the title of said lots.

That your petitioners find that the Exchange National Company released said lots from said mortgage on behalf of the Exchange National Bank of Tulsa, Oklahoma, and that said Exchange National Bank of Tulsa, as trustee, received payments which were applied on said mortgage in full payment, at the time of the execution of said release by the Exchange National Company.

That your petitioners find that the recording of said assignment by petitioner's

petitioner's claim, on the title, and that default has been made of the petitioner, J. H. Higgins, Successor Trustee, to release said mortgage so that it may be foreclosed by complete title with the title of Farmers' Loan and Trust.

The court further finds that the petitioner is without interest in said property and that no consideration will come to him for executing said release.

IT IS, THEREFORE, ORDERED that J. H. McBirney, Successor Trustee to the Exchange National Bank of Tulsa, Oklahoma, he and he is hereby authorized and empowered to release mortgage executed February 4, 1931, by Robt. E. Adams and Sara E. Adams, his wife, and J. Reddin and Lucille Reddin, his wife, to Exchange National Company, insofar as the same covers

Lot Thirty (30), Block Three (3), Averdale Addition to the City of Tulsa, Oklahoma,

in order to remove the cloud of said mortgage upon said lot, which had heretofore been sold by the Exchange National Company.

WESLEY T. HARRISON, United States District Judge.
H. P. Warfield, Clerk
U. S. District Court

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

HOWARD GRAY, as Executor of the Estate of Julia G. Fearman, deceased, Plaintiff,
vs. Exchange National Company, a corporation, et al, Defendants.
No. 377 - Equity. ✓

C A R D E R

On this 27th day of January, 1935, upon application of J. H. McBirney, Successor Trustee, for authority to accept the approximate sum of One Thousand One Hundred Dollars (\$1,100.00) in bonds of the Federal Farm Mortgage Corporation in full payment and satisfaction of the principal of the loan of Marvin Powell and Etta E. Powell, and in receiving that sum to be applied to receiving the principal amount of said indebtedness in said bonds, and the applicable laws will result to said estate if foreclosure proceedings are instituted, and it further appearing that the acceptance of said bonds in payment of the principal of said indebtedness is in the best interest of said estate, and for other good cause,

IT IS ORDERED, that J. H. McBirney, Successor Trustee, he and he is hereby authorized and empowered to accept the approximate sum of One Thousand One Hundred Dollars (\$1,100.00) in bonds of the Federal Farm Mortgage Corporation in payment of the principal of the loan of Marvin Powell and Etta E. Powell, which said loan is secured by mortgage on lands described in said mortgage and application.

IT IS FURTHER ORDERED that J. H. McBirney, he and he is hereby authorized and empowered to execute releases, assignments and other instruments for the execution of said order, and in particular to release the mortgage executed and delivered by Marvin Powell and Etta E. Powell to the Exchange National Company, dated October 1, 1931, recorded in Volume 51

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v

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

REGULAR JANUARY 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JANUARY 7, 1937

at Case 420, McIntosh County, Oklahoma, covering the following described real estate:

Northeast quarter (NE_{1/4}) of the Northeast quarter (NE_{1/4}) of Section First, Six (56), Township Twelve (12) North, Range Sixteen (16) East, McIntosh County, Oklahoma, containing 40 acres more or less.

F. E. REHNER
United States District Judge.

RECORDED: Filed Jan 9 1937
H. P. Wierfield, Clerk
U. S. District Court

Court adjourned to January 9, 1937.

REGULAR JANUARY 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JANUARY 9, 1937

Court resumed pursuant to adjournment, Wednesday, January 9, 1937.

Present: Hon. F. E. Rehner, Judge, U. S. District Court.
H. P. Wierfield, Clerk, U. S. District Court.

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

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

JOE LINCOLN NATIONAL LIFE INSURANCE COMPANY, Plaintiff,)
vs.) No. 273 W. 1st. ✓
EXCHANGE NATIONAL COMPANY, Defendant.)

ORDER WITH REFERENCE TO RELEASE OF SECOND MORTGAGE.

THIS CAUSE, coming on to be heard on this, the 9th day of January, 1937, on application of Rex Atkinson, Receiver of Exchange National Company, for an order, to-wit, authorizing and empowering him to cancel and surrender a certain note, and to release a certain second mortgage recorded in Book 73, at page 535, of the Books and Records of McClain County, second said notes, which said latter is a lien of record against the following described premises, to-wit:

The Southwest Quarter of Southwest Quarter of Southeast quarter; and the Southeast Quarter of Southwest quarter; and the Southeast quarter of Northeast quarter of Southeast quarter; and the West Half of Northeast quarter of Southeast quarter; and the West Half of the Southwest quarter, of Section 32, Township North, Range West, McClain County, State of Oklahoma,

and the Court, after reading said application and finding that it has jurisdiction to entertain the same and to enter an order thereon, and being fully advised in the premises, that all conditions shall be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application, which said application is hereby sustained, and the said Rex Atkinson, Receiver of Exchange

National Bank, the trustee hereby is directed, authorized and empowered to cancel and pay on all notes, and to release said second mortgage, and to do all other things necessary and proper and effectually to accomplish the letter and spirit of said application and of this

F. E. KEENE
United States District Judge.

RECORDED: Filed Jan 9 1935
H. F. Winfield, Clerk
U. S. District Court

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

Henry F. J. Ray and Ora Norton, Plaintiffs,)
vs.) IN EQUITY No. 634 ✓
The Bankers Trust Co. of Tulsa,)
Kearns, a corporation; et al. Defendants.

ORDER DIRECTING THE EXECUTION OF DEAD AND RESIDUE
SALE.

On this 8th day of January, 1935, comes on for hearing the Auxiliary Receiver's Report and Motion to Confirm a sale made by him of the following described property,

All of Lot Twelve (12) in Block Forty-four (44) in the City of Tulsa, Oklahoma County, Oklahoma.

to E. B. ...

The Court after examining said Auxiliary Receiver's Report and Motion to Confirm a sale finds that said Auxiliary Receiver has sold at private sale, the above described property to E. B. ... for the sum of Fifteen Hundred Nine Dollars and Eleven Cents (\$1509.11) ... which amount said receiver has turned his name to ... that said sale has been approved by the officers of ... and that they have consented to execute a deed to the ... in the highest and best offer which said receiver has ... the best interests of the estate that will properly be sold

The Court finds that the proceedings were had in accordance with the law.

It is therefore the ORDER OF THE COURT ADJUDGED AND DECREED that said report be and the Auxiliary Receiver is directed to execute a deed to the ... and pay the above described ... and upon payment of the ...

F. E. KEENE
District Judge.

RECORDED: Filed Jan 9 1935
H. F. Winfield, 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 THURSDAY, JANUARY 10, 1935

Now on this 10th day of January, A. D. 1934, court convened pursuant to adjournment.

Present: Hon. F. E. Kennamer, Judge, U. S. District Court.
Hon. Geo. T. McDermott, Judge, U. S. Circuit Court of Appeals.
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. Heinsimer, as Trustees,	Interveners.)	

O R D E R

On this 10th day of January, 1935, the application of plaintiffs being presented to the Court and duly considered, and the Court being fully advised in the premises;

IT IS ORDERED that the firm of Arthur Young & Company be engaged and authorized at the expense of the receivership estate, to make, certify and report to this Court an audit of the accounts of the Alvin Hotel in receivership and of all accounts of the Receiver, their to be computed and limited as specified in the letters submitted.

F. E. KENNAMER
District Judge

ENDORSED: Filed Jan 10 1935
H. P. Warfield, Clerk
U. S. District Court

KENNETH STANLEY MacPHERSON, et al.,	Plaintiffs,)	
)	
-vs-)	
THE CHICAGO BRIDGE & IRON WORKS, A CORP. ET AL.,	Defendants.	)	No. 953 - Equity. ✓

Now on this 10th day of January, A. D. 1935, it is ordered by the Court that the relief prayed for by Plaintiff herein be and it is hereby, denied on the ground that Defendant's device does not infringe the claim of Plaintiffs' patent. It is further ordered that journal entry of decree be prepared in accordance with this order and entered herein.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JANUARY 11, 1935

be a prior claim against the mortgaged property and its proceeds in the hands of the purchaser thereof, and that the receivership shall continue until such claims and expenses are paid; provided in the final decree, however, the first proceeds of the sale must be applied to the payment in cash of any unpaid taxes, and any unpaid costs, other than such fees and expenses as are herein referred to.

The time of which the said receiver is to take possession shall be as of the first thing in the morning January 12, 1935, and the report which the defendants are to file shall be after the last item of business is done on January 11, 1935. Receivers bond fixed \$1,000.00.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jan 11 1935
H. P. Warfield, Clerk
U. S. District Court

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.)

FINAL DECREE.

This cause having come on regularly to be heard on the 6th day of September 1934, pursuant to the order and decree of this court made and entered on the 27th day of August 1934, and the complainant, Milford E. Tapp, appearing by and through his solicitors, Goldes and Klein, and the complainants, Charles H. Tapp, appearing in person and by and through his solicitor, George W. Reed, Jr., and the respondent Charles F. Stuart, having appearing in person and by his solicitors, Ralph A. Barney of the firm of Holcombe, Lohman and Barney, and Robert Stuart, and all parties having announced ready for trial, the court ordered said cause to try for an accounting in accordance with said former decree of the court as made and entered on the 27th day of August, 1934, and the complainants having introduced their oral testimony and documentary evidence and rested, and the respondent having introduced his oral testimony and documentary evidence and rested, and the court having heard the arguments of the respective solicitors for the parties litigant herein and not being fully advised in the premises, takes said cause under advisement pending the filing of further briefs by the respective parties and pending consideration of such briefs submitted by the respective solicitors for the litigants herein, and now on this the 11th day of January, A. D. 1935, such briefs having been heretofore filed and admitted to the court by the respective solicitors for said parties, and the court being now fully advised in the premises, is of the opinion that judgment should be rendered for the complainant Milford E. Tapp and Charles H. Tapp, against the respondent, Charles F. Stuart, in accordance with the opinion of the court filed herein on the 8th day of December, 1934, and in accordance with the findings of fact and conclusions of law filed of record herein pursuant to Equity Case No. 70½.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the complainant, Charles H. Tapp, be and he is hereby declared to be the surviving husband of Mary Belle Tapp deceased, and under the will of said Mary Belle Tapp and the order of the County Court of Osage County, Oklahoma, admitting said will to probate and the applicable law, entitled to one-third of the Osage Headrights involved in this action subsequent to the September 10, 1927, payment

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JANUARY 11, 1935

It is further ordered, adjudged and decreed that the said Last Will and Testa of Mary Belle Tapp, deceased, introduced in evidence in this cause, is a valid, legal and subsisting will and conveys her estate to the legatees, devisees and heirs therein named and as therein provided.

It is further ordered, adjudged and decreed that the complainant, Milford E. and as son of Mary Belle Tapp, deceased, and devisee under the will, is entitled to remaining two-thirds of the Osage headrights involved in this action subsequent to the September 10, 1927 payment, less the legacies set out in the will, and the funeral expense of deceased.

It is further ordered, adjudged and decreed that the September 10, 1927, payment in the sum of \$2400.00 belonged to the estate of Mary Belle Tapp, deceased, and was properly receivable by the administrator of her estate and subject to the jurisdiction of the County Court of Osage County, Oklahoma, and that said Osage headrights and the monies accumulated to the credit thereof were liable for the payment of the funeral expenses of said Mary Belle Tapp, deceased, in the sum of \$2981.75, and that the respondent is entitled to credit for that amount.

It is further ordered, adjudged and decreed that the sum of \$4050.00 provided said will for the legatees named therein, to-wit: Minnie E. Bryant, James W. Chambers, James C. Chambers, Louis Paul Shotto, is a valid and subsisting legacy under the provisions of the will and the complainant, Milford E. Tapp, having filed herein his disclaimer to any interest therein and that same be credited to the respondent in his accounting with the complainant, Milford E. Tapp.

It is further ordered, adjudged and decreed that the complainant, Charles H. Stuart, have and recover of and from the respondent, Charles F. Stuart, the sum of \$4629.57, together with six (6) per cent interest per annum thereon from the 25th day of August, 1933, and his costs.

It is further ordered, adjudged and decreed that the complainant, Milford E. Tapp, have and recover of and from the respondent, Charles F. Stuart, the sum of \$2263.75, together with six (6) per cent interest per annum thereon from the 25th day of August, 1933, and his costs herein.

To which decree, order and ruling of the court, each of said complainants, and the respondent except, and such exceptions are allowed.

Done in open court this the 11th day of January, 1935.

F. E. KENNAMER
J U D G E.

OK: GOLDSBERRY & KLEIN
Solicitors for Complainant, Milford E. Tapp
GEO. W. REED, JR. Solicitor for Complainant,
Charles H. Tapp.
R. A. BARNEY
ROBERT S. STUART,
Solicitors for Respondent, Charles F. Stuart.

ENDORSED: Filed Jan 11 1935
H. P. Farfield, 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, JANUARY 12, 1935

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, plaintiff, and E. C. Mullendore, Jr., et al., defendants, No. 778, Equity, the decree of said district court in said cause, entered May 11, 1933, was in the following words, viz:

* * * * *

"It is therefore, ordered, adjudged and decreed by the court that E. C. Mullendore, Sr., and the Mullendore Ranch Company, be and they hereby are dismissed as parties defendant in this action.

"It is further ordered, adjudged and decreed by the court that because there was no alienation of the property of the said Stephen J. Tucker, Jr., the person for and on whose behalf this action was instituted, by the defendant E. C. Mullendore, Jr., and the further fact that said Stephen J. Tucker, Jr. is a member of the Osage Tribe of Indians of 1/8th degree Indian blood and years of age, this court has no jurisdiction of the subject-matter of said action, and that the said E. C. Mullendore, Jr., has not alienated the said property of the said Stephen J. Tucker, Jr. To which ruling and order the plaintiff excepts and its exceptions are allowed.

"It is further ordered, adjudged and decreed by the court that there is no liability on the part of the defendant E. C. Mullendore, Jr., to pay rental for the use and benefit of the said Stephen J. Tucker, Jr. under and by virtue of chapter 54, Senate Bill No. 243 of the 1927 Session Laws of Oklahoma, which said law is hereby expressly declared to be constitutional, and to be applied to the lands herein involved. To which ruling and order the plaintiff excepts and its exceptions are allowed.

"It is further ordered, adjudged and decreed by the court that the bill of complaint filed herein, be, and the same hereby is, dismissed. To which ruling and order the plaintiff excepts and its exceptions are allowed.

"It is further ordered, adjudged and decreed by the court that the cross bill of the defendant E. C. Mullendore, Jr., be, and the same hereby is, dismissed. To which ruling and order the defendant excepts, and his exceptions are allowed."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, 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 and at 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 the said district court and was argued by counsel.

On consideration whereof, it is now here ordered, adjudged and decreed by the court that the decree of the said district court in this cause be and the same is hereby affirmed.

- - November 30, 1934.

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

DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, JANUARY 12, 1935

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, on the 10th day of January, in the year of our Lord one thousand nine hundred and thirty-five.

ALBERT TREGO
Clerk of the United States Circuit Court
Appeals, Tenth Circuit.

COSTS OF - - - - -
Clerk, \$-- --
Printing Record \$-- --
Attorney, \$-- --
 \$-- --

ENDORSED: Filed Jan 12 1935
 H. P. Warfield, Clerk
 U. S. District Court

Court adjourned to January 14, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JANUARY 14, 1935

Court convened pursuant to adjournment, Monday, January 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 OKLAHOMA.

REPUBLIC RUBBER COMPANY, A CORPORATION,		PLAINTIFF,)	
)	
VS.			)	IN EQUITY NO. 614. ✓
)	
SKINNER BROS. & CO. BELLING COMPANY, A CORPORATION,		DEFENDANT.)	

ORDER APPROVING FINAL REPORT OF RECEIVER, DISCHARGING RECEIVER,
AND RELEASING SURETIES ON BOND OF RECEIVER.

On this the 14th day of January, 1935, this matter came on for hearing upon final report of the receiver herein, with his application for discharge as receiver and for release of his bond as such receiver, same being heard pursuant to regular setting on the docket of this Court.

The receiver appeared by his counsel of record, and no person, by counsel or otherwise appeared in opposition to said report and application.

The court having considered said report and application and being fully advised of the premises, and there being no objections filed or made thereto;

IT IS ORDERED, ADJUDGED AND DECREED by the court that the final report of the receiver filed herein be and the same is hereby in all things approved.

DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JANUARY 14, 1935

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that E. B. Skinner receiver herein, be and he is hereby discharged from further duties or services as receiver and that his bond as receiver be and the same is hereby released and the sureties on said released and discharged from any liability to be hereafter incurred.

F. E. KENNAMER
Judge

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

ST. LOUIS UNION TRUST CO. A CORP., and GEORGE G. CHASE, Trustees,	Plaintiffs,)	
-vs-		)	No. 797 - Equity. ✓
)	
DAN TANKERSLEY, et al,	Defendants.)	

Now on this 14th day of January, A. D. 1935, it is ordered by the Court that motion of Plaintiff for deficiency judgment herein be and it is hereby granted in the sum \$7500.00, all as per journal entry to be filed.

GENERAL AMERICAN LIFE INSURANCE CO.,	Plaintiff,)	
-vs-		)	No. 880 - Equity. ✓
)	
LAURA E. McVILLIAMS, ET AL,	Defendants.)	

Now on this 14th day of January, A. D. 1935, it is ordered by the Court that motion to confirm sale be and the same is hereby sustained. It is further ordered by the that bid be raised \$1000.00. It is further ordered that objection to sale be and the same hereby overruled. It is the further order of the Court that report of Receiver herein be the same is hereby approved.

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

CONNECTICUT GENERAL LIFE INSURANCE COMPANY, a Corporation,	Plaintiff)	
vs)	
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, and OKLAHOMA FIRE & SUPPLY COMPANY, a Corporation,	Defendants.	)	No. 954 Equity ✓

FINAL DECREE

This cause came on to be heard on the 13th day of September, 1934, the pla

appearing in person and by its attorneys, Yancey, Spillers & Brown, and the defendants, L Lyons and Isadore Mazur, Executors of the estate of Mayme Lyons, deceased, and Lallie Lyons, Executor of the estate of Jake Lyons, deceased, Lallie Lyons, Nixie Lyons, and the J. & L Lyons Company, a corporation, appearing by their attorneys, Milsten & Milsten. The Oklahoma and Supply Company, appeared not either in person or by counsel at the time of trial and the Court finds, relative to the Oklahoma Tire and Supply Company, that they have filed a good and sufficient disclaimer of any right, title or interest in and to said property and are released from any liability herein.

It appearing to the Court that heretofore, to-wit, on the 7th day of July, 1934, the defendant testators, Jake Lyons, now deceased, and Mayme Lyons, now deceased, Lallie Lyons and Nixie Lyons, made, executed and delivered to the Monarch Investment Company, a Kansas corporation, with its principal place of business at Wichita, their certain promissory note bearing in the principal sum of Seventy Thousand and no/100 (\$70,000.00) Dollars, with interest thereon at the rate of Five and one-half (5½%) per cent per annum, payable semi-annually, the note further provided that if some or any installment of interest thereon shall not be paid when due, the same shall bear interest at the rate of ten per cent (10%) per annum from the date of maturity, which rate of interest the indebtedness due the plaintiff bears.

The Court further finds that at the same time and place and as part and parcel of the same transaction, the defendants that executed the note above referred to, made, executed and delivered their certain real estate mortgage in writing to the Monarch Investment Company, which said note and mortgage have been duly assigned to the plaintiff herein, who is now the holder and owner thereof, for a good and valuable consideration.

The Court further finds that there is no personal liability upon the estate of either of Mayme Lyons, deceased, or Jake Lyons, deceased, there not having been filed a claim with the executors of said estates within the time prescribed by the laws of the State of Oklahoma, and the plaintiff's bill seeking to recover personal liability in so far as the estate of Mayme Lyons, deceased and Jake Lyons, Deceased, is denied.

The Court doth therefore ORDER, ADJUDGE, AND DECREE as follows: That there be paid to the plaintiff from Lallie Lyons and Nixie Lyons, the sum of Forty Thousand Eighteen and 44/100 (\$40,018.44) Dollars, together with interest thereon at the rate of ten per cent (10%) per annum from the 13th day of September, 1934, until paid, together with a reasonable attorney's fee of \$750.00.

The Court further finds and adjudges that the plaintiff has a first and preferred lien upon the real estate and premises described in said Bill of Complaint by virtue of the said mortgage as security for payment of the said indebtedness, interest, attorney's fees and costs, which said property is described as follows: to-wit:

The North Forty-eight (48) feet of Lot Four (4) in Block One Hundred Twenty-one (121) of the Original Townsite of the City of Tulsa, as shown by the recorded plat thereof, more particularly described as follows: Beginning at the Northeast corner of said Lot Four (4), running thence in a southerly direction along the East boundary of said Lot Forty-eight (48) feet; thence in a westerly direction on a line parallel with the North boundary of said Lot One Hundred Forty (140) feet, more or less, to the West boundary thereof; running thence in a Northerly direction Forty-eight (48) feet to the Northwest corner of said lot; thence in an Easterly direction along the North boundary thereof to the point of beginning.

The Court further finds that after the sale of said property and in the event the same does not sell for sufficient amount to pay the principal sum due herein, together with interest, attorney's fees and costs of this action, then and in that event, the plaintiff shall have a deficiency judgment against the defendants, Lallie Lyons and Nixie Lyons, for the amount remaining due and unpaid.

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, JANUARY 14, 1935

The Court further finds that the mortgage sued upon herein contains the words "appraisement waived" or words to that effect.

It is therefore ORDERED, ADJUDGED AND DECREED, that the said plaintiff have recover a judgment against the defendants, Lallie Lyons and Nixie Lyons in the principal of Forty Thousand Eighteen and 44/100 (\$40,018.44) Dollars, with interest thereon at the rate of ten per cent (10%) per annum from the 13th day of September, 1934, until paid, and the further sum of \$750.00, as reasonable attorney's fees, and costs of this action, accrued and accruing.

It is the further judgment and order of the Court that the plaintiff be and hereby granted a decree of foreclosure on said property hereinabove described, and it appears to the Court that said mortgage contains the words "appraisement waived", it is further ordered and adjudged by the Court that in case the said defendants, Lallie Lyons and Nixie Lyons fail for six months from the date of the rendition of this judgment to pay the said plaintiff the principal sum herein, together with interest, attorney's fees, and costs, an order of sale shall issue to the United States Marshall for the Northern District of Oklahoma, commanding him to advertise and sell according to law, without appraisement, the lands and tenements described in said mortgage and as hereinabove described, and to apply the proceeds arising from said sale as follows:

First: To the payment of the costs of said sale and of this action.

Second: To the payment of said plaintiff the amount of its judgment, together with interest thereon and attorney's fees.

Third: That the residue, if any, be paid to the Clerk of this Court to await the further order of the Court.

It is the further order and judgment of the Court that from and after the date of said real property under and by virtue of this judgment and decree, that the defendants each of them, and all persons claiming under them or either of them since the filing of the Bill of Complaint herein, except only the purchaser at said sale, be and they are hereby 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.

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

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

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

City of Vinita, Oklahoma, a)
Municipal Corporation, Plaintiff,)
-vs-) NO. 955 Equity ✓
St. Louis Smelting & Refining)
Company, a corporation, Barnsdall)
Zinc Company, a corporation, and)
Beck Mining Company, a corporation, Defendants.)

ORDER OF DISMISSAL

Now on this 14th day of January, 1935, this matter coming on for hearing before the Court upon the stipulation of settlement and dismissal heretofore filed in this cause it appearing from said stipulation that the parties hereto have fully and finally settled adjusted the existing controversy, subject to approval of this Court, and having provided dismissal of said cause with prejudice to a new action, at defendants' costs, and said motion having this day been called to the attention of this Court by Mr. M. D. Kirk, Counsel for Barnsdall Zinc Company, one of the defendants, for and on behalf of all of the defendants, and Court being fully advised in the premises;

IT IS ORDERED that said stipulation of settlement and dismissal be and the same be hereby in all things approved, and it is further ordered that said cause be and the same be dismissed with prejudice to a new action, at the cost of the defendants.

APPROVED: WILLIAM T. RYE, Attorney for City of Vinita, Oklahoma.
F. E. KENNAMER
JUDGE.
A. C. WALLACE, Attorney for St. Louis Smt. & Rfg. Company
M. D. KIRK Attorney for Barnsdall Zinc Company
L. A. WETZEL Attorney for Beck Mining Company

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

JOSEPH MAYES, Plaintiff,)
-vs-) No. 988 - Equity. ✓
J. G. HUGHES, Rec. et al, Defendants.)

Now on this 14th day of January, A. D. 1935, it is ordered by the Court that the motion of Respondents herein to dismiss amended bill be and the same is overruled and except as allowed. Given Fifteen (15) days to file answer and cross petition and Wake Creek County party defendant herein.

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

INVESTORS SYNDICATE, a corporation, and)
The Puritan Corporation, a corporation,)
Plaintiffs,)
vs.) NO. 362 E. ✓
MABELLE J. W. HARRINGTON, et al, Defendants.)

ORDER CONFIRMING AND APPROVING MARSHAL'S SALE

NOW, on this 15th day of January, 1935, comes the plaintiff, above named, attorneys, Yancey, Spillers & Brown, and moves the court to confirm the sale of real estate by the United States Marshal for the Northern District of Oklahoma, on the 1st day of October, 1934, to The Puritan Corporation, a corporation, under an order of sale issued out of the office of the United States Court Clerk for the Northern District of Oklahoma, dated the 30th day of August, 1934, of the following described property, to-wit:

The North Sixty-five (65) feet of Lot Five (5) Block One (1)
of Sunset Park Addition to the City of Tulsa, Tulsa County
Oklahoma, according to the recorded plat thereof;

And the Court having carefully examined the proceedings of said Marshal and order of sale is satisfied that the same have been performed in all respects in conformity with the law; that due and legal notice of said sale was given by publication for at least thirty days in the Tulsa Daily Legal News, a newspaper printed in Tulsa County, State of Oklahoma, as shown by the proof of said publication on file herein and that on the day fixed therein, to-wit: The 1st day of October, 1934, said property was sold to The Puritan Corporation, a corporation, it being the highest and best bidder therefor; and the clerk is accordingly directed to make an entry on the journal of said court that the court is satisfied as to the legality of said sale and, no motions being filed nor objections made, it is ORDERED AND ADJUDGED by the court that said sale and the proceedings thereon be and the same are hereby approved and confirmed; and it is further ordered that John F. Logan, United States Marshal for the Northern District of Oklahoma, make and deliver to the said purchaser at said sale a good and sufficient deed for the said premises so sold.

IT IS FURTHER ORDERED that the said purchaser of said premises, lands and interests therein at said sale, as aforesaid, be immediately let into possession of said premises, and each and every part thereof; and the Clerk of this Court is ordered to issue a writ of assistance to the United States Marshal for the Northern District of Oklahoma, directing him to place said purchaser of said premises, in full possession thereof; and the said defendants, and each of them, and every person who has become into possession of said premises, or any part thereof, under said defendants, or either of them, or any one in possession of any part thereof, or any one of said defendants, or either of them since the commencement of this action, shall upon presentation of such writ of assistance, immediately deliver possession thereof to the said purchaser; and that the refusal of said defendants, or either of them, or any one in possession of said premises or any part thereof, under them, or either of them, as aforesaid, to deliver immediately possession of said premises to the said purchaser, shall constitute contempt of this court.

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

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

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

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

FINAL DECREE.

This cause coming on for hearing upon the amended bill of complaint, the a thereto of the defendant, John Henry Wiggins, and the evidence (oral and documentary) add by the respective parties in open court, and the plaintiffs being present in court in per and by Bonner, Bonner & Bonner, their attorneys, and the defendant being present in court person and by Lashley & Rambo and Dyrenforth, Lee, Chritton & Wiles, his attorneys, and, having heard the arguments of counsel, and having duly considered the same, and being ful advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED by the Court that said cause be and th same is hereby dismissed for want of equity at plaintiffs' costs.

To the entry of which decree, plaintiffs then and there duly excepted.

Dated at Tulsa, Oklahoma, this 10th day of January, 1935.

ENDORSED: Filed Jan 15 1935
H. P. Warfield, Clerk
U. S. District Court ME

F. E. KENNAMER
JUDGE.

THE DOW CHEMICAL COMPANY,) Plaintiff,)
)
-vs-) No. 968 - Equity. ✓
)
WILLIAMS BROTHERS WELL TREATING CORP.,) Defendant.)

Now on this 15th day of January, A. D. 1935, it is ordered by the Court tha further hearing be had on the above cause. Thereafter, further arguments of counsel are And thereafter, it is ordered by the Court, after being fully advised in the premises, th decree herein be entered for Defendant, holding Plaintiff's patent invalid, all as per journal entry to be filed.

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL
CIRCUIT
SITTING AT OKLAHOMA CITY, OKLAHOMA.

FIRST DAY, JANUARY TERM, MONDAY, JANUARY 14th, A. D. 1935.

PRESENT: Honorable Robert E. Lewis, Senior Circuit Judge,
Honorable Ori L. Phillips, Circuit Judge,
Honorable T. Blake Kennedy, District Judge,
W. C. Geers, Esquire, Marshal,
Albert Trego, Esquire, Clerk.

Before Honorable Robert E. Lewis, Circuit Judge, Honorable
Ori L. Phillips, Circuit Judge, and Honorable
T. Blake Kennedy, District Judge.

Sarah C. Corbett, Appellant,)
1125 vs.) Appeal from the District Court of the
Rialto Mining Company, an) United States for the Northern
Oklahoma corporation, et al., Appellees,) District of Oklahoma.

This cause came on to be heard on the motion of Dick Rice, Esquire, D. H. C. Esquire, and S. J. Montgomery, Esquire, for leave to withdraw as counsel for appellant at the application of the parties hereto to dismiss the appeal herein and was submitted to court.

On consideration of said motion to withdraw as counsel for appellant, it is here ordered by the court that said motion be and the same is hereby granted and that the names of Dick Rice, Esquire, D. H. Cotten, Esquire, and S. J. Montgomery, Esquire, be and same are hereby stricken from the records as counsel for appellant in this cause.

On consideration of the application to dismiss the appeal herein, and pursuant to a written stipulation of counsel for the parties hereto herein filed, it is now here ordered by the court that the said application be and the same is hereby granted and that the appeal in this cause be and the same is hereby dismissed out of this court, with prejudice to further action herein, at the costs of appellant, counsel for appellees expressly waiving the attorney's docket fee in this cause.

It is further ordered by the court that the clerk of this court forthwith transmit to the clerk of the United States District Court for the Northern District of Oklahoma certified copy of this order.

A true copy as of record,

TESTE:

ALBERT TREGO
Clerk.

(SEAL)

Costs of Appellees:
Clerk . . (Paid by appellant.)
Attorney. (Waived.)

ENDORSED: Filed Jan 16 1935
H. P. Warfield, Clerk
U. S. District Court, ME

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

NEW YORK UNDERWRITERS)
INSURANCE CO., a corp, Plaintiff)
vs.) No. 965 Equity ✓
A. B. CROWELL: ROWENA CROWELL and)
MRS. MARY CROWELL, Defendants.)

" O R D E R "

On this the 16th day of January 1935 for good cause shown the defendant Mary E. Crowell is given until and including January 19th 1935 within which to file amended petition and cross-petition in this cause, not to be in default during said time.

ENDORSED: Filed Jan 16 1935
H. P. Warfield, Clerk
U. S. District Court

F. E. KENNAMER
J U D G E

Court adjourned to J anuary 17, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JANUARY 17, 1935

Court convened pursuant to adjournment, Thursday, January 17th, 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.

Rex Watkinson, Receiver, Plaintiff,)
vs.)
Southwest Bank Shares Corporation,) No. 883, In Equity. ✓
a corporation, Defendant.)
The State of Oklahoma, on the)
relation of W. J. Barnett, Bank)
Commissioner of said State, Intervenor.)

ORDER OVERRULING MOTION TO DISMISS INTERVENING
PETITION.

Now on this 17th day of January, 1935, comes on to be heard the motion of McBirney, Receiver of Southwest Bank Shares Corporation to dismiss the intervening petition herein filed by the State of Oklahoma, on the relation of the Bank Commissioner, and the Receiver appears by C. A. Coakley, his Attorney, and the intervenor appears by Malcolm E. and Bronse Hoover, its Attorneys, and the Court hears said motion and after hearing same being well and sufficiently advised, the Court finds that said motion should be overruled

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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 FRIDAY, JANUARY 18, 1935

Court convened pursuant to adjournment, Friday, January 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 UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT OF OKLAHOMA

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,)
Plaintiff,)
vs.) 373 Equity ✓
EXCHANGE NATIONAL COMPANY,)
Defendant.)

ORDER AUTHORIZING PAYMENT OF TAXES

This cause coming on to be heard on this the 18th day of January, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company for an order ing, authorizing and empowering him to pay certain city taxes amounting to the sum of \$62

Lots 24 to 28 inclusive, See's subdivision, City of Sedalia,
Missouri,

from the funds on hand in said receivership and the Court having read said application an ing that it has jurisdiction to entertain the same and enter an order thereon, and being advised in the premises finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said app tion for authority to pay taxes be and the same is hereby sustained, and the said Rex Wat Receiver of Exchange National Company be and he is hereby directed, authorized and empowe pay from funds now on hand in said receivership, the sum of \$63.40 in full payment of sai taxes against said above described premises.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jan 18 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. 373 Equity ✓
EXCHANGE NATIONAL COMPANY,)
Defendant.)

ORDER AUTHORIZING ACCEPTANCE OF NEW BONDS

THIS CAUSE COMING on to be heard on this the 18th day of January, 1935, on verified application of Rex Watkinson, Receiver of Exchange National Company for an order izing, directing and empowering him to accept new bonds in lieu of bonds now owned by him Western Creameries, Inc. and to enter upon an agreement embodying substantially the terms conditions set forth in said application, and the court having read said application and 1 that it has jurisdiction to entertain the same and enter an order thereon and being fully vised 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, Receiver of Exchange National Company be and he is hereby directed, authorized and empowered to surrender and deliver up unto the proper representative of the Western Creameries, Inc., those certain bonds of said company described as follows:

No. b. C. 24, 25, 50, 61 to 66; B. D. 14 and 38
b. m. 12, 13, 19 and 26; A.M. 81 and 131;

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that upon delivery of said bonds, he shall procure and retain therefor new bonds in like amount, dated January 1, 1935, bearing interest at 5% per annum due January 1st, 1950, with the interest which has accrued in the sum of \$1,106.00, being paid one-fourth on January 1st, 1937, and on each succeeding January 1st, to and including January 1st, 1940.

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 enter upon an agreement intended to accomplish the foregoing and that he 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 Jan 18 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.) 873 Equity ✓
EXCHANGE NATIONAL COMPANY,)
Defendant.)

ORDER DIRECTING AND AUTHORIZING EXECUTION OF ENTRIES OF
APPEARANCE

This cause coming on to be heard on this the 18th day of January, 1935, on verified application of Rex Watkinson, for an order directing, authorizing and empowering Employees Royalties Corporation or its officers and directors, to make, execute, and file entries of appearance in certain cases wherein The Lincoln National Life Insurance Company is plaintiff and the said Employees Royalties Corporation is one of the defendants, and the court having read said application and finding that it has jurisdiction to entertain the same and an order thereon and being fully advised in the premises, finds that said application should be and the same is hereby sustained.

IT IS THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained and the said Employees Royalties Corporation and its officers and directors be and they are hereby directed, authorized and empowered to make, execute, and deliver unto The Lincoln National Life Insurance Company or its representatives, due and proper entries of appearance in all those certain cases wherein The Lincoln National Life Insurance

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

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JANUARY 18, 1935

Company is plaintiff and the said Employees Royalties Corporation is one of the defendants

F. E. KENNAMER
United States District Judge.

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

CHARLES MASHUNKASHEY, Plaintiff,)
-vs-) No. 938 - Equity.
FRED S. CLINTON, ET AL, Defendants.)

Now on this 18th day of January, A. D. 1935, it is ordered by the Court that motion of Plaintiff to strike be submitted on briefs herein. Plaintiff given ten (10) days file brief. Defendants given five (5) days thereafter to file answer brief.

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

The Dow Chemical Company, a corporation, Plaintiff,)
vs.) No. 968 - Equity.
Williams Brothers Well Treating Corporation, a corporation, Defendant.)

FINAL DECREE

This cause came on to be heard on this 15th day of January, 1935. Both parties were represented by counsel. The court, having heard argument and considered the briefs submitted by counsel, and thereupon, upon consideration of the same, it is hereby adjudged and as follows:

- 1. That plaintiff's bill of complaint be and the same is hereby dismissed on merits with prejudice.
2. That the defendant herein have judgment against the plaintiff for the costs of this action to be taxed by the Clerk and that the plaintiff recover nothing.
3. That the hearing on the cross-petition of the defendant filed herein be continued pending the finality of this decree.

To all of which, the plaintiff at the time duly excepted, and exceptions are overruled.

F.E. KENNAMER
United States District Judge.

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

Court convened pursuant to adjournment, Saturday, January 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 WITHIN AND FOR THE NORTHERN DISTRICT OF
OKLAHOMA.

General American Life Insurance Company,
a corporation, Complainant,

vs.

Laura E. McWilliams, as Executrix of the
Last Will and Testament and of the Es-
tate of W. L. McWilliams, Deceased;

Laura E. McWilliams; Austin McWilliams;
Leo Bruce McWilliams, Defendants.

Number 800, In Equity.

ORDER CONFIRMING SPECIAL MASTER'S SALE.

And now on this 14th day of January, A. D. 1935, this matter comes on for upon the motion of the complainant, General American Life Insurance Company, a corporation confirm the sale of real estate made by Mr. John V. Beveridge, Special Master, said sale made and held in the above styled and numbered cause on the 5th day of November, A. D. 1934 also upon the objections and exceptions to the confirmation of said sale filed herein by defendants, Laura E. McWilliams, as Executrix of the Last Will and Testament and of the Estate of W. L. McWilliams, Deceased, Laura E. McWilliams, Austin McWilliams and Leo Bruce McWilliams and the complainant being present by its solicitors, Fred L. Hoyt and Roger L. Stephens, J. A. Denny, of Counsel, and the objecting defendants being present by their solicitor, F. Adams, thereupon the court did hear the evidence of witnesses produced and sworn in open to the fairness of said sale, and as to the value of the property sold by said Special Master and the complainant having in open court agreed to increase the amount of its bid in the sum of \$1000.00, said objections to said sale are hereby in all things overruled, and the Court, fully advised in the matter and upon consideration thereof, doth find that said Special Master hath in all respects conducted said sale in conformity with law and the decree of this court that due and legal notice of said sale was given in the form and manner provided in said decree and that on the day fixed in said notice, to-wit, the 5th day of November, 1934, said property was sold to the complainant at and for the sum of \$10,000.00, which bid was paid by a check upon the judgment in the sum of \$9,875.00, and the remainder of said bid being paid in cash to the Receiver in this action, V. J. Perrot, having made his report, showing on hand a balance of \$429.82, and the complainant having in open court agreed to increase its bid at said sale in the sum of \$1000.00, it is ORDERED, ADJUDGED AND DECREED by the court that said receiver's report be received, and the same is hereby approved, and that the judgment in this case be credited with the additional sum of \$429.82, reported by said receiver, and the further sum of \$1000.00 increase in bid made by the complainant, and that said receiver pay the amount of said sum in his hands, to-wit, \$429.82, to the complainant, and upon execution by the Special Master of said decree to the premises, as hereinafter described, that said receiver and his bondsmen be and are hereby discharged and released from any further liability to be hereinafter incurred.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the court that said Special Master, and the proceedings of said Special Master, be and the same are in all things hereby approved and confirmed, and the clerk of this court is directed to enter upon the journal of this court that the Court is satisfied of the legality of said sale, and that said sale was in strict conformity to the requirements of said decree, and was in all things fair, and i

further ordered that John V. Beveridge, as Special Master of this court, make, execute and deliver to the said purchaser, General American Life Insurance Company, a corporation, a good sufficient deed to the premises described in complainant's Bill of Complaint, and bring to the premises so sold by said Special Master.

It is FURTHER ORDERED that the said General American Life Insurance Company, a corporation, the purchaser of said premises, lands and tenements, as aforesaid, be immediately let into the possession of said premises, and each and every part thereof, and upon demand being made therefor by the complainant that the Clerk of this court is ordered to issue a writ of assistance to the United States Marshall for the Northern District of Oklahoma, directing him to place the said purchaser, General American Life Insurance Company, a corporation, in full possession thereof, and the defendants in this action, and each of them, and every person who has come into possession of said premises, or any part thereof, under said defendants, or either of them since the commencement of this action, shall upon presentation of a certified copy of this judgment and decree immediately deliver the possession thereof to the said General American Life Insurance Company, and that the refusal of said defendants, or either of them, to deliver possession of said premises, or any part thereof, as aforesaid, to deliver immediately possession of said premises to said purchaser shall constitute contempt of this court.

And this matter coming on further for hearing upon complainant's motion for deficiency judgment against the defendants Laura E. McWilliams, as Executrix of the Last Will and Testament and of the Estate of W. L. McWilliams, Deceased, and Laura E. McWilliams as an individual, and it being made to appear to the court that at the time of the rendition of the decree herein there was due to the complainant the sum of \$15,030.50, with interest thereon at 10 per cent. per annum from the 15th day of February, A. D. 1934, together with the further sum of \$500.00 attorneys' fee, and that the interest accrued to the date of this order is \$12.50 and that the total amount due complainant at this date, including the \$500.00 attorney's fee being \$16,904.05; and it further being made to appear that the defendants are entitled to a credit of \$10,375.00 on account of complainant's bid for the real estate involved herein, and their credit of \$210.33 on account of interest on said bid from the 5th day of November, 1934 to this date, and a further sum of \$429.82, paid or to be paid to the complainant by the defendants herein, and that the total credits due the defendants is the sum of \$11,515.65, and that there is a deficiency of \$5,388.40, and that complainant should have judgment therefor;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the court that Laura E. McWilliams, as Executrix of the Last Will and Testament and of the Estate of W. L. McWilliams, Deceased, pay to the complainant, the General American Life Insurance Company, a corporation, in due course of administration, the sum of \$5388.40.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the court that the complainant do have and recover a judgment against the defendant Laura E. McWilliams, as an individual, for the said sum of \$5,388.40, with interest thereon at 10 per cent. per annum from the 14th day of January, A. D. 1935.

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

F. E. KENNAMER
District Judge.

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, JANUARY 21, 1935

Court convened pursuant to adjournment, Monday, January 21, 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. 917 Equity ✓
)	
Fred J. Schmidt, Fred J. Smith Jr.,)	
Mary Smith and J. W. Bartholomew,	Defendants.)	

ORDER CONFIRMING SALE HAD BY MASTER IN CHANCERY.

This matter comes on to be heard this 18th day of January, 1935, upon the report of the Master in Chancery, A. R. Smith, as to the following described premises, to-wit:

The West Half ($W\frac{1}{2}$) of the West Half ($W\frac{1}{2}$) of the Northeast Quarter of Section Eleven (11), Township Twenty-three (23), Range Six (6), in Osage County, Oklahoma,

and the court having examined said report, being fully advised in the premises, finds that said sale was duly advertised and properly conducted and that said property was sold to S. E. Thoman, the cross-petitioner herein, for the sum of \$900.00 which is less than the amount of the judgment rendered herein in her favor and that the same should be applied upon said judgment.

The court being satisfied with the legality of said sale finds that the same should be confirmed.

IT IS THEREFORE by the court ordered, adjudged and decreed that the sale of the above described premises had by the said A. R. Smith as Master in Chancery in this case, for the purpose and so sold on the 11th day of January, 1935, to S. E. Thoman, cross-petitioner, for the sum of \$900.00 be and the same is hereby, by the court approved and confirmed.

It is further ordered, adjudged and decreed by the court that the said A. R. Smith as such Master in Chancery shall execute and deliver to S. E. Thoman, his deed conveying said premises to her.

It further appearing that the said S. E. Thoman has paid the costs of publication and has paid the Master in Chancery for his services, no order is made thereon except that payment is by the court approved.

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

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

Court adjourned to January 22, 1935.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JANUARY 22, 1935

Court convened pursuant to adjournment, Tuesday, January 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 UNITED STATES DISTRICT COURT WITHIN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

H. G. ROBY, ET AL., Complainants)
vs.) No. 890 ✓
RAY M. DUNNETT, ET AL., Respondents.)

O R D E R

Upon application of the Complainants herein, they are hereby given leave to withdraw the amended bill and file an amendment to their original bill by making additional parties plaintiffs Dr. A. J. Maris, Mrs. A. J. Maris and A. W. Wood, all alleged to be among minority shareholders in said Operators Oil Company, and they are further given leave to amend original bill of complaint and the same may be considered amended as a suit for an accounting and to recover profits to correspond with the theory, the facts and the law declared by the Circuit Court of Appeals in the causes of Nos. 960 and 961 according to the mandate and opinion of said Court.

It is further ordered that if the Respondents desire to file an amendment or supplemental answer, they shall do so within 10 days from this date, this January 22, 1935.

ENDORSED: Filed Jan 22 1935 F. E. KENNAMER
H. P. Warfield, Clerk District Judge
U. S. District Court

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

United States, Plaintiff,)
vs.) No. 1006 Equity ✓
Alice M. O'Brien, et al, Defendants.)

ORDER TO PAY INSURANCE CLAIM

Now on this 22nd day of January, 1935, this cause coming on to be heard on the application of Virgil Theis, Receiver herein, for an order of Court authorizing him to pay the insurance claim in the sum of \$116.10 on the L.O.R. Building located on the real estate involved in this cause, and it being shown to the Court that said insurance is necessary for the protection of said property, and said claim should be allowed out of money that has been or may be collected by said receiver, said receiver to make a proper return of payment of said bill;

IT IS BY THE COURT ORDERED that the Receiver in this cause be and he is hereby authorized to pay to C. F. Lake the sum of \$116.10 covering insurance premiums on said L.O.R. Building from any fund said Receiver may have in his hands, collected the property involved

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JANUARY 22, 1935

herein, and to make due report thereof.

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

F. E. KENNAMER
JUDGE

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

Court adjourned to January 23, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JANUARY 23, 1935

Court convened pursuant to Wednesday, January 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 IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

T. J. BOOTH, ET AL,	COMPLAINANTS)	
)	
VS.	)	IN EQUITY NO. 333
)	
GREER INVESTMENT COMPANY, A CORP-	DEFENDANTS)	
ORATION, ET AL,)	

ORDER AUTHORIZING RECEIVER TO MAKE PARTIAL DISTRIBUTION
OF CAPITAL TO RECORD OWNERS OF PREFERRED SHARES IN
PETROLEUM ROYALTIES COMPANY, A TRUST
ESTATE.

Now on this 23rd day of January, 1935 this cause came on regularly to be heard on the application of Paul E. Taliaferro, as Receiver of Petroleum Royalties Company, a Trust Estate, and Paul E. Taliaferro, H. N. Greis, and H. R. Young, as Trustees for said trust to pay to the record owners and holders of the preferred shares of said trust estate the 3% per share as a return and distribution of the capital of said trust estate; and it appears to the Court that there are now 1,961,440 preferred shares of said trust estate which have finally settled and determined, and that there was on December 31, 1934 in the hands of said receiver the sum of \$143,911.62 in addition to the sums previously set aside for distribution to shareholders under previous orders of this Court on shares which had not been issued, but which there was some question in regard thereto, and that the sum of 3% per share may be distributed to said shareholders without inconvenience to the administration of said trust estate, the discharge of any of its existing or accruing liabilities, and that said distribution of capital should be made, and it appearing that there has been issued under orders of the Court shares of preferred beneficial interests in the said Petroleum Royalties Company, a trust estate, to one John R. Symons, which shares had heretofore been unissued on account of a dividend claim thereto, and that the said John R. Symons has not received his proportionate part of distribution ordered on August 22, 1933 of 3% per share nor the distribution ordered on February 9, 1934 of 2% per share, and that he is now entitled to receive same, and it is therefore

CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that Paul E. Taliaferro as Receiver of Petroleum Royalties Company, a Trust Estate, and Paul E. Taliaferro, H. N.

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, JANUARY 23, 1935

and H. R. Young, as Trustees of said trust estate are hereby ordered and directed to distribute to the record owners and holders of 1,961,440 preferred shares of said trust estate the sum 3¢ per share, the said distribution to said record owners and holders of preferred shares to be made on February 12, 1935 to said shareholders and owners of record as of February 1, 1935, it is further ordered and decreed by the Court that Paul E. Taliaferro, as Receiver of Petr Royalties Company, a trust estate, and Paul E. Taliaferro, H. N. Greis, and H. R. Young, as trustees of said trust estate are hereby ordered and directed to disburse to John R. Symons equal to 3¢ per share and a further sum equal to 2¢ per share on 1,670 shares of preferred beneficial interests in the Petroleum Royalties Company, a trust estate, all in accordance with the above findings.

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

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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.)

ORDER REFUSING PLAINTIFF'S REQUEST FOR CERTAIN PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This cause having been tried in open court on the 27th day of September, 1934 the plaintiff and the defendant being represented by counsel, both parties having filed writ briefs, and oral argument being heard on January 15th, 1935, plaintiff requested certain findings of fact and conclusions of law which it filed with the court; which request is refused each and every of said findings of fact and conclusions of law, except that requested finding of fact numbered II, reading:

"This is a suit in equity arising under the patent laws of the United States" and that requested conclusion of law numbered (1), reading:

"This court has jurisdiction of the parties hereto and the subject matter hereof",

to which refusal plaintiff duly excepted and exceptions are allowed.

F. E. KENNAMER
United States District Judge.

Dated: January 23, 1935.

C.K. as to Fee: WILBUR J. HOLLEMAN

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

DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JANUARY 24, 1935

Court convened pursuant to adjournment, Thursday, January 24th, 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:

WINGMAN BREWSTER, ET AL.,	Plaintiffs,)	
-vs-	)	No. 1101 - Equity. ✓
E. M. MONSELL, ET AL.,	Defendants.)	

Now on this 24th day of January, A. D. 1935, it is ordered by the Court that defendants be and they are hereby granted five additional days to plead or answer herein.

Court adjourned to January 25, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JANUARY 25, 1935

Court convened pursuant to adjournment, Friday, January 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 UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT OF OKLAHOMA

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,)	
	Plaintiff,)	
vs.	)	873 Equity ✓
EXCHANGE NATIONAL COMPANY,	Defendant.)	

O R D E R

THIS CAUSE COMING on to be heard on this the 25th day of January, 1935, on application of Rex Watkinson, Receiver of Exchange National Company, to be permitted to an appearance in cause #54,790, in the District Court of Tulsa County, State of Oklahoma, Exchange Trust Company, et al, vs. Aaronson, et al, and to be substituted in said cause as party plaintiff in lieu of Exchange National Company, and the Court having read said application and finding it has jurisdiction to hear and determine said application and to 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 Rex Watkinson be and he is hereby authorized, directed and empowered to enter his appearance in cause #54,790 styled Exchange Trust Company, et al, vs. Aaronson, et al, and to pray an order thereon substituting him as party plaintiff in lieu of the said Exchange National Company.

F. E. KENNAMER
United States District Judge.

ENCLOSED: Filed Jan 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
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JANUARY 25, 1935

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

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

ORDER AUTHORIZING COMPROMISE OF INDEBTEDNESS

THIS CAUSE COMING on to be heard on this the 25th day of January, 1935, on a verified application of Rex Watkinson for an order authorizing him to execute a release of second mortgage on the

East 40 feet of Lot 13, Block 5, Highland's
Second Addition to the City of Tulsa, Oklahoma,

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 application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the application of Rex Watkinson for authority to compromise indebtedness and release second mortgage be answered is hereby sustained, and the said Rex Watkinson, Receiver of Exchange National Company and he is hereby authorized, directed and empowered to accept the sum of \$50.00 in compromise of that certain indebtedness arising out of a second mortgage on said aforescribed premises and execute a release of said second mortgage and do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that said application be so sustained upon the understanding and condition that should that certain Home Owners Loan referred to in said application, be completed, and the applicant should receive approximately the sum of \$1910.40 therefrom, the said Ponca City Building and Loan Association shall pay to Rex Watkinson, Receiver of Exchange National Company, or his successor, an additional sum of fifty (\$50.00) Dollars.

F. E. KENNAMER
United States District Judge

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

Court adjourned to January 26, 1935.

DISTRICT OF OKLAHOMA
REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, JANUARY 26, 1935

Court convened pursuant to adjournment Saturday, January 26th, 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:

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

Now on this 26th day of January, A. D. 1935 the above styled cause comes on for hearing upon motion for injunction. Thereafter, the following witness is sworn and examined before the Court. H. Barnett. And thereafter, affidavits of Plaintiff and Defendant are considered and introduced. And thereafter, it is ordered by the Court that case be continued to January 28, 1935.

Court adjourned to January 28, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JANUARY 28, 1935

Court convened pursuant to adjournment, Monday, January 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 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA.

United States,	Plaintiff,)	
)	
vs.	)	No. 809 Equity ✓
)	
W. H. Carrington, et al,	Defendants.)	

ORDER APPROVING MARSHAL'S SALE

Now on this ____ day of January, 1935, comes the plaintiff, the United States, on its own behalf and in behalf of the heirs of Wiley Whitewing, deceased Osage Allottee No. 1015, by 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 the Clerk of the United States District Court for said District, on the 13th day of March, 1934, said sale being of the following described property, to-wit:

Lots 9, 10, 11 and 12, Block 6, Pettits Addition to Hominy, Osage County,
Oklahoma,

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.

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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 MONDAY, JANUARY 22, 1935

It is therefore ordered by the Court that said sale and the proceedings thereon, 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, a copy of said return, to Magella Whitewing, Beatrice Whitewing and Oscar Whitewing, Osage Indian heirs of Wiley Whitewing, deceased Osage Allottee No. 786, a good and sufficient deed for the premises so sold, restrictions against 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. L. KENNAMER
JUDGE

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

THE METROLITE COMPANY, Plaintiff,)
-vs-) No. 904 - Equity. ✓
DARBY PETROLEUM CORP., Defendant.)

Now on this 22th day of January, A. D. 1935, it is ordered by the Court that the Clerk file and spread of record, minute of record in the above styled cause, same being and signed as follows:

UNITED STATES OF AMERICA, vs:

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.

ORDERING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, a copy was made of you in a cause between The Metrolite Company, Plaintiff, and Darby Petroleum Corporation, Defendant, Docket No. 904 - Equity, No. 10 of 1934, the decree of the said District Court in said cause entered on January 9, 1934, is as follows, to-wit:

* * * * *

"It is ordered, upon consideration thereof, that the petition filed by the Darby Petroleum Corporation for a writ of habeas corpus is hereby denied, and the writ is hereby denied, and the Darby Petroleum Corporation is hereby ordered to pay the costs of the said petition."

And it is further ordered that the original of the record of the said District Court, with a copy of the same, be filed in the United States Circuit Court of Appeals, Tenth Circuit, in violation of an act of Congress, in such case and under such conditions, and provided, that the same be done;

filed with the Clerk as of date of January 18, 1935.

F. E. KEUFNER
Judge United States District Court.

January 23th, 1935.

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

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

Frederick M. Wilhelm, Helen B.)
Wilhelm, Frederick B. Wilhelm,)
A. W. Drohen, August Bauman,)
Arthur G. Dana, Verma G. Jaegar)
and Edna Hyde Rose, Plaintiffs,)
vs) No. 970 Equity. ✓
Consolidated Oil Corporation, a cor-)
poration; Sinclair Prairie Pipe)
Line Company, a corporation, Sinclair)
Prairie Oil Company, a corporation,)
and Sinclair Prairie Oil Marketing Com-)
pany, a corporation, Defendants.)

O R D E R

Now on this 25th day of January, 1935, the defendants, Consolidated Oil Corporation, a corporation, Sinclair Prairie Pipe Line Company, a corporation, Sinclair Prairie Company, a corporation, Sinclair Prairie Oil Marketing Company, a corporation, and Sinclair Refining Company, a corporation, appearing specially and not waiving any objections or exceptions to the service herein upon each of said defendants, or to the jurisdiction of the court this suit, or the venue thereof, but expressly reserving all objections and exceptions to move the court for an extension of ten additional days within which to prepare and file counter-affidavits as they may desire to file in reply to the motions, pleadings and/or affidavits heretofore filed by the plaintiff under the order of this court made and entered on the day of November, 1934, and the court, being fully advised in the premises and finding the good cause shown said motion should be granted,

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED AND ADJUDGED as follows

(1) That the defendants be granted ten additional days, or until February 1935, within which to prepare and file such counter-affidavits as they may desire to file in reply to the motions, pleadings and/or affidavits filed by the plaintiffs herein.

(2) That said defendants and/or each of them shall have twenty (20) days after the filing of said counter-affidavits, as aforesaid, within which to prepare and file a brief and/or briefs in support of the motions and/or pleadings filed by the defendants herein.

(3) That the plaintiffs shall have twenty (20) days after the filing of briefs or briefs by said defendants, or any of them,

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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 WEDNESDAY, JANUARY 30, 1935

Court convened pursuant to adjournment, Wednesday, January 30th, 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 JUDICIAL DISTRICT
OF OKLAHOMA

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

O R D E R

Now on this 30th day of January, 1935, this matter comes on to be heard and application of the respondent, requesting the court to fix the amount of the supersedeas and to stay execution for a period of 20 days from date, and the court finding that judgment was rendered in this cause on the 11th day of January, 1935, in favor of the complainant Charles H. Tapp for the sum of \$4629.59 together with interest at 6 per cent from the 25th of August, 1933, and his costs herein and that judgment was likewise entered on said date favor of the complainant Milford E. Tapp and against the respondent Charles F. Stuart, for sum of \$2263.75 with interest thereon at the rate of 6 per cent per annum from the 25th of August, 1934 and his costs herein.

IT IS, THEREFORE, Ordered, and Adjudged by the court that the amount of the supersedeas bond to be filed by the respondent on appeal to the Circuit Court of Appeals shall be the same as is hereby fixed at \$10,000.00 and execution upon the said judgment therein shall be pending filing of the said appeal bond for a period of twenty (20) days from this date.

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

ENDORSED: Filed Jan 31 1935
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to January 31, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JANUARY 31, 1935

Court convened pursuant to adjournment, Thursday, January 31, 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 DISTRICT OF
 DISTRICT OF OKLAHOMA
 REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JANUARY 31, 1935

STANDISH HALL, TRUSTEE and THE GUARANTEE)	
TITLE & TRUST CO. TRUSTEE,)	
)	
-vs-)	
	)	No. 708 Equity.
THE KNIGHT REALTY CO. A CORP, ADAH SANDERS)	
and SANDERS, her husband, R. R. PARK)	
and ANNA K. PARK,)	
	)	Defendants.

Now on this 31st day of January, A. D. 1935, it is ordered by the Court that final compensation herein be allowed as follows: Standish Hall, Trustee, the sum of \$600; C. P. Chandler, Successor Trustee, the sum of \$250.00; Travis Milsten, Special Master, the sum of \$225.00; Mr. Brooks, attorney, the sum of \$2,000.00; additional and \$150.00 expenses of H. L. Smith, attorney, the sum of \$1500.00 additional. It is further ordered by the Court that motion to confirm sale be set for hearing February 4, 1935 at 9:30 o'clock A.M.

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

United States,	)	Plaintiff,
)	
vs.	)	No. 773 Equity
)	
W. E. McGuire, et al,	)	Defendants.

ORDER APPROVING MARSHAL'S SALE

Now on this 31 day of January, 1935, comes the plaintiff, the United States on its own behalf and in behalf of Agnes Wagoshe Graves, Osage Allottee No. 550, by its attorney Chester A. Brewer, Assistant United States Attorney, for the Northern District of Oklahoma and moves the Court to confirm sale of real estate made by the United States Marshal for the Northern District of Oklahoma, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said District, on the 13th day of March, 1934, said property being of the following described property, to-wit: Lot 7; W2 of Lot 8, Block 39, original town of Pawhuska, Osage County, Oklahoma.

And the Court having examined the proceedings of said sale by United States Marshal and the return thereon, and the order of sale, 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 thereon and the return thereon, 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 on said return, to Agnes Wagoshe Graves, Osage Allottee No. 550, a good and sufficient Marshal's deed for the premises so sold, restrictions against alienation of said land without the approval of the Secretary of the Interior, to be retained.

F. E. KENNAMER
 JUDGE

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

ENCLOSED: Filed Jan 31 1935
 H. P. Warfield, Clerk
 U. S. District Court ME

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, JANUARY 31, 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 RELEASE OF DEFICIENCY JUDGMENT AS TO CERTAIN PROPERTY

THIS CAUSE COMING on to be heard on this the 31st day of January, 1935, on application of Rex Watkinson, Receiver of Exchange National Company for an order authorizing directing and empowering him to release a certain deficiency judgment covering and affect the following described premises, to-wit:

Lot 8 Block 23 Wewoka, 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 finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the application of Rex Watkinson be and the same is hereby sustained, and the said Rex Watkinson be and is hereby authorized, directed and empowered to execute a release of judgment insofar as covers the above described premises, and the said Rex Watkinson be and he is directed, authorized and empowered to do all things necessary and proper to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jan 31 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 DISBURSEMENT OF FUNDS

THIS CAUSE COMING on to be heard on this the 31st day of January, 1935, on the application of Rex Watkinson, receiver of Exchange National Company, for an order authorizing him to pay unto Roy Fry, attorney of Sallisaw, Oklahoma, the sum of \$35.00, in order to procure a certain tax certificate described as No. 41, which the said Roy Fry got into his possession and under his control as a result of the representation of Exchange National Company, prior to receivership, in an action pending in the District Court of Sequoyah County, Oklahoma, and the court having read said application and being fully advised in the premises, finds that it has jurisdiction to entertain said application and enter an order thereon, and further finds that said application should be sustained;

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, JANUARY 31, 1935

IT IS THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said app
be and the same is hereby sustained and the said Rex Watkinson be and he is her-by direc
authorized and empowered to pay from the funds on hand in said receivership unto Roy Fry
said tax certificate the sum of \$35.00, and that he be further directed, authorized and
ed to do all things necessary and proper in order fully and effectually to accomplish th
and spirit of the application and this order.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jan 31 1935
H. P. Warfield, Clerk
U. S. District Court.

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

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 31st day of January, 1935, on
application of Horace H. Haran and T. Austin Gavin for an allowance of attorneys' fee for
services rendered from December 1, 1934, to January 31st, 1935, and a further order granting
a reasonable monthly allowance, and the Court, having read said application and being ful
vised in the premises, and finding that it has jurisdiction to hear and determine said ma
finds that said application should be sustained;

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

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that Horace H. H
and T. Austin Gavin, be and they are hereby allowed the sum of \$500.00 for services rende
the Receiver of the Exchange National Company from December 1st, 1934, to January 31st, 1
inclusive, and the said Receiver of the Exchange National Company be and he is hereby aut
directed and empowered to pay from the funds of said receivership, to the said Horace H.
and T. Austin Gavin, the sum of \$500.00, the amount above provided.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jan 31 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 THURSDAY, JANUARY 31, 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 EXECUTION OF ASSIGNMENT OF INSURANCE POLICY

THIS CAUSE COMING on to be heard on this the 31st day of January, 1935, on the application of Rex Watkinson, Receiver of Exchange National Company for an order directing, authorizing and empowering him to assign that certain life insurance policy on the life of William H. Horster in the Equitable Life Assurance Society of the U. S. A. No. 111755815, a 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 be and he is hereby directed authorized and empowered to relinquish unto J. H. McBirney, successor trustee in No. 877 Equity in the United States District Court for the Northern District of Oklahoma said life insurance policy described hereinabove and do all other things necessary and proper in order to carry the letter and spirit of the application and this order.

F. E. REYNOLDS
United States District Judge

RECORDED: _____
J. H. Marshall, 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 COMPROMISE OF INDEBTEDNESS

THIS CAUSE COMING on to be heard on this the 31st day of January, 1935, on the application of Rex Watkinson, Receiver of Exchange National Company, for an order authorizing and empowering him to execute a certain compromise and settlement of a certain indebtedness of Exchange National Company by Lee L. George and Eric George, and that 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;

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF OKLAHOMA
REGULAR JANUARY TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JANUARY 31, 1935

IT IS THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the appli-
cation of Rex Watkinson for authority to compromise and settle a certain indebtedness, be and th
same is hereby sustained, and the said Rex Watkinson be and he is hereby directed, author
and empowered to accept said sum of \$100.00 in full compromise and settlement of the inde
ness due from Etta George, and the said Rex Watkinson be and he is hereby authorized, dir
and empowered to do all things necessary and proper in order fully and effectually to see
the letter and spirit of the application and this order.

F. E. KEMMELER
United States District Judge.

ENDORSED: Filed Jan 31 1935
H. P. Warfield, Clerk
U. S. District Court

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

MINNIE E. STERLING AS EXECUTRIX OF THE)
ESTATE OF PERCY BENJAMIN STERLING,)
DECEASED, PLAINTIFF,)
VS.) No. 977 in Equity ✓
VERLAND OIL AND GAS COMPANY, a)
corporation, DEFENDANT.)

ORDER AUTHORIZING RECEIVER TO CARRY INSURANCE

NOW on this 31st day of January, 1935, the above cause coming on for hearing,
the application of the receiver for an order authorizing receiver to obtain and pay for c
tion, public liability and property damage insurance incident to the operation of the oil
on the oil lease over which the receiver has heretofore been appointed and is now acting
receiver; and for good cause shown:

IT IS BY THE COURT ordered that said application be granted and that the re
herein be and he hereby is authorized and directed to obtain proper coverage in compensat
public liability and property damage insurance, adequate to protect him and his trust in
operations, and to pay therefor the initial premium or amount required, being the sum of
and such further sums as may be necessary to afford such protection, and to credit himself
such expenditure in his next report.

F. E. KEMMELER
Judge

ENDORSED: Filed Jan 31 1935
H. P. Warfield, Clerk
U. S. District Court

1000
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 2, 1935

Court convened pursuant to adjournment, Saturday, February 2, 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 THE STATE
OF OKLAHOMA.

Kingman Brewster, J. S. Y. Ivins, Percy W.)
Phillips, and O. R. Folsom-Jones,)
Plaintiffs,)
vs.) No. 1001 Equity. ✓
E. M. Monsell, et al, as Executors of the)
Estate of Chas. Page, deceased, and the)
Sand Springs Home, corporation,)

O R D E R

Now on this 2nd day of February, 1935, it is ordered that the plaintiffs be, they are given leave to amend their Bill of Complaint herein by interlineation instantaneously alleging that the services performed under the original written contract, for which they recovered, were of the reasonable value of Forty Thousand Dollars (\$40,000.00), and that the services performed under the oral agreement relative to Oklahoma inheritance taxes, were of the reasonable value of Ten Thousand Dollars (\$10,000.00), and to increase the amount sought and recovered to Forty Five Thousand Forty Six & 02/100 Dollars (\$45,046.02), to which action court Defendants except.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED, that the motion of the defendant to make said Bill of Complaint more definite and certain by alleging the amount the plaintiff claim as the reasonable value of said separate services should now be and the same is hereby overruled and the defendants are given ten days to plead further or twenty days in which to answer.

O.K. BIDDISON, CAMPBELL & BIDDISON
Attorneys for Plaintiffs.

F. E. KENNAMER
Judge.

O.K. as to form
E. J. DORNER
Attorneys for Defendants.

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

Court adjourned to February 4, 1935.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE TERRITORY
 DISTRICT OF OKLAHOMA
 AND LAR JANUARY 1935 TERM-EQUITY DIVISION TULSA, OKLAHOMA MONDAY, FEBRUARY 4, 1935

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

STANBISH HILL, TRUSTEE, ET AL., PLAINTIFFS,)

v.

No. 708 Equity

THE KNIGHT REALTY COMPANY, ET AL., DEFENDANTS.

DECREE CONFIRMING SALE.

Now on this 4th day of February, 1935, this cause came on to be heard on the affidavits of complaints to a public sale and it is and was so heard, complaints agreed by Travis, Trustee, Plaintiff and H. L. Smith, their attorneys, and the defendants appeared by F. E. Risile, their attorney. Plaintiffs produce the report of Travis, Trustee, a Special Master in chancery, of the sale of real estate hereinafter described on the 21st day of January, 1935, made under and in pursuance of decree heretofore rendered in the above entitled cause, and in the said real estate and personal property involved in this cause, to-wit: W. A. Johnson, G. G. Bethel, Henry C. Ray, David Esleaban and L. Whitmore, as tenants, for the price of \$48,000.00; and the Special Master, after having examined the proceedings of the special in chancery sale and being satisfied that said sale and all proceedings therein ought to have been made in conformity to said decree and in accordance with the requirements of upon consideration thereof, it is by the court CONSIDERED, ORDERED, ADJUDGED AND DECREED as follows:

It is ordered and decreed that the said report, sale and proceedings be and are hereby confirmed and affirmed.

It is further ordered by the court that Travis, Trustee, as Special Master in Chancery, do and execute and deliver unto the said purchasers a good and sufficient deed conveying all the right, title, interest and estate in and to the said real estate and personal property and each and every part thereof so sold to them as aforesaid, to-wit:

Lots 3 and 4, Block 5, Kirkwood Place Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

together with all and singular the tenements, hereditaments, rights, franchises, easements, privileges, immunities and appurtenances in any way connected with the property hereby conveyed and thereunto belonging or in anywise appertaining, together with the reversion or reversions, remainder or remainders, income, revenue, rents, issues and profits thereof; also all improvements, buildings and fixtures of every kind, character and descriptive situated upon and affixed to said property, or placed in or on said property; also all the estate, right, title and interest of the defendants in and to the said real estate and every part thereof;

also all furniture, fixtures, rugs, curtains, utensils, bedding, towels, dishes, tableware, dishes, stoves and ranges, together with all other personal property which was upon the said real estate September 1, 1933, or at any time since that date except such personal property as may have been placed thereon and owned by tenants, never having been subject to the mortgage involved in this suit.

It is further ordered and adjudged that the special master distribute and disburse the proceeds arising from said sale as follows: he shall first pay all taxes which are due against the property included in the sale. He shall thereupon pay the court costs of the action, not including any of the costs of the recent appeal to the circuit court of appeal, including the special master's costs, consisting of publisher's charge for publishing sale

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 4, 1935.

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

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

O R D E R

Now on this 4th day of February, 1935, comes on to be heard the petition of the Bank Commissioner of the State of Oklahoma for permission to bring suit against the Exchange National Company, a corporation, of Tulsa, Oklahoma, and Rex Watkinson, Receiver of Exchange National Company, for the purpose of foreclosing a mortgage upon the Norty Fifty (50) feet of Lot Four (4), in Block One Hundred Seventy-four (174), of the original town, now city of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, and it appearing that the said Exchange National Company and Rex Watkinson, Receiver of Exchange National Company, are interested in said property and are necessary parties defendant in order to ascertain and adjudicate their interest in said property, the Court finds that said permission should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said Bank Commissioner of the State of Oklahoma, be, and he is hereby authorized and permitted to join the said Exchange National Company, a corporation, and Rex Watkinson, Receiver of Exchange National Company, as parties defendant in said action.

O.K. HORACE H. HAGAN
T. AUSTIN GAVIN Solicitors for Pl.

F. E. KENNAMER
J U D G E.

ENDORSED: Filed Feb 4 1935
H. P. Warfield, Clerk
U. S. District Court

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

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

O R D E R

Now on this 4th day of February, 1935, comes on to be heard the petition of the Bank Commissioner of the State of Oklahoma for permission to bring suit against the Exchange National Company and Rex Watkinson, Receiver of Exchange National Company, together with other defendants, for the purpose of foreclosing a mortgage upon Lot Five (5), in Block Two (2), Be Hills Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the record

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE TERRITORY
 DISTRICT OF OKLAHOMA
 REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, FEBRUARY 4, 1935

plat thereof, and it appearing that the said Exchange National Company and Rex Watkinson, of said Company, are necessary parties defendant to said action in order to clear the title said lands through foreclosure proceedings, and it further appearing that no personal judgment will be asked or taken against either of said defendants, the Court finds that said permit should be granted.

IT IS, THEREFORE, ORDERED; ADJUDGED AND DECREED that the said Bank Commissioner of the State of Oklahoma, be, and he is hereby authorized and permitted to join the said Exchange National Company, a corporation, and Rex Watkinson, Receiver of Exchange National Company, parties defendant in said action, provided, however, that no money judgment shall be taken either of said defendants in said action.

F. E. KENNAMER
 J U D G E

MORACE H. HAGAN
 T. AUSTIN GAVIN Solicitors for Complainant

ENDORSED: Filed Feb 4 1935
 H. P. Warfield, Clerk
 U. S. District Court

H. G. ROBY, ET AL,	Plaintiffs,)	
)	
-vs-		)	No. 890 - Equity. ✓
)	
RAY M. DUNNETT, ET AL,	Defendants.)	

Now on this 4th day of February, A. D. 1935, it is ordered by the Court that the Bill of Defendant Ray M. Dunnett for better statement be and it is hereby sustained. Plaintiff directed to file amended Bill within ten (10) days. Defendants given three (3) days thereafter to answer said Bill.

CHARLES KNETZGER,	Plaintiff,)	
)	
-vs-		)	No. 908 - Equity. ✓
)	
Pleasant Grayson, et al,	Defendants.)	

Now on this 4th day of February, A. D. 1935, it is ordered by the Court that the decree for Plaintiff foreclosing mortgage and cancelling note and merging same in judgment, entered herein, all as per journal entry to be filed.

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

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

DECREE SETTLING ACCOUNTS

This cause came on for hearing on this 4th day of February, 1935, upon the report and account of defendant, Fred T. Hildt, filed herein pursuant to previous order and

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of this court, and upon a proposed settlement of accounts between the defendants, Fred T. and Investors Royalty Company. The Plaintiffs appearing by their attorneys, Albert C. Hu and T. Austin Gavin; the defendant, Investors Royalty Company, by its attorneys, Jarman & and Benjamin Mossman, and the defendant, Fred T. Hildt, by his attorney, Eben L. Taylor.

And after said hearing, and upon consideration thereof, it appearing to the court that the said defendant, Fred T. Hildt, has resigned as the President, Treasurer, and Director of the defendant, Investors Royalty Company, a corporation, and that the terms of said proposed settlement of accounts between said defendants, Fred T. Hildt and the Invest Royalty Company, are that the said defendant, Fred T. Hildt, shall:

(1) Deliver to the Secretary of said corporation for cancellation, all common stock of the corporation now standing in his name, the same being 5600 shares of stock of par value of One Hundred Forty Thousand Dollars (\$140,000.00).

(2) Transfer and deliver to said corporation, by proper conveyances, all royalties belonging to said corporation, the title to which are or may be now in his name, either as an individual or as trustee for said corporation.

(3) Transfer and deliver to said corporation, by proper assignments, the 3 shares of preferred stock of said corporation, belonging to said defendant, Fred T. Hildt, standing in his name and which he has heretofore purchased on the open market with his own and which has a par value of Eight Thousand One Hundred Dollars (\$8,100.00).

(4) Release and relinquish all claims for additional salary, and release, and forever discharge the said Investors Royalty Company, its successors and assigns, from and all manner of actions and causes of action, suits, debts, dues, accounts, liabilities, contracts, judgments, claims and demands whatsoever, in law or in equity, which he, the said Hildt ever had or now has against the said Investors Royalty Company.

And that the said Investors Royalty Company shall:

(1) Pay to the said defendant, Fred T. Hildt, upon his transfer, delivery or assignment of the stock and royalties by him required as aforesaid, the sum of Twelve Thousand Dollars (\$12,000.00).

(2) Release, remise and forever discharge the said Fred T. Hildt, his heirs, executors and administrators, of and from all and all manner of actions, and causes of action, suits, debts, dues, accounts, liabilities, contracts, judgments, claims and demands whatsoever in law or in equity, which the Investors Royalty Company ever had or now has by reason of a cause, matter or thing whatsoever, including the matters involved in this litigation, against the said Fred T. Hildt, or which the plaintiffs, as stockholders of said Investors Royalty Company, ever had or now have by reason of any cause, matter or thing whatsoever arising from or from the matters involved in this action, or from the acts of the said Fred T. Hildt, as an officer, Director and trustee of said corporation, or otherwise.

And it further appearing to the court that said proposal of settlement is fair and reasonable, and that the same is for the benefit and best interest of the corporation and its stockholders, and will prevent further and expensive litigation, and that such settlement should be in all things approved and confirmed by the court, and an order entered effectuating the terms of said settlement.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the said defendant, Fred T. Hildt, shall:

(1) Deliver to the Secretary of said Investors Royalty Company, a corporation

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHEAST
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REGULAR JANUARY 1945 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, FEBRUARY 4, 1945

cancellation, all the common stock of the corporation now standing in his name, same being shares of stock of the par value of One Hundred Forty Thousand Dollars (\$140,000.00).

(2) Transfer and deliver to the said corporation, by proper conveyances, the royalties belonging to said corporation, the title to which may be in the name of the said Fred T. Hildt as an individual or as trustee for said corporation.

(3) Transfer and deliver to said corporation, by proper assignments, the 3 shares of preferred stock of said corporation belonging to the said Fred T. Hildt, and also in his name and which he has heretofore purchased on the open market with his own funds, which has a par value of Eight Thousand One Hundred Dollars (\$8,100.00).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the said defendant, Fred T. Hildt, is hereby released, released and forever discharged from all claims and demands of the plaintiff, Fred T. Hildt, for additional salary, by reason of his vice as an officer and Director of said corporation, and of and from any and all suits, claims, and causes of action, suits, debts, dues, accounts, liabilities, contracts, judgments and demands whatsoever, in law or in equity, which would be against the said Investors Royalty Company and Fred T. Hildt by or for or by reason of any cause, matter or thing what soever, to the date of this decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, Investors R Company, a corporation, shall pay to the said defendant, Fred T. Hildt, upon the transfer, assignment and assignment of the stock and royalties by him required as aforesaid, the sum of Fifteen Thousand Dollars (\$15,000.00), and the proper officers of said corporation are hereby authorized and directed to pay such sum out of the corporate funds now under their control in their possession.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the said defendant, Fred T. Hildt, his heirs, executors and administrators, are hereby released, released and forever discharged and from all and all manner of actions, and causes of action, suits, debts, dues, accounts, liabilities, contracts, judgments, claims and demands whatsoever in law or in equity, which the said Investors Royalty Company, ever had, now has, or may have against the said defendant, Fred T. Hildt, by reason of any cause, matter or thing whatsoever, including the matters involve this litigation, to the date of this decree; and that likewise the said Fred T. Hildt, his executors and administrators are hereby released, released and forever discharged from all manner of actions, and causes of action, suits, debts, dues, accounts, liabilities, contracts, judgments, claims and demands whatsoever, in law or in equity, including the matters involve this litigation, which the plaintiffs, as stockholders of said Investors Royalty Company, now have or may have for or by reason of any cause, matter or thing whatsoever, to the date of this decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the purpose and intent of this decree is to settle all matters in controversy between the plaintiffs herein and the Investors Royalty Company on the one part and the defendant, Fred T. Hildt, on the other part.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that this decree shall in no way affect the decree heretofore entered herein, cancelling the common stock standing in the name of the defendant, Frederick A. McAllister, either as an individual or as trustee, the amount of which is One Hundred Forty Thousand Dollars (\$140,000.00) of par value, but said previous decree cancelling such stock is hereby in all things confirmed and ratified.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the court shall retain jurisdiction of this cause and for any and all purposes other than the matters specifically settled by the terms of this decree, and that this decree shall not affect or modify in any manner,

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
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former decree of the court herein entered, except in the particulars aforesaid.

F. E. KENNAMER
Judge.

O.K. EBEN L. TAYLOR
Atty for Defendant, Fred T. Hildt.
O.K. as to form:
HAGAN & GAVIN By T. Austin Gavin
O.K. as to form:
ALBERT C. HUNT
O.K. JARMON & BROWN
BENJ. MOSSMAN

ENDORSED: Filed Feb 4 1935
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to February 5, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, FEBRUARY 5, 1935

Court convened pursuant to adjournment, Tuesday, February 5th, 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, Complainant,)
)
vs.) No. 930 Equity. ✓
)
Henry W. Metzger, et al., Defendants.)

O R D E R

On this the 5th day of February, 1935, a day and term term of this court, ca on to be heard the motion of Henry W. Metzger, the Central National Bank of Okmulgee, Oklah and Olive A. Rea and A. D. Cochran, Executors of the estate of Robert E. Rea, deceased, for dismissal of the complainant's Amended Bill of Complaint, the complainant appearing by C. E Bailey, United States Attorney, and Pedro Capo-Rodriguez, Attorney, the movants appearing b A. D. Cochran, Glenn Alcorn and Joseph C. Stone, their attorneys, and argument having been the court takes said motion under advisement, and

IT IS ORDERED that the movants have five (5) days to file brief, and that th complainant have twenty (20) days thereafter to file brief.

And it is further ordered that the defendants, Tidewater Oil Company, a cor- poration, Oklahoma Gasoline Plants, Incorporated, Gypsy Oil Company, a corporation, and Car Petroleum Company, a corporation, and each of them, pay to the guardian of Katie Fixico Fre and incompetent, until further order of the court, any and all royalties or funds accrued o accrue from the operations of the oil and gas mining purposes upon the land involved in thi

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
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REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, FEBRUARY 5, 1935

action. To which order the complainant makes no objection. This order shall not prejudice the rights of the complainant, if any, to an accounting from the guardian of said incompetent

F. E. KENNAMER
Judge.

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

Court adjourned to February 6, 1935.

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 6, 1935

Court convened pursuant to adjournment, Wednesday, February 6, 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

MISSOURI STATE LIFE INSURANCE CO., a corporation,	Plaintiff))
		)	) IN EQUITY NO. 465 ✓
-vs-))
EDWIN H. ROLLESTONE, et al,	Defendant.))

O R D E R

On this 6th day of February, 1935, this matter came on to be heard on the Application of J. A. Denny, attorney of record in said cause for an Order of Discount, and the Court Clerk to disburse the unused costs which were disposited in said cause as shown in the Report of Sale of the Special Master, and it appearing to the court that tere is the sum of \$29.07, in the hand of the Clerk of this Court, and it further appearing that the costs of litigation have been paid, and the Court being fully advised in the premises finds, that the Order showed issue.

It is therefore Ordered by the Court that the Clerk of this Court pay to J. A. Denny, attorney of record herein the money now on deposite in the Clerk's office, which represents the unused deposite as shown by the Special Master's report.

SO ORDERED this 6th day of Feb., 1935.

F. E. KENNAMER
Judge.

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

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DISTRICT OF OKLAHOMA

REGULAR JANUARY 1935 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 6, 1935

STANDISH HALL, TRUSTEE and THE GUARANTEE)
 TITLE & TRUST CO. TRUSTEE, Plaintiffs,)
 -vs-) No. 708 Equity.
 THE KNIGHT REALTY CO. A CORP. ET AL, Defendants.)

Now on this 6th day of February, A. D. 1935, it is ordered by the Court the motion of Cheyenne Arms, Inc., et al, to strike motion of Plaintiffs for judgment on a per se bond herein be, and the same is hereby overruled. Exceptions allowed. All sureties order notified and required to answer within ten (10) days.

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.)

ORDER REMOVING RECEIVER AND APPOINTING SUCCESSOR

On this 6th day of February, 1935, it appearing to the Court that Arthur J. Receiver herein, has not complied with the orders of this Court and should be removed:

IT IS ORDERED, ADJUDGED AND DECREED:

First. That the said Arthur J. Devlin is hereby removed as Receiver, and is ordered to appear before this Court forthwith to receive further orders of this Court.

Second. That E. J. Bowers of Tulsa, Oklahoma, be and is hereby appointed Receiver of all the properties, income, rents and revenues of which the said Arthur J. Devlin as Receiver and qualified as Receiver on the 23rd day of August, 1932, including all of the properties, estate and affairs now in his possession or under his control as Receiver, and the said Arthur J. Devlin is hereby ordered forthwith to turn over and deliver to E. J. Bowers as Receiver, of such property, assets, estate and affairs and records in his possession or under his control as Receiver, or belonging or owing to the receivership estate.

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

Fourth. That upon the filing and approval of said bond, the said Receiver herein and he is hereby authorized, empowered and directed to take immediate possession of all and singular the aforesaid properties, and until the further order of this Court to continue the operations of same, and to manage, control, operate, conserve and maintain said properties and the income, rents and revenues therefrom.

The Receiver shall exercise all such powers as are usually exercised by receivers and all such as are necessary or convenient to the proper conduct by him of the business heretofore conducted by the said Arthur J. Devlin, as Receiver, and prior to the receivership by the defendant, Alvin Hotel, Inc., and he shall discharge all such duties as are within the scope

purpose of his appointment, and apply the moneys collected to the payment of reasonable compensation for himself and his attorneys and counsel's fees as fixed by the Court, to the payment of the expenses and charges of operating and maintaining said premises, including Agents' commission, 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 carry on the business heretofore conducted on said premises as completely and unrestrictedly as his predecessor was authorized to do, 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, that the Receiver shall carry out of the funds in his hands not exceeding Five Thousand (\$5,000.00) Dollars in open checking account, and the remainder of the funds in his hands shall be carried in special accounts to be paid out only in special order of the Court.

Fifth. 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 which they are now and hereby restrained and enjoined during the pendency of this cause and the administration of the said Receiver from transferring, selling, disposing of or interfering with the use of the said properties, and from taking possession of or in any way interfering with the use of any part thereof, and from disturbing, preventing or in any way interfering with the Receiver in his possession, control, operation or management of said properties or any part thereof, which the said Receiver is hereby appointed as such, and from disturbing, preventing or in any way interfering with the Receiver in the discharge of his duties hereunder.

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

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

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

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

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

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

(f) To insure the said properties hereby placed in his possession and control against fire and theft to the same extent as it was insured by the defendant corporation as in the judgment of the Receiver may seem fit and proper.

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

Seventh. That until further ordered by this Court, the Receiver shall, out of the funds in his hands, and from the income, rents and revenues coming into his hands, pay and discharge all of the liabilities of the said properties and of the operation and maintenance of the said property, where authorized by the Court, including all taxes and charges in the nature thereof lawfully imposed upon the

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF
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REGULAR JANUARY 1936 TERM-EIGHTH SESSION TULSA, OKLAHOMA WEDNESDAY, FEBRUARY 5, 1936

Eighth. That the Receiver shall acquaint himself at once with the extent and 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 location of the lands.

Ninth. That A. B. Kennold, having been selected by the Receiver, he and all lands are appointed attorneys and counsellors for the Receiver at and about all matters as to be hereafter allowed by the Court.

Tenth. That the Receiver, as of March 21, 1936, or earlier thereafter as a practically feasible, and hereafter thereafter, until the Court's order of this Court, shall file itemized reports of his receipts and disbursements, and shall make such other and further reports as may be required in addition thereto as the Court may direct.

Eleventh. Full right and power are hereby conferred upon the said Court and such other and further orders herein as may be deemed proper to be made and as to be hereafter allowed by the Court.

Done at Tulsa, Oklahoma, February 5th, 1936.

ENDORSED: F. E. KENNAMER
A. B. Kennold, Clerk
U. S. District Court

F. E. KENNAMER
District J.

Continued to Journal 1, page 1.