

37U
✓

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, MAY 27, 1937

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

United States,	Complainant,)
)
vs.)
		) No. 1141 Equity
Alfred A. Drummond, Madelaine R.)
Drummond, et al,	Respondents.)

ORDER FOR SERVICE BY PUBLICATION

Now on this 27th day of May, 1937, on the application of the complainant, by proper showing made, it appearing to the undersigned Judge of the United States District Court for the Northern District of Oklahoma, that the above named respondent, Madelaine R. Drummond, has not been served with process in this cause; that proper subpoena in equity has been regularly issued therein, directed to said respondent in the Northern District of Okla and that the United States Marshal for said district has been made return showing that said pondent cannot be found in this district, and that proper service by order of this court sho directed to said respondent, as provided by law, Section 118, Title 28, U.S.C.A., directing to appear on a day certain to plead or answer to the Bill of Complaint as hereinafter order

IT IS THE ORDER of the Court that the respondent, Madelaine R. Drummond, ing, or if dead, her unknown heirs, executors, administrators and assigns, immediate and re appear and plead or answer to the Bill of Complaint in this cause wherein the complainant s judgment against said respondent to foreclose a mortgage executed by said respondent to seci payment of her certain promissory note in the sum of \$6,848.91, executed and delivered to M rite Copperfield, minor Osage Indian, now deceased, said mortgage covering the following des property, to-wit:

Lots Six and Seven, Block Twenty-nine, original town of Hominy, Osage Cour Oklahoma.

IT IS FURTHER ORDERED that this order be published once a week for six con weeks, beginning May 28, 1937, and that said respondent, if living, or if dead, her unknown executors, administrators and assigns, immediate and remote, appear and answer or plead to t Bill of Complaint herein on or before July 10, 1937, or all of the facts, matters and things therein will be taken as true and confssed, and judgment for the complainant will be render accordingly, and said respondent will be barred from any right, title, interest, property or in or to the property hereinbefore described.

WITNESS, the undersigned Judge of the United States District Court for the Northern District of Oklahoma.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 27 1937
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1159 - Equity. ✓
STANOLIND PIPE LINE CO. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1160 - Equity. ✓
SINCLAIR-PRAIRIE OIL CO. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1161 - Equity. ✓
STANOLIND CRUDE OIL PURCHASING CO.,
A CORPORATION, Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1162 - Equity. ✓
OKLAHOMA PIPE LINE CO. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1165 - Equity. ✓
THE NATIONAL REFINING CO., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

112

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

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, MAY 27, 1937

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1166 - Equity.
)	
PHILLIPS PETROLEUM COMPANY,	Defendant.)	

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1167 - Equity.
)	
THE TEXAS CO. A CORPORATION,	Defendant.)	

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1169 - Equity.
)	
SINCLAIR REFINING CO. A CORPORATION,	Defendant.)	

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defendant's motion to transfer to the Law docket be reserved until June 2, 1937, or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1170 - Equity.
)	
GULF REFINING CO. A CORP.,	Defendant.)	

Now on this 27th day of May, A. D. 1937, it is ordered by the Court that leave be granted to file amended bill and make additional parties defendant herein, upon application of the Plaintiff. Motions on file herein are withdrawn. Given twenty (20) days to plead and thirty (30) days to answer. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1171 - Equity. ✓
)
GULF OIL CORP. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered by the Court that I file amended bill and make additional parties Defendant herein be granted, upon application the Plaintiff. Motions on file herein to be withdrawn. Given twenty (20) days to plead or (30) days to answer. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1172 - Equity. ✓
)
THE TEXAS PIPE LINE CO. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defe motion to transfer to the Law docket be reserved until June 2, 1937 or until the further ord the Court. (F. E. K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1173 - Equity. ✓
)
THE BARNSDALL OIL CO. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defe motion to transfer as to the Law docket be reserved until June 2, 1937, or until the further of the Court. (F. E. K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1174 - Equity. ✓
)
CONTINENTAL OIL CO. A CORP., Defendant.)

Now on this 27th day of May, A. D. 1937, it is ordered that ruling on Defe motion to transfer to the Law docket be reserved until June 2, 1937, or until the further or of the Court. (F. E. K. Judge).

314

Court convened pursuant to adjournment, Friday, May 28th, 1937.

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

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

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

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 28th day of May, 1937, upon the application of J. H. McBirney, S Trustee to the Exchange National Bank of Tulsa, for authority to sell real estate held by as such Trustee; and it appearing to the court that the said Trustee is the owner of

Lot Twenty Four (24) in Block Two (2) in Kraatz-Gerlach Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

said Trustee having acquired title by virtue of a real estate mortgage foreclosure sale; mortgage was foreclosed by said Trustee in cause No. 58584 in the District Court of Tulsa Oklahoma, against Charles Bruce Chenault, Jr., and Clara Chenault, wherein judgment was r for said Trustee for the principal sum of Two Thousand One Hundred Seventy Five & 87/100 (\$2,175.87), together with interest in the amount of Nine Hundred Forty Eight & 54/100 Do (\$948.54), less the sum of Two Hundred Twenty Two & 79/100 Dollars (\$222.79), and the fur sum of Two Hundred Twenty Dollars (\$220.00) as attorney's fees, and that said real estate sold to satisfy said judgment, and said real estate was purchased by said Trustee for the sum of Two Thousand Five Hundred Dollars (\$2,500.00), which sum was credited upon said ju and it further appearing that one Charles O. Ward has offered said Trustee the sum of Two Thousand Dollars (\$2,000.00) for the purchase of said real estate, payable One Thousand D (\$1,000.00) in cash, and the balance of One Thousand Dollars (\$1,000.00) to be paid in mo installments of Twenty Dollars (\$20.00) and to bear interest at the rate of six per cent per annum from date; all of said loan to mature within five (5) years from date; said defo payments to be evidenced by a promissory note, and said indebtedness to be secured by a f and prior real estate mortgage covering the property above described; and it further appee that the Advisory Committee appointed to counsel and advise with said Trustee has been no of said proposed sale, and have approved the same, and have recommended that said Trustee said real estate for said consideration; and it further appearing that the said Trustee re commends the sale of said premises for said consideration and upon said terms; and it furth appearing that it is to the best interest of said trust estate to liquidate said assets, a other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell to Charles O. Ward, the following described property, to-wit:

Lot Twenty Four (24) in Block Two (2) in Kraatz-Gerlach Addition to the Cit of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

376
1

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, MAY 28, 1937

will be required to pay a real estate brokerage commission of One Hundred Five Dollars (\$105.00) to Bert Farmer and Mitchell, Realtors, for the making of said sale; and it further appears that the Advisory Committee appointed to counsel and advise with said Trustee have been of said proposed sale, and have approved the same, and have approved the same, and have recommended that said Trustee sell said real estate for said consideration and to pay said real estate brokerage commission; and it further appearing that the said Trustee recommends sale of said premises for said consideration and upon said terms; and it further appears that it is to the best interest of said trustestate to liquidate said assets, and for other cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell to Charles Huffman and Elizabeth K. Huffman, the following described property to-wit:

East Half (E $\frac{1}{2}$) of the North Half (N $\frac{1}{2}$) of Lot Two (2), in Block Three (3), Peoria Gardens Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

for the total consideration of Two Thousand One Hundred Dollars (\$2,100.00), said consideration to be payable, Three Hundred Fifty Dollars (\$350.00) in cash, and the balance of One Thousand Seven Hundred Fifty Dollars (\$1,750.00), which is to draw interest at six per cent (6%) per annum, to be paid in monthly installments of Twenty Five Dollars (\$25.00) to apply on both principal and interest; all of said loan to mature within five (5) years from date; said payments to be evidenced by a promissory note, and said deferred payments to be secured by first and prior real estate mortgage upon said premises.

IT IS FURTHER ORDERED that said Trustee be and he hereby is authorized to pay Bert Farmer and Mitchell, Realtors, the sum of One Hundred Five Dollars (\$105.00) as a real estate brokerage commission for the making of said sale.

IT IS FURTHER ORDERED that upon payment of said Three Hundred Fifty Dollars (\$350.00) by Charles Huffman and Elizabeth K. Huffman, the execution and delivery of said promissory note for One Thousand Seven Hundred Fifty Dollars (\$1,750.00), and proper real estate mortgage covering said real estate, that said J. H. McBirney, Successor Trustee, execute and deliver Trustee's deed to said purchasers.

IT IS FURTHER ORDERED that the sale of said real estate and premises by J. H. McBirney, Successor Trustee, to Charles Huffman and Elizabeth K. Huffman, his wife, for said consideration and upon said terms, be and the same is hereby confirmed.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed May 28 1937
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER AUTHORIZING TRUSTEE TO WITHDRAW CLAIM AGAINST THE ESTATE
OF J. H. EVANS DECEASED.

On this 28th day of May, 1937, there came on for hearing the application of J. H. McBirney, Successor Trustee, for authority to withdraw the claim filed by him against the estate of J. H. Evans, deceased, and to execute and deliver a covenant not to sue said Executor said estate; and it appearing that J. H. McBirney, Successor Trustee, has filed a claim with May Evans Harkness, Executrix of the estate of J. H. Evans, deceased, for the sum of One Million Five Hundred Sixty Eight Thousand Nine Hundred Thirty Six & 77/100 Dollars (\$1,568,936.77) which said claim was filed by said Trustee for the use and benefit of all of the holders of guaranteed first lien participation certificates issued by the Exchange National Company, said claim being predicated upon the alleged liability of J. H. Evans prior to his death, the true liability upon the said J. H. Evans as a Director of the Exchange National Company creating an indebtedness in excess of the capital stock of the Exchange National Company, violation of Section 9763 O.S. 1931; and it further appearing that the said claim recites that the said Exchange National Company, during the times that the said J. H. Evans was a Director thereof, created an indebtedness of Three Million Two Hundred Ninety Seven Thousand Two Hundred Two Dollars (\$3,297,202.00), when the said Exchange National Company had an authorized capitalization of Three Hundred Thousand Dollars (\$300,000.00), up to July 3, 1929, and thereafter a capitalization of One Million Dollars (\$1,000,000.00); and it further appearing that all other Directors of said Exchange National Company was subject to the same claim and liability and that the said liability, if any, is joint and several; and it further appearing that the estate of J. H. Evans, Deceased, is probably insolvent, but that the Executrix, May Evans Harkness, has proposed to pay the sum of Two Thousand Dollars (\$2,000.00) in consideration of the Trustee withdrawing said claim and executing and delivering a covenant not to sue said Executor said estate, and that it is necessary to have said claim withdrawn in order to expedite the close said estate; and it further appearing that the Advisory Committee, appointed to court and advise with said Trustee; has been notified of the proposed offer of Two Thousand Dollars (\$2,000.00) for the withdrawing of said claim, and the execution and delivery of said covenant not to sue, and that said Advisory Committee has recommended the acceptance of said sum of Two Thousand Dollars (\$2,000.00) for the withdrawal of said claim and the execution and delivery of said covenant not to sue; and it further appearing that it is for the best interest of said Trustestate to accept said sum of Two Thousand Dollars (\$2,000.00) for the withdrawal of said claim and the execution and delivery of said covenant not to sue, and for other good cause

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to withdraw said claim filed by him against the estate of J. H. Evans, deceased, in the amount of One Million Five Hundred Sixty Eight Thousand Nine Hundred Thirty Six & 77/100 Dollars (\$1,568,936.77), and to execute and deliver a covenant not to sue said Executrix of said estate, in consideration of the payment by May Evans Harkness, Executrix, to J. H. McBirney, Successor Trustee, of the sum of Two Thousand Dollars (\$2,000.00).

IT IS FURTHER ORDERED that this said settlement does not affect or refer to the claim of said J. H. McBirney, Successor Trustee, against the said estate of J. H. Evans, deceased, on account of note secured by mortgage, the amount thereof being for the sum of Eight Hundred Dollars (\$800.00), plus interest.

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JUNE 1, 1937

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

H. L. Standeven, as Executor,	Plaintiff,)
)
vs.		) No. 1193 Equity
)
The Mutual Life Insurance Company)
of New York, a corporation,	Defendant.)

O R D E R

The above matter coming on to be heard on this 1st day of June, 1937, upon verified application of the defendant herein for commission to take depositions in the City of Boston, County of Suffolk, State of Massachusetts, and it appearing therefrom that good and sufficient cause exists for the taking and reducing to writing of the depositions of Robert H. Whitcomb, Mrs. Mary Lawson Tobias, Edward W. Estabrook, Charles H. Welch, Miss Vivian Fairbanks, William J. Chaplin, and Edmund R. Brown, who are residents of the State of Massachusetts and residents of the State of Oklahoma, and it appearing that the parties hereto have stipulated the taking of said depositions.

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED by the court, and the undersigned Judge thereof, that Raymond Kinsman, a lawfully qualified and commissioned Notary Public within and for the City of Boston, County of Suffolk, State of Massachusetts, or any other such Notary Public properly qualified and available therein, be and he is hereby commissioned and authorized to be at the office of Reginald Foster, 87 Milk Street, City of Boston, County of Suffolk, State of Massachusetts, on the 8th day of June, 1937, and each succeeding day thereafter, if necessary, until said depositions are completed, there to administer the oaths and to take and receive the depositions of Robert H. Whitcomb, Mrs. Mary Lawson Tobias, Edward W. Estabrook, Charles H. Welch, Miss Vivian Fairbanks, William J. Chaplin and Edmund R. Brown and to cause the same to be properly transcribed, subscribed and transmitted forthwith to the clerk of this court, and shall be your authority so to do.

F. E. KENNAMER
 UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jun 1 1937
 H. P. Warfield, Clerk
 U. S. District Court H

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

H. L. Standeven, as Executor,	Plaintiff,)
)
vs.		) No. 1193 Equity.
)
The Mutual Life Insurance Company of)
New York, a corporation,	Defendant.)

O R D E R

The above matter coming on to be heard on this 1st day of June, 1937, upon the sworn application of defendant herein for a commission to take a deposition in the City of New York, State of New York, and it appearing therefrom that good and sufficient cause exists for

Court convened pursuant to adjournment, Wednesday, June 2, 1937.

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

STEPHEN V. DILLON, Complainant,)
-vs-) No. 1091 Equity
SMITH SEPARATOR CORPORATION, Defendant.)

ORDER FURTHER EXTENDING TIME TO FILE TRANSCRIPT OF RECORD

Upon motion of Yancey & Spillers attorneys for the defendant herein and cause appearing therefor, it appearing to the court that praecipe for the transcript of record has been duly filed herein by attorneys for defendant but that the printer is unable to print said record due to the number of records prior to the one in this action which the printer is preparing.

And the court being fully advised finds that further extension of time should be granted to file transcript of record.

It is hereby ordered by the undersigned Judge who signed the order allowing appeal and issued the citation herein, that the defendant be and is hereby granted thirty additional days from and after the present return day June 10, 1937 within which to file a certified copy of the record on appeal herein in the office of the Clerk of the United States Circuit Court of Appeals for the Tenth Circuit.

Dated this 2nd day of June, 1937.

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

ENDORSED: Filed June 2 1937
H. P. Warfield, Clerk
U. S. District Court

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1158 - Equity.
THE CARTER OIL CO. A CORP., Defendant.)

Now on this 2nd day of June, A. D. 1937, it is ordered by the Court that Defendant's motion for further and better statement and to strike be and it is hereby sustained in part and overruled in part, etc., all as per journal entry to be filed. (F. E. K. Judge)

004
↓

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JUNE 2, 1937

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1165 - Equity. ✓
)
THE NATIONAL REFINING COMPANY, Defendant.)

Now on this 2nd day of June, A. D. 1937, it is ordered by the Court that hearing and ruling on Defendant's motion to transfer to law docket be continued to June 7, 1937, or until the further order of the Court. (F.E.K. JUDGE).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1166 - Equity. ✓
)
PHILLIPS PETROLEUM COMPANY, Defendant.)

Now on this 2nd day of June, A. D. 1937, it is ordered by the Court that hearing and ruling on Defendant's motion to transfer to law docket be continued to June 7, or until the further order of the Court. (F.E.K. JUDGE)

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1169 - Equity ✓
)
SINCLAIR REFINING CO. A CORP., Defendant.)

Now on this 2nd day of June, A. D. 1937, it is ordered by the Court that hearing and ruling on Defendant's motion to transfer to law docket be continued to June 7, or until the further order of the Court. (F.E.K. JUDGE).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1167-Equity ✓
)
THE TEXAS COMPANY, a corp., Defendant.)

Now on this 2nd day of June, A. D. 1937, it is ordered by the Court that hearing and ruling on Defendant's motion to transfer to law docket be continued to June 7, or until the further order of the Court. (F.E.K. Judge).

300

THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JUNE 2, 1937

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1178 - Equity. ✓
COSDEN PIPE LINE CO., Defendant.)

Now on this 2nd day of June, A. D. 1937, it is ordered by the Court that of Defendant to require Plaintiff to separately state and number be and it is hereby passe to June 7, 1937 or until the further order of the Court. (F.E.K. JUDGE).

Court adjourned to June 5, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, JUNE 5, 1937

Court convened pursuant to adjournment, Saturday, June 5th, 1937.

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.

Wilson Clinton, incompetent, by Cubah Clinton,)
his next friend, et al., Petitioners,)
-vs-) No. 607 Equity ✓
O. C. Coppedge, et al., Respondents.)

ORDER AUTHORIZING GUARDIAN AD LITEM AND GUARDIAN TO MAKE SETTLEMENT AND RELEASE JUDGMENT.

This cause coming on to be heard this the 5th day of June, 1937 upon appli of the guardian ad litem to settle a certain judgment rendered in this cause on the 29th d September, 1933, and the Court having read the petition and heard the evidence and being i advised in the premises is of the opinion that said petition should be allowed, and furthe finds that it is to the best interest of the complainant, Wilson Clinton, incompetent, th settlement proposed by the guardian ad litem and the present guardian should be approved.

IT IS, THEREFORE, ORDERED AND ADJUDGED that said settlement and compromise approved and the guardian ad litem, Creekmore Wallace, and the present guardian, C. A. Mul of Wilson Clinton, incompetent, be, and they are hereby authorized to execute a release an satisfaction of said judgment.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Jun 5 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

Wilson Clinton, et al, Complainant,)
vs.) No. 607 Equity. ✓
O. C. Coppedge, Respondent.)

ORDER ALLOWING GUARDIAN AD LITEM FEES

It appearing to the court that Creekmore Wallace, who was heretofore appointed guardian ad litem of Wilson Clinton, an incompetent, has performed the service for which he appointed, and whereas said litigation concerning the matters set forth in the bill of complaint and the judgment of the court has been terminated, and that the said Creekmore Wallace has been paid guardian ad litem fee in this case, and upon application in open court of the said Creekmore Wallace for a fee and upon statement of counsel, the court finds that a reasonable fee should be allowed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that Creekmore Wallace, attorney and guardian ad litem for said incompetent in this cause, be paid the sum of Five Hundred Dollars (\$500.00) as full compensation for his services in said matter, and the sum of \$500.00 be paid from the funds of Wilson Clinton, an incompetent.

F. E. KENNAMER
Judge of the Federal Court

O.K. JOHNSON & JONES
Attorneys for Guardian

ENDORSED: Filed Jun 7 1937
H. P. Warfield, Clerk
U. S. District Court H

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

United States, Complainant,)
vs.) No. 1114 Equity ✓
O. L. Barlow and Ethel P. Barlow, Respondents.)

O R D E R

Now on this 7th day of June, 1937, this matter coming on to be heard on the objections of the respondents herein to the confirmation of the sale of the property involved in this cause, and complainant appearing by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and said respondents appearing neither in person nor by attorney, and the Court being fully advised in the premises, finds that said objections should be overruled.

IT IS THEREFORE THE ORDER of the Court that the objections of the respondents herein to confirmation of the sale of the property involved in this cause of action be, and they

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 7, 1937

same hereby are overruled.

F. E. KENNAMER
JUDGE

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

ENDORSED: Filed Jun 10 1937
H. P. Warfield, Clerk
U. S. District Court H

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

United States,	Complainant,)	
)	
vs.		)	No. 1189 Equity ✓
)	
Siller Tiger, formerly Siller)	
Kemohah,	Respondent.)	

ORDER OVERRULING MOTION TO DISMISS.

Now on this 7th day of June, 1937, this matter coming on to be heard on t
tion of the respondent to dismiss complainant's Bill of Complaint, and complainant appearing
Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, a
Court being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same
is overruled, to which order and ruling of the Court the respondent excepts, and exceptions
allowed.

IT IS THE FURTHER ORDER of the Court that said respondent be, and hereby
allowed 20 days from this date in which to answer to the Bill of Complaint herein.

F. E. KENNAMER
JUDGE.

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

ENDORSED: Filed Jun 10 1937
H. P. Warfield, Clerk
U. S. District Court H

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

THE FIRST NATIONAL BANK AND TRUST COMPANY)
OF TULSA, Successor Trustee for MARY FRANCES)
WALTER, Plaintiff,)

vs.

OKLAHOMA HOSPITAL, INC., a corporation; OKLAHOMA)
HOSPITAL CORPORATION, a corporation; OKLAHOMA)
HOSPITAL, a corporation; FRED S. CLINTON and)
JANE H. CLINTON, his wife; EXCHANGE TRUST COMPANY,)
a corporation; HOWARD C. JOHNSON, Bank Commissioner)
of the State of Oklahoma; THE FIRST NATIONAL BANK)
AND TRUST COMPANY OF TULSA, Successor Trustee of the)
Frank H. Reed and Isabelle S. Reed Trust; THE FIRST)
NATIONAL BANK AND TRUST COMPANY, Successor Trustee)
for John Francis Malloy; J. C. DENTON, C. H. SWEET)
and F. M. SOWLE, as Trustees; VIRGINIA HAGAN HINTON,)
Successor Trustee for S. L. Canterbury; FEDERAL)
NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation,)
Guardian of the Estate of Charline Naomi Crossland,)
a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE)
DAVIS, nee Jones; HAROLD T. WRIGHT; FRANK G. COUPER:)
TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and)
MAUDE C. MARKHAM, Executrix of the Estate of John)
H. Markham, Deceased, Defendants.

In Equity No. 1195. ✓

JOURNAL ENTRY.

This matter came on for hearing in open Court on this 7th day of June, 1937, the various motions of the defendants, Oklahoma Hospital, a corporation, Oklahoma Hospital Corporation, Oklahoma Hospital Corporation, a corporation, Fred Clinton and Jane H. Clinton, to dismiss the petition of the plaintiff filed herein and to likewise dismiss the separate answers and cross-petitions filed by the various defendants herein, and the motion of the defendants require the defendant, Mollie Davis, nee Jones, to make her answer and crosspetition more definite and certain, and said moving parties being represented by their counsel, Phil W. Davis, and the plaintiff and the said remaining defendants and cross-petitioners being represented by their respective record counsel, and said Mollie Davis, nee Jones, being represented by Chester A. Assistant United States Attorney for the Northern District of Oklahoma, and the matters having been presented to the Court and having been duly and fully considered, the Court is of the opinion that each and all of said respective motions should be overruled, save only that portion of the motion directed to the answer and cross-petition of Mollie Davis, nee Jones, which requested there be attached thereto a copy of the decree of this Court, dated March 23, 1934, placing the trust funds of said Mollie Davis, nee Jones, under the supervision of the Secretary of the Interior and that as to such portion of said motion the same should be sustained;

IT IS, THEREFORE, ORDERED that the various motions of the defendants, Oklahoma Hospital, a corporation, Oklahoma Hospital Inc., a corporation, Oklahoma Hospital Corporation, a corporation, Fred S. Clinton and Jane H. Clinton, to dismiss the petition of the plaintiff and the answers and cross-petitions of the various remaining defendants filed herein, including the motion requiring the defendant and cross-petitioner, Mollie Davis, nee Jones, to make her answer and cross-petition more definite and certain, be, and the same hereby are, overruled, save the

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION

TULSA, OKLAHOMA

MONDAY, JUNE 7, 1937

said motion to make definite and certain directed to the answer and cross-petition of Mollie nee Jones, be, and the same hereby is, sustained to the extent that said last named defendan be required to attach or file with her said answer and cross-petition a copy of the prior De this Court dated March 23, 1934, placing the trust funds of said Mollie Davis, nee Jones, un supervision of the Secretary of Interior, which IT IS ORDERED shall be filed herein within f (5) days from the date hereof;

IT IS FURTHER ORDERED that said moving defendants so have and be granted (20) days from and after this date within which to file their answer or answers to the petit of plaintiff and to the various cross-petitioners filed herein, save only that as to the answ cross-petition of Mollie Davis, nee Jones, said moving defendants shall have and be granted five (25) days from this date within which to answer the said answer and cross-petition of s defendant, Mollie Davis, nee Jones; to all of which judgment and ruling, the defendants, Okla Hospital, a corporation, Oklahoma Hospital Inc., a corporation, Oklahoma Hospital Corporation a corporation, Fred S. Clinton and Jane H. Clinton, duly except and are granted an exception the Court.

DONE in open Court on this, the day and year above set forth.

F. E. KENNAMER
District Judge.

O.K. PHIL W. DAVIS, JR.
Atty & solicitor for Movants

O.K. LASHLEY & RAMBO
Attorneys for Plaintiff.

ENDORSED: Filed Jun 15 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

United States, Complainant,)
)
vs.) No. 1208 Equity ✓
)
Board of County Commissioners of Pawnee)
County, Oklahoma, et al, Respondents.)

ORDER OVERRULING RESPONDENT'S MOTION TO DISMISS

Now on this 7th day of June, 1937, this matter coming on to be heard on th motion of the respondent to dismiss complainant's Bill of Complaint, and complainant appearin Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, an respondent appearing by Horace D. Ballaine, County Attorney of Pawnee County, Oklahoma, and t Court after hearing the argument of counsel, and being fully advised in the premises, finds t said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same h is overruled, to which order of the Court the respondent excepts, and exceptions are allowed.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JUNE 8, 1937

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1161 - Equity. ✓
)
STANOLIND CRUDE OIL PURCHASING CO.)
A CORPORATION, Defendant.)

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that to transfer be submitted on arguments and memorandum briefs. Movant given fifteen (15) day file brief. Plaintiff given ten (10) days thereafter to file reply brief. Given five (5) to file answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1162 - Equity. ✓
)
OKLAHOMA PIPE LINE CO. A CORP., Defendant.)

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that Plaintiff's application for leave to amend amended bill herein be and it is hereby granted. Defendant's motion to transfer considered refiled ad against amended bill as amended by amend It is furtherordered that motion to transfer be submitted on arguments and memorandum brie Movant given fifteen (15) days to file brief. Plaintiff given ten (10) days thereafter to reply brief. Give (5) days granted to file answer reply brief. (F.E.K. Judge).

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

UNITED STATES OF AMERICA, Plaintiff,)
)
vs.) No. 1162 Equity. ✓
)
OKLAHOMA PIPE LINE COMPANY, a corporation,)
Defendant.)

O R D E R

NOW, on this the 27th day of May, A. D. 1937, the Court being fully advised the premises orders that the plaintiff be, and it is hereby permitted to amend its Amended Complaint by inserting immediately following the nineteenth line on page twenty-five (25) of Bill, the following:

Plaintiff further alleges that on each day beginning with the fiscal year ending June 30, 1918, and continuing to this date, the defendant has run under said division orders, and pretended to guage and measure, oil belonging to the Osage Tribe of Indians in manner and by the methods alleged in this Amended Bill, and the plaintiff further alleges th the highest posted market price of said oil during each of said years has changed, varied and fluctuated, and that such changes, variations and fluctuations have at time occurred from day to day, and that such changes have been frequent and marked, and that the plaintiff is entit to recover the highest posted market price for said oil on the days the same was run and received by the defendant.

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JUNE 8, 1937

Plaintiff further alleges that during all of the aforesaid period of time order to determine the various amounts due from the defendant, that it will be necessary to and determine the quantity of oil run into said "gathering stations", belonging to the Osage of Indians, the lessees of the Osage Tribe of Indians, and the oil produced and received in lines of the defendant from within and beyond Osage County, and run into said "gathering stations" within Osage County, into which oil was run and that had been produced in Osage County, and to apportion and determine, justly and accurately, the amount of oil received by the defendant which the Osage Tribe of Indians have not been paid, and that by reason of each and all of the foregoing facts the determination of the correct, separate and aggregate amounts of money due to the plaintiff each day, and for all of said period, and the interest thereon, is intricate, and extremely difficult of determination and ascertainment, and entails the ascertainment of thousands of separate sums of money, and the calculation of interest on each of said separate sums of money from the day when the same became due and owing to the plaintiff.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE.

ENDORSED: Filed Jun 8 1937
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1165 - Equity.
)	
THE NATIONAL REFINING CO.,	Defendant.)	

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that no further transfer be submitted on arguments and memorandum briefs. Give fifteen (15) days for Movant to file brief. Plaintiff given ten (10) days thereafter to file reply brief. Given five (5) days to answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
-vs-		)	No. 1166 - Equity.
)	
PHILLIPS PETROLEUM CO.,	Defendant.)	

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that no further transfer be submitted on arguments and memorandum briefs. Movant given fifteen (15) days to file brief. Plaintiff granted ten (10) days thereafter to file reply brief. Given five (5) days to file answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.		)	No. 1167 - Equity.
)	
THE TEXAS CO. A CORP.,	Defendant.)	

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that no further transfer be submitted on arguments and memorandum briefs. Movant given fifteen (15) days to file brief. Plaintiff granted ten (10) days thereafter to file reply brief. Given five (5) days to file answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,)	
-vs-		)	No. 1169 - Equity.
SINCLAIR REFINING CO. A CORP.,	Defendant.)	

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that Plaintiff's application for leave to amend amended bill herein be and it is hereby granted. Defendant's motion to transfer considered re-filed as against amended bill as amended by amendment. Thereupon, it is ordered that motion to transfer be submitted on arguments and memoranda briefs to be filed. Movant given fifteen (15) days to file brief. Plaintiff given ten (10) thereafter to file reply brief. Given five (5) days to answer reply brief. (F.E.K. Judge).

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

UNITED STATES OF AMERICA,	Plaintiff,)	
vs.		)	No. 1169 Equity.
SINCLAIR REFINING COMPANY, a corporation,	Defendant.)	

O R D E R

NOW, on this the 8th day of June, A. D. 1937, the Court being fully advised of the premises orders that the plaintiff be, and it is hereby permitted to amend its Amended Bill by inserting immediately beyond the nineteenth line on page twenty-five of said Bill the following:

Plaintiff further alleges that beginning on the 14th day of January, 1915, continuing to this date, the defendant has run under said division orders, and pretended to and measure, oil belonging to the Osage Tribe of Indians in the manner and by the methods set forth in this Amended Bill, and the plaintiff further alleges that the highest posted market price of oil during each of said years has changed, varied and fluctuated, and that such changes, variations and fluctuations have at times occurred from day to day, and that such changes have been frequent and marked, and that the plaintiff is entitled to recover the highest posted market price of oil on the days the same was run and received by the defendant.

Plaintiff further states that during all of the aforesaid period of time it is necessary to determine the various amounts due from the defendant, that it will be necessary to calculate and determine the quantity of oil run into said "gathering stations" belonging to the Osage Tribe of Indians, the lessees of the Osage Tribe of Indians, and the oil produced and received into the lines of the defendant from within and beyond Osage County, and run into said "gathering stations" within Osage County, into which oil was run that had been produced in Osage County, in order to apportion and determine, justly and accurately, the amount of oil received by the defendant, predecessors and assignors, for which the Osage Tribe of Indians have not been paid, and that by reason of each and all of the foregoing facts the determination of the correct, separate and aggregate amounts of money due the plaintiff each day, and for all of said period, and the interest thereon, is intricate, involved and extremely difficult of determination and ascertainment, and entails the ascertainment of several thousand separate sums of money, and the calculation of interest on each of said separate sums of money from the day when the same became due and owing to the plaintiff.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE.

ENDORSED: Filed Jun 8 1937
H. P. Warfield, Clerk
U. S. District Court H.

48

UNITED STATES OF AMERICA, Plaintiff,)
)
 -vs-) No. 1173 - Equity. ✓
)
 THE BARNSDALL OIL CO. A CORP., Defendant.)

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that to transfer be submitted on arguments and memorandum briefs. Movant given fifteen (15) da brief. Plaintiff given ten (10) days thereafter to file reply brief. Given five (5) days to file answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
 -vs-) No. 1174 - Equity. ✓
)
 CONTINENTAL OIL CO. A CORP., Defendant.)

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that to transfer be submitted on arguments and memorandum briefs. Movant given fifteen (15) da file brief. Plaintiff given ten (10) days thereafter to file reply brief. Given five (5) to file answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
 -vs-) No. 1177 - Equity. ✓
)
 MID-CONTINENT PETROLEUM CORP., Defendant.)

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that to transfer be submitted on arguments and memorandum briefs. Movant given fifteen (15) day file brief. Plaintiff given ten (10) days thereafter to file reply brief. Given five (5) to file answer reply brief. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff,)
)
 -vs-) No. 1178 - Equity. ✓
)
 COSDEN PIPE LINE CO., Defendant.)

Now on this 8th day of June, A. D. 1937, it is ordered by the Court that Plaintiff's application for leave to amend amended bill herein be and it is hereby granted. It is further ordered that motion of Defendant to require Plaintiff to separately state and number causes of action to stand submitted on arguments and memorandum briefs. Given fifte (15) days for movant to file brief. Plaintiff given ten (10) days thereafter to file reply Given five (5) days to file answer reply brief. (F.E.K. Judge).

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JUNE 9, 1937

the First National Bank and Trust Company, as trustee for Ray M. Dunnnett, et al.

It is further ordered and decreed that Glenn Alcorn, attorney for Ray Dunnnett, Annabel Dunnnett and Daniel Raymond Dunnnett is hereby granted a fee of Twelve Thousand Five Hundred Dollars (\$12,500.00) for services rendered Ray M. Dunnnett, Annabel Dunnnett, Daniel Raymond Dunnnett and their trust estate in this cause and in cause No. 815 Equity in this court, said fee to be full and complete compensation for all of the counsel for Ray M. Dunnnett, Annabel Dunnnett and Daniel Raymond Dunnnett in this cause and in cause No. 815 Equity

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 H. Roby, et al., agreeably to the act of Congress, in such case made and provided, fully and as appears;

And whereas, by order of the United States Circuit Court of Appeals for the Tenth Circuit, entered on April 5, 1937, Lynn W. Barrett, as Administrator of the Estate of James G. Cloud, deceased, was substituted as an appellee in this cause in the place and stead of James G. Cloud:

AND WHEREAS, at the January Term, in the year of our Lord one thousand nine hundred and thirty-seven, 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 for the appellants and appellees;

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed; and that Ray M. Dunnnett et al., appellees, have and recover of and from H. G. Roby et al., appellants, their costs herein.

- - January 19, 1937.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States Circuit Court of Appeals, Tenth Circuit, on the 7th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

COSTS OF	Appellees:)
Clerk,	\$Paid by appellants.)
Printing Record)
Attorney,	\$-None)
	\$20.00)
	\$20.00)

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

ENDORSED: Filed Jun 9 1937
H. P. Warfield, Clerk
U. S. District Court ME

102

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

Rex Watkinson, receiver of Exchange National Company)
Plaintiff)

vs.

W. J. Barnett, State Bank Commissioner for the State of Oklahoma in charge of Exchange Trust Company in liquidation,)
Defendant.)

No. 940 Equity. ✓

ORDER APPROVING TRUSTEE'S REPORT AUTHORIZING FINAL DISTRIBUTION AND PAYMENT OF EXPENSES

This matter came on to be heard on this 7th day of June, 1937, pursuant to given to all beneficiaries herein. The trustee W. O. Buck appearing in person and by his attorney C. A. Coakley, Mrs. Caldwell, one of the certificate holders, appearing in person.

The court, after hearing the report of the trustee, finds that the same should be approved and that the expenses therein referred to should be approved.

It is therefore by the court ordered, considered and adjudged that the trustee W. O. Buck pay the following compensations and expenses:

To himself as trustee	\$ 250.00
To C. A. Coakley his attorney	50.00
To Stenographer fees	90.00
To postate	6.07
To safety deposit box	8.43
To court costs	28.10;

that after payment of said expenses and fees said trustee distribute the funds then in his hands ratably among the certificate holders and that upon such final payment and report thereof to court said trustee be finally discharged.

F. E. KENNAMER
U. S. DISTRICT JUDGE.

ENDORSED: Filed Jun 9 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

United States,)
Plaintiff)

vs.

O. L. Barlow, et al,)
Defendants.)

No. 1114 Equity

ORDER APPROVING MARSHAL'S SALE

Now on this 9th day of June, 1937, comes the plaintiff, the United States in its own behalf and in behalf of the heirs of Wiley White-wing, deceased Osage Allottee No. 686,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT OF OKLAHOMA
 DISTRICT OF OKLAHOMA
 SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JUNE 9, 1937

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 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 30 day of Mch. 1937, said sale of the following described property, to-wit:

Lots 1 and 2, Block 44, original town of 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.

It is therefore ordered by the Court that said sale and the proceedings thereunder, and the return thereof, be, and the same are hereby approved and confirmed in all respects.

It is further ordered by the Court that Jno. F. 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 the heirs of Wiley Whitewing, deceased Osage Allottee No. 686, 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

ENDORSED: Filed Jun 9 1937
 H. P. Warfield, Clerk
 U. S. District Court B

PAUL D. SPEER,	Plaintiff,)	
)	
vs.		)	No. 1185 - Equity. ✓
)	
THE CITY OF OILTON, CREEK CO, ETC.,	Defendant.)	

Now on this 9th day of June, A. D. 1937, it is ordered by the Court that be granted Badger Meter Manufacturing Company to intervene through Font L. Allen, its attorney. Thereupon, said cause is stricken from the trial docket of this date and reset for trial June 21, 1937. (F.E.K. Judge).

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

Paul D. Speer,	Complainant,)	
)	
vs.		)	No. 1185 Equity ✓
)	
The City of Oilton, Creek County, Oklahoma, a)	
municipal corporation, G. A. Holland, City)	
Treasurer, Willis C. Strange, County)	
Treasurer of Creek County, Oklahoma, and Huber)	
Hughes, County Clerk of Creek County, Oklahoma,)	
	Respondents.)	

O D D P D

U4 ✓

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JUNE 9, 1937

No. 1185 Equity Continued.

Permission is hereby granted to Badger Meter Company, a corporation, to file a plea of intervention in this cause.

So ordered this 9th day of May, 1937.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed Jun 9 1937
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to June 10, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JUNE 10, 1937.

Court convened pursuant to adjournment, Thursday, June 10, 1937.

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.

In the Matter of the Estate of
Andrew Johnson, deceased,

No. 1088 Equity

O R D E R

Now on this 10th day of June, 1937, this matter coming on before the Court, appearing to the Court that the question of the admission of the will of Andrew Johnson, deceased, is pending before this Court; and it further appearing to the Court that the land involved in this cause is being occupied, and that the tenant on said land owes certain rent thereon, and that the rent should be paid into this court to be disposed of by proper order of the Court;

IT IS THEREFORE THE ORDER of the Court that any and all sums of rent due by said tenant for the use and occupancy of said property be paid into the registry of this court and there held pending further order of the Court.

F. E. KENNAMER
JUDGE

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

ENDORSED: Filed Jun 10 1937
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1196 Equity. ✓
KATIE WATASHE, now ROUBEDEAUX, ET AL, Defendants.)

Now on this 10th day of June, A. D. 1937, the above styled cause is called for trial. Both sides present and announce ready for trial. Thereupon, leave is granted to amend interlineation to Plaintiff and exceptions are allowed. Thereupon, opening statements and motions are made. And thereafter, both sides rest. Thereupon, Defendant Naifeh moves to dismiss herein. Plaintiff moves for judgment for plaintiff. And thereafter, it is ordered by the Court that decision be reserved. It is further ordered that each side may submit memorandum brief. Given fifteen (15) days for Plaintiff to file brief. Fifteen (15) days thereafter for Defendant to file brief. (F.E.K. Judge).

J. H. L. STAPLES, Plaintiff,)
-vs-) No. 1199 - Equity. ✓
C. C. JENKINS, ET AL, Defendants.)

Now on this 10th day of June, A. D. 1937, the above styled case is called for trial. Both sides present and announce ready for trial. Opening statements of counsel are made. And thereupon, it is ordered by the Court that motion of Defendants to dismiss herein be denied and it is held that the same be sustained and exception allowed. (F.E.K. Judge).

Court adjourned to June 11, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JUNE 11, 1937

Court convened pursuant to adjournment, Friday, June 11, 1937.

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 OF THE NORTHERN DISTRICT OF OKLAHOMA.

SHERIDAN P. TSCHAPPAT and HAROLD)
CALLAHAN, Plaintiffs,)
vs.) IN EQUITY NO. 1032. ✓
HINDERLITER TOOL COMPANY, Defendant.)

D E C R E E

This cause having come on for trial in the regular course, and the Court having heard the evidence produced by the parties hereto and the arguments of counsel, and now being advised in the premises,

#00

It is ORDERED, ADJUDGED and DECREED that the bill of complaint herein be, same is hereby, dismissed for want of equity at complainants' costs.

ENTERE:

EDGAR S. VAUGHT
U. S. District Judge.

Dated this 9th day of June, 1937.

OK as to form
EVERETT PETRY Attorney for Plaintiff

ENDORSED: Filed Jun 11 1937
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA
THE TEXAS COMPANY,)
vs.) IN EQUITY NO. 1127 ✓
THE CARTER OIL COMPANY)

ORDER OF DISMISSAL

Upon the joint motion of The Texas Company and The Carter Oil Company, plaintiff and defendant, respectively, in the above styled and numbered cause, this case is now dismissed with instructions that each party shall pay its own costs.

Done in Tulsa on the 11th day of June, 1937.

F. E. KENNAMER
United States District Judge

APPROVED: BAKER BOTTS ANDREWS & WHARTON
Attorneys for The Texas Company

MERRELL E. CLARK
Attorney for The Carter Oil Company

ENDORSED: Filed Jun 11 1937
H. P. Warfield, Clerk
U. S. District Court B

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

The United States of America, Complainant,)
vs.) No. 1196 Equity ✓
Katie Watashe, now Roubedeaux, et al., Respondents.)

O R D E R

Now on this 10th day of June, 1937, the above matter came on regularly to be heard before the Court.

Complainant appeared by Assistant United States Attorney, Chester A. Brewer. Respondent, Katie Watashe, now Roubedeaux and John R. Roubedeaux appeared in person and by attorney, James J. Mars. Respondent Mrs. Sam Naifeh appeared in person and by her attorney, Miller, Lytle & Wildman.

Thereupon, the facts in this case being stipulated and the oral evidence has been offered, respondent Mrs. Sam Naifeh moved the Court to dismiss the complaint and for judgment in her favor.

Thereupon the Court takes the matter herein involved under advisement and grants and allows complainant fifteen days from this date within which to brief said cause. Thereupon respondent, Mrs. Sam Naifeh, is allowed fifteen days to file brief in response. All of which is so ordered by the Court.

F. E. KENNAMER
JUDGE.

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

JAMES J. MARS
Attorney for Katie Watashe now Roubedeaux and
John R. Roubedeaux.

O.K. MILLER, LYTLE & WILDMAN
By John R. Miller
Attorneys for Mrs. Sam Naifeh

ENDORSED: Filed Jun 11 1937
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to June 14, 1937.

Court convened pursuant to adjournment, Monday, June 21, 1937.

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

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

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

HOWARD GRAY, as Executor of the Estate)
of Julia S. Pearman, deceased, Plaintiff,)
vs.) No. 377 - Equity ✓
EXCHANGE NATIONAL COMPANY, a cor-)
poration, et al, Defendants.)

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 18th day of June, 1937, upon the application of J. H. McBirney, Su Trustee, for authority to sell real estate, and it appearing tht the said trustee is the

Lot Twenty Four (24), Block Thirteen (13), Summit Heights Addition to the City of Tulsa, in Tulsa County, State of Oklahoma, as shown by the recorded plat thereof,

having acquired the same at Sheriff's sale in an action instituted by him for the foreclosure of a real estate mortgage, wherein judgment was entered for him for the principal sum of Three Thousand Four Hundred Five & 64/100 Dollars (\$3405.64), together with interest to the date of judgment in the amount of One Thousand Four Hundred Forty Six & 18/100 Dollars (\$1,446.18) and attorney's fee of Three Hundred Fifty Dollars (\$350.00), less a credit of Twenty Four Dollars (\$24.64), he having bid the sum of Two Thousand Five Hundred Dollars (\$2,500.00) for the purchase of said real estate, which sum was credited upon said judgment; and it further appearing that the Sheriff of Tulsa County caused the said real estate to be appraised, upon the sale thereof, and that the value was fixed by said appraisers at Two Thousand Eight Hundred Dollars (\$2,800.00); and it further appearing that the said trustee has an offer from M. W. McGuire to purchase the said real estate for the sum of Three Thousand Two Hundred Fifty Dollars (\$3,250.00), payable as follows, to-wit: Eight Hundred Twelve & 50/100 Dollars (\$812.50) on delivery of deed, and forty & 63/100 Dollars (\$40.63), plus interest, payable monthly, til the balance of said purchase price is fully paid, said deferred payments to bear interest at the rate of six per cent (6%) per annum, and to be secured by a first real estate mortgage covering said real estate; and it further appearing that Sutton-Norton Company, real estate agents, procured said purchaser, and are entitled to a real estate brokerage commission of five per cent (5%) upon the consideration for their said services; and it further appearing that the Advisory Committee, appointed by this court to counsel and advise with said trustee, has been notified of said proposed sale, and has recommended that said trustee sell said real estate for said consideration and upon said terms; and it further appearing that the value of said real estate is approximately Three Thousand Two Hundred Fifty Dollars (\$3,250.00); and that the said trustee has not received a higher or better bid for said real estate, and that said trust is in liquidation, and it is for the best interest of said trust estate that said real estate be sold, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, sell to M. Wilson McGraw the Lot Twenty Four (24), Block Thirteen (13), Summit Heights Addition to the City of Tulsa, in Tulsa County, State of Oklahoma, as shown by the recorded plat thereof,

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 21, 1937

for the consideration of Three Thousand Two Hundred Fifty Dollars (\$3,250.00), payable as Eight Hundred Twelve & 50/100 Dollars (\$812.50), on delivery of Trustee's special warranty and the sum of Forty & 63/100 Dollars (\$40.63), plus interest at the rate of six per cent per annum upon deferred payments, payable monthly until the balance of said purchase price fully paid, said deferred payments to be secured by a first real estate mortgage covering real estate sold.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized to pay to Sutton-Norton Company a real estate brokerage commission of One Hundred Sixty & 50/100 Dollars (\$162.50), for their services in procuring said purchaser.

IT IS FURTHER ORDERED that the sale of

Lot Twenty Four (24), Block Thirteen (13), Summit Heights addition to the City of Tulsa, in Tulsa County, State of Oklahoma, as shown by the recorded plat thereof,

to M. Wilson McGuire, by J. H. McBirney, Successor Trustee, for the consideration and upon terms above set forth, be and the same is hereby ratified, confirmed and approved.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jun 21 1937
H. P. Warfield, Clerk
U. S. District Court AC

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

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

O R D E R

On this 18th day of June, 1937, upon the application of J. H. McBirney, Successor Trustee, for authority to accept title to real estate in satisfaction of mortgage indebtedness and to pay Two Hundred Dollars (\$200.00) for releases of second mortgages covering said real estate, and it appearing to the court that the said trustee is the owner and holder of a note issued by E. A. Radschweit, in the principal sum of Three Thousand Dollars (\$3,000.00) upon which there is due the principal sum of Two Thousand Five Hundred Ninety Seven & 48/100 Dollars (\$2,597.48), and interest, in the amount of Nine Hundred Eight & 61/100 Dollars (\$908.61), is subject to a credit of Eight Hundred Eleven & 06/100 Dollars (\$811.06), from rents obtained from the real estate securing said indebtedness, and that said indebtedness is secured by a real estate mortgage covering the following described property, to-wit:

The East one-half (E $\frac{1}{2}$) of Lot Ten (10) in Block Fourteen (14), in Highland Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof;

and it further appearing that said real estate has been appraised for the sum of Two Thousand

12
✓

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 21, 1937

Seven Hundred Fifty Dollars (\$2,750.00), and that said real estate is subject to a second mortgage securing the sum of Two Hundred One Dollars (\$201.00) held by J. A. Chapman.

And it further appearing that J. H. McBirney, Successor Trustee, is the owner of a real estate mortgage note, executed by E. A. Radschweit, in the principal sum of Three Thousand Five Hundred Dollars (\$4,500.00), upon which there is due the principal sum of Three Thousand Forty Six & 14/100 Dollars (\$3,046.14), together with interest in the amount of One Thousand Thirty Nine & 45/100 Dollars (\$1,039.45), which indebtedness is subject to a credit of Four Hundred Seventy Six & 34/100 Dollars (\$476.34), the net amount received from rentals from the real estate securing said indebtedness; and it further appearing that said indebtedness is secured by a first real estate mortgage covering the following described property, to-wit:

Lot Twenty Two (22) in Block Two (2) of Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof;

and it further appearing that said real estate has been appraised for the sum of Three Thousand Five Hundred Dollars (\$3,500.00).

And it further appearing that J. H. McBirney, Successor Trustee, is the owner of a real estate mortgage note, executed by Roy Radschweit and Lillie Radschweit, his wife, for the principal sum of Four Thousand Dollars (\$4,000.00), upon which there is due the principal sum of Three Thousand Four Hundred Seventy One & 84/100 Dollars (\$3,471.84), together with interest in the amount of One Thousand Fifty Three & 04/100 Dollars (\$1,053.04), which indebtedness is subject to a credit of Nine Hundred Sixty Six & 50/100 Dollars (\$966.50), the net amount received from rentals from said real estate securing said indebtedness, and that said indebtedness is secured by a first real estate mortgage covering the following described real estate, to-wit:

Lot Nineteen (19) in Block Six (6) in Reservoir Hill Addition to the City of Tulsa, Tulsa County Oklahoma, according to the recorded plat thereof now on file in the office of the County Clerk ex-officio Register of Deeds within and for Tulsa County, Oklahoma;

and it further appearing that the said real estate is subject to a second mortgage securing the sum of One Thousand Two Hundred Eighty Four & 80/100 Dollars (\$1,284.80) held by J. A. Chapman and that the said real estate has been appraised for the sum of Four Thousand Dollars (\$4,000.00).

And it further appearing that J. A. Chapman, the owner and holder of said second mortgages above referred to, has agreed to release said second mortgages for the sum of Two Hundred Dollars (\$200.00); and it further appearing that the makers of said notes are without financial responsibility, and that a deficiency judgment against them will be valueless; and it further appearing that the owners of said real estate, the makers of said notes and mortgages are agreeable to conveying said real estate to said trustee in satisfaction of said mortgage indebtedness; and it further appearing that the Advisory Committee, appointed by this court to advise and counsel said trustee, has been notified of this said transaction, and has considered the same and has recommended unanimously that the said trustee accept title to said real estate in satisfaction of said indebtedness, and to pay Two Hundred Dollars (\$200.00) to J. A. Chapman for releases of said second mortgage; and it appearing that it is for the best interest of said trust estate to accept title to said real estate in satisfaction of said indebtedness, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to accept warranty deeds conveying fee title to him, as such trustee, from E. Radschweit, covering the following described real estate, to-wit:

The East One-Half (E $\frac{1}{2}$) of Lot Ten (10) in Block Fourteen (14), in Highland Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and,

Lot Twenty Two (22) in Block Two (2) of Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat there

and to accept warranty deed, conveying fee title to him, as such trustee, from Roy Radschweid and Lillie Radschweid, his wife, covering the following described real estate, to-wit:

Lot Nineteen (19) in Block Six (6) in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof now on file in the office of the County Clerk ex-officio Register of Deeds within and for Tulsa County, Oklahoma.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized, upon acceptance by him of proper and sufficient warranty deeds, as well as other instruments of conveyance required by him, to cancel and surrender the said notes executed by E. A. Radschweid to the Exchange National Company, as well as release the said real estate mortgages securing the same, covering the real estate above described, and cancel and surrender the note executed by Roy Radschweid and Lillie Radschweid to the Exchange National Company, as well as the real estate mortgage securing the same, covering the real estate above described.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized to pay to J. A. Chapman, the sum of Two Hundred Dollars (\$200.00) for releases of mortgages covering the following described real estate, to-wit:

The East One Half ($\frac{1}{2}$) of Lot Ten (10) in Block Fourteen (14), in Highland Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and,

Lot Nineteen (19) in Block Six (6) in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, now on file in the office of the County Clerk ex-officio Register of Deeds within and for Tulsa County, Oklahoma.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jun 21 1937
H. P. Warfield, Clerk
U. S. District Court AC

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

HOWARD GRAY, as Executor of the
Estate of Julia S. Pearman, deceased, Plaintiff,)

vs.

No. 877 - Equity. ✓

EXCHANGE NATIONAL COMPANY, a corporation,
et al, Defendants.

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 18th day of June, 1937, upon the application of J. H. McBirney,

Successor Trustee, for authority to sell real estate, and it appearing that the said Trustee is the owner of the following described real estate, to-wit:

West Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma; also described as 2733-2735 East 7th Street,

and the

East Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma; also described as 2737-2739 East 7th Street;

that said Trustee acquired said properties by purchase at Sheriff's sales in foreclosure proceedings instituted by said Trustee; and it appearing that said Trustee has an offer from George J. Hamilton and Amber Brown Hamilton for the purchase of said real estate, for the following considerations, to-wit:

For the

West Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma,

the sum of Three Thousand Dollars (\$3,000.00) payable as follows: Seven Hundred Fifty Dollars (\$750.00) in cash, and Two Thousand Two Hundred Fifty Dollars (\$2,250.00), payable at the rate of Thirty Seven & 50/100 Dollars (\$37.50) per month, plus interest at the rate of six per cent (6%) per annum upon deferred payments.

For the

East Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma,

the sum of Four Thousand Dollars (\$4,000.00), payable as follows: One Thousand Dollars (\$1,000.00) in cash, and Three Thousand Dollars (\$3,000.00), payable at the rate of Fifty Dollars (\$50.00) per month, plus interest at the rate of six per cent (6%) per annum upon deferred payments. It further appearing that the said Trustee purchased the

West Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma,

at Sheriff's sale for the sum of Three Thousand Dollars (\$3,000.00), which was credited upon judgment obtained by said Trustee in cause No. 59186 in the District Court of Tulsa County, Oklahoma, wherein said Trustee obtained a judgment against Fred E. Bossard and Estella T. Bossard for the sum of Four Thousand Three Hundred Ninety Six & 85/100 Dollars (\$4,396.85), plus interest in the sum of Two Thousand Twenty Five & 83/100 Dollars (\$2,025.83), attorney's fees in the amount of Four Hundred Forty Dollars (\$440.00), plus One Thousand Three Hundred Thirty & 87/100 Dollars (\$1,330.87), advanced by said Trustee for taxes, less the sum of One Hundred Fifty & 77/100 Dollars (\$157.77) rents, plus costs; and that said Trustee purchased the

East Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma,

at Sheriff's sale for the sum of Three Thousand Dollars (\$3,000.00), which was credited upon

judgment obtained by said Trustee in cause No. 59137 in the District Court of Tulsa County Oklahoma, wherein said Trustee obtained a judgment against Fred E. Bossard and Estella T. for the sum of Six Thousand One Hundred Fifty Five & 59/100 Dollars (\$6,155.59), plus interest in the amount of Two Thousand Seven Hundred Eighty Five & 14/100 Dollars (\$2,785.14) attorney fees in the amount of Six Hundred Twenty Five (\$625.00), less One Hundred Seventy Two & 7 Dollars received from rentals, plus costs; and it further appearing that the Advisory Committee appointed to counsel and advise with said Trustee has been notified of said proposal and has recommended that said Trustee sell said real estate for the considerations and upon terms above set forth; and it further appearing that the said prices are the best prices obtainable by said trustee, and that it is for the best interest of said trust estate to sell said estate; and it further appearing that said Trustee will be required to pay a real estate broker's commission to Sam Briscoe in the amount of Three Hundred Fifty Dollars (\$350.00), which has been approved by said Advisory Committee; and it further appearing that the said Trustee is foreclosing the mortgage covering the following described property, to-wit:

West Fifty (50) feet of Lot Five (5) in Block Nine (9), Highlands Second Addition, and North Sixty One (61) feet of the West Fifty (50) feet of Lot Five (5) in Block Sixteen (16) in Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma,

and that a portion of the improvements upon said real estate now in foreclosure is located and extends over on to a portion of the property above described, and that the said Trustee reserve said portion of the above described real estate now occupied by the improvements upon the real estate now in foreclosure.

IT IS, THEREFORE BY THE COURT ORDERED that J. H. McBirney, Successor Trustee and he is hereby authorized to sell to George J. Hamilton and Amber Brown Hamilton, the following described property, to-wit:

West Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma, also described as 2733-2735 East 7th Street,

for the consideration of Three Thousand Dollars (\$3,000.00), payable as follows: Seven Hundred Fifty Dollars (\$750.00) in cash, and the balance of Two Thousand Two Hundred Fifty Dollars (\$2,250.00) payable at the rate of Thirty Seven & 50/100 Dollars (\$37.50) per month, plus interest at the rate of six per cent (6%) per annum upon deferred payments, and the

East Fifty (50) feet of the South One Hundred Fifty (150) feet of Lot Five (5) in Block Sixteen (16), Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma, ; also described at 2737-2739 East 7th Street,

for the consideration of Four Thousand Dollars (\$4,000.00), payable as follows: One Thousand Dollars (\$1,000.00) in cash, and the balance of Three Thousand Dollars (\$3,000.00) payable at a rate of Fifty Dollars (\$50.00) per month, plus interest at the rate of six per cent (6%) per annum upon deferred payments; that said deferred payments be secured by first and prior real estate mortgages covering the above described real estate.

IT IS FURTHER ORDERED that the said Trustee execute and deliver Trustee's deed with special warranties, to George J. Hamilton and Amber Brown Hamilton, husband and wife, as joint tenants, with right of survivorship, upon payment of said cash payments above set forth the delivery of executed notes evidencing said deferred payments, and real estate mortgages covering the same.

IT IS FURTHER ORDERED that said Trustee reserve from said conveyances that portion

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONday, JUNE 21, 1937

of the above described property now occupied by improvements upon and appurtenant to the f described real estate, to-wit:

West Fifty (50) feet of Lot Five (5) in Block Nine (9) Highlands Second Addition, and North Sixty One (61) feet of the West Fifty (50) feet of Lot Five (5) in Block Sixteen (16) in Highlands First Addition to the City of Tulsa, Tulsa County, Oklahoma,

IT IS FURTHER ORDERED that the said Trustee pay to Sam Briscoe the sum of T Hundred Fifty Dollars (\$350.00) as a real estate brokerage commission for selling said real tate.

IT IS FURTHER ORDERED that the sale of the real estate above described, by J McBirney, Successor Trustee, to George J. Hamilton and Amber Brown Hamilton, be and the san is hereby ratified, confirmed and approved.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jun 21 1937
H. P. Warfield, Clerk
U. S. District Court AC,

H. C. COLVIN, TRUSTEE, Plaintiff,)
-vs-) No. 957 - Equity. ✓
J. E. CROSBIE, ET AL., Defendants.)

Now on this 21st day of June, A. D. 1937, it is ordered by the Court that Pl motion for appointment of a Special Master herein be and it is hereby overruled. And there it is ordered by the Court that judgment and decree for Defendants be entered as per journa try to be filed. Exceptions allowed. Plaintiff gives notice of appeal in open court. (F. Judge).

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

H. C. COLVIN, TRUSTEE, Plaintiff)
vs.) No. 957 Equity ✓
J. E. CROSBIE, ET AL., Defendants.)

ORDER ALLOWING APPEAL

The petition of H. C. Colvin, Trustee for Bradstreet Oil Company, Plaintiff, the above entitled cause, for an appeal from the final judgment, decree or order entered on the 21st day of June, 1937, is hereby granted and the appeal is allowed.

DATED at Tulsa, Oklahoma, this 21st day of June, 1937.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed In Open Court
Jun 21 1937
H. P. Warfield, Clerk, U. S. District Court EA

20

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

United States of America, Plaintiff,)
vs.)
Sinclair Prairie Oil Company, Defendant.)
a corporation,)
No. 1160 Equity. ✓

ORDER GRANTING APPLICATION TO TAKE TESTIMONY, AND APPOINTING COMMISSIONERS.

On this 21 day of June, 1937, there came on for hearing the application of defendant to take testimony and for the appointment of commissioners. The defendant appeared by its attorneys of record, and the plaintiff appeared by its attorneys of record, A. F. Moss and C. E. Bailey.

It appearing to the Court that due notice of the time of presentation of application was duly served upon Counsel for Plaintiff, and the Court having read such application and the verification thereof, and having heard the statements of Counsel, and it appearing that good and exceptional cause exists for the taking of said testimony prior to the time of this is at issue and that the same is necessary in order to prevent a failure of justice;

IT IS ORDERED that such application be, and it is hereby, granted.

IT IS FURTHER ORDERED that a commission to take testimony be at once issued from this cause out of this court, directed to Alice M. Rowland and Lillian Witt, each a resident of the City of Chicago, Illinois, granting authority to either to take the testimony of J. George Witt, residing at 634 Woodland Park, Chicago, Illinois. Such testimony shall be taken on the Mezzanine Floor of the Stevens Hotel, Chicago, Illinois, at 10 o'clock A.M., Chicago Daylight Savings Time, on the 23th day of June, 1937, with authority in the Commissioner taking such testimony to continue the taking of the same from day to day until it is completed.

IT IS FURTHER ORDERED that all directions herein contained as to time and place of taking such testimony may be changed upon agreement of any one of Counsel of record for plaintiff and Counsel for defendant.

IT IS FURTHER ORDERED that the examination of the witness under the commission here provided for shall be taken in the usual manner for taking oral testimony by direct examination, cross examination and re-direct examination, and that the testimony given under such examination shall be taken in shorthand by the Commissioner and shall then be typewritten by him, by the witness, and certified by the Commissioner, and by such Commissioner transmitted by mail to the Clerk of this Court at the City of Tulsa, Oklahoma.

IT IS FURTHER ORDERED that all testimony taken under the commission provided herein shall be taken subject to all legal objections at the trial of this action, on account of the irrelevancy, immateriality, or incompetency, or other legal ground of objection, to any such testimony, and it will not be necessary for Counsel to interpose objections at the time the testimony is taken, but the same may be made at the trial with the same effect as though made at the time the testimony is taken.

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

ENDORSED: Filed Jun 21 1937
H. P. Warfield, Clerk
U. S. District Court B

22

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 1167 Equity
)	
The Texas Company, a corporation,	Defendant.)	

APPLICATION FOR LEAVE TO TAKE DEPOSITIONS AND FOR APPOINTMENT OF COMMISSIONERS, AFFIDAVIT AND NOTICE.

Now comes the defendant, by B. W. Griffith, one of its attorneys of record files this Application for Leave to Take a Deposition before the case is at issue, and for appointment of commissioners to take such deposition, and respectfully shows to the Court:

Defendant has appeared herein and will oppose the granting of the relief or any relief.

Notice of the time of hearing upon this Application has been duly given to counsel for plaintiff, as appears from the Notice and Acknowledgment of Service thereof appearing at the bottom of this Application.

The original Bill was filed herein on the 30th day of December, 1936. The case is not yet at issue, and probably will not be for a considerable time.

The defendant desires to take the deposition of one J. Geo. Wright, a citizen of the State of Illinois, residing at No. 634 Woodland Park, Chicago, therein; that defendant is informed and believes and therefore alleges that the said Wright is about eighty years of age at this time and is very infirm and is constantly under the care of physicians, and his physical condition is such that he may die at any time, and unless his deposition shall be taken in the near future it is very probable that his evidence will not be had upon the trial of this case. Applicant believes that the facts herein stated present good and exceptional cause for the Court authorizing the taking of his deposition at once, and movant believes that the same will be necessary in order to prevent a failure of justice.

Applicant further shows that the said J. Geo. Wright was the Superintendent of the Osage Indian Agency at the time the regulations of 1915, referred to in the Amended Bill in, were considered, drawn and promulgated, and was continuously such Superintendent from early in the year 1915 until the year 1930, and that he approved the great majority of the division orders referred to in the Amended Bill, all as it is informed and believes and therefore states.

In the amended Bill of Complaint it is alleged that the defendant by the presentation of its division orders which were approved by the Superintendent of the Osage Indian Agency made false and untrue representations to the United States and to said Superintendent that the computation from the regularly compiled tank tables, when applied to the "run tickets" would and did reveal the full 100 per cent of the merchantable oil received and taken by defendant, or its designated pipe line company for it; and it is charged in said Amended Bill that such representations were untrue and that said computations from regularly compiled "tank tables" revealed only 97 per cent of the merchantable oil actually received and taken by the defendant and that such was well known to the defendant, but unknown to the plaintiff. It is further charged by the plaintiff that defendant fraudulently concealed from plaintiff the alleged fact that all of said oil was merchantable.

Under the regulations promulgated by the Secretary of the Interior in 1915 the duty of approving or disapproving such division orders was expressly placed upon the Superintendent of the Osage Indian Agency, and defendant expects to prove by said Wright that at the time he approved such division orders as such superintendent he was fully cognizant of the manner of

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 21, 1937

AND IT IS FURTHER ORDERED that the examination of the witness under the oath here provided for shall be taken in the usual manner for taking oral testimony by direct examination, cross examination and re-direct examination, and that the testimony given under such examination shall be taken in shorthand by the Commissioner and shall then be typewritten by him, sworn by the witness, and certified by the Commissioner, and by such Commissioner transmitted by mail to the Clerk of this Court at the City of Tulsa, Oklahoma.

IT IS FURTHER ORDERED that all testimony taken under the commission provided herein shall be taken subject to all legal objections at the trial of this action, on account of the irrelevancy, immateriality, or incompetency, or other legal ground of objection, to any such testimony, and it will not be necessary for Counsel to interpose objections at the time testimony is taken, but the same may be made at the trial with the same effect as though made in the testimony.

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

ENDORSED: Filed Jun 21 1937
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 1173 Equity.
)	
The Barnsdall Oil Company, a corporation,	Defendant.)	

ORDER GRANTING APPLICATION TO TAKE TESTIMONY, AND APPOINTING COMMISSIONERS.

On this 21st day of June, 1937, there came on for hearing the application of defendant to take testimony and for the appointment of commissioners. The movant appeared by its attorneys of record, and the plaintiff appeared by its attorneys of record, A. F. Moss and C. I. Bailey.

It appearing to the Court that due notice of the time of presentation of such application was duly served upon Counsel for Plaintiff, and the Court having read such application and the verification thereof, and having heard the statements of Counsel, and it appearing that good and exceptional cause exists for the taking of said testimony prior to the time this case is at issue and that the same is necessary in order to prevent a failure of justice;

IT IS ORDERED that such application be, and it is hereby, granted.

IT IS FURTHER ORDERED that a commission to take testimony be at once issued in this cause out of this court, directed to Alice M. Rowland and Lillian Witt, each a resident of the City of Chicago, Illinois, granting authority to either to take the testimony of J. George Wright residing at 634 Woodland Park, Chicago, Illinois. Such testimony shall be taken on the Mezza Floor of the Stevens Hotel, Chicago, Illinois, at 10 o'clock A.M., Chicago Daylight Saving Time on the 28th day of June, 1937, with authority in the Commissioner taking such testimony to continue the taking of the same from day to day until it is completed.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 21, 1937

Mezzanine Floor of the Stevens Hotel, Chicago, Illinois, at 10 o'clock A.M., Chicago Daylight Saving Time, on the 28th day of June, 1937, with authority in the Commissioner taking such deposition to continue the taking of the same from day to day until it is completed.

It is further ordered that all directions herein contained as to time and of taking such deposition may be changed upon agreement of any one of Counsel of record for plaintiff and Counsel for defendant.

It is further ordered that the examination of the witness under the Commission here provided for shall be taken in the usual manner for taking oral depositions by direct examination, cross examination and re-direct examination, and that the testimony given under examination shall be taken in shorthand by the Commissioner and shall then be typewritten in shorthand, signed by the witness and certified by the Commissioner, and by such Commissioner transmitted by mail to the Clerk of this Court at the City of, Tulsa, Oklahoma,

It is further ordered that all testimony taken under the Commission provided for herein shall be taken subject to all legal objections at the trial of this action, on the ground of the irrelevancy, immateriality, or incompetency or other legal ground of objection, to the taking of such testimony, and it will not be necessary for Counsel to interpose objections at the trial of this action if the deposition is taken, but the same may be made at the trial with the same effect as though made at the deposition.

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

ENDORSED: Filed Jun 21 1937
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES, FOR THE NORTHERN DISTRICT OF OKLAHOMA
UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 1177 Equity /
MID-CONTINENT PETROLEUM CORPORATION,)
a corporation, Defendant.)

ORDER GRANTING APPLICATION TO TAKE DEPOSITION AND APPOINTING COMMISSIONERS

On this 21st day of June, 1937, there came on for hearing the application of the defendant to take deposition and for the appointment of commissioners. The movant appeared by its attorneys of record, R. H. Wills, and the plaintiff appeared by its attorneys of record, A. F. Moss and C. E. Bailey.

It appearing to the Court that due notice of the time of presentation of such application was duly served upon counsel for plaintiff, and the Court having read such application and the verification thereof and having heard the statements of counsel, and it appearing that good and sufficient cause exists for the taking of said deposition prior to the time the case is at issue and that the same is necessary in order to prevent a failure of justice.

IT IS ORDERED that such application be, and it is, hereby granted.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 21, 1937

PAUL D. SPEER, Plaintiff,)
-vs-) No. 1185 - Equity. ✓
THE CITY OF OILTON, CREEK COUNTY, ET AL,)
Defendants.)

Now on this 21st day of June, A. D. 1937, it is ordered by the Court that
of cause be continued to June 29, 1937. It is further ordered that previous orders of Court
be continued in effect until trial of said cause. (F.E.K. Judge).

Court adjourned to June 23, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, JUNE 23, 1937

Court convened pursuant to adjournment, Wednesday, June 23, 1937.

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

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

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

United States of America, Plaintiff,)
vs.) No. 1170 EQUITY. ✓
Gulf Refining Company, a corporation,)
and Gulf Pipe Line Company of Oklahoma, a)
corporation, Defendants.)

ORDER GRANTING APPLICATION TO TAKE DEPOSITION AND APPOINTING COMMISSIONERS.

On this 21st day of June, 1937, there came on for hearing the application o
fendants to take deposition and for the appointment of Commissioners. The movants appeared
one of their solicitors of record, James B. Diggs, and the plaintiff appeared by its Solicit
record A. F. Moss and _____.

It appearing to the Court that due notice of the time of presentation of su
application was duly served upon Counsel for Plaintiff, and the Court having read such appli
and the verification thereof and having heard the statements of Counsel, and it appearing th
and exceptional cause exists for the taking of said deposition prior to the time this case i
issue and the same is necessary in order to prevent a failure of justice.

It is ordered that such application be, and it is, hereby granted.

It is further ordered that a commission to take deposition be at once issue
of this Court in this cause, directed to Alice M. Rowland, 160 North LaSalle Street and Lill
Witt, 160 North LaSalle Street, each a resident of the City of Chicago, Illinois, granting a
to either to take the deposition of J. Geo. Wright, residing at No. 634 Woodland Park, Chicag

Lillian Witt, of 160 North LaSalle Street, each a resident of the City of Chicago, Illinois granting authority to either to take the deposition of J. Geo. Wright, residing at No. 634 Lawn Park, Chicago, Illinois. Such deposition shall be taken on the Mezzanine Floor of the Hotel, Chicago, Illinois, at ten o'clock A.M., Chicago Daylight Saving Time, on the 28th day June, 1937, with authority in the Commissioner taking such deposition to continue the taking the same from day to day until it is completed,

It is further ordered that all directions herein contained as to time and taking such deposition may be changed upon agreement of any one of Counsel of record for plaintiffs and Counsel for defendants.

It is further ordered that the examination of the witness under the Commission herein provided for shall be taken in the usual manner for taking oral depositions by direct examination, cross-examination and re-direct examination, and that the testimony given under examination shall be taken in shorthand by the Commissioner and shall then be typewritten by signed by the witness and certified by the Commissioner, and by such Commissioner transmitted by mail to the Clerk of this Court at the City of Tulsa, Oklahoma.

It is further ordered that all testimony taken under the Commission provide herein shall be taken subject to all legal objections at the trial of this action, on account of the irrelevancy, immateriality, or incompetency or other legal ground of objection, to any testimony, and it will not be necessary for counsel to interpose objections at the time the testimony is taken, but the same may be made at the trial with the same effect as though embodied in the deposition.

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

ENDORSED: Filed Jun 23 1937
H. P. Warfield, Clerk
U. S. District Court B

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

CHESTER A. MATHEY and E. I. du PONT de Nemours & Company, Inc., a corporation, Plaintiffs,)
vs.) IN EQUITY NO. 1190 ✓
) U. S. Letters Patent No. 2,060,231
FRANK MATHEY, Defendant.) and Reissue No. 20,191

O R D E R

Pursuant to Equity Rule 58, and upon application of Plaintiffs' Solicitor, it is hereby granted to plaintiffs to file and propound to defendant, Frank Mathey, the attached interrogatories in the above entitled cause, and said defendant is ordered and directed to fully answer under oath each and every of the same.

F. E. KENNAMER
Judge United States District Court.

DATED: June 23, 1937

ENDORSED: Filed Jun 23 1937
H. P. Warfield, Clerk
U. S. District Court B

+34
V

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM -EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JUNE 24, 1937

Court convened pursuant to adjournment, Thursday, June 24, 1937.

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

The First National Bank and Trust)
Company of Tulsa, Successor Trustee)
for Mary Frances Walter, Plaintiff,) No. 1195 - Equity. ✓
vs.)
Oklahoma Hospital, Inc., a corporation,)
et al., Defendants.)

ORDER GRANTING EXTENSION OF TIME FOR DEFENDANTS TO ANSWER THE PETITION OF PLAINTIFF

On oral motion of the Oklahoma Hospital, Inc., a corporation, Oklahoma Hospital Corporation, a corporation, Oklahoma Hospital, a corporation, and Fred S. Clinton and Jan Clinton, his wife, requesting an extension of time in which to answer the petition of the plaintiff herein and the cross-petitions of other defendants, the court being advised the defendants are attempting to refinance the property involved herein, finds that said defendants should be granted an extension of time to answer the petition of the plaintiff and the cross-petitions of other defendants.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that said defendant Oklahoma Hospital, Inc., Oklahoma Hospital Corporation, Oklahoma Hospital, and Fred S. Clinton and Jane H. Clinton, be and they are hereby granted an extension of thirty (30) days from 27th day of June, 1937, in which to answer the petition of the plaintiff and the cross-petitions filed by other defendants herein.

F. E. KENNAMER
Judge of the U. S. District Court.

ENDORSED: Filed Jun 24 1937
H. P. Warfield, Clerk
U. S. District Court H

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

J. H. L. STAPLES, Plaintiff)
Vs)
C. C. Jenkins, J. E. Coats, C. C. Henley,) No. 1199 Equity ✓
individually and as trustees for liquidation of the First National Bank of Bluejacket a dissolved Corporation, Defendants.)

JOURNAL ENTRY OF JUDGMENT DISMISSING COMPLAINT

Now on this 10th day of June, 1937, the above and foregoing matter, having

100
IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 28, 1937

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

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

ORDER CONFIRMING SALE

THIS CAUSE COMING On to be heard on this the 28th day of June, 1937, it be
one of the regular court days of this court, on the motion of T. P. Farmer, Receiver for
Exchange National Company, for an order approving and confirming the sale conducted by him
the 18th day of June, 1937, wherein he sold unto C. A. Pawhatan, for the consideration of
\$1500.00, the following described premises, to-wit:

Lot 6, Block 395 of the City of Muskogee, State of Oklahoma, according
to the recorded plat thereof,

and it appearing to the court that the proceedings leading up to said sale have been had in
all things as required by law, and that said sale has been in all things held in compliance w.
laws of the United States, and the rules of this court; and the Court finding that it has
jurisdiction to entertain said motion and enter an order thereon, and being fully advised in th
premises, finds that said motion to approve and confirm said sale should be sustained.

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

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that said sale, as
fully described in said motion and hereinabove, be, and the same is in all things approved
and confirmed; and

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that said T. P. F
Receiver for Exchange National Company, be, and he is hereby directed, authorized and empow
ered to make, execute and deliver unto the said purchaser at said sale, a good and sufficient
conveyance, covering and affecting said lands; and that he do all other things necessary and pro
per to order fully and effectually to accomplish the letter and spirit of the motion and this ord

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jun 28 1937
H. P. Garfield, Clerk
U. S. District Court AC

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

UNITED STATES OF AMERICA, Plaintiff,)
)
 vs.) No. 1167 Equity ✓
)
 THE TEXAS COMPANY, incorporation, Defendant.)

ORDER GRANTING APPLICATION TO TAKE DEPOSITION AND APPOINTING COMMISSIONERS.

On this 21st day of June, 1937, there came on for hearing the application of defendant to take deposition and for the appointment of Commissioners. The movant appeared attorney of record, B. W. Griffith, and the plaintiff appeared by its attorney of record A. Moss.

It appearing to the Court that due notice of the time of presentation of such application was duly served upon Counsel for plaintiff, and the Court having read such application and the verified thereof and having heard the statements of counsel, and it appearing good and exceptional cause exists for the taking of said deposition prior to the time this is at issue and that the same is necessary in order to prevent a failure of justice,

It is ordered that such application be, and it is hereby granted.

It is further ordered that a commission to take deposition be at once issued this cause out of this Court, directed to Alice M. Rowland and Lillian Witt, each a resident of the City of Chicago, Illinois, granting authority to either to take the deposition of J. Ge Wright, residing at No. 634 Woodland Park, Chicago, Illinois. Such deposition shall be taken on the Mezzanine floor of the Stevens Hotel, Chicago, Illinois, at 10 o'clock A.M., Chicago Daylight Saving Time, on the 28th day of June, 1937, with authority in the Commissioner taking such deposition to continue the taking of the same from day to day until it is completed.

It is further ordered that all directions herein contained as to time and place for taking such deposition may be changed upon agreement of any one of Counsel for Defendant.

It is further ordered that the examination of the witness under the Commission here provided for shall be taken in the usual manner for taking oral depositions by direct examination, cross examination and re-direct examination, and that the testimony given under such examination shall be taken in shorthand by the Commissioner and shall then be typewritten and signed by the witness and certified by the Commissioner, and by such Commissioner transmitted by mail to the Clerk of this Court at the City of Tulsa, Oklahoma.

It is further ordered that all testimony taken under the Commission provided herein shall be taken subject to all legal objections at the trial of this action, on account of the irrelevancy, immateriality, or incompetency or other legal ground of objection, to all or any part of such testimony, and it will not be necessary for Counsel to interpose objections at the time the deposition is taken, but the same may be made at the trial with the same effect as though made at the time the deposition is taken.

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

ENDORSED: Filed Jun 28 1937
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JUNE 28, 1937

UNITED STATES OF AMERICA, Plaintiff,)
)
-vs-) No. 1189 - Equity. ✓
)
SILLER TIGER, formerly SILLER)
KEMOHAH, Defendant.)

Now on this 28th day of June, A. D. 1937, it is ordered by the Court that Defendant herein be granted twenty (20) days additional time in which to answer. (F.E.K.)

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

CHESTER A. MATHEY and E. I. DU PONT)
de NEMOURS, & CO., INC. a corporation,) In Equity No. 1190
) Plaintiffs,) United States Letters Patent Re-issue A
) 20,191, and Letters Patent No. 2,060,22
v.) November 10, 1936.
)
FRANK MATHEY,)
) Defendant.)

ORDER RE INTERROGATORIES

The defendant, having exhibited to the Court the annexed Interrogatories to answered by plaintiff, and having applied to the Court for an Order allowing the defendant such Interrogatories to be answered under Oath by an officer or officers of plaintiffs.

IT IS THEREFORE ORDERED that the said Interrogatories may be filed, and the plaintiffs, by an officer or officers thereof having knowledge of the facts, answer each a every Interrogatory under oath within thirty (30) days from the service thereof, unless pl shall within fifteen (15) days after such service file and set for hearing objections to s Interrogatories.

Dated At Tulsa, Oklahoma, this 28th day of June, 1937.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jun 28 1937
H. P. Warfield, Clerk
U. S. District Court B

Interrogatories attached to original.

Court adjourned to June 29, 1937.

Court convened pursuant to adjournment, Tuesday, June 29, 1937.

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

E. Z. Lewis,	Plaintiff,)	
)	
vs.)	
		)	No. 1073 Equity ✓
Town of Foraker, et al.,	Defendants,)	
)	
Almeda Durgée, et al.,	Interveners.)	

O R D E R

On this 29th day of June, 1937, all of the parties hereto appeared in open court and jointly made oral application for an order of court authorizing and directing T. Casselman, Town Treasurer, to make certain payments to the plaintiff and interveners hereof of the sinking fund of said Town of Foraker, and it appearing to the court that none of the Town of Foraker bondholders other than the plaintiff and interveners herein have offered to participate in this suit or share the expenses thereof, and it further appearing that said plaintiff and interveners in consideration of the payments hereinafter ordered to be made are well and desirous of accepting 50% of the face amount of the bonds held by them and of reducing interest borne by said bonds, and it further appearing that the defendants herein are desirous of accepting said offer, and for good cause shown,

It is by the Court ORDERED, ADJUDGED and DECREED that T. F. Casselman, Town Treasurer, be and he is hereby ordered to pay to said plaintiff and interveners 40% of the amount of all past due interest coupons held by said plaintiff and said interveners upon order by plaintiff and interveners of said interest coupons to the said T. F. Casselman. It is further ordered that said payment be made out of the sinking fund of said Town of Foraker in the hands of the said T. F. Casselman.

O.K. TOMERLIN CHAMBLER SHELTON & FOWLER
Attorneys for Plaintiff and
Interveners.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE.

O.K. LEANDER HALL, atty for Deft.

ENDORSED: Filed Jun 29 1937
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JUNE 15, 1937

PAUL D. SPEER, Plaintiff,)
vs.) No. 1185 - Equity. ✓
THE CITY OF GILTON, CREEK COUNTY, OKLA.)
Defendants.)

Now on this 29th day of June, A. D. 1937, the above styled case is called trial. All parties present and announce ready for trial. Opening statements of counsel and all witnesses are sworn in open court. The Plaintiff introduces evidence and proof with the following witness: Neal Winger. And thereafter, the Plaintiff rests. Defendants and interveners rest. And thereafter, it is ordered by the Court that case stand submitted on briefs. Given ten (10) days to file briefs. It is further ordered by the Court that the previous order of Court continue in effect to July 12, 1937, the date on which report is to be made to the Court of efforts of parties to effect a settlement herein. (F.E.K. Judge).

H. L. STANDEVEN, as Executor, Plaintiff,)
-vs-) No. 1193 - Equity. ✓
THE MUTUAL LIFE INSURANCE CO. OF)
N. Y., a corporation, Defendant.)

Now on this 29th day of June, A. D. 1937, the above styled case is called trial. Both sides present and announce ready for trial. All witnesses are sworn in open court and opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: Earl W. Deputy, H. L. Standeven. And thereafter, the noon hour has arrived, court is recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M. on this same day, court is again in session. All parties present as heretofore and at this time, the Plaintiff continues with its introduction of evidence and proof with the following witnesses: H. L. Standeven, W. C. Richards, Mrs. E. Mitchell, Ida Grantham. And thereafter, the Plaintiff rests. And thereafter, the Defendant moves for a dismissal and for judgment for Defendant, which motion is, by the Court, sustained an exception allowed. Thereupon, it is ordered by the Court that decree dismissing bill for want of equity be entered. Exception allowed. (F.E.K. Judge).

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

JAMES C. DRISCOLL and MRS. JAMES C. DRISCOLL, Plaintiff,)
vs.) No. 1210 Equity ✓
JAMES F. CALLAGHAN, Deputy Collector and H. C. JONES, Collector of Internal Revenue for the State of Oklahoma. Defendants.)

D E C R E E

This cause came on for hearing pursuant to its regular setting on this the day of June, 1937, upon the verified bill of complaint, the amendment thereto permitted in court, and the motion of defendants to dismiss the bill as amended. The Plaintiffs appeared in person and by their attorney and counsel, C. S. Fenwick, and the defendant, James F. Callaghan, appeared in person, and both defendants appeared by their counsel, C. E. Bailey, United States

Attorney, and Chester A. Brewer, Assistant United States District Attorney. Evidence was taken and thereupon the court makes the following findings of fact, to-wit:

1. That an order had been made by the Collector of Internal Revenue, levying and assessing a tax against plaintiff, James C. Driscoll, in the amount of One Thousand Dollars (\$1,000.00) being a levy upon fifty-two (52) gallons of whiskey, tax unpaid, and four hundred forty eight (448) gallons of mash, tax unpaid.

2. That James C. Driscoll was not the owner of, or interested in, or in possession of fifty-two (52) gallons of whiskey, tax unpaid, or four hundred forty-eight (448) gallons of mash, tax unpaid.

3. That James C. Driscoll was in possession of three (3) gallons of whiskey, tax unpaid.

4. That one Tom Pasley was the owner of all of the whiskey and mash, tax unpaid, except three (3) gallons.

5. That James C. Driscoll purchased three (3) gallons of whiskey, tax unpaid, from Tom Pasley.

6. That said whiskey and mash was located upon the premises of one Tom Pasley who owned a still and who operated the said still.

7. That James C. Driscoll was informed against in this court for possession and ownership of said still, whiskey and mash, but that he was not guilty and was so adjudged on a trial thereof, being found guilty only of possession of three (3) gallons of whiskey, tax unpaid.

8. That it was adjudicated that Tom Pasley was the owner of the said still and of the whiskey and mash, tax unpaid, except the three (3) gallons he had sold to James C. Driscoll.

9. That the said proceedings were on the criminal side of the docket of this court, and were instituted by the United States.

10. That at the time the assessment of One Thousand Dollars (\$1,000.00) was made against James C. Driscoll, the federal agents were in full possession of the facts relating to the ownership and possession of said still, mash and whiskey, and knew from the adjudication in the criminal cases in this court that James C. Driscoll was in possession of only three gallons of whiskey and was not in possession of, or interested in the still, mash and whiskey other than the three gallons.

11. That the land sought to be sold under the warrant of distraint is for forty (40) acres of land in Tulsa County, Oklahoma, which is owned and occupied as a home and homestead by the plaintiffs, said family having occupied the same for twelve (12) years, and that the plaintiffs are the parents of two (2) minor children, who also reside upon said farm.

12. That plaintiffs have tendered the sum of Six Dollars (\$6.00) as well as the penalty thereon, in payment of the tax upon the three (3) gallons of whiskey possessed by James C. Driscoll.

13. That the plaintiffs are unable to pay the sum of One Thousand Dollars (\$1,000.00) and seek to recover the same in legal proceedings, and that the plaintiffs are without assets, except the forty (40) acres of land.

142

14. That plaintiffs are in eminent danger of losing said forty (40) acre land if the defendants are not enjoined in this proceeding.

15. That the assessment by the defendants is arbitrary and capricious.

16. That the assessment by the defendants is a penalty.

Said cause having been taken under advisement, and now on this 29th day of 1937, said cause comes on for decision and the court makes the following conclusions of law to-wit:

1. That the tax assessed by the defendants is illegal.

2. That said tax assessment is arbitrary and capricious, as a matter of law.

3. That said assessment is a penalty under the guise of a tax.

4. That this court can enjoin an arbitrary and capricious assessment or collection.

5. That this court can enjoin a penalty in the guise of a tax.

6. That exceptional and extraordinary circumstances, coupled with the legal tax, empower this court to enjoin the assessment, said circumstances being the eminent danger of loss of said land, the plaintiffs being without the necessary means to pay said assessment and to litigate the same.

7. That the plaintiffs are without an adequate remedy at law.

8. That the plaintiffs are not liable for the tax assessed, but are liable for Six Dollars (\$6.00), plus penalty.

IT IS, THEREFORE, ORDERED, DECREED AND ADJUDGED BY THE COURT, that the defendants and each of them and those acting by, with or under the orders or directions of the defendants or either of them, be and they are hereby forever enjoined from proceeding with the sale or distraint of the property of the plaintiffs, to-wit:

The Northwest Quarter (NW¹) of the Northeast Quarter (NE¹) of Section 31, Township 17 North, Range 12 East, Tulsa County, Oklahoma,

or from proceeding to collect any assessment against the plaintiffs, or either of them, in excess of Six Dollars (\$6.00), plus penalty, on account of the matters and things involved herein.

Defendants except to each finding of fact and conclusions of law, and the exceptions entered herein, and said exceptions are allowed.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 1 1937
H. P. Warfield, Clerk
U. S. District Court H

Court convened pursuant to adjournment, Tuesday, July 6, 1937.

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

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

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

HOWARD GRAY, as Executor of the Estate
of Julia S. Pearman, deceased, Plaintiff,

vs.

EXCHANGE NATIONAL COMPANY, a corporation,
et al, Defendants.

No. 877 - Equity. ✓

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 6th day of July, 1937, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing that the said trustee is the legal owner of

Lots Sixty Five (65) and Sixty Six (66) in Block Seven (7),
in College View Addition to the City of Tulsa, Tulsa County,
State of Oklahoma, according to the recorded plat thereof,

having acquired title by purchase at Sheriff's sale under foreclosure proceedings instituted and maintained by said trustee; and it further appearing that said real estate was purchased by said trustee at said Sheriff's sale for the sum of Two Thousand Two Hundred Sixty Dollars (\$2,260.00) which sum was credited upon a judgment obtained by said trustee against Nellie B. Webster, the maker of a note secured by a mortgage covering the above described premises, said judgment has been rendered in cause No. 58583, in the District Court of Tulsa County, Oklahoma, for the sum of Two Thousand Two Hundred Sixty & 15/100 Dollars (\$2,260.15), together with interest from the 1st day of March, 1932, to January 30, 1937, the date of the judgment, in the amount of One Hundred Twenty One & 89/100 Dollars (\$721.89), plus attorneys' fees in the amount of Two Hundred Thirty Five Dollars (\$235.00), and costs; that said real estate was appraised prior to its sale for the sum of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00); and it further appearing that the said trustee has an offer of the sum of Two Thousand Five Hundred Dollars (\$2,500.00) in cash for the said real estate; and it appearing that said sum is a fair and reasonable price for said real estate; and it further appearing that the said trustee has not been able to obtain a higher or better sum for said real estate; and that the Advisory Committee appointed by this court to counsel and advise with said trustee has been notified of said proposal and have approved the same and have recommended the said offer of said real estate to W. D. Daley, for said sum of Two Thousand Five Hundred Dollars (\$2,500.00), in cash; and it further appearing that the said trust estate is in liquidation, and that it is for the best interest of said trust that said real estate be sold, for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell

Lots Sixty Five (65) and Sixty Six (66) in Block Seven (7) in College
View Addition to the City of Tulsa, Tulsa County, State of Oklahoma,
according to the recorded plat thereof,

to W. D. Daley, for the sum of Two Thousand Five Hundred Dollars (\$2,500.00) in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and a trustee's special warranty deed, conveying said real estate to said W. D. Daley upon the payment of said sum of Two Thousand Five Hundred Dollars (\$2,500.00).

IT IS FURTHER ORDERED that the sale of said real estate above described, to W. D. Daley, for the sum of Two Thousand Five Hundred Dollars (\$2,500.00) be and the same is hereby ratified, approved and confirmed.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 6 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 6th day of July, 1937, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing that the said trustee is the legal owner of

All of Lot Number Fifteen (15) in Block number Four (4), in University Park Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official plat thereof,

having acquired title by purchase at Sheriff's sale under foreclosure proceedings instituted and maintained by said trustee; and it further appearing that said real estate was purchased by said trustee at Sheriff's sale for the sum Two Thousand Seven Hundred Fifty Dollars (\$2,750.00), the sum was credited upon a judgment obtained by said trustee against Leonora Schuler, now Leonor Hawks, and J. H. Schuler, the makers of a note secured by a mortgage covering the above described premises, said judgment having been rendered in cause No. 60737, in the District Court of Tulsa County, Oklahoma, for the principal sum of Four Thousand Dollars (\$4,000.00), together with interest from the 10th day of April, 1933, to the 9th day of July, 1936, in the amount of One Thousand Two Hundred Sixty Dollars (\$1,260.00), plus the sum of Seven Hundred Fifty Four & 22 Dollars (\$754.22) paid for taxes, plus Four Hundred Dollars (\$400.00) attorney's fees; that said real estate was appraised prior to its sale for the sum of Three Thousand Two Hundred Fifty Dollars (\$3,250.00); and it further appearing that the said trustee has an offer of the sum of Three Thousand Five Hundred Dollars (\$3,500.00), in cash, for the said real estate, and it appearing that said sum is a fair and reasonable price for said real estate; and it further appearing that the said trustee has not been able to obtain a higher or better sum for said real estate; and further appearing that L. H. Mead, a real estate broker in the City of Tulsa, was the procuring cause of said sale, and that by reason thereof he is entitled to a real estate brokerage comm

of five per cent (5%) of the sum of Three Thousand Five Hundred Dollars (\$3,500.00) of One Seventy Five Dollars (\$175.00); and it further appearing that said real estate brokerage commission is fair and reasonable, and that said L. H. Mead has earned the same; and it further appearing that the Advisory Committee, appointed by this court to counsel and advise with said trust has been notified of said proposal and have approved the same and have recommended the sale of said real estate to H. A. Hibbs and Okla N. Hibbs for said sum of Three Thousand Five Hundred Dollars (\$3,500.00), in cash; and it further appearing that the said trust estate is in liquidation and that it is for the best interest of said trust that said real estate be sold, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell

All of Lot number Fifteen (15) in Block number Four (4), in University Park Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the official plat thereof,

to H. A. Hibbs and Okla N. Hibbs, for the sum of Three Thousand Five Hundred Dollars (\$3,500.00) in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver a trustee's special warranty deed, conveying said real estate to said H. A. Hibbs and Okla N. Hibbs, upon the payment of said sum of Three Thousand Five Hundred Dollars (\$3,500.00).

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized to pay to L. H. Mead, a real estate brokerage commission of One Hundred Seventy Dollars (\$175.00) as compensation in full for his services in making said sale of said real estate.

IT IS FURTHER ORDERED that the sale of said real estate above described, to H. A. Hibbs and Okla N. Hibbs for the sum of Three Thousand Five Hundred Dollars (\$3,500.00) be and the same is hereby ratified, approved and confirmed.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 6 1937
H. P. Warfield, Clerk
U. S. District Court EA

JOSEPH MAYES, Plaintiff,)
-vs-) No. 988 - Equity. ✓
J. G. HUGHES, REC. ET AL, Defendants.)

Now on this 6th day of July, A. D. 1937, it is ordered by the Court that the Clerk file and spread Mandate of Record in the above cause, same being in words and figures as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

GREETING:

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA,

21

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 6, 1937

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 Joseph Mays, complainant, a J. G. Hughes, Receiver of the First National Bank of Bristow, Oklahoma, et al., respondents, Equity, the decree of the said district court in said cause, entered on November 23, 1935, with the following words, viz:

* * * * *

"It is, therefore, ordered, adjudged and decreed by the court that the complainant have and recover judgment against Sam F. Wilkinson as receiver of the First National Bank of Bristow, Oklahoma, and the First National Bank of Bristow, Oklahoma, a national banking association, in the sum of \$48,879.91, without interest and which shall not bear interest, which judgment is decreed to be a preferred claim, and it is further ordered and directed that the receiver certify a copy of this judgment and decree to the Comptroller of the Currency in order that the payment of this judgment may be made in accordance herewith in the further liquidation and winding up of the affairs of said bank under the supervision and direction of the Comptroller of the Currency and the regular course of administration thereof, in preference to the payment of claims of general creditors of said bank.

"It is further ordered, adjudged and decreed that Sam F. Wilkinson as receiver of the First National Bank of Bristow, Oklahoma, a national banking association, have and recover judgment against Ghayn Ray as County Treasurer of the County of Creek, State of Oklahoma, and the Board of County Commissioners of the County of Creek, State of Oklahoma, in the sum of \$62,757.00, less a credit thereon of 35% (which is the percentage that has been heretofore paid all general creditors of the First National Bank of Bristow, Oklahoma, in receivership) on \$54,000.00, the amount of the deposit of county funds in the bank at the date of suspension, equivalent to \$18,900.00; that the net amount of judgment, therefore, herein rendered in favor of said receiver shall be \$43,857.00, which judgment shall not bear interest.

"It is further ordered, adjudged and decreed by this court that one-half of the cost of this action be taxed against Sam F. Wilkinson as receiver of the First National Bank of Bristow, Oklahoma, and one-half of such cost be taxed against the Board of County Commissioners of the County of Creek, State of Oklahoma, and Ghayn Ray as County Treasurer of the County of Creek, State of Oklahoma."

* * * * *

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 Sam F. Wilkinson, as successor to J. G. Hughes, as Receiver of the First National Bank of Bristow, Oklahoma, agreeably to the act of Congress, in such case made and provided, fully and at large as

and whereas, by order of the United States Circuit Court of Appeals for the Tenth Circuit, entered on May 29, 1936, I. D. Mays, Administrator of the Estate of Joseph Mays, deceased, was substituted as an appellee in this cause in the place and stead of Joseph Mays;

and whereas, by order of the United States Circuit Court of Appeals for the Tenth Circuit, entered on February 15, 1937, Jerome G. Queenan, as successor Receiver of the First National Bank of Bristow, Oklahoma, was substituted as appellant in this cause in the place and stead of Sam F. Wilkinson, as successor to J. G. Hughes, as Receiver of the First National Bank of Bristow, Oklahoma;

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and thirty-seven; 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

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the motion of I. D. Mays, Administrator of the Estate of Joseph Mays, deceased, to dismiss the appeal herein be and the same is hereby denied.

It is further ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby modified in conformity with the opinion of this court and that, as so modified, said decree be and the same is hereby affirmed; and that Jerome G. Queenan, Receiver of the First National Bank of Bristow, Oklahoma, appellant, have and recover of and from I. D. Mays, administrator of the Estate of Joseph Mays, deceased, appellee, his costs herein.

- - May 28, 1937.

You, therefore, are hereby commanded that such further proceedings be had in this cause, in conformity with the opinion and decree of this court, as according to right and justice and the laws of the United States, ought to be had.

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 3rd day of July, in the year of our Lord one thousand nine hundred and thirty-seven.

COSTS OF	Appellant:	
Clerk,	\$53.00	
Printing Record	\$ None	
Attorney,	\$20.00	
	<u>\$73.00</u>	

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

UNITED STATES CIRCUIT COURT OF APPEALS
TENTH CIRCUIT

Costs taxed in favor of appellant, in the case of Jerome G. Queenan, Receiver of I. D. Mays, Administrator, et al., No. 1423.

Filing record and docketing cause,	5 25
Filing 24 copies of printed record,	6 00
Filing and entering 2 appearances for appellant	1 00
Filing and entering 3 appearances for appellees	1 50
Clerk, preparing record for printer, etc.,	- --
Printer, for printing record	- --
Filing 25 papers	6 25
Entering 5 orders, 5 folios	1 00
Filing briefs for appellant	10 00
Filing briefs for appellees	15 00
Filing opinion	- 25
Filing and entering judgment or decree	1 25
Filing petition for a rehearing	- --
Issuing mandate to District Court	5 00
Filing receipt for mandate	- 25
Filing receipt for balance of deposit	- 25
Attorney's docket fee	20 00
	<u>73 00</u>

Attest:

ENDORSED: Filed Jul 8 1937
H. P. Warfield, Clerk

ALBERT TREGO
Clerk, U. S. Circuit Court of Appeals,
Tenth Circuit.

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 6, 1937

JOSEPH MAYES, Plaintiff, /
-vs- / No. 988 Equity. ✓
J. G. HUGHES, REC. SPAL, Defendants. /

Now on this 6th day of July, A. D. 1937, it is ordered by the Court that the Clerk file and spread Mandate of Record in the above cause, same being in words and figures follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA.

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Joseph Mays, complainant J. G. Hughes, Receiver of the First National Bank of Bristow, Oklahoma, et al., respondents No. 988 Equity, the decree of the said district court in said cause, entered on November 23 was in the following words, viz:

* * * * *

"It is, therefore, ordered, adjudged and decreed by the court that the complainant have and recover judgment against Sam F. Wilkinson as receiver of the First National Bank of Bristow, Oklahoma, and the First National Bank of Bristow, Oklahoma, a national banking association, in the sum of \$48,874.9 without interest and which shall not bear interest, which judgment is decreed to be a preferred claim, and it is further ordered and directed that the receiver certify a copy of this judgment and decree to the Comptroller of the Currency in order that the payment of this judgment may be made in accordance herewith in the further liquidation and winding up of the affairs of said bank under the supervision and direction of the Comptroller of the Currency and the regular course of administration thereof, in preference to the payment of claims of general creditors of said bank.

"It is further ordered, adjudged and decreed that Sam F. Wilkinson as receiver of the First National Bank of Bristow, Oklahoma, a national banking association, have and recover judgment against Ghayn Ray as County Treasurer of the County of Creek, State of Oklahoma, and the Board of County Commissioners of the County of Creek, State of Oklahoma, in the sum of \$62,757.00, less a credit thereon of 35% (which is the percentage that has been heretofore paid to all general creditors of the First National Bank of Bristow, Oklahoma, in receivership) on \$54,000.00, the amount of the deposit of county funds in the bank at the date of suspension, equivalent to \$18,900.00; that the net amount of the judgment, therefore, herein rendered in favor of said receiver shall be \$43,857.00, which judgment shall not bear interest.

"It is further ordered, adjudged and decreed by this court that one-half of the cost of this action be taxed against Sam F. Wilkinson as receiver of the First National Bank of Bristow, Oklahoma, and one-half of such cost be taxed

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 6, 1937

against the Board of County Commissioners of the County of Creek, State of Oklahoma, and Ghayn Ray as County Treasurer of the County of Creek, State of Oklahoma."

* * * * *

as by the inspection of the transcript of the record of the said District Court, which was filed into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by the Board of County Commissioners of Creek County, Oklahoma, et al., agreeably to the act of Congress in such case made and provided, fully and at large appears;

And whereas, by order of the United States Circuit Court of Appeals for the Tenth Circuit, entered on May 29, 1936, I. D. Mays, Administrator of the Estate of Joseph Mays, deceased, was substituted as an appellee in this cause in the place and stead of Joseph Mays;

and whereas, by order of the United States Circuit Court of Appeals for the Tenth Circuit, entered on February 15, 1937, Jerome G. Queenan, as successor Receiver of the National Bank of Bristow, Oklahoma, was substituted as an appellee in this cause in the place and stead of Sam F. Wilkinson, as successor to J. G. Hughes, as Receiver of the First National Bank of Bristow, Oklahoma;

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and thirty-seven, 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 for the parties;

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause, as to Ghayn Ray as County Treasurer of the County of Creek, State of Oklahoma, and the Board of County Commissioners of the County of Creek, State of Oklahoma, be and the same is hereby affirmed; and that I. D. Mays, Administrator of the Estate of Joseph Mays, deceased, et al., appellee, have and recover of and from the Board of County Commissioners of Creek County, Oklahoma, et al., appellants, their costs herein.

- - May 28, 1937.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, this 3rd day of July, in the year of our Lord one thousand nine hundred and thirty-seven.

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

ENDORSED: FILED JUL 6 1937
H. I. McNeill, Clerk
U. S. District Court

454

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 6, 1937

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

SHERIDAN P. TSCHAPPAT, and
HAROLD CALLAHAN, Plaintiffs,)
) In Equity No. 1032 ✓
v.)
HINDERLITER TOOL COMPANY, Defendant.)

PETITION FOR ORDER ALLOWING APPEAL

The above named plaintiffs, Sheridan P. Tschappat and Harold Callahan, ceceiving themselves aggrieved by the order and decree made and entered in the above entitle on the 11th day of June, 1937, do hereby appeal from said order and decree to the United States Circuit Court of Appeals for the Tenth Circuit, for the reasons specified in the assignment errors which is filed herewith, and they pray that this appeal may be allowed, that citati issue as provided by law, that a transcript of the record, proceedings and papers upon whi said order and decree were based, duly authenticated, together with the physical exhibits, sent to the United States Circuit Court of Appeals for the Tenth Circuit, upon giving of a able bond.

SHERIDAN P. TSCHAPPAT
and HAROLD CALLAHAN

By JACK A. SCHLEY

RAINEY, FLYNN, GREEN & ANDERSON
Solicitors for Plaintiffs

Ordered that the foregoing appeal be and is hereby allowed. Cost bond fi at \$500.00.

DATED: July 8, 1937

EDGAR S. VAUGHT
District Judge

EMCORSED: Filed Jul 6 1937
H. I. Warfield, Clerk
U. S. District Court H

THE EAGLE PITCHER LEAD CO. A CORP. ET AL, Plaintiffs,)
)
-vs-) No. 1119 - Equity. ✓
)
J. WARREN MADDOX, ET AL, Defendants.)

Now on this 6th day of July, A. D. 1937, it is ordered by the Court that Clerk file and spread Mandate of Record in the above cause, same being in words and figures follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

GREETING:

WHEREAS, LATELY in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between The Eagle-Picher Lead Company, a corporation, et al., complainants, and J. Warren Madden, John M. Carmody and Edwin S. Smith constituting the National Labor Relations Board, et al., defendants, No. 1119 Equity, the record of the said district court in said cause, entered on July 6, 1936, was in the following words to-wit:

* * * * *

"It is therefore ordered, adjudged and decreed that a preliminary injunction be and it is hereby granted complainants against the defendant Daniel M. Lyons acting as trial examiner and agent of the National Labor Relations Board, and Geo. O. Pratt, attorney and agent of the National Labor Relations Board, their officers, agents, servants, employees and attorneys; and all those in active concert or participating with them, and who shall personally or otherwise have received actual notice of the same and particularly the National Labor Relations Board and each and every member thereof, restraining them or either of them acting either in their individual capacity, collectively or officially from further prosecuting a complaint styled and numbered as follows, to-wit:

'United States of America. Before the National Labor Relations Board in the Matter of Eagle-Picher Mining & Smelting Company, a corporation and Eagle-Picher Lead Company, a corporation, and International Union of Mine, Mill & Smelter Workers, Local No. 15, 17, 107, 108 and 111 Case No. C-73. Complaint."

and purported to be issued by the National Labor Relations Board on the 5th of May, 1936, or holding any hearing thereon or taking any testimony in connection therewith, or the prosecution of any other complaint of similar kind or character relating to the same or similar subject matter, or from further enforcement or attempted enforcement of the said National Labor Relations Act against these complainants in connection with the operations of complainants at their mines, mills, smelters or any and all production units in the United States regardless of where located and from in any manner interfering or attempting to interfere with the conduct of complainants' business or the relations between complainants and their employees at any of the units or plants owned or operated by complainants, or from in any manner inquiring into the private records, books, documents and business of the complainants.

It is further ordered that this preliminary injunction remain in full effect until final hearing of this cause and until the further order of this court."

* * * * *

as by the inspection of the transcript of the record of the said District Court, which was taken into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Daniel M. Lyons, Trial Examiner and Agent of the National Labor Relations Board, et al., agreeable to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and thirty-seven, 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.

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 6, 1937

On consideration whereof, it is now here ordered, adjudged and decreed by court that this cause be and the same is hereby remanded to the said di strict court with structions to vacate the order granting a temporary injunction and to dismiss the bill of plaint at the costs of complainants; and that Daniel M. Lyons, Trial Examiner and Agent c National Labor Relations Board, and George O. Pratt, Attorney and Agent of the National L Relations Board, appellants, have and recover of and from The Eagle-Picher Lead Company, poration, and The Eagle-Picher Mining and Smelting Company, a corporation, appellees, the herein and have execution therefor as at law.

-- May 27, 1937.

You, therefore, are hereby commanded that such further proceedings be had said cause, in conformity with the opinion and decree of this court, as according to righ justice, and the laws of the United States, ought to be had.

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United Sta the 2nd day of July, in the year of our Lord one thousand nine hundred and thirty-seven.

COSTS OF	Appellants:	
Clerk,	\$24.70	ALBERT TREGO
Printing Record,	\$ None	Clerk of the United States Circuit Court of App
Attorney	\$ 20.00	Tenth Circuit.
	<u>\$44.70</u>	

UNITED STATES CIRCUIT COURT OF APPEALS
TENTH CIRCUIT

Costs taxed in favor of appellants, in the case of Daniel M. Lyons, Trial aminer, et al. vs. The Eagle-Picher Lead Company, et al., No. 1521.

Filing record and docketing cause,	5 25
Filing 24 copies of printed record,	6 00
Filing and entering 2 appearances for appellants	1 00
Filing and entering appearance for	- --
Clerk, preparing record for printer, etc.	- --
Printer, for printing record	- --
Filing 2 papers	- 50
Entering 1 order, 1 folio	- 20
Filing briefs for appellants	5 00
Filing briefs for	- --
Filing opinion	- 25
Filing and entering judgment or decree	1 25
Filing petition for a rehearing	- --
Issuing mandate to District Court	5 00
Filing receipt for mandate	- 25
Filing receipt for balance of deposit	- --
Attorney's docket fee	<u>20 00</u>
	<u>44 70</u>

Attest:

ALBERT TREGO
Clerk U. S. Circuit Court of Appeals, Tenth
Circuit.

ENDORSED: Filed Jul 6 1937
H. P. Warfield, Clerk, U. S. District Court

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

Paul D. Speer, Complainant,

v.

The City of Oilton, Creek County, Oklahoma,
a Municipal Corporation, C. A. Holland,
City Treasurer, Willis C. Strange, County
Treasurer of Creek County, Oklahoma, Huber
Hughes, County Clerk of Creek County, Oklahoma,
Respondents.

No. 1185 Equity

O R D E R

Now on this 29th day of June, 1937, the above entitled cause came on for hearing on the application of the complainant for a temporary injunction and for the appointment of a temporary receiver of and for the sinking fund of Oilton, Creek County, Oklahoma. The complainant appeared by counsel, Hayes, Richardson, Shartel, Gilliland & Jordan; the respondents appeared by D. Luster Cook, their attorney; the intervenor, Massachusetts Bonding & Insurance Company appearing by and through James W. Cosgrove; the intervenor, the Badger Meter Manufacturing Company, a corporation, appearing by and through counsel, Font L. Allen; the Oklahoma Gas & Electric Company, a corporation, appearing by and through counsel Edwin A. Ellinshausen, as being made to appear to the court that heretofore, on the 21st day of June, 1937, the above case came on for hearing at which time it was stated in open court that the parties aforesaid wendeavor to enter into a stipulation of fact, and that on said date the stipulation of fact entered into, that at said time it was stated in open court that some additional matters of yet remained to be made to the court that could not be made on said 21st day of June, 1937, that thereupon the court continued said case to the 29th day of June, 1937, for the purpose of taking additional evidence, and that on said 21st day of June, 1937, the order of this court theretofore entered on the 25th day of January, 1937, granting a temporary and preliminary injunction as prayed for and appointing Willis C. Strange as temporary receiver of the sinking fund of said City of Oilton was ordered continued in full force and effect until the 29th day of June, 1937, that on said 29th day of June, 1937, the matter again came on for hearing, at which time proof was introduced on behalf of the complainant herein, and at a conclusion of the hearing the court granted a further continuance of the case until the 12th day of July, 1937.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the order of this court theretofore entered on the 25th day of January, 1937, granting a temporary injunction enjoining respondents, their successors in office, their servants, agents, and employees, and each of them from paying out or disbursing any funds to the credit of or hereafter accruing to the credit of the sinking fund of the City of Oilton, Creek County, Oklahoma and ordering that all monies or hereafter accruing to the credit of said sinking fund of said city be impounded by the respondent, Willis C. Strange, County Treasurer of Creek County, Oklahoma, be, and the same hereby continued in full force and effect until further hearing of this case on the 12th day of July, 1937.

T. E. KENNAMER
JUDGE.

ENDORSED: Filed Jul 6 1937
H. P. Warfield, Clerk
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 6, 1937

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

JOHN H. VICKREY, Plaintiff,)

vs

No. 1217 In Equity. ✓

MONARCH ROYALTY CORPORATION, a Delaware
Corporation, M. E. HAGA, ALEXANDER
CLITSOME and T. W. SHELTON, Defendants.

O R D E R

For good cause shown it is hereby ordered that the motion of the defendant Monarch Royalty Corporation and M. E. Haga to dismiss this action be assigned for hearing position upon the 12th day of July, 1937 at the hour of 9:30 A.M.

Said defendants are directed to give notice of this order by delivery of a of the same to plaintiff's attorney.

Dated at Tulsa, Oklahoma, this 6th day of July, 1937.

F. E. KENNAMER
United States District Judge

ENDORSED: Jul 6 1937
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to July 8, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JULY 8, 1937

Court convened pursuant to adjournment, Thursday, July 8th, 1937.

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 OKLAHO

H. L. Standeven, as Executor, Plaintiff,)

vs.

No. 1193 - Equity. ✓

The Mutual Life Insurance Company
of New York, a corporation, Defendant.)

D E C R E E

This cause came on to be heard at this term and at the conclusions of plaintiff testimony defendant moved that plaintiff's bill be dismissed and that the court render judgment

100

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JULY 8, 1937

for the defendant, and the cause was argued by counsel; and thereupon, upon consideration it was ORDERED, ADJUDGED AND DECREED as follows, viz:

That the motion of the defendant to dismiss plaintiff's bill and to enter judgment for the defendant be and the same is hereby sustained and said bill is hereby dismissed and judgment is hereby entered for defendant.

That defendant do have and recover judgment herein against plaintiff for i costs herein expended in the sum of \$_____.

F. E. KENNAMER
JUDGE

OK: NORTON STANDEVEN
Attorney for Plaintiff.

OK: EMBRY JOHNSON CROWE & TOLBERT
Attorneys for defendant.

ENDORSED: Filed Jul 8 1937
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to July 9, 1937

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, JULY 9, 1937

Court convened pursuant to adjournment, Friday, July 9th, 1937.

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

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

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

Sheridan P. Tschappat and
Harold Callahan,

Plaintiffs,)

No. 1032 Equity. ✓

vs.

Hinderliter Tool Company,

Defendant.)

Now on this, the 8th day of July, 1937, it appearing to the court that the petition for appeal herein was filed with the Clerk of the Court at Tulsa, Oklahoma, on the day of July, 1937, together with assignments of errors, which was so filed at the same time, and said petition and said assignments having been presented to and examined by the Court, I hereby ordered and adjudged that the foregoing appeal be and the same is hereby allowed and cost bond in the sum of \$500.00 having been heretofore presented to and approved by the court the same is now again, together with the sufficiency thereof and the sureties thereon, appro

It is further ordered that the citation heretofore signed and issued herein the 2nd day of July, 1937, is ratified the same as if again issued and signed on this day.

ENDORSED: Filed Jul 9 1937
H. P. Warfield, Clerk,
U. S. District Court B

EDGAR S. VAUGHT
District Judge

Court adjourned to July 12, 1937.

Court convened pursuant to adjournment, Monday, July 12, 1937.

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 OF THE NORTHERN DISTRICT OF OKLAHOMA

I. D. Mays, Administrator for the Estate of
Joseph Mays, deceased, Complainant,)

Jerome G. Queenan, Receiver of the First
National Bank of Bristow, Okla.

No. 988 - Equity. ✓

The Board of County Commissioners of
Creek County, Oklahoma

Ghaysn Ray, County Treasurer of Creek
County, Oklahoma.

ORDER SETTING DATE FOR HEARING.

Now on this 12th day of July, 1937, this matter comes on to be heard before Court on the motion of I. D. Mays, complainant in the above styled cause and on the motion L. O. Lytle to have an attorney's lien and charge fixed against the Estate of Joseph Mays, ceased. Said motions having been filed in Court, the Court finds that said matters should be for hearing.

WHEREFORE, It is ordered by the Court that said cause be set for hearing above motions on the 19th day of July, 1937, at the hour of 9:00 o'clock A.M. thereof.

That a copy of this order be mailed by the Clerk of this Court to Jerome Queenan, in care of George B. Schwabe, 1434 Hunt Building, Tulsa, Oklahoma, his attorney; copy of this order be mailed to I. D. Mays, Bristow, Oklahoma; and that a copy of this order be mailed to Everett S. Collins, County Attorney of the County of Creek, at Sapulpa, Oklahoma.

All of which is ordered by the Court.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed Jul 12 1937
H. P. Warfield, Clerk
U. S. District Court H

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

WILLIAM E. CALLISON, Plaintiff,)

vs.)

No. 1182 Equity ✓

JAMES BOYLE, doing business as
BOYLE AMUSEMENT COMPANY, and CROWN DRUG COMPANY,
a corporation, Defendants.

100
14

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JULY 12, 1937

The petition of William E. Callison, Plaintiff in the above entitled cause an appeal from the decree of this Court in said cause dated April 19, 1937, and filed and herein, to the United States Circuit Court of Appeals for the Tenth Circuit is hereby granted and said appeal is allowed.

It is further ordered that the bond on appeal be and the same is hereby fixed at \$100.00.

It is further ordered that a certified copy of the record and proceedings in the decree herein so rendered be transferred to the United States Circuit Court of Appeals for the Tenth Circuit.

Dated this 12th day of July, 1937.

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

ENDORSED: Filed Jul 12 1937
H. P. Warfield, Clerk
U. S. District Court H

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

Paul D. Speer, Complainant,)

v.)

The City of Oilton, Creek County,
Oklahoma, a municipal Corporation, C. A.
Holland, City Treasurer, Willis C. Strange,
County Treasurer of Creek County, Oklahoma,
Huber Hughes, County Clerk of Creek County,
Oklahoma, Respondents.

No. 1185 Equity ✓

O R D E R

Now on this 12th day of July, 1937, the above entitled cause came on for hearing on the application of complainant for a temporary injunction and for the appointment of temporary receiver of and for the sinking fund of the City of Oilton, Creek County, Oklahoma. The complainant appeared by counsel, Hayes, Richardson, Shartel, Gilliland & Jordan; the respondents appeared by D. Luster Cook, their attorney and Assistant County Attorney of Creek County; the intervenor, Massachusetts Bonding & Insurance Company, appearing by and through James W. Cosgrove; the intervenor, The Badger Meter Manufacturing Company, a corporation, appearing by and through counsel, Font L. Allen; the Oklahoma Gas & Electric Company, a corporation, appearing by and through counsel, Edwin A. Ellinghausen, and it being made to appear to the court that heretofore, on the 29th day of June, 1937, the above matter having come on hearing, the same, for good cause shown, was continued until the 12th day of July, 1937, and on said 29th day of June, 1937, it was ordered, adjudged and decreed that the previous order of this Court, entered on the 25th day of January, 1937, granting a temporary injunction against the respondents, their successors in office, their servants, agents and employees, and each of them, from paying out or disbursing any funds to the credit of any of the respondents to the credit of the sinking fund of the City of Oilton, Creek County, Oklahoma, and order

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JULY 12, 1937

all monies now or thereafter accruing to the sinking fund of said city be impounded by the respondent, Willis C. Strange, County Treasurer of Creek County, Oklahoma, be continued in full force and effect until the 12th day of July, 1937, and it appearing to the Court on this 11th day of July, 1937, for good cause shown, that said order should be continued in full force and effect until the 26th day of July, 1937;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the order of the heretofore entered on the 25th day of January, 1937, granting a temporary injunction against the respondents, their successors in office, their servants, agents and employees, and each of them, from paying out or disbursing any funds to the credit of or hereafter accruing to or of the sinking fund of the City of Oilton, Creek County, Oklahoma, and ordering that all monies now or hereafter accruing to the credit of said sinking fund of said city be impounded by the respondent, Willis C. Strange, County Treasurer of Creek County, Oklahoma, be, and the same hereby continued in full force and effect until further hearing of this cause on the 26th day of July, 1937.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed Jul 15 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

CHESTER A. MATHEY, and E. I.)
du PONT de NEMOURS, & CO. INC., a) IN EQUITY NO. 1190 ✓
corporation,) Plaintiffs,) U. S. Letters Patent No. 2,060,233 and
)) Reissue No. 20,191.
vs.)
)
FRANK MATHEY,) Defendant.)

STIPULATION IN RE INTERROGATORIES

It is stipulated by and between the parties to the above entitled cause, and their respective counsel, that, with the consent of the Honorable Court, plaintiffs' answers to defendants' interrogatories numbered 1 to 8, inclusive, may be sealed and remain sealed unopened by the Clerk of this Court concurrently with the opening of a sealed statement by the defendant of dates or prior invention, knowledge and/or use of the invention claimed in the Patent in suit, the names and address of the person or persons alleged by the defendant to have made the invention, to have had such knowledge and/or to have used said invention, and when such use or uses occurred, upon which the defendant will rely at the trial of the case.

ARTHUR C. BROWN Counsel for Plaintiff
JACK A. SHCLEY Counsel for Defendant

APPROVED AND SO ORDERED: Jul 12, 1937

F. E. KENNAMER
Judge United States District Court.

ENDORSED: Filed Jul 12 1937
H. P. Warfield, Clerk
U. S. District Court B

60

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JULY 12, 1937

LOTTIE HAMRICK, ET AL, Plaintiffs,)
-vs-) No. 1203 - Equity. ✓
CURTIS F. BRYAN, et al, Defendants.)

Now on this 12th day of July, A. D. 1937, the above cause comes on for full hearing on merits. Thereupon, said case is called for said hearing. Both sides present announce ready for trial. The Plaintiff introduces evidence and proof with the following witnesses: Walter Biscup, Curtis F. Bryan (recalled) and Robert Woods. And thereafter, the Plaintiff rests. And thereafter, James A. Lull is granted leave to intervene herein. Defendant granted leave to answer intervening petition of James A. Lull. And thereafter, it is ordered by the Court that case be continued to July 19, 1937, for further testimony and argument. (F.E.K. Judge).

JOHN H. VICKREY, Plaintiff,)
-vs-) No. 1217 - Equity. ✓
MONARCH ROYALTY CORPORATION, ET AL, Defendants.)

Now on this 12th day of July, A. D. 1937, it is ordered by the Court that be granted Plaintiff to amend petition herein. And thereafter, application of Defendant for to refile motion to dismiss is granted and motion to dismiss is accordingly refiled. And thereafter, motion of Defendants to dismiss stand submitted on arguments made and briefs to be filed. Given five (5) days for movant to file brief. Five (5) days thereafter for Plaintiff to file reply brief. (F.E.K. Judge).

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

United States of America, Plaintiff)
vs.) No. 1218 Equity ✓
George W. Smith, et al, Defendants.)

O R D E R

NOW, on this 12th day of July, 1937, there comes on for hearing the application of plaintiff for a temporary restraining order herein; the plaintiff is represented in court by its attorneys, C. E. Bailey, United States Attorney and Chester A. Brewer, Assistant United States Attorney, the defendant, George W. Smith, is represented in court by his attorneys, Chas. Hill Johns and Ralph A. Barney and the court having heard the statements and argument counsel and being fully advised in the premises finds:

That the defendant, George W. Smith, should be enjoined and restrained from disposing of any property or interests in property owned by him until the further order of this court, save and except said George W. Smith is authorized to sell upon the open market such cattle as in the judgment of the said defendant, George W. Smith and mortgagee, National Livestock Credit Corporation, may be necessary and advisable and that upon the sale of any of said property a statement be filed showing the exact description of the property sold and the amount received for said property and the proceeds of sale of such property be deposited in the r

of the Clerk of this Court pending the further order of this court with reference to the disposition thereof.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the further order of the Court, the defendant, George W. Smith, should be and he is hereby authorized to borrow from the National Livestock Credit Corporation such reasonable sum, not exceeding One Thousand Dollars (\$1,000.00) per month, as may be necessary for the purpose of operating ranches involved in this litigation and to pledge cattle owned by the said defendant, George W. Smith, to National Livestock Credit Corporation as security for said operating loans, said loans to be a lien upon said cattle superior to any and all other liens claimed.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that the defendant, George W. Smith, be and he is hereby directed within five (5) days from this date, additional time as may be necessary, to file in this court a full and complete inventory of real property owned by said defendant and all personal properties owned by said defendant upon said ranches involved herein, said inventory to be taken in the presence of a representative of the Collector of Internal Revenue for the district of Oklahoma.

F. E. KENHAMER
U. S. District Judge.

O.K. C. E. BAILEY United States Attorney
CHESTER A. BREWER, Assistant U. S. Attorney

ENDORSED: Filed Jul 13 1937
H. P. Warfield, Clerk
U. S. District Court EA

ROXIE SCHMIDT,	Plaintiff,)	
)	
-vs-		)	No. 1219 - Equity. ✓
)	
BETHLEHEM SUPPLY CORPORATION,	Defendant.)	

Now on this 12th day of July, A. D. 1937, the above styled case is called for trial. Both sides present and announce ready for trial. Opening statements of counsel are made, and the Defendant is granted leave to file answer herein. And thereafter, the Plaintiff introduces evidence and proof with the following witnesses: Robert Foster, Eli Wilkinson, R. Kirtchener, W. A. Schmidt. And thereafter, the Plaintiff rests. And thereafter, the Defendant introduces evidence and proof with the following witnesses: Vernon Hands, H. W. Wilson. And thereafter, the Defendant rests. Thereupon, the Plaintiff offers in rebuttal testimony of Eli Wilkinson. And thereafter, both sides rest. Closing arguments of counsel are made and case stands submitted on testimony, arguments and briefs to be filed. Give five (5) days for Plaintiff to file brief. (F.E.K. Judge).

Court adjourned to July 13, 1937.

162

Court convened pursuant to adjournment, Tuesday, July 13, 1937.

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

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

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

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

ORDER DIRECTING RECEIVER TO EXECUTE QUIT CLAIM DEED

THIS CAUSE COMING on to be heard on this the 13th day of July, 1937, on verified application of T. P. Farmer, Receiver for Exchange National Company for authority execute and deliver unto J. E. West a quit claim deed covering

Lots six and seven in Block one, Prague, Oklahoma,

upon the payment to him, as such receiver, of the sum of \$20.00, and the court having read said application and being fully advised in the premises, and finding that it has jurisdiction to entertain said application and enter an order thereon, finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said T. P. Farmer, be and he is hereby authorized and empowered to make, execute and deliver unto J. E. West a quit claim deed covering the above described premises, upon the payment to him by the said J. E. West of the sum of \$20.00, and said T. P. Farmer, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 13 1937
H. P. Warfield, Clerk
U. S. District Court H

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

H. C. COLVIN, TRUSTEE FOR THE BRADSTREET OIL COMPANY, a corporation, Plaintiff,)
vs.) IN EQUITY NO. 957 ✓
J. E. CROSBIE, ET AL, Defendants.)

D E C R E E

This cause came on to be heard at the Special March, 1937, Term of this court

on the 14th day of June, 1937, on the Bill and Answer and proof offered on behalf of the plaintiff and it appearing to the court from the exhibit attached to plaintiff's bill that on the 23 December, 1922, Bradstreet Oil Company, a corporation, and J. E. Crosbie entered into a contract which recited that J. E. Crosbie had already advanced the sum of \$121,000.00 toward the development of said oil and gas mining leases in Arkansas owned by the parties to said contract, and that Crosbie would be required to advance large sums in addition thereto, and as security for the money so advanced and to be advanced Bradstreet Oil Company agreed to and did deed to Crosbie the one-half interest of Bradstreet Oil Company in said properties set out in said exhibit, providing for the re-assignment and re-conveyance to Bradstreet Oil Company of its one-half interest in said property upon the re-payment by Bradstreet Oil Company to Crosbie of the money so advanced for the benefit. It was provided in said contract:

"It is understood and agreed that it is not the purpose of the parties hereto to relieve first party, Bradstreet Oil Company, from its liability under the several contracts and leases owned jointly by it with J. E. Crosbie but that the liability of said first party under said leases, contracts and agreements shall remain the same as though no assignments or transfers or conveyances had been made, it being the purpose of both parties that this agreement and such assignments, transfers and conveyances shall operate to secure second party against any advancements made by him and against liability on his part for the indebtedness of first party in their joint adventure."

Thereafter Bradstreet Oil Company filed its petition in Bankruptcy and the plaintiff herein is the Trustee of said bankruptcy proceeding; that the Referee in Bankruptcy required of the defendant a statement of the account between Bradstreet Oil Company and the defendant, which was made and is attached to defendant's answer.

That after the filing of the bill in this cause, the court authorized the Trustee, plaintiff herein, to have the firm of John J. O'Brien & Company, Certified Public Accountants, to make a report on the statement of account furnished by defendant under the order of the Referee in Bankruptcy.

That under plaintiff's evidence defendant has accounted for all the proceeds of the joint adventure, as disclosed in his answer, up to and including the first day of January 1934; and under plaintiff's evidence the value of the whole of the property covered by the agreement between the parties hereto was of the minimum value of \$50,000.00 and the maximum value of \$100,000.00; that under plaintiff's evidence as of the first day of January, 1934, the defendant had failed to pay out the cost of purchase, development and operation by the sum of \$788,25 exclusive of interest, after giving credit for an error in the statement, but not an error in the account disclosed by defendant's books and records of the sum of \$45,000.00. That as of that date there remained due against the interest of Bradstreet Oil Company the sum of \$394,125.00. The property of the maximum value of \$100,000.00 cannot hope to pay the amount charged against it and that the bankruptcy estate has no beneficial interest in said property;

And after the plaintiff had produced all his testimony, the defendants deposed thereto and requested a judgment in their behalf, and the court gave the Trustee in Bankruptcy and the creditors thereof until Monday the 21st day of June, 1937, to decide whether or not they would advance the funds necessary for a Master to audit defendant's account; and

Now on this 21st day of June, 1937, plaintiff's attorney having announced in open court that the creditors of said bankruptcy estate and the Trustee thereof would not advance

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

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 13, 1937

funds for the cost of an audit of defendant's accounts, the court thereupon found the issue defendants and against the plaintiff.

IT IS ORDERED, ADJUDGED AND DECREED that judgment be entered in favor of defendants and against the plaintiff; that the present value of the property in controversy not exceed the sum of \$100,000.00, and that as of January 1, 1934, there remained due against the interest claimed by plaintiff the sum of \$394,125.70.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the bankruptcy estate represented by the plaintiff Trustee in Bankruptcy has no beneficial interest in said properties any of them.

IT IS FURTHER ORDERED that the costs of this action be taxed against plaintiff excepts, and is granted leave to appeal.

Dated the 21st day of June, 1937.

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

ENDORSED: Filed Jul 13 1937
H. P. Warfield, Clerk
U. S. District Court B

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

H. C. COLVIN, TRUSTEE, Plaintiff,)
vs.) No. 957 Equity
J. E. CROSSIE, ET AL, Defendants.)

ORDER ENLARGING TIME

THIS CAUSE COMING on to be heard on this the 13th day of July, 1937, on the application of the complainant for an enlargement and extension of time within which to lodge his appeal in the Circuit Court of Appeals for the Tenth Circuit, and for good cause shown, said application is sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the time within which to lodge an appeal in the Circuit Court of Appeals be and it is hereby enlarged and extended for a period of forty days from the expiration of the present period allowed by law for the lodging of said appeal in said Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 13 1937
H. P. Warfield, Clerk
U. S. District Court H

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION

TULSA, OKLAHOMA

THURSDAY, JULY 15, 1937

Court convened pursuant to adjournment, Thursday, July 15, 1937.

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 THE STATE OF OKLAHOMA

The Brown-Crummer Investment Company, Complainant,)

vs.)

No. 598 Equity. ✓

The Town of Bixby, J. F. Paulter, L. M.
Forrey, M. L. Shaner, Broken Arrow B. & L. Assn.,
W. E. Coppedge, Mrs. J. L. Moody, C. A.
Brown, Liq. Agt., Defendants.)

ASSIGNMENT OF JUDGMENTS

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, The Brown-Crummer Investment Company, a corporation
tiff in the above entitled case, in consideration of the sum of One Dollar (\$1.00) and other
and valuable considerations to it in hand paid, the receipt of which is hereby acknowledged,
hereby sell, assign, transfer and set over unto Citizens Security Bank of Bixby, Oklahoma, t
cents for costs rendered in the above entitled action in favor of said plaintiff, as follows

The judgment rendered by the United States Circuit Court of
Appeals in and for the Tenth Circuit on April 13, 1934, in
an appeal in the above entitled cause from the above entitled
court in the amount of - - - - - \$52.80
which judgment appears of record in the above entitled court;

The judgment of the above entitled court in favor of said
plaintiff, rendered July 16, 1934, in the amount of - - - - - 275.65
TOTAL- - - - - \$328.45

TO HAVE AND TO HOLD unto the said assignee, its successors and assigns fo

Dated May 5th, 1937.

(SEAL)

THE BROWN-CRUMMER INVESTMENT COMPANY

By H. T. RODGERS
Vice-President.

ATTEST:

H. A. HOFFMAN
Secretary

ENDORSED: Filed Jul 15 1937
H. P. Warfield, Clerk
U. S. District Court B

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JULY 15, 1937

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

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

ORDER AUTHORIZING TRUSTEE TO EXECUTE CONTRACT

On this 15th day of July, 1937, upon the application of J. H. McBirney, S Trustee, for authority to execute and deliver a contract to Kelly F. Gibson; and it appearing the form of said contract was annexed to said application; that said contract may result in benefit and advantage to said trust estate; that the Advisory Committee appointed by this court has been notified of said proposed contract, and has approved the same, and has recommended the said trustee, J. H. McBirney, execute and deliver the same to the said Kelly F. Gibson, a other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver the contract to Kelly F. Gibson, in terms and form as set i in Exhibit "A" annexed to the application on file herein.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be authorized empowered to do and perform the obligations undertaken by him to be performed in said contract copy of which is annexed to said application as Exhibit "A".

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 15 1937
H. F. Garfield, Clerk
U. S. District Court H

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

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

ORDER AUTHORIZING TRUSTEE TO PARTIALLY RELEASE JUDGMENT

On this 15th day of July, 1937, upon the application of J. H. McBirney, Su Trustee, to partially release the judgment obtained by him against James A. Henry, et al., in No. 58888, District Court of Tulsa County, Oklahoma, insofar as said judgment affects the rea tate hereinafter described; and it appearing that the said real estate hereinafter described

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JULY 15, 1937

to a first mortgage upon which there is a principal sum of Eight Thousand Dollars (\$8,000.00) delinquent interest in the amount of One Thousand Four Hundred Dollars (\$1,400.00) due, which mortgage is held by the Lutko Corporation, and a second mortgage held by J. A. Chapman in the principal amount of One Thousand Twenty Dollars (\$1,020.00), together with interest for seven years; and it further appearing that the said real estate does not have a real value of the amount of said indebtedness; and it further appearing that the holder of the said first mortgage has agreed to accept the sum of Six Thousand Five Hundred Dollars (\$6,500.00) in payment and satisfaction of said first mortgage, and that the holder of the second mortgage has agreed to release the said second mortgage without consideration; and it further appearing that the said real estate hereinafter described is used and occupied as a homestead, as well as for the carrying on of business by the James A. Henry; and it further appearing that there is no equity in said real estate over and above said first and second mortgages; and it further appearing that the Advisory Committee appointed by this court to counsel and advise with the said trustee has been notified of the application of the Lutko Corporation for a partial release of said judgment, and that said Advisory Committee has consented thereto and have recommended to said trustee that said judgment be released insofar as it affects said real estate, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to release the judgment obtained by him in cause No. 58888 in the District Court of Tulsa County, Oklahoma, insofar as the same covers and affects:

The Southerly Seventy (70) feet of the Westerly Forty (40) feet of Lot Three (3) in Block One Hundred Eighty Four (184) of the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and that said trustee be authorized to execute and deliver said partial release of judgment.

F. E. KENNELMER
United States District Judge.

ENDORSED: Filed Jul 15 1937
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER SETTING ASIDE ORDER OF JUNE 18, 1937

On this 15th day of July, 1937, upon the motion of J. H. McBirney, Successor Trustee, to set aside an order entered herein on the 18th day of June, 1937, and it appearing that an order has been entered herein on said 18th day of June, 1937, authorizing J. H. McBirney, Successor Trustee, to accept warranty deeds from E. A. Radschweit, and Roy Radschweit and Lillie Radschweit, covering the real estate and premises hereinafter described; and it further appearing that E. A. Radschweit, Roy Radschweit, and Lillie Radschweit, have failed and refused to convey said real estate to said trustee; and it further appearing that the said trustee has instituted suit

60

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, JULY 15, 1937

the District Court of Tulsa County, Oklahoma, upon said notes and for the foreclosure of said estate mortgages, and that the authority granted said trustee is unnecessary, and for other cause,

IT IS ORDERED that the order entered herein on the 18th day of June, 1937, authorizing J. H. McBirney, Successor Trustee, to accept a warranty deed from E. A. Radschwe covering,

The East Half (E $\frac{1}{2}$) of Lot Ten (10) in Block Fourteen (14), in Highland Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and,

Lot Twenty Two (22) in Block Two (2) of Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and to accept warranty deed from Roy Radschweit and Lillie Radschweit, covering

Lot Nineteen (19) in Block Six (6) in Reservoir Hill Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, now on file in the office of the County Clerk ex-officio Register of Deeds within and for Tulsa County, Oklahoma,

in satisfaction of mortgage indebtedness, and further authorizing J. H. McBirney, Successor to pay to J. A. Chapman the sum of Two Hundred Dollars (\$200.00), be and the same is hereby and set aside.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Jul 15 1937
H. P. Warfield, Clerk
U. S. District Court H

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

Laura B. Wells, Complainant)
vs) No. 1020 Equity ✓
A. L. Carmichael, as County Treasurer, et al,)
Respondents.)

STIPULATION AND ORDER

It is hereby stipulated by and between the parties hereto and their attorneys of record, that the appellant, Laura B. Wells, be given 100 days additional time within which to file the certified copy of the record of appeal herein and to docket this case in the office of the Clerk of the Circuit Court of Appeals.

HUGH WEBSTER
Attorney for Appellant

Dated this 15th day of July, 1937.

JOHN H. CONWAY
Assistant County Attorney

Tulsa, Oklahoma
July 15th, 1937

The parties having stipulated and for cause shown, it is hereby ordered that appellant be and she is hereby granted 100 days additional time within which to file the copy of the record of appeal herein and to docket the case in the office of the Clerk of the Court of Appeals.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Jul 15 1937
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to July 19, 1937

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, JULY 19, 1937

Court convened pursuant to adjournment, Monday, July 19th, 1937.

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.

I. D. MAYS, Administrator of the estate
of Joseph Mays, deceased, Complainant,

vs.

Jerome G. Queenan, as successor of J. G.
Hughes, receiver and Sam F. Wilkinson, receiver
of the First National Bank of Bristow, Oklahoma
and the First National Bank of Bristow, Oklahoma,
a National Banking Association and the Board of
County Commissioners of Creek County, State of
Oklahoma and Ghayn Ray, as County Treasurer of
Creek County, Oklahoma, Respondents.

No. 988 Equity ✓

D E C R E E

The above entitled cause came on regularly for hearing on this 19th day of 1937, on the motion of I. D. Mays, administrator of the estate of Joseph Mays, in accordance with the opinion of the United States Circuit Court of Appeals for the Tenth Circuit entered on the 28th day of May, 1937, and the Mandate of said Court; and on the motion of L. O. Lytle to file and charge against the judgment rendered in favor of I. D. Mays, administrator as aforesaid.

Complainant, I. D. Mays as Administrator of the estate of Joseph Mays, deceased, appeared in person and by L. O. Lytle and John R. Miller his counsel of record. Jerome G. Queenan, receiver of the First National Bank of Bristow, Oklahoma and the First National Bank of Bristow, Oklahoma, respondents, appeared by their counsel of record George B. Schwabe and Frank Settle. The Board of County Commissioners of Creek County and the County Treasurer, Ghayn Ray, respondents, appeared not. All parties present announce ready to proceed with said hearing.

The said Mandate having been spread of record and said opinion on which it is based having been offered and received in evidence the Court finds that the judgment as of the Board of County Commissioners of Creek County, Oklahoma, and Ghayn Ray, Treasurer of Creek County, Oklahoma was affirmed; that the judgment in favor of I. D. Mays, administrator, as a said, as against Jerome G. Queenan, receiver of the First National Bank of Bristow, Oklahoma modified and that the modification of said judgment appears in the opinion and the Mandate of Court and judgment should be rendered herein to conform to such modification as set forth in opinion and Mandate.

THEREFORE, It is considered, ordered, adjudged and decreed by the Court that the complainant do have and recover judgment against Jerome G. Queenan as receiver of of the First National Bank of Bristow, Oklahoma, and the First National Bank of Bristow, Oklahoma, National Banking Association, in the sum of \$48,874.91 without interest and which shall not interest. Such judgment is decreed to be a preferred claim as to the sum of \$702.39 and such sums as may be recovered by the receiver from the county; that as to any deficiency between judgment rendered as aforesaid, in favor of I. D. Mays, administrator of the estate of Joseph Mays, deceased, and any sum or sums paid such administrator by the receiver as a preferred creditor, as above set forth, he, the said I. D. Mays, administrator of the estate of Joseph Mays deceased, shall be and become a common creditor and the receiver shall pay and disburse to the said I. D. Mays, administrator as such common creditor, such equitable dividends as shall be other common creditors of the First National Bank of Bristow, Oklahoma.

And it is further ordered and directed that the receiver certify a copy of judgment and decree to the comptroller of the currency in order that the payment of this judgment may be made in accordance herewith in the further liquidation and winding up of the affairs of said bank, under the supervision and direction of the comptroller of the currency and in the regular course of the administration thereof in reference to the payment of claims of general creditors of said bank, in so far as judgment is herein rendered against Creek County on Mays bonds.

It is further considered, ordered, adjudged and decreed that Jerome G. Queenan, receiver of the First National Bank of Bristow, Oklahoma, a National Banking Association, have and recover judgment from Ghayn Ray, as County Treasurer of Creek County, State of Oklahoma, and Board of County Commissioners of the County of Creek, State of Oklahoma in the sums of \$62,781.00, the credit thereon of 35% (which is the percentage that has been heretofore paid to general creditors of the First National Bank of Bristow, in receivership) of \$54,000.00, the amount of the deposit of the county funds at the time of the suspension equivalent to \$18,900.00; that the amount of the judgment, therefore herein rendered in favor of said receiver shall be \$43,857.00 which judgment shall not bear interest: and it is further ordered and directed that the County of Creek, State of Oklahoma by and through its Excise Board levy taxes for the purpose of satisfying the above mentioned judgment against the County of Creek in the State of Oklahoma in the manner provided by law.

It is further considered, ordered, adjudged, and decreed by this Court that one-half of the costs of this action in this Court be taxed against Jerome G. Queenan as receiver of the First National Bank of Bristow, Oklahoma and one-half of such costs to be taxed against the Board of County Commissioners of Creek County, Oklahoma and Ghayn Ray as County Treasurer of Creek County, Oklahoma; and that the costs in the United States Circuit Court of Appeals in case #1 being the appeal of Jerome G. Queenan, receiver of the First National Bank of Bristow Oklahoma against I. D. Mays, administrator of the estate of Joseph Mays, deceased, et al, be taxed against the said administrator and in cause No. 1424 in the United States Circuit Court of Appeals for the Tenth Circuit, being the appeal of the Board of County Commissioners of Creek County, Oklahoma Ghayn Ray, Treasurer of Creek County, vs. I. D. Mays, administrator of the estate of Joseph Mays deceased, et al, be taxed against the appellants, Board of County Commissioners of Creek County, Oklahoma and Ghayn Ray, Treasurer of Creek County, Oklahoma.

Now on this 19th day of July, there comes on to be heard before the Court application of L. O. Lytle for the fixing of a lien and charge against the estate of Joseph Mays deceased, for attorneys fees, costs, and expenses, Applicant appeared in person and by his attorney John R. Miller; the administrator, I. D. Mays, appeared in person and by his attorney

WHEREUPON, parties offered their evidence and rested. From the evidence of the Court finds that the contract for attorneys fees and costs and expenses was in writing and all of the evidence offered the Court finds that applicant, L. O. Lytle, has a lien and charge against the judgment rendered in favor of I. D. Mays administrator of the estate of Joseph Mays deceased for costs and expenses in the sum of \$1000.50. That he has a lien and charge for attorneys services in connection with said cause against the estate of Joseph Mays, deceased in the sum of \$9,213.96.

WHEREFORE, It is considered, ordered, and decreed by the Court that there be a lien and charge in favor of the applicant, L. O. Lytle, against the judgment rendered in favor of I. D. Mays, administrator, for costs and expenses in the sum of \$1000.50, and for attorneys fees in the sum of \$9,213.96.

F. E. KENNAMER
JUDGE.

O.K. GEO. B. SCHWABE
Atty for Jerome G. Queenan, Receiver and the bank, respondents.

JOHN R. MILLER
L. O. LYTLE

ENDORSED: Filed Jul 19 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

THE LONG BELL LUMBER COMPANY, a Corporation,)	
)	
Plaintiff,)	
)	
vs.	)	NO. 1220 E. ✓
)	
JOE SHAUGHNESSY, F. C. SCHUTTER, ET AL.,)	
Defendants.)	

O R D E R

NOW on this 19th day of July, 1937, there comes on for hearing upon motion for dismissal without prejudice at the cost of the plaintiff; and the Court having heard the evidence and being fully advised in the premises herein, finds that a settlement has been reached between plaintiff and the defendants, and that the said cause should be dismissed without prejudice at the cost of the plaintiff.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that this cause of action be dismissed without prejudice at the cost of the plaintiff.

ENDORSED: Filed Jul 22 1937 F. E. KENNAMER
H. P. Warfield, Clerk JUDGE OF THE UNITED STATES DISTRICT COURT
U. S. District Court EA

+ 12
✓

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, JULY 20, 1937

Court convened pursuant to adjournment, Tuesday, July 20, 1937.

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.

I. D. MAYS, Administrator of the Estate of Joseph Mays, deceased,
vs.
Jerome G. Queenan, Receiver, et al

)
)
)
) #988 Equity ✓
)
)

ASSIGNMENT OF JUDGMENT

STATE OF OKLAHOMA
CREEK COUNTY SS

Know all men, by these presents, that I, L. O. Lytle for and in consideration of the sum of \$1.00 and other good and valuable considerations, the receipt whereof is hereby acknowledged do hereby assign, sell, set-over and convey to Kathryn L. Hohl, the certain judgment for attorneys fees, costs & expenses this date rendered in my favor in the above styled and numbered cause.

Witness my hand the 19th day of July, 1937.

L. O. LYTLE

STATE OF OKLAHOMA
CREEK COUNTY SS

Personally appeared before me the undersigned, a Notary Public, in and for State and County, aforesaid, L. O. Lytle to me known to be the identical person, who executed within and foregoing instrument and acknowledged to me that he executed the same as his act and deed for the uses and purposes therein set forth.

Witness my hand and official Seal the 19th day of July, 1937.

MARGARET JENNINGS
Notary Public

(SEAL)
My Comm. expires the 14 day of Nov., 1939.

ENDORSED: Filed Jul 20 1937
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to July 22, 1937.

Court convened pursuant to adjournment, Thursday, July 22, 1937.

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.

Nero Tecumseh, and Nero Tecumseh, Guardian
of Israel Tecumseh, a minor, Plaintiffs,)

vs.)

W. L. Childress, Effie Bruner, nee Tecumseh,)
Edward Tecumseh, Mable Bruner,)
nee Tecumseh, Ida Frank, nee Tecumseh, and)
F. E. Ethridge, Defendants.)

No. 1227 Equity

O R D E R

Now on this 22nd day of July, 1937, this matter coming on before me, and it being that on the 6th day of July, 1937, an order was made by the District Court of Tulsa County, Oklahoma, removing the above cause from said District Court of Tulsa County, Oklahoma, to the United States District Court for the Northern District of Oklahoma; and it further appearing said cause involves the legal and equitable title to certain restricted Indian land located in Tulsa County, Oklahoma, and that said cause should be filed on the Equity Docket of this Court;

IT IS THEREFORE THE ORDER of the Court that said cause be filed on the Equity Docket of this court.

F. E. KENNAMER
JUDGE.

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

ENDORSED: Filed Jul 22 1937
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to July 26, 1937.

UNITED STATES CIRCUIT COURT OF APPEALS TENTH CIRCUIT.
NO. _____

Sheridan P. Tschappat and
Harold Callahan, Plaintiffs-Appellants

vs.

Hinderliter Tool Company, Defendant-Appellee

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA
CASE OF

Sheridan P. Tschappat and
Harold Callahan, Plaintiffs)

vs.

) In Equity No. 1032

Hinderliter Tool Company, Defendant.

ORDER OF ENLARGEMENT OF TIME.

Now on this the 27 day of July, 1937, this matter coming on for hearing before the undersigned, Edgar S. Vaught, being the judge who tried the above cause and the judge in the citation herein, upon the application of the plaintiffs-appellants for enlargement of time herein, and the undersigned Judge being well and sufficiently advised in the premises, for good and sufficient cause shown,

IT IS HEREBY ORDERED AND ADJUDGED that the time in which the said plaintiff appellants may docket this cause and file record thereof with the clerk of the United States Court of Appeals for the Tenth Circuit, be, and the same is hereby extended and enlarged to including the 1st day of October, 1937.

It is further ordered and adjudged that within said time as so enlarged, the said plaintiffs-appellants have such time as may be necessary or proper for lodging with the clerk of the trial court, the narrative of evidence and the settlement and approval thereof by the court and the filing of the same with said clerk of the trial court.

EDGAR S. VAUGHT

Judge of the District Court of the United States of
Northern District of Oklahoma, by Assignment

ENDORSED: Filed Jul 29 1937
H. P. Warfield, Clerk
U. S. District Court B

110
4

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 2, 1937

MAE E. WALKER, Plaintiff,)
-vs-) No. 1302 - Equity. ✓
HOME OWNERS LOAN CORP. A CORP., Defendant.)

Now on this 2nd day of August, A. D. 1937, it is ordered by the Court the above cause be and it is hereby dismissed upon motion of the Plaintiff herein. (F.E.K.J)

LOTTIE HAMRICK, ET AL, Plaintiffs,)
-vs-) No. 1303 - Equity. ✓
CURTIS F. BRYAN, ET AL, Defendants.)

Now on this 2nd day of August, A. D. 1937, the above cause comes on for hearing on merits. All parties present and announce ready. Further documentary evidence is produced by Intervener Jas. A. Hull. And thereafter, all sides rest. Case closed as to further testimony or evidence and it is ordered that case stand on briefs filed and to be filed and depts to be heard on further order herein. (F.E.K. Judge).

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

United States of America, Plaintiff,)
vs.) No. 1313 Equity ✓
Chas. A. Nichols and Florence Nichols,)
Walter F. Nichols and Grace Nichols, Defendants.)

O R D E R

NOW, on this 9th day of August, 1937, this matter coming on before the Court hearing on the application of complainant for appointment of receiver, on August 2, 1937, the United States of America appearing by Chester A. Brewer, Assistant U. S. Attorney and the defendant Chas. A. Nichols, Florence Nichols, Walter F. Nichols and Grace Nichols, appearing by their attorneys, C. L. Yancey and Paul Wilson, and the Court after hearing the arguments of counsel being fully advised in the premises finds that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma should be appointed receiver in this action.

The Court further finds that the defendants should be allowed thirty (30) additional time from August 2, 1937, within which to file their answer in this case.

IT IS, THEREFORE, THE ORDER OF THE COURT that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be and he hereby is appointed receiver in this case.

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 2, 1937

IT IS FURTHER ORDERED BY THE COURT that the defendants be and they hereby granted thirty (30) days additional time from August 2, 1937, within which to file their answer in this case.

F. E. KENNAMER
U. S. DISTRICT JUDGE.

O.K. CHESTER A. BREWER
Assistant U. S. Attorney.

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to August 9, 1937

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 9, 1937

Court convened pursuant to adjournment, Monday, August 9, 1937.

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)
) No. 273 Equity)
vs.)
)
EXCHANGE NATIONAL COMPANY,) Defendant.)

ORDER AUTHORIZING SALE

This cause coming on to be heard on this the 9th day of August, 1937, on verified application of T. P. Farmer, receiver for Exchange National Company, for an order directing him to advertise and offer for sale the following described premises:

SW SE and S2 NE SE and NW NE SE abd SW SW NE Sec. 27, 3N, Rge. 8e,
Pontotoc County, Oklahoma,

provided that therefor he shall receive not less than the sum of \$2000, and the court having said application and finding that it has jurisdiction to entertain the same and enter an order on, and being fully advised in the premises, finds that said application should be sustained.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be, and the same is hereby sustained and the said T. P. Farmer, receiver of Exchange National Company be, and he is hereby directed, authorized and empowered to advertise and sell in accord with the applicable statutes of the United States of America the fee simple title to said af

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 9, 1937

described premises provided that therefor he shall receive not less than the sum of \$3000 in cash and that said receiver be, and he is hereby directed, authorized and empowered to do all other necessary and proper in order to fully and effectually accomplish the letter and spirit of the application and this order.

J. E. KENNEDY
United States District Judge

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court H

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,)
Plaintiff,)
vs.) No. 875 Equity
EXCHANGE NATIONAL COMPANY,)
Defendant.)

ORDER AUTHORIZING SALE OF PROPERTY

THIS CAUSE COMING on to be heard on this the 9th day of August, 1937, on verified application of T. F. Farmer, receiver for Exchange National Company, for an order directing him to advertise and sell all of its interest in the following described premises, to-wit:

South 70 feet of Lot 2 in Block 1 North Tulsa Addition to the City of Tulsa, known as 602 North Detroit and 613 East Fairview, in the County of Tulsa and 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 granted.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained, and T. F. Farmer, Receiver for Exchange National Company, be and he is hereby directed, authorized and empowered to advertise and sell to the highest bidder for the above described premises, provided that at said sale he shall not receive a net less than the sum of \$3000.00 upon the understanding that no commission is to be paid upon said sale and said premises at said sale shall take such property subject to any unpaid taxes or other liens and T. F. Farmer be and he is further directed, authorized and empowered to do all other necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

J. E. KENNEDY
United States District Judge

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER INSTRUCTING RECEIVER

THIS CAUSE COMING on to be heard on this the 9th day of August, 1937, on cation for instructions as to what action he should take with respect to a claim heretofore against him by National Bank of Commerce for rent due for office space alleged to have been by the auditors during the period of time they were making an audit of the books and affairs Exchange National Company, and the court having heard testimony in connection therewith, and that it has jurisdiction to entertain the same and enter an order thereon, and being fully a in the premises.

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT, that the sum of \$1620.0 to National Bank of Commerce, as rent for space occupied in the National Bank of Commerce Bu Tulsa, Oklahoma, during the period of the audit of the books and affairs of the Exchange Nat Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that two-thirds part of said due unto said claimant from the receivership of the Exchange National Company.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that T. P. Farr Receiver of Exchange National Company, be and he is hereby directed, authorized and empowere from the funds on hand in said receivership to National Bank of Commerce the sum of \$1,080.0 is hereby directed, authorized and empowered to do all things necessary and proper in order : and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 9th day of July, 1937, upon the application of J. H. McBirney, Successor Trustee, for authority to sell real estate; and it appearing to the court that J. H. McBirney, as Successor Trustee, is the owner and holder of title to

Lot Seventy Nine (79) of the Resubdivision of Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, and 20, Block One (1); and Lot One (1), Block Two (2), of Rodgers Heights Subdivision an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

which said real estate is improved by a five room frame house, but that said real estate is not improved with sidewalks or paving; and it further appearing that the said real estate above described is subject to a liability to said trust of One Thousand Seven Hundred Twenty Nine & 09/100 Dollars that the said trustee has obtained the sum of Ninety One & 99/100 Dollars (\$91.99) from rents in excess of disbursements made on account of said real estate, leaving a net liability of One Thousand Six Hundred Thirty seven & 10/100 Dollars (\$1,637.10); and it further appearing that said trustee has an offer from Ada H. Creel to purchase said real estate for a total consideration of One Thousand Six Hundred Fifty Dollars (\$1,650.00), to be payable as follows: Cash Six Hundred Fifty Dollars (\$650.00), balance of One Thousand Dollars (\$1,000.00) payable Twenty Dollars (\$20.00) per month and interest at the rate of six per cent (6%) upon deferred payments, and all to mature within three (3) years from date; and said deferred payments to be secured by first real estate mortgage upon the premises; and it further appearing that the said trustee will be required to pay a real estate brokerage commission of Eighty Two & 50/100 Dollars (\$82.50) as compensation for the services of the broker making said sale; and it further appearing that the Advisory Committee appointed by the court to counsel and advise with the said trustee, has been notified of said proposed sale, and has advised said sale, and has recommended that the trustee sell said real estate for said consideration and it further appearing that the said trustee has not obtained a higher or better offer for said real estate, and that it is for the best interest of said trust estate to sell said real estate for said consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to sell to Ada H. Creel

Lot Seventy Nine (70) of the Resubdivision of Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, and 20, Block One (1); and Lot One (1), Block Two (2), of Rodgers Heights Subdivision an Addition to the City of Tulsa, Tulsa County Oklahoma, according to the recorded plat thereof,

together with the improvements thereon, for the total consideration of One Thousand Six Hundred Fifty Dollars (\$1,650.00), payable as follows: Six Hundred Fifty Dollars (\$650.00) in cash; and One Thousand Dollars (\$1,000.00), payable Twenty Dollars (\$20.00) per month, plus interest at rate of six per cent (6%) per annum upon the deferred payments, all of said deferred payments to mature and become payable within three (3) years from date of said notes, said deferred payments to be secured by first real estate mortgage covering said premises.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized to pay to John Barrett, a real estate brokerage commission of Eighty Two & 50/100 (\$82.50) for his said services as real estate broker in said transaction.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court B

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

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 9th day of August, 1937, upon the application of J. H. McBirney, Trustee, for authority to sell real estate; and it appearing that the said trustee is the owner

Lot Fifteen (15) in Block One (1) Speedway Heights Addition to the City of Tulsa, Tulsa County, Oklahoma,

having acquired the same by virtue of foreclosure proceedings instituted by him in the District of Tulsa County, Oklahoma, in cause No. 58675, wherein Ira D. Hartshorn, et al, were defendants; it further appearing that said real estate is improved by a duplex, containing two 4-room apartments and breakfast rooms; and it further appearing that said trustee can sell said real estate improvements to Gayle H. Gray and Virginia M. Gray, for the total consideration of Three Thousand Two Hundred Fifty Dollars (\$3,250.00), to be payable Eight Hundred Twelve & 50/100 Dollars (\$825.00) upon delivery of deed, and the balance of Two Thousand Four Hundred Thirty Seven & 50/100 Dollars (\$2,437.50) in sixty (60) equal monthly installments, said deferred payments to draw interest rate of six per cent (6%) per annum, with interest payable monthly, and to be secured by a first prior real estate mortgage covering said real estate above described; and it further appearing that the said consideration for said sale is fair, and that said trustee has not had a better or higher offer for said property; and it further appearing that the Advisory Committee, appointed by this Court to counsel and advise with said trustee, has been notified of said proposed sale, and has approved the same and recommended that the said property be sold; and it further appearing that the sale of said real estate is for the best interest of said trust estate; and it further appearing that Geo. E. Matt made said sale, and is entitled to a real estate brokerage commission of five per cent (5%), and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell

Lot Fifteen (15) in Block One (1), of Speedway Heights Addition to the City of Tulsa, Tulsa County, Oklahoma,

together with the improvements thereon, to Gayle H. Gray and Virginia M. Gray, for the sum of Three Thousand Two Hundred Fifty Dollars (\$3,250.00), payable Eight Hundred Twelve & 50/100 Dollars

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 9, 1937

(\$812.50) upon delivery of deed, and the balance of Two Thousand Four Hundred Thirty Seven & Dollars (\$2,437.50), to be paid in sixty (60) equal monthly installments, said deferred payments draw interest at the rate of six per cent (6%) per annum, said interest to be payable monthly, said deferred payments to be secured by a first and prior real estate mortgage covering the real estate and improvements so sold.

IT IS FURTHER ORDERED that the sale of

Lot Fifteen (15) in Block One (1), of Speedway Heights Addition to the City of Tulsa, Tulsa County, Oklahoma,

by J. H. McBirney, Successor Trustee, to Gayle H. Gray and Virginia M. Gray, be and the same be confirmed.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver to the Trustee's special warranty deed, conveying said real estate.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, pay to Geo. H. Gray, a real estate brokerage commission of five per cent (5%) of said consideration, to-wit, Three and Two Hundred Fifty Dollars (\$3,250.00), for his services as real estate broker in making said sale.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court B

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

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

O R D E R

On this 9th day of August, 1937, there came on for hearing the application of J. H. McBirney, Successor Trustee, for directions with respect to the payment of rent, due the National Bank of Commerce Building for office space used and occupied by the auditors, between the 1st day of February, 1934, and the 31st day of October, 1934, in connection with the making of an audit of the books and records of the Exchange National Company; there appearing F. A. Bodovitz, Successor Trustee, and T. Austin Gavin for T. P. Farmer, Receiver of the Exchange National Company and it appearing to the court that the said auditors occupied rooms 502, 502-A, 503, and half of 504, from the 1st day of February, 1934, to the 31st day of October, 1934, and that a statement of the amount of One Thousand Six Hundred Twenty Dollars (\$1,620.00) has been rendered therefor; it further appearing to the court that a reasonable rental for said office space for said term period is One Thousand Six Hundred Twenty Dollars (\$1,620.00); and it further appearing that the Receiver of Exchange National Company should pay two-thirds (2/3) of said sum, and the Trustee should pay one-third (1/3) of said sum; and it further appearing that the Advisory Committee appointed by this court to counsel and advise with the Trustee has been notified of the application of the debt, and has recommended payment of said sum as follows: one-third (1/3) of said sum

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 9, 1937

Thousand Six Hundred Twenty Dollars (\$1,620.00) by the Trustee in this cause, and two-third (2/3) by the Receiver of the Exchange National Company, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby ized and directed to pay to the National Bank of Commerce Building, the sum of Five Hundred Dollars (\$540.00), as this Trust's share of office space in the National Bank of Commerce B by auditors while engaged in making the audit of the books and records of the Exchange Nati Company; that said payment be made from funds in the hands of said J. H. McBirney, Successo and that he be allowed credit in his account therefor as such Trustee.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court B

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

Pearl B. Jackson, Plaintiff,)
vs.) No. 1183 Equity ✓
The Texas Company, a Corporation, Defendant.)

ORDER GIVING PERMISSION TO WITHDRAW MOTION FOR NEW TRIAL.

Now on this the 9th day of August, 1937, came the defendant, The Texas Company, and in open court asks permission to withdraw its motion for new trial heretofore in the above-styled cause; and the court having considered said request, finds that the same be granted.

IT IS THEREFORE ORDERED That said defendant, The Texas Company, be given per to withdraw its said motion for new trial filed in this cause.

F. E. KENNAMER
Judge of the U. S. District Court.

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court B

36
4

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 9, 1937

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

Pearl B. Jackson, Plaintiff,)
vs.) No. 1183 Equity ✓
The Texas Company, a corporation, Defendant.)

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard on this the 14th day of April, 1937, on the motion or bill of complaint of the plaintiff, and the amendment and supplement thereto on filed in, and upon the answer of said defendant, as amended, and upon the reply of the plaintiff, as on file herein; and the plaintiff, Pearl B. Jackson, appeared by her attorneys, Ramsey, Martin Logan; and the defendant, The Texas Company, a corporation, of the state of Delaware, appeared its attorney, B. W. Griffith; and thereupon all parties announced ready for trial; and the trial of said cause not having been completed on said date the same was continued to, and the trial of resumed, on the 15th day of April, 1937; and the said respective parties, both plaintiff and defendant, introduced their evidence and rested; and thereupon the court on said last named date having heard and considered the evidence offered and introduced in said cause, the stipulation of the parties filed herein, and the argument of counsel, finds that the said plaintiff is entitled to recover of and from the said defendant, by reason of this suit, the sum of Twenty-five Hundred (\$2500.00) Dollars, the same to be and constitute the full amount of plaintiff's recovery because of this suit up to 1st day of January, 1937; the court makes no findings and renders no judgment on the matters or things subsequent to the last-named date, but as to any and all matters and things connected with the subject matter of this litigation, subsequent to said last-named date, excludes same from its present findings and judgment; the court finds that the plaintiff is not entitled to a reformation of the contract or deed of June 21st, 1920, involved in this litigation and no reformation thereof is decreed.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that the said plaintiff Pearl B. Jackson have and recover of and from said defendant The Texas Company, by reason of this suit, the sum of Twenty-five Hundred (\$2500.00) Dollars, together with the costs of this suit, assessed at \$ _____, for all of which let execution issue; to which findings, judgment and decree of the court the said defendant excepted, and exceptions are by the court allowed.

F. E. KENMAMER
Judge of U. S. District Court.

OK AS TO FORM:
B. W. GRIFFITH
Attorney for defendant The Texas Company.

OK: RAMSEY, MARTIN & LOGAN
Attorney for Plaintiff, Pearl B. Jackson.

ENDORSED: Filed Aug 9 1937
H. P. Warfield, Clerk
U. S. District Court B

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

Paul D. Speer, Complainant,)

v.)

The City of Oilton, Creek County,)
Oklahoma, a Municipal Corporation, C. A.)
Holland, City Treasurer, of Creek County,)
Oklahoma, Huber Hughes, County Clerk of)
Creek County, Oklahoma, Respondents.)

No. 1185 Equity

O R D E R

Now on this 9th day of August, 1937, the above entitled cause came on for on the application of complainant for a temporary injunction and for the appointment of a temporary receiver of and for the sinking fund of the City of Oilton, Creek County, Oklahoma. The complainant appeared by counsel, Hayes, Richardson, Shartel, Gilliland & Jordan; the respondent appeared by D. Luster Cook, their attorney and Assistant County Attorney of Creek County; the intervenor, Massachusetts Bonding & Insurance Company, appeared by and through James W. Cosgrove; the intervenor, The Badger Meter Manufacturing Company, a corporation, appeared by and through counsel, Font L. Allen; and the Oklahoma Gas & Electric Company, a corporation, appeared by and through counsel, Edwin A. Ellinghausen; and it being made to appear to the Court that heretofore on the 29th day of June, 1937, the above matter having come on for hearing, the same, for good cause shown, was continued until the 12th day of July, 1937; that on said 29th day of June, 1937, it was ordered, adjudged and decreed that the previous order of this Court entered on the 25th day of January, 1937, granting a temporary injunction enjoining the respondents, their successors in office, their servants, agents and employees, and each of them, from paying out or disbursing funds to the credit of, or thereafter accruing, to the credit of the sinking fund of the City of Oilton, Creek County, Oklahoma, and ordering that all moneys now or thereafter accruing to the sinking fund of said City be impounded by the respondent, Willis C. Strange, County Treasurer of Creek County, Oklahoma, be continued in full force and effect until the 12th day of July, 1937, it appearing to the Court that on said 12th day of July, 1937, said order was continued in full force and effect until the 26th day of July, 1937, and that on said 26th day of July, 1937, said order was continued in full force and effect until the 9th day of August, 1937, and on this 9th day of August, 1937, it appearing to the Court that for good cause shown the same should be continued in full force and effect until the 13th day of September, 1937.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the order of this heretofore entered on the 25th day of January, 1937, granting a temporary injunction against the respondents, their successors in office, their servants, agents and employees, and each of them, from paying out or disbursing any funds to the credit of or hereafter accruing to the credit of said sinking fund of said City be impounded by the respondent, Willis C. Strange, County Treasurer of Creek County, Oklahoma, be and the same is hereby continued in full force and effect until further hearing of this cause on the 13th day of September, 1937.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Aug 16 1937
H. P. Warfield, Clerk
U. S. District Court B

38
v

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, AUGUST 10, 1937

Court convened pursuant to adjournment, Tuesday, August 10, 1937.

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

JOHN H. VICKREY, Plaintiff,)
vs.) No. 1217 In Equity ✓
MONARCH ROYALTY CORPORATION, et al, Defendants.)

ORDER OVERRULING MOTION TO DISMISS

Upon consideration of the briefs and arguments of counsel upon the respective motions of the defendants Monarch Royalty Corporation and M. E. Haga to dismiss plaintiff's bill of complaint, it is hereby ordered that said motions be and the same are hereby overruled which ruling of the court the defendants Monarch Royalty Corporation and M. E. Haga duly except and except, and such exceptions are by the court allowed.

It is further ordered that the defendants and each of them be and they are granted twenty days from this date within which to prepare and file their separate answers.

Dated at Tulsa, Oklahoma this 10th day of August, 1937.

F. E. KENNAMER
United States District Judge

APPROVED as to form:
S. E. DUNN
Attorney for the Plaintiff.

CHAS. A. COAKLEY
R. B. McDERMOTT
Attorneys for the Defendants
Monarch Royalty Corporation, and M. E. Haga

ENDORSED: Filed Aug 16 1937
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to August 16, 1937.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 16, 1937

Court convened pursuant to adjournment, Monday, August 16th, 1937.

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,)
		) No. 873 Equity
vs.)
EXCHANGE NATIONAL COMPANY,	Defendant.)

ORDER AUTHORIZING ENTRY OF APPEARANCE

THIS CAUSE COMING on to be heard on this the 16th day of August, 1937, on application of T. P. Farmer, successor receiver to Rex Watkinson, former receiver for Exchange National Company, for an order authorizing him to enter his appearance in the case of Hokers Loan Corporation vs. P. G. Frederick, et al., No. 16258, now pending in the District of Grady County, Oklahoma, and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised on 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 T. P. Farmer, successor receiver to Rex Watkinson, former receiver of Exchange National Company be and he is hereby directed, authorized and empowered to enter his appearance in the above styled cause, and set up his interest in the property involved herein, in order to protect the rights of said receivership, and that T. P. Farmer successor receiver, be and he is hereby directed, authorized and empowered to do other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Aug 16 1937
H. P. Warfield, Clerk
U. S. District Court AC

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

H. C. COLVIN, TRUSTEE,	Plaintiff,)
)
vs.		) No. 957 Equity
)
J. E. CROSSIE, ET AL.,	Defendants.)

ORDER ENLARGING TIME

THIS CAUSE COMING on to be heard on this the 16th day of August, 1937, on application of the complainant for an enlargement and extension of time within which to file his appeal in the Circuit Court of Appeals for the Tenth Circuit, and for good cause shown said application is sustained.

+30
↓

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 16, 1937

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the time which to lodge an appeal in the Circuit Court of Appeals be and it is hereby enlarged and extended for a period of forty days from the expiration of the present period allowed by the Court for the lodging of said appeal in said Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER
United States District Judge.

RECORDED: Filed Aug 16, 1937
H. P. Warfield, Clerk
U. S. District Court

SOVEREIGN CAMP OF THE WOODMEN OF THE WORLD,)
Plaintiff,)
vs.) No. 1078 Equity ✓
MYRTLE CLARK, ET AL.,)
Defendants.)

Now on this 16th day of August, A. D. 1937, it is ordered by the Court that the Clerk file and spread of record, Mandate in the above cause, same being in words and figures as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA,

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Sovereign Camp of the Woodmen of the World, plaintiff, and Myrtle Clark et al., defendants, No. 1078 Equity, the decree of the district court in said cause, entered on May 11, 1936, was in the following words, viz:

* * * * *

"It is ordered, adjudged and decreed that the defendant Hattie Clark have and recover in this action the proceeds from the policy of insurance which proceeds have heretofore been paid into this court and which are now held by the clerk of this court.

"It is further ordered that the defendant Hattie Clark have and recover of the defendant Myrtle Clark the costs of this action to which judgment is given against defendant Myrtle Clark excepts and exceptions allowed."

as by the inspection of the transcript of the record of the said District Court, which was taken into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Myrtle Clark, agreeably to the act of Congress, in such case made and provided, fully and at large.

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and thirty-seven, 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 counsels

On consideration whereof, it is now here ordered, adjudged and decreed by court that the decree of the said district court in this cause be and the same is hereby affirmed and that Sovereign Camp of the Woodmen of the World et al., appellees, have and recover of a Myrtle Clark appellant, their costs herein.

- - August 7, 1937.

You, therefore, are hereby commanded that such proceedings be had in said appeal notwithstanding.

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States 11th day of August, in the year of our Lord one thousand nine hundred and thirty-seven.

COSTS OF	Appellees:	
Clerk,	\$Paid by appellant.	ALBERT TREGO
Printing Record	\$None	Clerk of the United States Circuit Court of Appeals, Tenth Circuit.
Attorney,	\$20.00	
	<u>\$20.00</u>	

ENDORSED: Filed Aug 16 1937
H. P. Warfield, Clerk
U. S. District Court

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

SOVEREIGN CAMP OF THE WOODMEN OF THE WORLD,	Plaintiff,)	
)	
vs.		)	No. 1078 Equity
)	
MYRTLE CLARK and HATTIE CLARK,	Defendants.)	

O R D E R

It appearing to the Court that the mandate from the Circuit Court of Appeals has been filed herein affirming the judgment of the lower court, and it further appearing that the attorneys for the defendant, Myrtle Clark, have stipulated and agreed that the monies held by Court Clerk may be paid forthwith to the judgment creditor, Hattie Clark, co-defendant herein.

IT IS THEREFORE ORDERED that the Court Clerk pay forthwith all monies in hand to the defendant, Hattie Clark, the judgment creditor herein.

Dated this 16th day of August, 1937.

F. E. KENHAMER
J U D G E

ENDORSED: Filed Aug 16 1937
H. P. Warfield, Clerk
U. S. District Court

732
V

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

United States, Complainant,)
vs.) No. 1145 Equity
Ed Roberts, Respondent.)

ORDER OF DISMISSAL

Now on this 16th day of August, 1937, this matter coming on before the Court and it appearing that the purpose of said action has been satisfied by the above named respondent vacating the premises involved, and that said cause should be dismissed;

IT IS THEREFORE THE ORDER of the Court that said cause be, and the same hereby is dismissed.

F. E. KENNAMER
JUDGE.

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

ENDORSED: Filed Aug 16 1937
H. P. Warfield, Clerk
U. S. District Court

JOHN W. VICKREY, Plaintiff,)
-vs-) No. 1217 - Equity.
MCMARCH ROYALTY CORPORATION, ETC., Defendant.)

Now on this 16th day of August, A. D. 1937, it is ordered by the Court that the above case be set for trial on Monday, September 13, 1937. It is further ordered by the Court that the clerk give notice to all attorneys herein. (F.E.K. Judge).

SECURITIES AND EXCHANGE COMMISSION, Plaintiff,)
-vs-) No. 1231 - Equity.
E. R. PERRY, ET AL, Defendants.)

Now on this 16th day of August, A. D. 1937, hearing is had on order to show in re: granting restraining order. Both sides present and announce ready. And thereafter, Dedman is sworn and examined by the Court. Thereupon, it is ordered by the Court that hearing be continued to 10:00 o'clock A.M., Tuesday, August 17, 1937. (F.E.K. Judge).

Court adjourned to August 17, 1937.

Court convened pursuant to adjournment, Tuesday, August 17, 1937.

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

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

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

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

ORDER NUNC PRO TUNC

The above matter coming on to be heard before the undersigned Judge of said on this 17 day of August, 1937, and there being presented the application of J. H. McBirney, Trustee, for an order nunc pro tunc herein, correcting the order authorizing said J. H. McBirney, Successor Trustee, to sell the real estate hereinafter described, and confirming the sale thereof and the Court having heard the evidence and being satisfied that by a clerical error it was in said order that said real estate was to be sold to Ada H. Creel instead of Ada E. Creel, it appearing that the proceedings are regular and that said mistake should be corrected,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, that the order entered hereon the 9th day of July, 1937, be corrected as of the 9th day of July, 1937, to show that J. H. McBirney, Successor Trustee, is authorized to sell the following described real estate, to-wit:

Lot Seventy Nine (79) of the Resubdivision of Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, and 20, Block One (1); and Lot One (1), Block Two (2), of Rodgers Heights Subdivision, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

to Ada E. Creel for the consideration therein recited, and that the sale of said real estate be affirmed and approved to Ada E. Creel instead of to Ada H. Creel.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 17 1937
H. P. Warfield, Clerk
U. S. District Court

34
✓

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

HOWARD GRAY, as Executor of the Estate of Julia S. Pearman, deceased, Plaintiff,

vs.

No. 877 Equity. ✓

EXCHANGE NATIONAL COMPANY, a corporation, et al, Defendants.

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 17 day of August, 1937, upon application of J. H. McBirney, Successor Trustee of all the notes, bonds, mortgages, liens and property held as security for the payment of first lien participation certificated, issued by the Exchange National Company, for authority to sell the real estate hereinafter described to K. C. Buffington, and it appearing that said Trustee is the owner of

Lot Thirteen (13) in Block Two (2), Edgewood Place Addition to the City of Tulsa, Tulsa County, Oklahoma,

and that said Trustee acquired said real estate by virtue of foreclosure proceedings in cause No. 60491, District Court of Tulsa County, Oklahoma, wherein said J. H. McBirney, as Successor Trustee instituted an action against Fred W. Steiner and Lois H. Steiner for the recovery of a judgment upon a promissory note and the foreclosure of a real estate mortgage securing the payment of said note, and it further appearing that said Trustee purchased said real estate at a Sheriff's bidding therefor the sum of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00), which said sum was credited upon the judgment obtained by said Trustee, which said judgment was for the principal of Three Thousand Three Hundred Sixty Dollars (\$3,360.00), together with interest in the amount of Seven Hundred Fifty One & 99/100 Dollars (\$751.99), to the date of judgment, plus Five Hundred Seventy & 25/100 Dollars (\$570.25), advanced for the payment of taxes, and the further sum of One Hundred Thirty Five Dollars (\$135.00) as attorney's fees, which said judgment is entitled to be paid in the amount of Two Hundred Seventy Nine & 85/100 Dollars (\$279.85), from rents received from said premises, and it further appearing that said K. C. Buffington has offered to pay the sum of Three Thousand Dollars (\$3,000.00) for said real estate, payable as follows: Seven Hundred Dollars (\$750.00) in cash, and Two Thousand Two Hundred Fifty Dollars (\$2,250.00) in sixty (60) Equal monthly payments, said deferred payments to bear interest at the rate of six per cent per annum, payable monthly, and to be secured by a first real estate mortgage covering said premises, and it further appearing that an Advisory Committee appointed by this Court to counsel and advise with said Trustee, has been notified of said offer, and after consideration thereof, has recommended that said Trustee sell said real estate for said consideration, and upon said terms, and it further appearing that said sum of Three Thousand Dollars is the highest and best sum offered for said real estate, and that said sum represents the value of said property, and it further appearing that said trust is in liquidation, and it is to the best interests of said trust to sell said real estate, and it further appearing that in the opinion of the Trustee said sale is for the best interests of said trust estate, and it further appearing that Jack Bredouw, a real estate broker, arranged said sale, and is entitled to a commission of five per cent (5%) of said consideration, as compensation for his services, and should be paid said

IT IS, THEREFORE, BY THE COURT ORDERED, that J. H. McBirney, Successor Trustee be and he is hereby authorized to sell to K. C. Buffington the following described real estate to-wit:

Lot Thirteen (13) in Block Two (2) Edgewood Place Addition to the City of Tulsa, County, Oklahoma, according to the recorded plat thereof,

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

William E. Callison, Plaintiff,)
vs.)
James Boyle, doing business as Boyle)
Amusement Company, and Crown Drug)
Company, Defendants.)
No. 1182 Equity

ORDER ENLARGING TIME TO LODGE APPEAL

Now on this 19th day of August, 1937, and prior to the return day of the case herein, on application of appellant William E. Callison, and for good and sufficient cause to the Court being well and sufficiently advised in the premises:

IT IS HEREBY ORDERED that the time for printing the record and lodging the appeal heretofore allowed appellant herein in the United States Circuit Court of Appeals for Tenth Circuit, for docketing, be and the same is hereby enlarged and extended for a further period of thirty (30) days from this date.

Dated this 19th day of August, 1937.

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

ENDORSED: Filed Aug 19 1937
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to August 23, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 23, 1937

Court convened pursuant to adjournment, Monday, August 23, 1937.

Present: Hon. F. E. Kenamer, 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.)
EXCHANGE NATIONAL COMPANY,)
Defendant.)
No. 973 Equity

ORDER AUTHORIZING SETTLEMENT

THIS CAUSE COMING on to be heard on this the 17th day of August, 1937, on application of T. P. Farmer, Receiver for Exchange National Company, through his solicitors, Austin Gavin and G. C. Spillers, for an order approving a settlement made between the said T.

Farney, Receiver for Exchange National Company, and the Hon. Howard C. Johnson, Bank Commissioner of the State of Oklahoma, in charge of Exchange Trust Company in liquidation of that certain controversy existing between said companies and said receiver and liquidating agent, arising out of the assertion by each of said companies of a claim against the other, and the court having considered 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 for the approval of said settlement, be and the same is hereby sustained.

IT IS, THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that the said Farney, Receiver for Exchange National Company, be and he is hereby directed, authorized and empowered to accept in full settlement of the claim of the said Exchange National Company and receivership against the said Exchange Trust Company and its liquidating agent, and the Hon. Howard C. Johnson, Bank Commissioner of the State of Oklahoma, in charge of the liquidation of the Exchange Trust Company, the allowance by and approval of a claim against the said Exchange Trust Company, in the sum of \$40,000.00, to be paid and liquidated out of the funds of the Exchange Trust Company in liquidation, if, as and when dividends are made by the said Exchange Trust Company in liquidation, and its liquidating agent, and the Honorable Howard C. Johnson, Bank Commissioner of the State of Oklahoma, in charge of the liquidation of Exchange Trust Company, said payments, dividends, to the receiver, ratably from the funds of the Exchange Trust Company with all other creditors similarly situated.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that for and in consideration of the settlement of said claim of the Exchange National Company against the Exchange Trust Company, the receiver be and he is directed, authorized and empowered to allow so much of the claim of the said Exchange Trust Company against the Exchange National Company, as is represented by the alleged stock ownership by the Exchange National Company, prior to its receivership in the said Exchange Trust Company, to-wit: the sum of \$35,953.30, the allowance of which claim by the said receiver of the Exchange National Company shall not be an off-set, but only as an unsecured claim against the said receiver, to be paid, liquidated and discharged, only as and when the said receiver of said Exchange National Company may hereafter pay dividends or monies, or things of value to its creditors, and then only ratably with all other creditors occupying the same position and being similarly situated, and upon the further condition that the remainder of the claim of the said Exchange Trust Company and its liquidating agent and the Hon. Howard C. Johnson or any of them, is dismissed with prejudice.

IT IS THE FURTHER ORDER, JUDGMENT AND DECREE OF THE COURT that said T. P. Farney as receiver, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application for approval of said settlement and the within order of approval of said settlement.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Aug 23 1937
H. P. Warfield, Clerk
U. S. District Court AC

SECURITIES AND EXCHANGE COMMISSION,)
)
Plaintiff,)
vs.) No. 1231 - Equity.
)
E. R. PERRY, ET AL,)
)
Defendants.)

Now on this 23rd day of August, A. D. 1937, it is ordered by the Court that the restraining order herein be and it is hereby granted, as per journal entry to be filed. And thereafter, there comes on for hearing order to show cause why restraining order should not issue as to defendants Foreman and Company and John E. Ahlborg. And thereafter, the Plaintiff introduces evidence and proof with the following witness: John E. Ahlborg. And thereafter, it is ordered by the Court that permission be granted to file affidavits herein. Thereupon, it is ordered by the Court, after being fully advised in the premises, that restraining order be granted as to Defendants last named. Exception allowed. It is further ordered that further hearing on restraining order, etc. be and it is hereby continued to September 20, 1937. (F.E.K. Judge

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

E. C. Woodruff, Trustee for Eva May)
Woodruff, and Mollie Davis, nee Jones,)
Creek No. 7721,) Plaintiffs,)
) No. 1237
vs.)
)
A. Simon and Mabel Simon,)
)
Defendants.)

O R D E R

Now on this 23rd day of August, 1937, this matter coming on before the Court and it appearing that on the 5th day of August, 1937, an order was made by the District Court of Tulsa County, Oklahoma, removing the above cause from said District Court of Tulsa County, Oklahoma, to the United States District Court for the Northern District of Oklahoma; and it further appearing that the purpose of said cause of action is the foreclosure of a mortgage involving funds belonging to Mollie Davis, nee Jones, restricted Creek Allottee No. 7721, and that said cause should be filed on the Equity Docket of this Court;

IT IS THEREFORE THE ORDER of the Court that said cause be filed on the Equity docket of this court.

F. E. KENNAMER
JUDGE

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

ENDORSED: Filed Aug 23 1937
H. P. Warfield, Clerk
U. S. District Court AC

Court convened pursuant to adjournment, Monday, August 30, 1937.

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

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

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

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

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 30th day of August, 1937, upon the application of J. H. McBirney Successor Trustee, for authority to sell real estate; and it appearing that said J. H. McBirney Successor Trustee, is the owner of the real estate hereinafter described, having acquired it by virtue of a Sheriff's Deed; and it appearing that the said Trustee was the owner of a note issued by Simon A. Sherrell and Viola E. Sherrell for the principal sum of Four Thousand Dollars (\$4,000.00), upon which there was the principal sum of Three Thousand Ninety Five & 51/100 (\$3,095.51) due; that said note was secured by a real estate mortgage covering the real estate hereinafter described; that said trustee instituted cause No. 80171 in the District Court of Tulsa County, Oklahoma, for the recovery of judgment upon said note and for the foreclosure of said mortgage, and that said action resulted in judgment in favor of the said J. H. McBirney Successor Trustee, and that pursuant to appropriate proceedings therefor, said real estate was sold by the Sheriff of Tulsa County, Oklahoma, and the said J. H. McBirney, Successor Trustee, the purchaser thereof; and it further appearing that Geo. J. Smith has offered to purchase said real estate for the cash consideration of Three Thousand Five Hundred Dollars (\$3,500.00); said consideration is reasonable and represents the approximate value of said real estate; and further appearing that the members of the Advisory Committee, appointed by this Court to consider and advise with said trustee; have been notified of said offer of sale and have considered the same, and have approved said sale, and have recommended that the said trustee sell said real estate for said cash consideration; and it further appearing that said trust estate is in liquidation and it is to the best interest of said trust estate to sell said real estate for said cash consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to sell to Geo. J. Smith, for the cash consideration of Three Thousand Five Hundred Dollars (\$3,500.00), the following described real estate, to-wit:

East Fifty (50) feet of West One Hundred (100) feet of North One Hundred Forty Two and one-half (142½) feet of South One Hundred Sixty Two and one-half (162½) feet of Lot Two (2) in Block Ten (10) in Fair Acres Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is authorized to execute and deliver to Geo. J. Smith a Trustee's Deed, conveying said real estate above described, upon payment by the said grantee of the said cash consideration of Three Thousand Five Hundred Dollars (\$3,500.00).

100

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, AUGUST 30, 1937

IT IS FURTHER ORDERED that the sale of the above described real estate by McBirney, Successor Trustee, to Geo. J. Smith, for the cash consideration of Three Thousand Hundred Dollars (\$3,500.00), be and the same is hereby approved and confirmed.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be authorized to pay to Sutton-Norton Company, a real estate brokerage commission of five per cent (5%) of said consideration as compensation for their services as real estate brokers in making said

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 30 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

JENKINS PETROLEUM PROCESS COMPANY, Plaintiff,)
vs.)
BECKETT COMPANY, INC., a Corporation,)
WESTERN OIL CORPORATION, a Corporation,)
TRAVIS-SENTER REFINING COMPANY, a Corporation, J. F. DARBY, I. H. PATTON, JR.,) No. 1125 Equity ✓
C. F. LYNDE, J. R. TRAVIS, CARL PURSEL and)
GERALDINE H. SNEDDEN and THE FIRST NATIONAL)
BANK & TRUST COMPANY OF TULSA, a National)
Banking Corporation, Executors of the Estate)
of George W. Snedden, Deceased, Defendants.)

ORDER FOR DECREE PRO CONFESSO AGAINST DEFENDANT, TRAVIS-SENTER REFINING COMPANY.

The defendant, Travis-Senter Refining Company, a corporation, having been served with a subpoena herein on the 1st day of July, 1936, as appears from the return now on file herein, and having failed to file an answer herein within 20 days's time limited therefor by Rule 12 or any extensions thereof which have been granted by the Court; on motion of attorney for the plaintiff, it is now ordered and decreed that the bill be taken as confessed as to the defendant, Travis-Senter Refining Company.

Dated at Tulsa, Oklahoma,
this 30th day of August, 1937.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Aug 30 1937
H. P. Warfield, Clerk
U. S. District Court ME

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

JENKINS PETROLEUM PROCESS COMPANY, Plaintiff,)
)
 vs.)
)
 BECKETT COMPANY, INC., a Corporation, WESTERN)
 OIL CORPORATION, a corporation, TRAVIS-SEETER)
 REFINING COMPANY, a Corporation, J. F. DARBY, C.) No. 1125 Equity ✓
 F. LYNDE, J. R. TRAVIS, I. H. PATTON, JR., CARL)
 PURSEL, and GERALDINE H. SNEDDEN and THE FIRST)
 NATIONAL BANK & TRUST COMPANY OF TULSA, a)
 National Banking Corporation, Executors of the)
 Estate of George W. Snedden, Deceased,)
 Defendants.)

ORDER FOR DECREE PRO CONFESSO AGAINST DEFENDANT, J. R. TRAVIS.

The defendant, J. R. Travis, having been duly served with a subpoena hereon the 1st day of July, 1936, as appears from the return now on file herein, and having failed to file an answer herein within 20 days' time limited therefor by Equity Rule 12, or any extension thereof which have been granted by the Court; on motion of attorney for the plaintiff, it is ordered and decreed that the bill be taken as confessed as to the said defendant, J. R. Travis.

Dated at Tulsa, Oklahoma,
this 30th day of August, 1937.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Aug 30 1937
H. P. Warfield, Clerk
U. S. District Court ME

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

SECURITIES AND EXCHANGE COMMISSION, Plaintiff,)
)
 vs.)
)
 E. R. PERRY, S. L. DEDMAN AND M. P.) IN EQUITY NO. 1231 ✓
 PERRY, INDIVIDUALLY AND AS TRUSTEES OF)
 SEMINOLE PROVIDENT TRUST, FOREMAN AND)
 COMPANY, INC., AND JOHN E. AHLBORG, Defendants.)

TEMPORARY INJUNCTION

This cause came on to be heard this the 23rd day of August, 1937, upon the motion of Securities and Exchange Commission, plaintiff in this case, for a temporary injunction. Plaintiff appeared by its counsel and defendants and each of them having heretofore appeared by counsel, on August 16, 1937, at which time this cause was continued until this day, as appeared by their counsel. Defendants, Foreman and Company, Inc., and John E. Ahlberg, objects to the jurisdiction of the court which objection was in all things overruled, to which said

defendants excepted. Thereupon, the matter was presented upon the verified bill of complaint upon affidavits filed by plaintiff and upon affidavit filed by defendants, Foreman and Compa Inc., and John E. Ahlborg and upon oral evidence. It appearing to the court that the issuance of a preliminary injunction is necessary to prevent immediate and irreparable damage for the reason that unless enjoined defendants and each of them will, in violation of Section 17 of the Securities Act of 1933, as amended, continue to offer and sell to the public certain securities, to-wit: certificates of beneficial interest in Seminole Provident Trust by the use of the mails and by the use of means and instruments of transportation and communication in interstate commerce by means of untrue statements and omissions of material facts such as are hereinafter set forth in detail.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that a preliminary injunction be granted and it is hereby granted against the said defendants, E. R. Perry, S. L. Dedman and M. P. Perry, individually and as trustees of Seminole Provident Trust, Foreman and Company, Inc., a Corporation, and John E. Ahlborg, and each of them, their agents, servants, representatives and employees and all persons acting on behalf of such defendants or any of them restraining them and each of them in the sale of certificates of beneficial interest in Seminole Provident Trust by the use of the mails and by the use of any means or instruments of transportation and communication in interstate commerce, from directly or indirectly:

(1) Sending or distributing any prospectuses, letters, circulars, advertisements or communications offering for sale such certificates of beneficial interest which

(a) Fail to state that E. W. Jones, Inc., has cancelled its contract of sale with E. R. Perry, S. L. Dedman and M. P. Perry, which is now held by such persons as trustees for the benefit of Seminole Provident Trust, or

(b) Fail to state that Seminole Provident Trust has not on hand or available sufficient funds to purchase a share in the properties under contract with E. W. Jones, Inc., sufficient to assure that each purchaser of a unit of beneficial interest in said trust will receive a 1/8000th equitable interest in said properties, or

(c) Fail to state the true earnings of the properties under contract of sale with the Seminole Provident Trust as compared with the current monthly distributions to certificate holders in said trust.

(2) Defendants and each of them are further enjoined from receiving or accepting money or property from persons offering to buy such certificates of beneficial interest in said Trust to whom statements have been communicated in the past by the use of the mails or by the use of any means or instruments of transportation or communication in interstate commerce, which statements are in accordance with statements which defendants are now enjoined from making; and such defendants and each of them are further enjoined from issuing or delivering certificates of beneficial interest to any such persons until full disclosure of the true facts, as above set forth, has been made.

(3) Defendants and each of them are further enjoined from using the mails or using any means or instruments of transportation or communication in interstate commerce, directly or indirectly, to employ any device, scheme or artifice to defraud similar to those above set forth; or to obtain money or property by means of any untrue statement of material fact or omission to state material facts (similar to those above set forth) necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading or to engage in any transaction, practice or course of business (similar to those above set forth) which operate or would operate as a fraud or deceit upon the purchasers of such securities.

The court further finds that other allegations in the bill, if proved, as alleged, are sufficient to warrant injunctive relief to plaintiff, but the court at this time by reason of the issuance of the injunction herein on the grounds above enumerated, does not intend to pass on said additional allegations.

104

Court convened pursuant to adjournment, Friday, September 3, 1937.

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.

Paul D. Speer,	Complainant,)	
)	
v.)	
)	
The City of Oilton, Creek County, Oklahoma,		)	No. 1185 - Equity ✓
a municipal corporation, C. A. Holland,)	
City Treasurer, Willis C. Strange, County)	
Treasurer of Creek County, Oklahoma,)	
Hubert Hughes, County Clerk of Creek County,)	
Oklahoma, and Lucien B. Wright, P. J. Stephenson)	
and Charles A. Mullins, comprising the Excise)	
Board of Creek County, Oklahoma,	Defendants.)	

O R D E R

This cause coming on for hearing before me, the undersigned United States Judge, on this the 2nd day of Sept., 1937, upon the application of complainant herein to make additional parties defendant, and the court being fully advised in the premises finds that an order should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the following parties, to-wit, Lucien B. Wright, of Sapulpa, P. J. Stephenson, of Drumright, and Charles A. Mullins of Bristow, be and the same are hereby made parties defendant in this cause.

ALFRED P. MURRAH
Attorneys for Complainant

ENDORSED: Filed Sep 3 1937
H. P. Warfield, Clerk
U. S. District Court

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

Paul D. Speer,	Plaintiff,)	
)	
v.		)	No. 1185 Equity. ✓
)	
The City of Oilton, et al.,	Defendants.)	

O R D E R

Now on this 2 day of September, 1937, it being made to appear to the court on this day an amendment to the original bill of complaint has been filed herein by the plaintiff seeking an injunction against the defendants herein, and each of them, requiring said defendants from failing, refusing and neglecting to make an estimate and appropriation for the sinking fund for the City of Oilton for the fiscal year 1937-38, sufficient to take care of the balance due

certain judgment on behalf of Paul D. Speer against the City of Oilton, said judgment having fore been taken in the United States District Court for the Northern District of Oklahoma in cause No. 1066, there being due on said judgment in the form of principal and interest the estimate sum of \$17,856.58, and from failing, neglecting and refusing to make an estimate and appropriation sufficient to take care of the balance due on said judgment on behalf of the complainant against the City of Oilton in the form of principal and interest, as aforesaid, and from failing, neglecting and refusing to make an estimate and appropriation sufficient to take care of all obligations now due and owing or that may become due and owing against said sinking fund during fiscal year 1937-38, and from failing, neglecting and refusing to make a levy sufficient to take care of the estimated needs and appropriations, as aforesaid; and from failing, neglecting and refusing to compel the collection of tax levies to pay such obligations, and from failing, neglecting and refusing to create a sinking fund sufficient to pay the same; and that a hearing on said application has been set in the United States District Court Room at Tulsa, Oklahoma, on Monday, September 13, 1937, at 9:00 o'clock A.M.

NOW, THEREFORE, the United States Marshall in and for the Northern District of Oklahoma is hereby ordered and directed to serve a copy of the notice of application for temporary injunction upon each of the following named defendants:

- The City of Oilton, Creek County, Oklahoma, a municipal corporation,
- C. A. Holland, City Treasurer
- Willis C. Strange, County Treasurer of Creek County, Oklahoma,
- Huber Hughes, County Clerk of Creek County, Oklahoma, and
- Lucien B. Wright, P. J. Stephenson and Charles A. Mullins, comprising the Excise Board of Creek County, Oklahoma,

in the same manner as other process is served, and make due return thereof showing such service.

ALFRED P. MURRAH
J u d g e

ENDORSED: Filed Sep 3 1937
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to September 7, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, SEPTEMBER 7, 1937

Court convened pursuant to adjournment, Tuesday, September 7, 1937.

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:

as an individual; and said motion first having come on to be heard on the 2nd day of August 1937, the same having been submitted to the court upon written briefs, and the same having been fully considered by the court, the court now finds and concludes:

(1) That on the 7th day of November, A. D. 1931, this court made and entered its decree and judgment herein, wherein, among other things, it adjudged and decreed that complainant, Hanna Anderson, and the intervener, The United States of America, do have no cover from the defendants, Jack Roberts and C. W. Roodhouse as purported guardian of the person and estate of Hanna Anderson, an alleged incompetent, and each of them, all costs expended in the trial of the cause aforesaid.

(2) That the said complainant, Hanna Anderson, and the said intervener, The United States of America, have expended as costs in the trial of said cause, taxable as such against the said defendants, Jack Roberts and C. W. Roodhouse, the sum of eleven hundred sixty-one dollars and fifty-three cents (\$1,161.53).

(3) That heretofore, on the 1st day of June, A. D. 1937, execution issued in favor of the said complainant and the said intervener and against the said defendant, C. W. Roodhouse, upon said judgment as aforesaid, for the recovery of costs herein against him in the sum of eleven hundred sixty-one dollars and fifty-three cents (\$1,161.53) and for which the court specifically now finds that he is liable individually and so concludes as a matter of law.

NOW, THEREFORE, IT IS

ORDERED, ADJUDGED AND DECREED that the motion of the said defendant, C. W. Roodhouse, as aforesaid, to recall and quash said execution and to perpetually enjoin and restrain said defendant, C. W. Roodhouse, from recalling and quashing in so far as it attempts to levy upon the individual property of the defendant, C. W. Roodhouse, and to perpetually enjoin and restrain a levy of said execution upon the property of the said C. W. Roodhouse, be, and the same is hereby denied and exception is allowed to said defendant, C. W. Roodhouse; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said United States Marshal for the Eastern District of Oklahoma proceed forthwith to satisfy the levy made pursuant to said execution.

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

ENDORSED: Filed Sep 14 1937
 H. P. Warfield, Clerk
 U. S. District Court

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

Hanna Anderson,	Complainant,)	
)	
vs.)	
		)	No. 568 Equity.
C. K. Peck, Trustee, et al.,	Defendants.)	
United States of America,	Intervener.)	

JOURNAL ENTRY

Now on this 13th day of September, A. D. 1937, there came on for hearing the motion of complainant for judgment on the appeal bond against the sureties of the defendant,

Roberts, C. W. Mandler and J. A. Brown; and it appearing to the court that the motion of complainant come on this day regularly to be heard after due and timely notice thereof in accordance with the order of this court made and entered herein on the 23rd day of August, A. D. 1937 the court upon consideration of said motion doth find:

1. That upon the 7th day of January, 1932, the undersigned Judge of this court approved appeal bond of the said defendant, Jack Roberts, with C. W. Mandler and J. A. Brown as sureties in the sum of \$200.00 in favor of Hanna Anderson and the United States of America appellees, conditioned that, whereas, on the 7th day of November, 1931, in the District Court of the United States for the Northern District of Oklahoma, in a suit depending in that court therein, Hanna Anderson was plaintiff, and United States of America was intervenor, and James D. H. Linebaugh, Paul Williams, Melvin Thomason, Bebe Stevens Hoaglin, Wallace Cook, C. W. House, as purported guardian of the person and estate of Hanna Anderson, an alleged incompetent, G. R. Horner, Beebie Henshochee, T. H. Ottesen and H. Eichenberger, as successor in trust of Jack Roberts, were defendants, numbered on the Equity Docket as No. 562, a decree was rendered against the said Jack Roberts, and the said Jack Roberts having obtained an appeal to the United States Circuit Court of Appeals for the Tenth Circuit, and filed a copy thereof in the office of the clerk of the court, to reverse the said decree and a citation directed to the said Hanna Anderson and the United States of America, citing and admonishing them to be and appear at a session of the United States Circuit Court of Appeals for the Tenth Circuit to be holden in the City of Denver, in the State of Colorado, forty days from and after the 31st day of December, 1931; and further conditioned that the said Jack Roberts shall prosecute his appeal to effect and answer for all costs of appeal if he fails to make his appeal good.

2. That on the 29th day of July, A. D. 1933, the decree and judgment of the said court against the said Jack Roberts and others was affirmed by the United States Circuit Court of Appeals for the Tenth Circuit, and petition for re-hearing was by said United States Circuit Court of Appeals denied on the 1st day of September, A. D. 1933, and thereafter the mandate of the United States Circuit Court of Appeals issued and was spread of record on the Journals of the said court on the 14th day of September, A. D. 1933, thereby making the said judgment final in favor of the said complainant, Hanna Anderson, and the intervenor, United States of America.

3. That the taxable costs of appeal against the said Jack Roberts and in favor of the complainant, Hanna Anderson, amount to \$499.10, for which the said complainant is entitled to a judgment against the said defendant, Jack Roberts.

4. That the said Jack Roberts is insolvent, and that for that reason and in consequence of the obligation of said bond the said complainant is entitled to recover against the said sureties, C. W. Mandler and J. A. Brown, and each of them, in the amount fixed in said bond namely, \$200.00.

Now, therefore, it is ORDERED, ADJUDGED AND DECREED that the said complainant, Hanna Anderson, recover of and from the said C. W. Mandler and J. A. Brown the sum of \$200.00, which let execution issue.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed Sep 14 1937
H. P. Winfield, 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 S. Pearman, Deceased, Plaintiff,)

vs.

No. 877 - Equity

EXCHANGE NATIONAL COMPANY, a
corporation,

Defendants.

ORDER AUTHORIZING TRUSTEE TO SELL REAL ESTATE

On this 13th day of September, 1937, upon the application of J. H. McBirney Successor Trustee, for authority to sell real estate; and it appearing that the said trust the owner of

Lot Two (2) in Block One (1) in Ferrell Addition to the City of
Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

having acquired title thereto by virtue of a real estate mortgage foreclosure action insti-
by said trustee in the District Court of Tulsa County, Oklahoma, said case being numbered
and it further appearing that the said trustee was the owner of a promissory note secured
real estate mortgage upon the above described property, the said note and mortgage having
executed by R. K. Hughes and Margaret C. Hughes, upon which there was the principal sum of
Thousand Seven Hundred Sixteen & 71/100 Dollars (\$1,716.71), due, together with interest t
date of judgment in the sum of Six Hundred Twenty Nine & 21/100 Dollars (\$629.21) and the
sum of One Hundred Eighty Dollars (\$180.00) as attorney's fees; and it further appearing t
said real estate is improved by a one-story frame house, with shingle roof and concrete bl
foundation; and it further appearing that the said trustee has an offer from L. L. Jordan
purchase of said real estate, for the sum of One Thousand Five Hundred Dollars (\$1,500.00)
able Three Hundred Seventy Five Dollars (\$375.00) in cash, and the balance of One Thousand
Hundred Twenty Five Dollars (\$1,125.00) at Twenty Dollars (\$20.00) per month, all of said
payments to mature and become payable within three (3) years, and all to be secured by a f
and prior real estate mortgage covering the above described real estate; and it further ap
that the Advisory Committee appointed by this court to counsel and advise with said trustee
been notified of said offer of sale, and has approved the same and recommended that said t
sell said real estate for said consideration; and it further appearing that said trustee
in liquidation, and that One Thousand Five Hundred Dollars (\$1,500.00) is the highest and
obtained by said trustee; and it further appearing that in the opinion of said trustee said
should be made for said consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby
authorized and empowered to sell to L. L. Jordan the following described real estate, to-wit:

Lot Two (2) in Block One (1) in Ferrell Addition to the City of
Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

for the cash portion of One Thousand Five Hundred Dollars (\$1,500.00), payable Three HUND
Bundred Seventy Five Dollars (\$375.00) in cash, and the balance of One Thousand One Hundred Twenty
Dollars (\$1,125.00) at Twenty Dollars (\$20.00) per month, including interest at six per cent
(6%) per annum, all of said deferred payments to be secured by a first and prior real estate
mortgage covering the above described real estate.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is
authorized and empowered to pay to John Burnett, five per cent (5%) upon said sum of One Thousand Five H
Dollars (\$1,500.00) as compensation for his services as a real estate broker in the sale of

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
DISTRICT OF OKLAHOMA
SPECIAL AND FIRST TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, SEPTEMBER 13, 1937

to L. L. Jordan Trustee's deed conveying said property, upon payment by said L. L. Jordan of cash consideration of Three Hundred Seventy Five Dollars (\$375.00), and execution and delivery by said L. L. Jordan of satisfactory note for the principal sum of One Thousand One Hundred Twenty Dollars (\$1,125.00), payable at the rate of Twenty Dollars (\$20.00) per month, including in it at the rate of six per cent (6%) per annum, and first and prior real estate mortgage secured deferred payments.

IT IS FURTHER ORDERED that the sale of the above described real estate, by McBirney, Successor Trustee, to L. L. Jordan, he and the same is hereby ratified, approved and confirmed.

F. E. KENNERLY
United States District Judge.

ENDORSED: Filed Sep 13 1937
H. P. Warfield, Clerk
U. S. District Court AC

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

HARTFORD ACCIDENT AND INDEMNITY COMPANY,)
a corporation, Plaintiff,)
-vs-) No. 1064 EQUITY ✓
PETROLEUM ROYALTIES COMPANY OF OKLAHOMA,)
a corporation, et al., Defendants.)

ORDER ASSIGNING CAUSE

BE IT REMEMBERED, that on the 20th day of May, 1937, the above entitled and captioned cause was assigned to the honorable A. P. Murrah, one of the judges of this court, for trial and for all other proceedings therein, and IT IS SO ORDERED.

DATED this 13 day of September, 1937.

F. E. KENNERLY
DISTRICT JUDGE.

ENDORSED: Filed Sep 13 1937
H. P. Warfield, Clerk
U. S. District Court AC

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

HARTFORD ACCIDENT AND INDEMNITY COMPANY,)
a corporation, Plaintiff,)
-vs-) No. 1064 - EQUITY ✓
PETROLEUM ROYALTIES COMPANY OF OKLAHOMA,)
a corporation, et al., Defendants.)

ORDER GRANTING PETITION FOR SUBPOENA DUCES TECUM.

On the petition and affidavit filed herein on this the 13th day of September

512

1937, IT IS ORDERED that the Clerk be and is hereby directed to issue subpoena duces tecum with petition prayed.

DATED September 13, 1937.

F. E. KEMMER
District Judge.

ENDORSED: Filed Sep 13 1937
H. P. Warfield, Clerk
U. S. District Court AC

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

William E. Callison, Plaintiff, /
vs. / No. 1182 Equity /
James Boyle, doing business as Boyle /
Assessment Company, and Crown Drug Company, /
Defendants. /

ORDER ENLARGING TIME TO LODGE APPEAL.

Now on this 13th day of September, 1937, and prior to the expiration of the heretofore extended for lodging the appeal in this cause in the United States Circuit Court Appeals for the Tenth Circuit, and for good and sufficient cause to me shown, and being well sufficiently advised in the premises:

IT IS HEREBY ORDERED that the time for printing the record and lodging the heretofore allowed plaintiff herein, in the United States Circuit Court of Appeals for the Tenth Circuit, for docketing, be and the same is hereby further enlarged and extended to including October 1, 1937.

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

ENDORSED: Filed Sep 13 1937
H. P. Warfield, Clerk
U. S. District Court

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

Paul D. Speer, Complainant,)

v.)

The City of Oilton, Creek County,
Oklahoma, a municipal corporation,
C. A. Holland, City Treasurer, Willis
C. Strange, County Treasurer of Creek
County, Oklahoma, Hubert Hughes, County
Clerk of Creek County, Oklahoma, and
Lucien B. Wright, P. J. Stephenson and
Charles A. Mullins, comprising the Excise
Board of Creek County, Oklahoma, Respondents,)

No. 1185 - Equity

Massachusetts Bonding and Insurance Company,
a corporation, Oklahoma Gas & Electric Co.,
a corporation, and Badger Meter Manufacturing
Co., a corporation, Interveners.)

D E C R E E

This cause came on to be heard pursuant to regular assignment, on the 13th "September", 1937, at the United States Court Room in the City of Tulsa, in the Northern Di of Oklahoma, the complainant appearing by his attorneys Hayes, Richardson, Shartel, Gillila Jordan, by and through Earl Pruet; the respondents The City of Oilton, Creek County, Oklaho C. A. Holland, City Treasurer, appearing by and through their attorney D. Luster Cook; Will Strange, County Treasurer of Creek County, Oklahoma, and Hubert Hughes, County Clerk of Cre County, Oklahoma, appearing by and through D. Luster Cook, Assistant County Attorney of Cre Oklahoma, their attorney; and Lucien B. Wright, P. J. Stephenson and Charles A. Mullins, con the Excise Board of Creek County, Oklahoma, appearing by and through their attorney, D. Lus Assistant County Attorney of Creek County, Oklahoma; the intervenor Massachusetts Bonding an surance Company, a corporation, appearing by and through counsel James W. Cosgrove; the int venor Oklahoma Gas & Electric Co., a corporation, appearing by and through its counsel Edwi Ellinghausen; the intervenor Badger Meter Manufacturing Co., a corporation, appearing by and through its counsel Font L. Allen; and all parties announcing ready for trial, said cause pr to trial.

Thereupon the complainant introduced evidence in support of the allegations ed in his bill of complaint and amended bill of complaint; the intervenors, and each of ther introduced evidence in their behalf and a stipulation of fact also being introduced, and cos introduced affidavit of the County Clerk of Creek County in support of his application for r nary injunction; whereupon all parties rested and said cause was thereupon submitted to the and

Being fully advised in the premises and upon consideration of said cause, th court finds that the allegation contained in said bill of complaint and amendment thereto wi reference to the mismanagement of the sinking fund of The City of Oilton, are true. The cou er finds that Paul D. Speer is a resident in good faith of Evanston, Cook County, Illinois, it has jurisdiction over this cause in equity and that the assumption of such jurisdiction i in violation of the Constitution of the United States.

The Court further finds that the amount in controversy is an amount in exces \$3,000, exclusive of costs and interest.

The Court further, finds that the allegations of the complainant's bill of complaint with reference to the issuance of certain City of Oilton Funding Bonds of 1922, are that the complainant Paul D. Speer is, and was at all times mentioned herein, the owner of certain interest coupons as alleged in said bill of complaint, and that the respondents fail neglected and refused to pay said interest coupons, or any part thereof; that the allegation of said bill of complaint with reference to the case of Paul D. Speer v. City of Oilton, Creek County, Oklahoma, a municipal corporation, No. 1088-Law, in the United States District Court for the Northern District of Oklahoma, are true; that said Paul D. Speer obtained judgment, as alleged; that he is now the owner and holder of said judgment and that there is due and unpaid thereon to the said Paul D. Speer, in the form of principal and interest, from the City of Oilton by virtue of said judgment, the sum of \$17,856.58; that levies have been made for the payment same, as alleged; that, nevertheless, the respondent City of Oilton, Creek County, Oklahoma, and its then officers, failed, neglected and refused to pay the same.

The court further finds that the Oklahoma Gas & Electric Co., a corporation intervenor herein, is the owner and holder of a certain judgment against The City of Oilton, being No. 21,345, in the District Court of Creek County, Oklahoma, and being styled Oklahoma Gas & Electric Co., a corporation, v. The City of Oilton; that levies were made for the purpose paying said judgment, as alleged; that no payment has been made on said judgment; that there is now due to said intervenor in the form of principal and interest upon said judgment from The City of Oilton the sum of \$2,083.11, together with costs in the sum of \$7.95, and together with interest thereon at the rate of six per cent per annum from June 30, 1934.

The Court further finds that the Oklahoma Gas & Electric Co. is the owner and holder of a certain judgment in the Superior Court of Creek County, State of Oklahoma, Drumright Division, same being No. 2373, and styled Oklahoma Gas & Electric Co., plaintiff v. City of Oilton, defendant; that the levies for the purpose of paying the same were made, as alleged in intervenor's plea of intervention, but that in spite of said fact no payment has been made thereon, and that there is now due to said intervenor the principal sum of \$823.45, together with interest thereon at the rate of six per cent per annum from November 23, 1932, until paid; that there is now owing to said Oklahoma Gas & Electric Co. upon the two judgments, aforesaid, the sum of \$3,835.21 consisting of principal and interest on the same.

The court further finds that Badger Meter Manufacturing Co., intervenor herein is the owner and holder of a judgment in cause No. 2195, in the Superior Court of Creek County, Oklahoma, in the Drumright Division, said cause being styled Badger Meter Manufacturing Co. v. City of Oilton, said judgment being in the sum of \$1,258.53; that said Badger Meter Manufacturing Co. is also the owner and holder of a certain judgment, No. 2232, in the Superior Court of Creek County, Oklahoma, Drumright Division wherein the Badger Meter Manufacturing Company was plaintiff and the City of Oilton was defendant, said judgment being in the sum of \$376.05. The court further finds that the levies for the purpose of paying said judgments were made, as alleged in intervenor's plea of intervention; that Badger Meter Manufacturing Co. has received a payment in the sum of \$4 on the principal, and interest amount to \$73.51, or a total of principal and interest received on judgment No. 2195 in the sum of \$493.02; that there now remains due and payable to Badger Meter Manufacturing Co. from The City of Oilton on said judgment No. 2195 the principal sum of \$83 and interest in the sum of \$175.13, or a total of \$1,015.21; that there is due and owing to Badger Meter Manufacturing Company on said judgment No. 2232 in the principal sum of \$376.05, together with interest in the sum of \$45.12, or a total of \$421.17, making a total due of \$1,436.38.

The court further finds that the intervenor Massachusetts Bonding and Insurance Company is the owner and holder of a certain judgment wherein Massachusetts Bonding and Insurance Company, a corporation, was plaintiff, and The City of Oilton, Oklahoma, a municipal corporation was defendant, same being No. 1088-Equity, in the United States District Court for the Northern District of Oklahoma; that there is now due and payable to Massachusetts Bonding and Insurance Company from The City of Oilton, a municipal corporation, the sum of \$23,980.65, said judgment being based upon water extension bonds as specified in decree and special findings of fact in the action offered in evidence herein; making a total due said Massachusetts Bonding and Insurance Company there under of \$23,980.65; that none of the same has been paid.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
SPECIAL TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, SEPTEMBER 13, 1937

The court further finds that there is now in the sinking fund of The City of Oilton, in the hands of Willis C. Strange, County Treasurer, as temporary receiver, the sum of \$7,910.79, collected as stipulated in the stipulation of fact.

The court further finds that the complainant is entitled to have and receive and from The City of Oilton, in full satisfaction of its said judgment, aforesaid, and all interest thereon, the sum of \$2,999.05; that the intervenor Oklahoma Gas & Electric Co. is entitled to have and receive of and from The City of Oilton, in full satisfaction of its said judgments, aforesaid, and all interest thereon, the sum of \$592.05; that the intervenor Massachusetts Bonding and Insurance Company is entitled to have and receive of and from the sinking fund of The City of Oilton the sum of \$4,029.64, in full satisfaction of its said judgment and all interest thereon; that the intervenor Badger Meter Manufacturing Co. is entitled to have and receive of and from the sinking fund of The City of Oilton, in full satisfaction of its said judgments and all interest thereon, the sum of \$260.40; and that the City of Oilton and its duly qualified and acting officials, including the treasurer thereof and Willis C. Strange, County Treasurer of Creek County, Oklahoma, as such county treasurer and as temporary receiver of said sinking fund, should pay over from the funds now in the sinking fund of The City of Oilton, to each of the parties herein above mentioned, the sum of money as above set forth, and that when said payments have been made same should be received by each of said parties hereto in full satisfaction of the claim of each of them against The City of Oilton, a municipal corporation, in Creek County, Oklahoma, by virtue of their judgments aforesaid, and that thereupon the said Willis C. Strange should be discharged as temporary receiver of said sinking fund.

The court further finds that the complainant Paul D. Spear is not entitled to have issued the mandatory restraining order or preliminary injunction sought in said complaint and amendment to his bill of complaint, application for which has been made this day pursuant to the law duly issued and served as required by law.

It is therefore ordered, adjudged and decreed that the complainant Paul D. Spear recover of and from the respondent The City of Oilton the sum of \$2,999.05, to be paid by the City of Oilton from the funds now on hand in the sinking fund of said municipality, in full satisfaction of its said judgment aforesaid and all interest thereon; that the intervenor Massachusetts Bonding and Insurance Company, a corporation, have and receive from The City of Oilton, Creek County, Oklahoma, the sum of \$4,029.64, from the funds now on hand in the sinking fund of said municipality, in full satisfaction of its said judgment, aforesaid, and all interest thereon; that the intervenor Badger Meter Manufacturing Co., a corporation, have and receive from The City of Oilton, Creek County, Oklahoma, the sum of \$260.40, from the funds now on hand in the sinking fund of said municipality, in full satisfaction of its said judgments, aforesaid, and all interest thereon; that the intervenor Oklahoma Gas & Electric Co., a corporation, have and receive from the City of Oilton, Creek County, Oklahoma, the sum of \$592.05, from the funds now on hand in the sinking fund of said municipality, in full satisfaction of its said judgments, aforesaid and all interest thereon; and that said Willis C. Strange be discharged as temporary receiver of said sinking fund.

It is further ordered, adjudged and decreed that complainant's application for a temporary or permanent injunction be denied.

It is further ordered, adjudged and decreed that the complainant recover of and from the respondent The City of Oilton, Creek County, Oklahoma, his costs herein expended, and which let execution issue, to all of which judgment and decree the complainant Paul D. Spear excepts and such exceptions are by the court allowed, and to all of which judgment and decree the intervenor Badger Meter Manufacturing Co. excepts and such exceptions are allowed.

10

Dated at Tulsa, Oklahoma, this 13th day of September, 1937.

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

O.K. HAYES, RICHARDSON, SMARTEL, GILLILAND & JORDAN
By EARL FRUIT
Attorneys for Complainant.

B. FUSTER COOK,
Assistant County Attorney of Creek County, Oklahoma,
Attorney for Respondents.

FONT L. ALLEN
Attorney for Intervenor Badger Meter Manufacturing Co.

JAMES W. COSGROVE
Attorney for Intervenor Massachusetts Bonding and Insurance Company.

EDWIN ELLINGHAUSEN
attorney for Intervenor Oklahoma Gas & Electric Co.

ENDORSED: Filed Sep 27 1937
H. P. Warfield, Clerk
U. S. District Court

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

Nero Tecumseh and Nero Tecumseh,)
Guardian of Israel Tecumseh, a minor, Plaintiffs,)
vs.) No. 1227 Equity ✓
W. L. Childress, Effie Bruner, nee Tecumseh,)
Mable Bruner, nee Tecumseh, et al., Defendants.)

O R D E R

Now, on this 13th day of September, 1937, the defendants Effie Bruner, nee Tecumseh, Edward Tecumseh, Mable Bruner, nee Tecumseh, and Ida Frack, nee Tecumseh, are hereby given leave to file their answer herein instanter.

F. E. KEMMNER
JUDGE.

ENDORSED: Filed Sep 13 1937
H. P. Warfield, Clerk
U. S. District Court B

MARREN H. DAVIS, Plaintiff,)
 vs.) No. 1228 - Equity ✓
 H. F. WILCOX OIL & GAS CO. ET AL, Defendants.)

Now on this 13th day of September, A. D. 1937, it is ordered by the Court Defendants' motion to require Plaintiff to recase petition and strike and application of Ot to be made a party Plaintiff herein and objections thereto, to stand submitted on arguments and briefs to be filed. Given five (5) days to file briefs herein. (F.E.K. Judge).

THE CHAUTAUQUA COUNTY MACHINE SHOP CO., Plaintiff,)
 vs.) No. 1229 - Equity. ✓
 A. D. SIMON, ET AL, Defendants.)

Now on this 13th day of September, A. D. 1937, it is ordered by the Court motions to remand herein be and the same are hereby taken under advisement. Given five (5) to submit briefs. (F.E.K. Judge).

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

United States, Complainant,)
 vs.) No. 1239 Equity ✓
 Shapp Mining Company, a Corporation, and)
 S. W. Abrams, Respondents.)

O R D E R

Now on this 13th day of September, 1937, this cause came on for hearing on application of complainant for a temporary injunction, enjoining the respondents, Shapp Mining Company and S. W. Abrams, from interfering with the possession, management and control by the agencies of said complainant of the land described in complainant's bill of complaint herein complainant being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and the respondents, Shapp Mining Company and S. W. Abrams, have been regularly served with subpoena in equity and notice of hearing on complainant's application for a temporary injunction, and said respondents appearing neither in person nor by attorney are by the Court declared to be in default; and the Court having examined the bill of complaint the application for a temporary injunction herein, finds that complainant is entitled to have temporary injunction served upon said respondents.

IT IS THEREFORE THE ORDER of the Court that said respondents, Shapp Mining Company, a Corporation, and S. W. Abrams, be, and they are hereby enjoined from interfering with possession, management and control of the following described land, to-wit:

The Southeast Quarter of the Northeast Quarter of Section Six,
 Township Twenty-eight North, Range Twenty-four East, Ottawa County,
 Oklahoma,

UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, SEPTEMBER 13, 1937

said land being the restricted allotment of Widow Stafford, deceased Quapaw Indian.

IT IS THE FURTHER ORDER of the Court that this temporary injunction shall and is sufficient authority for the United States Marshal for the Northern District of Oklahoma to dispossess the said Shapp Mining Company and S. W. Abrams of said premises, and to deliver possession thereof to the Superintendent of the Quapaw Indian Agency on behalf of the heirs Julia Stafford Shapp deceased, who inherited said land from the original allottee, Widow Stafford deceased Quapaw Indian, said land to remain in the possession, management and control of said Superintendent until the further order of this Court, or final hearing in this cause.

F. E. KENNAMER
JUDGE.

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

ENDORSED: Filed Sep 16 1937
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to September 14, 1937.

SPECIAL MARCH 1937 TERM - EQUITY SESSION TULSA, OKLAHOMA TUESDAY, SEPTEMBER 14, 1937

Court convened pursuant to adjournment, Tuesday, September 14, 1937.

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

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

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

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

ORDER AUTHORIZING EXECUTION OF ASSIGNMENTS OF DEFICIENCY JUDGMENT.

This cause coming on to be heard before the undersigned Judge, on this 14th of September, 1937, upon the application of Howard C. Johnson, Bank Commissioner of the State of Oklahoma, in charge of the Exchange Trust Company, in liquidation, and J. A. Chapman, for and on behalf of this court authorizing and directing T. P. Farmer, the duly qualified and acting Receiver of the Exchange National Company, a corporation, to execute separate assignments of a deficiency judgment, all as set out in petitioners' application filed herein; said Bank Commissioner appearing herein by and through his attorneys, S. J. Clendinning and Mildred D. Bestic, and J. A. Chapman appearing by and through his attorney, George A. Carlson, and the court having considered said application and being fully advised in the premises, finds that said order is proper and be made as prayed for.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
 DISTRICT OF OKLAHOMA
 SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, SEPTEMBER 14, 1937

Now on this 14th day of September, 1937, this cause came on to be heard in court before Honorable Alfred P. Murrah, Judge presiding, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and it being shown to the Court that the respondents, Alfred A. Drummond, Jessie Elliott Walker, D. C. Walker, Raymond Supply Company and Crane Company have each been served with subpoena in equity more than 60 days prior to this date; that the Townley Metal Hardware Company and W. S. Dickey Clay Manufacturing Company have each filed a waiver of service of subpoena in equity, and agreed that said cause be set down for trial by the Court and do so in regular order, and that proper service has been had in this cause upon the respondent Madelaine R. Drummond, by publication, and that none of said respondents has appeared, answered, demurred, or otherwise pleaded for in, they are by the Court declared to be in default; and the Court finds that the complainant, the United States, in its own behalf and in behalf of the heirs of Marguerite Copperfield Shannon, deceased, restricted Osage Indian, is entitled to judgment against the respondents, Alfred A. Drummond, Jessie Elliott Walker and D. C. Walker and each of them, in the sum of \$6,848.91, with interest thereon at the rate of 7% per annum payable semi-annually, from March 1, 1936, until paid, ad valorem taxes for the years 1931 to 1935 inclusive, in the sum of \$480.59, with interest and penalties, paving taxes for the year 1931 in the sum of \$29.46, with interest and penalties, on the property involved herein, and the further judgment foreclosing the mortgage herein, and the sale of the mortgaged property if indebtedness is not paid at the expiration of six months from date of said judgment.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the complainant United States, in its own behalf and in behalf of the heirs of Marguerite Copperfield Shannon deceased, restricted Osage Indian, have judgment against the respondents, Alfred A. Drummond, Jessie Elliott Walker and D. C. Walker, and each of them, in the sum of \$6,848.91, with interest thereon at the rate of 7% per annum, payable semi-annually, from March 1, 1936 until paid, together with ad valorem taxes for the years 1931 to 1935 inclusive, in the sum of \$480.59, interest and penalties, and paving taxes for the year 1931 in the sum of \$29.46, with interest and penalties, and for all costs of this suit.

IT IS THE FURTHER ORDER AND JUDGMENT of the Court that the complainant, United States, in its own behalf in behalf of its said wards, have judgment foreclosing the mortgage herein, and if the indebtedness herein is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court to the United States Marshal Northern District of Oklahoma, commanding him to advertise and sell, without appraisalment, the following described property, to-wit:

Lots Six and Seven in Block Twenty-nine, original town of Hominy, Osage County, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - To payment of costs of said sale and this suit.
- Second - Payment to complainant in behalf of its said wards the sum of \$6,848.91, with interest at 7% per annum, payable semi-annually: March 1, 1936, until paid.
- Third - Payment of ad valorem taxes in the sum of \$480.59 and paving taxes in the sum of \$29.46, with interest and penalties.
- Fourth - The residue, if any there be, to be paid into this court to await the further orders of the Court.

and that after the sale of said property the respondents, Alfred A. Drummond, Madelaine R. Drummond, Jessie Elliott Walker, D. C. Walker, Raymond Supply Company, Crane Company, Townley Metal Hardware Company and W. S. Dickey Clay Manufacturing Company, and all persons claiming through or under them since the commencement of this suit, be, and they are hereby forever barred from claiming or asserting any right, title, interest, equity or estate in or to the property hereinabove described, or any part thereof.

NE4 of NW4 and N2 of NE4 of Sec. 8; Lot 5 in Sec. 17,
 Twp. 24, Range 5,

S2 of NW4 of Sec. 32; E2 of NE4 of Sec. 31, Twp. 26, Range 4,

That the following described land was acquired by Jennie Spencer Red Eagle by will from To-wan-hah-he, Osage Allottee No. 162, who was a full-blood member of the Osage of Indians, and who had not received a certificate of competency at the time of his death, when said lands were allotted pursuant to the Osage Allotment Act; Lots 1 and 2; S2 of NE4 Sec. 5, Twp. 24, Range 5.

That the following described lands were acquired by Jennie Spencer Red Eagle Long from Nah-shsh-scah-she, Osage Allottee No. 206, and from other full-blood Osage Indians or devisees in partition proceedings. That the said Nah-shah-scah-she was a full-blood member of the Osage Tribe of Indians, who acquired said land pursuant to the Osage Allotment Act;

SE4 of Sec. 2, Twp. 27, Range 7; Lots 3 and 4 and S2 of NW4 of Sec. 2,
 Twp. 22, Range 7.

That the Act of Congress of June 28, 1906, among other things, restricted sale of allotted Osage Indian lands by Indians not having a certificate of competency, for a term of 25 years. That said restriction was continued by the Act of Congress of March 2, 1929, until January 1, 1959.

That by the Act of Congress of February 27, 1925, restrictions on alienation of allotted lands of Osage Indians who expressly extended to lands devised to or inherited by members of the Osage Tribe of one-half or more Indian blood, or who did not have a certificate of competency, except with the approval of the Secretary of the Interior.

That after the death of the said Jennie Spencer Red Eagle Long proceedings were instituted in the County Court of Osage County, Oklahoma, for the administration of her estate. G. C. Bolton and W.M.J. Pryor were appointed administrators. That on July 30, 1934, the County Court of Osage County entered its order adjudging the said Frank Long to be the legal heir of said decedent, and thereby adjudged and decreed the said Frank Long to be the owner of an undivided one-half interest in said estate, and thereby assigned and vested in said Frank Long, as surviving husband and heir of Jennie Spencer Red Eagle Long, an undivided one-half interest in the real estate hereinabove described. That thereupon, said interest in said land vested in and was turned over to the said Frank Long.

That thereafter, and on the 13th day of December, 1934, in proceedings pending in the County Court of Osage County, said Court adjudged and decreed the said Frank Long to be an incompetent person, and appointed the defendant, G. C. Bolton as guardian of his person and estate. That the said G. C. Bolton accepted said appointment and on the 27th day of December, 1934, acted as such guardian, and letters of guardianship were issued to the said G. C. Bolton. That the said G. C. Bolton is now the duly qualified and acting guardian of the person and estate of the said Frank Long.

That thereafter, and on the 21st day of June, 1935, the County Court of Osage County, Oklahoma, entered in said guardianship proceedings, upon the application of said guardian, an order allowing certain claims against the said Frank Long in the total sum of \$3,263.64, and an order authorizing and directing said guardian to apply for and receive said sums from the Department of the Interior for the payment of said indebtedness.

That thereafter, and on March 31, 1936, the Court, upon application of said guardian, made an order directing said guardian to file within 30 days thereafter a petition as guardian for Frank Long, for authority to sell lands belonging to said ward to obtain funds for payment of the various claims.

That thereafter, and on August 3, 1936, by petition of G. C. Bolton, as guardian of said County Court made an order in said guardianship proceedings vacating that part of the order of the Court of June 21, 1935, as to the allowance of certain claims in the total sum of \$1553.60 and further ordered said guardian to offer for sale and sell at public or private sale all of said interests in 23 tracts of land for the payment of other claims.

That the claim of the Big Hill Trading Company for the sum of \$556.13 was contracted in full by said ward before the date of the final decree in the matter of the estate Jennie Spencer Red Eagle Long, by which the said Frank Long was decreed to be the owner of stated interests in the lands ordered sold.

That the claim of the Oklahoma Telephone Company in the sum of \$112.85, was contracted before the date of the final decree.

That the claim of the Carroll Filling Station was wholly contracted before the date of the final decree.

That the claim of the G. & G. Store, except the sum of \$80.02 thereof, was contracted before the date of the final decree.

That the claim of the K. C. Waffle House was contracted in part before the date of the final decree.

That no part of said claims is for any item of funeral expense or expense of last illness of the said Jennie Spencer Red Eagle Long, from whom the said Frank Long inherited interests in the lands sought to be sold, as aforesaid. That Section 7 of the Act of Congress April 18, 1912, provides as follows:

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

That thereafter and pursuant to said order of sale notice of guardianship of all of said lands was given, but before said sale, and on January 13, 1937, upon motion of said guardian said order of the Court was modified by re-establishing as one of the debts of said ward the sum of \$962.64 of the claim of the Palace Trading Company for \$1195.64. That by said order of January 13, 1937, said guardian was directed to continue and re-advertise such sale for a further date eliminating 21 of the tracts of land incorporated in the former order and to newly directed said guardian's interest in the following describe lands to be sold for the payment of said claims:

1. Undivided one-half of the NE4 of the NW4; NE2 of the NE4 of Sec. 8; NE 1/2 in Sec. 17, All in Twp. 24, Range 21;

2. Undivided one-half of the SE2 of NW4 of Sec. 32; SE of NE4 of Sec. 31, All in Twp. 22, Range 3;

3. Undivided one-half of Lots 1 and 2; SE of NE4 of Sec. 8, Twp. 24, Range 21;

4. Undivided one-half of the SE4 of Sec. 8, Twp. 25, Range 7;

5. Undivided one-half of Lots 3 and 4; SE of NW4 of Sec. 1, Twp. 22, Range 21;

All of said lands are located in Osage County, State of Oklahoma.

The Court further finds that by virtue of the Act of Congress of April 18, 1912, the interests of the said Frank Long in and to the lands hereinabove described, being interests

324
7

ALL WRITTEN lands of the said Jennie Spencer Red Eagle Long, deceased, Frank Long, allottee, as executor, taken or sold for the payment of any debt entered and levied against said allottee, as set out of the County Court of Osage County, Oklahoma in said writ of attachment in captioned cause, as amended, 1936, as modified by the order of said Court in said cause of January, 1937 and all claims were contracted before the 31st day of July, 1934, the same as in and to the said writ and entered in the matter of the estate of Jennie Spencer Red Eagle Long, deceased, and interests in said lands were assigned, set apart and turned to the said Frank Long.

The Court further finds that pursuant to the order of the County Court of Osage County, Oklahoma, of January 13, 1937, the said G. C. Bolton, as guardian, caused to be published in the Fairfax Chief, a newspaper published in said county, that he would on the 9th day of February, 1937, at 2 o'clock P.M., at the courthouse, in Pawhusa, Oklahoma, sell his interests in said land to the highest and best bidder at public auction, subject to confirm of the Court.

That on the application of the plaintiff in this cause said Court, on Feb. 4, 1937, after a vice having been served on the defendant, entered and made a temporary restraining order, restraining said defendant, G. C. Bolton, as guardian of the person and estate of Long, an incompetent, from offering for sale or selling the lands hereinabove described, or any interest therein, or any interest therein, pending a final hearing in this cause.

IT IS THEREFORE THE ORDER AND DECREE of the Court that the defendant, G. C. Bolton, as guardian of the person and estate of Frank Long, an incompetent, be, and he hereby is per se restrained and enjoined from selling or offering for sale the lands hereinabove described, or part thereof, or any interest therein, for the purpose of applying the proceeds derived, or derived from such sale to the payment of any claim presented to said guardian, or for the payment of any debt which was contracted by the said Frank Long before the 31st day of July, 1934.

IT IS THE FURTHER ORDER AND DECREE of the Court that plaintiff have its costs in this action.

ALFRED F. MURRAH
JUDGE.

J. R. CHESTER, United States Attorney
CHESTER A. BREWER, Assistant United States Attorney

FORWARDED: Filed Sep 14 1937
H. W. Hatfield, Clerk
U. S. District Court H

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

United States, Complainant,)
)
vs.) No. 1189 Equity ✓
)
Siller Tiger, formerly Siller)
Kamohah, Respondent.)

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of September, 1937, this cause came on regularly to be heard in open court. Courtroom of Alfred F. Murrah, Judge presiding, on the bill of complaint of complainant, and the default of the respondent; and the complainant, the United States, being assisted by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma and it being shown to the Court that the respondent, Siller Tiger, formerly Siller Kamohah, has

regularly served with subpoena in equity herein more than 60 days prior to this date; that the defendant filed herein her motion to dismiss, which motion was by the Court overruled on June 23, 1937, and that on said date the Court allowed the respondent 20 days thereafter in which to file her answer herein, and that said respondent has failed to file an answer, she is by the Court declared in default, and the Court finds that complainant, in its own behalf, and in behalf of Joseph Kemohah, Osage Allottee No. 657, is entitled to judgment as prayed in its bill of complaint herein.

The Court further finds that on March 22, 1928, the Secretary of the Interior of the United States disbursed certain moneys from the restricted funds of the said Joseph Kemohah, Osage Allottee No. 657, with which funds the following described land was purchased for said allottee:

The South 80 feet of Lot 5, Block 104, original town of Sapulpa, Creek County, Oklahoma.

That the deed conveying said property to the said Joseph Kemohah, in keeping with the condition of the release of such restricted funds, contained the following clause:

"Subject to the condition that while the title is in the grantee, or his heirs, the lands herein described shall not be alienated or encumbered without the consent of the Secretary of the Interior."

The Court further finds that the quit claim deed executed by Joseph Kemohah on June 23, 1930, to Siller Kemohah, now Tiger, covering the above described land, under a decree in the Superior Court of Creek County, Oklahoma, in the case of Siller Kemohah against Joseph Kemohah, said case being No. 213-D, was not approved by the Secretary of the Interior, and therefore said quit claim deed is null and void, and should be canceled of record, and the title to said land reverted to the name of Joseph Kemohah, restricted Creek Allottee No. 657.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the quit claim deed executed by Joseph Kemohah to Siller Kemohah, now Tiger, on June 23, 1930, covering the property hereinabove described, and recorded in the office of the County Clerk of Creek County, Oklahoma, 411, at Page 525, be, and the same hereby is canceled, set aside and held for naught, and the title to said land be, and hereby is quieted in the name of Joseph Kemohah, restricted Osage Allottee No. 657, and that the respondent, Siller Tiger, formerly Kemohah, and all persons claiming by or under her by reason of said quit claim deed, be, and they are forever barred from claiming or asserting any right, title or interest in or to the land hereinabove described, or any part thereof.

IT IS THE FURTHER ORDER of the Court that complainant recover its costs hereof.

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

ALFRED P. MURRAY
JUDGE

ENDORSED: Filed Sep 14 1937
H. P. Warfield, Clerk
U. S. District Court H

040

UNITED STATES OF AMERICA, Plaintiff,)
-vs-) No. 1197 - Equity. ✓
GEORGE S. ZERVAS, Defendant.)

Now on this 14th day of September, A. D. 1937, it is ordered by the Court permission be granted to file answer out of time herein. It is further ordered that case be stricken from assignment of September 14, 1937. (A.P.M. Judge).

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

United States, Complainant,)
vs.) No. 1200 Equity ✓
William A. Denny and Edna Denny, Respondents.)

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of September, 1937, this cause came on regularly to be in open court before Honorable Alfred P. Murrah, Judge presiding, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and it being shown to the Court that the respondents, William A. Denny and Edna Denny have been regularly served with subpoena in equity in this cause more than 60 days to this date, and that each of said respondents has failed to appear, answer or demur herein as by the Court declared to be in default; and the Court finds that complainant, in its own and in behalf of Ho-tah-moie, full-blood Osage Allottee No. 350, is entitled to judgment against the respondents, William A. Denny and Edna Denny in the sum of \$1534.12, with interest thereon at the rate of 6% per annum from October 1, 1934, until paid, together with taxes for the years 1935 and 1936, in the sum of \$68.40, and to the further judgment foreclosing the mortgage herein and the sale of the mortgaged property if said indebtedness is not paid at the expiration of six months from the date of said judgment.

The Court further finds that complainant is entitled to have a Receiver appointed to take charge of said property, collect the rents thereon until the sale thereof, and report into this court to await the further orders of the Court.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that complainant, in its behalf and in behalf of Ho-tah-moie, full-blood Osage Allottee No. 350, have and recover of the respondents, William A. Denny and Edna Denny, and each of them, the sum of \$1534.12, with interest thereon at the rate of 6% per annum from October 1, 1934, until paid, together with unpaid taxes for the years 1935, 1936 and 1936, in the sum of \$68.40, with interest and penalties, and all costs of suit.

IT IS FURTHER ORDERED that complainant in its own behalf and in behalf of Ho-tah-moie, full-blood Osage Allottee No. 350, have judgment foreclosing the mortgage herein, and if indebtedness is not paid at the expiration of six months from date of this judgment an order issue out of this court to the United States Marshal for the Northern District of Oklahoma, directing him to advertise and sell, without appraisalment, the following described land, to-wit:

Lots 13, 14, 15 and 16 in Block 14, Palmer Highland Addition to Pottuska, Usage County, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - Payment of cost of said sale and this suit.
- Second - Payment to complainant in behalf of its said ward the sum of \$150 with interest at 6% per annum from October 1, 1934, until paid.
- Third - Payment of taxes on the mortgaged property in the sum of \$68.40, and interest and penalties.
- Fourth - The residue, if any there be, to be paid into this court to await further orders of the Court,

and that after the sale of said property, the respondents, William A. Denny and Edna Denny persons claiming by, through or under them since the commencement of this suit, be, and th forever barred from claiming any right, title or interest in or to said property, or any p thereof.

IT IS FURTHER ORDERED that W. H. Rudrauff be, and he hereby is appointed in this cause, to take charge of the property involved herein, collect the rents thereon a the sale thereof, and report same into this court to await the further orders of the Court

IT IS FURTHER ORDERED that the original note and mortgage herein be merged judgment.

ALFRED P. MURRAH
JUDGE

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

ENDORSED: Filed Sep 14 1937
H. P. Warfield, Clerk
U. S. District Court H

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

United States,	Complainant,)	
)	
vs.		)	No. 1201 Equity
)	
W. H. Verbrugge, W. J. Wallace and)	
Jennie M. Wallace,	Respondents.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of September, 1937, this cause came on regularly to be in open court before Honorable Alfred P. Murrah, Judge presiding, the complainant, the Unit States, being represented by Chester A. Brewer, Assistant United States Attorney for the No District of Oklahoma, and it being shown to the Court that the respondents, W. H. Verbrugge J. Wallace and Jennie M. Wallace have each been served with proper publication notice in th cause more than 41 days prior to this date, and that each of said respondents has failed to answer, demur or otherwise plead herein, they are by the Court declared to be in default; a Court finds that the complainant is entitled to judgment as prayed in its bill of complaint her

The Court further finds that Jennie Birdchopper is a full-blood Cherokee In appearing opposite Roll No. 19694, and that by virtue of said blood and enrollment was duly the following described land, to-wit:

Northwest quarter of Southeast quarter; Northeast quarter of Southwest quarter of Section Eighteen, Township Twenty-one North, Twenty-four East,

as her homestead allotment, and

The Southeast Ten acres of Lot Three; Lot Four, and Southeast Quarter of Southeast Quarter; Southeast quarter of Southwest Quarter of Section Eighteen; Lots One and Two of Section Nineteen; Southeast Quarter of Southeast Quarter of Southeast Quarter of Section Seven, Township Twenty-One North, Range Twenty-four East, all in Delaware County, Oklahoma.

That at the time of said allotment, and at all times since, said land was restricted against alienation, except with the consent and approval of the Secretary of the Interior.

The Court further finds that the deed executed October 6, 1926, by W. H. Verbrugge purporting to convey to the respondents, W. J. Wallace and Jennie M. Wallace, the

West Half of the Southeast Quarter of Section Nineteen, Township Twenty-one North, Range Twenty-four East, Delaware County, Oklahoma,

was without authority of law, and is void because said land was restricted, and said deed was not approved by the Secretary of the Interior. That said deed shall be canceled and the title to said land quieted in the name of Jennie Birchchopper, full-blood restricted Cherokee Allottee No.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that the deed executed October 6, 1926, by W. H. Verbrugge to W. J. Wallace and Jennie M. Wallace, and shown in the complaint herein as Exhibit "D", be, and the same hereby is canceled, set aside and held null and void, and that the respondents, W. J. Wallace and Jennie M. Wallace, if living, and if dead, their unknown heirs, administrators and assigns, immediate and remote, and their heirs and assigns claiming by, through or under them as a result of said deed, do, and they are so barred from claiming any right, title or interest in or to said land, or any part thereof, and the title to said land be, and hereby is quieted in the name of Jennie Birchchopper, full-blood restricted Cherokee Allottee No. 12694.

ALFRED P. BARNES
JUDGE

C. F. JENNISON, Attorney
Assistant United States Attorney

RECORDED: Filed Sep 14 1927
L. A. Garfield, Clerk
U. S. District Court H

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA

General American Life Insurance Company,
Incorporation, Plaintiff,

vs.

Joseph L. White No. 1118, the benevolent and
Fraternal Order of Elks, and E. M. McMachel,
N. W. Briggott, and W. L. Bolton, as members of
the said Fraternal Order of Elks No. 1118,
the president and secretary of the Order of Elks,
Defendants.

No. 1534 Equity

GEORGE O. FORDSHAMER

Oklahoma, this came on for trial. The plaintiff, General American Life Insurance Company, a corporation, appeared by Roscoe E. Harper and Fenslon Boone, its attorneys, as defendants, Sapulpa Lodge No. 1118, Benevolent and Protective Order of Elks, and E. W. McMichael, N. R. S. and H. H. Boulton, as members of the Board of Trustees of Sapulpa Lodge No. 1 of the Benevolent and Protective Order of Elks, appeared by Mercer Finch, their attorney. After the introduction of evidence and the statement and agreement of counsel, the court finds the plaintiff should recover from the defendants as prayed for in plaintiff's petition and that George Leas should be appointed of the property hereinafter described, and that the mortgaged premises hereinafter described should be ordered sold to satisfy the indebtedness, interest, attorney fees and costs owing the plaintiff. The court finds that the amount of indebtedness owing from the date to the plaintiff is the sum of \$11,364.99 together with interest thereon at the rate of 10% per annum from August 1, 1935, and the further sum of \$8.18 for fire insurance premiums with interest thereon at the rate of 10% per annum from October 24, 1933, until paid, and the further sum for abstractor's fees with interest thereon at the rate of 10% per annum from March 24, 1937 until paid, the total amount of said indebtedness as of this date including interest to this date the sum of \$13,786.27; and that plaintiff is entitled to recover an attorney's fee of 10% of amount found to be due plaintiff; and the court further finds and adjudges that the plaintiff's valid and subsisting prior lien upon the real estate described in said petition, by virtue of mortgage therein described, as security for the payment of said indebtedness, interest, attorney fees and costs, the property covered by said mortgage being hereinafter described.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff General American Life Insurance Company, a corporation, have and recover of and from the defendants Sapulpa Lodge No. 1118, Benevolent and Protective Order of Elks, and E. W. McMichael, N. R. S. and H. H. Boulton, as members of the Board of Trustees of Sapulpa Lodge No. 1118, Benevolent and Protective Order of Elks, from the date of this decree, the said sum of \$13,786.27, together with interest thereon at the rate of 10% per annum from this 14th day of September, 1937, until paid, also the further sum of \$750.00 allowed to the plaintiff as attorney fees and for the costs and action accrued and accruing.

And it further appearing to the court that the said mortgage contains the usual "appraisal clause", it is further ordered, adjudged and decreed by the Court that in case the defendants fail for six months from the date of the rendition of this decree and judgment to said plaintiff said sum of \$13,786.27, together with interest thereon at the rate of 10% per annum from date hereof until paid, and said attorney's fee and the costs of this action, George Leas hereby appointed as special master in chancery hereunder, shall advertise and sell, without a court order, according to law, the lands, and tenements described in said mortgage, to-wit:

All of Lot Five (5) and the South Eleven and 6/10 (11.6) feet of Lot Four (4) in Block Forty-five (45) in the City of Sapulpa, together with all improvements thereon, Creek County, State of Oklahoma, according to the plat thereof,

and to apply the proceeds arising from said sale as follows:

- (1) In payment of the costs of said sale and of this action.
- (2) In payment to the said plaintiff of said sum of \$13,786.27, the amount of this judgment, together with interest thereon at 10% per annum from the 14th day of September, 1937, until paid, and an attorney fee of \$750.00.
- (3) And that the residue, if any, be held by the special master to await the further order of this court.

If the amount derived from said sale is insufficient to satisfy said judgment, interest, attorney fees and costs, let execution issue against the said defendants for the remainder unpaid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THIS COURT that from and after the sale of said real property under and by virtue of this judgment and decree, said defendants and of them and all persons claiming under them or either of them since the filing of the petition

20

all be and they are forever barred and foreclosed of and from any and every lien upon, right, interest, estate or equity of, in and to said real estate or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That Dr. D. C. Schaub be and he hereby appointed receiver of the land and premises with improvements thereon hereinbefore de and herein ordered to be sold and that he shall give bond in the amount of \$1,000.00 as such ceiver; and he is appointed by agreement of the parties and is a former exalted ruler of the defendant lodge and shall serve without compensation in accordance with the agreement of the fendants; that he shall take charge of the said premises and keep possession thereof until premises are sold and possession thereof is delivered to the purchaser or until further orde this court, and he shall make full report to this court of his actions as such receiver.

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

O.K. WEBER FINCH
O.K. HARPER & DOESCHE Attys for Plf.

RECORDED: Filed Sep 20 1937
H. P. Marfield, Clerk
U. S. District Court H

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

United States, Complainant,)
)
vs.) No. 1507 Equity)
)
Loyd L. Sawyer and Julia S. Sawyer, Respondents.)

JOURNAL ENTRY OF JUDGMENT.

Now on this 14th day of September, 1937, this cause came on regularly to be open court before Honorable Alfred P. Marrah, Judge presiding, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the North District of Oklahoma, and it being shown to the Court that the respondents, Loyd L. Sawyer and Julia A. Sawyer have been regularly served with subpoena in equity in this cause more than 60 days prior to this date, and that each of said respondents has failed to appear, answer or do herein, they are by the Court declared to be in default; and the Court finds that complainant its own behalf and in behalf of Clifford Crow, restricted, unallotted Osage Indian, is entitled to judgment against the respondents, Loyd L. Sawyer and Julia A. Sawyer in the sum of \$3,200. with interest thereon at the rate of 10% per annum, payable semi-annually from September 9, 1 until paid, together with taxes for the years 1932 to 1936, inclusive, in the sum of \$102.55, to the further judgment foreclosing the mortgage herein, and the sale of the mortgaged proper said indebtedness is not paid at the expiration of six months from the date of said judgment.

The Court further finds that complainant is entitled to have a Receiver appo to take charge of said property, collect the rents thereon until the sale thereof, and report into this court, to await the further orders of the Court.

IT IS THEREFORE THE JUDGMENT AND DECREE OF THE COURT that complainant, in its behalf, and in behalf of Clifford Crow, restricted, unallotted Osage Indian, have and recover and from Loyd L. Sawyer and Julia A. Sawyer, and each of them, the sum of \$3,300.00, with int

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA TUESDAY, SEPTEMBER 14, 1937

thereon at the rate of 10% per annum, payable semi-annually from September 9, 1932, until together with unpaid taxes for the years 1932 to 1936, inclusive, in the sum of \$102.55, interest and penalties, and all costs of this suit.

IT IS FURTHER ORDERED that complainant, in its own behalf and in behalf said ward, Clifford Crow, restricted, unallotted Osage Indian, have judgment foreclosing mortgage herein, and if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court to the United States Marshal for the Eastern District of Oklahoma, commanding him to advertise and sell, without appraisalment, the following described land, to-wit:

Beginning at a point 1002.5 feet south of NW corner of SW4 of SW4 of Section 35, Township 26, Range 9, and running thence south along said west line a distance of 317.5 feet to the SW corner of said section, thence east along to the south line of said section a distance of 361.5 feet, thence north parallel to the west line a distance of 317.5 feet, thence west a distance of 361.5 feet to the place of beginning. All north and east of the Indian Base and Meridian, in Osage County, Oklahoma.

the proceeds of said sale to be applied as follows:

- First - Payment of cost of said sale and this suit.
- Second - Payment to complainant in behalf of its said ward the sum of \$3,200.00, with interest at 10% per annum, payable semi-annually, from September 9, 1932, until paid.
- Third - Payment of taxes on the mortgaged property in the sum of \$102.55, with interest and penalties.
- Fourth - The residue, if any there be, to be paid into this court, to await the further orders of the Court.

and that after said sale of said property the respondents, Loyd L. Sawyer and Julia A. Sawyer all persons claiming by, through or under them since the commencement of this suit, be, and are forever barred from claiming any right, title or interest in or to said land, or any part thereof.

IT IS FURTHER ORDERED that W. H. Rudrauff be, and he hereby is appointed, in this cause, to take charge of the property involved herein, collect the rents thereon until the sale thereof, and report same into this court, to await the further orders of the Court.

IT IS FURTHER ORDERED that the original note and mortgage involved in this case be merged in this judgment.

ALFRED P. MURRAY
JUDGE

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

ENDORSED: Filed Sep 14 1937
H. P. Warfield, Clerk
U. S. District Court H

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

United States, Complainant,)
)
vs.)
) No. 1912 Equity ✓
T. R. Jones, Christena Jones, and Aetna
Building and Loan Association, a Corporation,
Respondents.

JOURNAL ENTRY OF JUDGMENT

Now on this 14th day of September, 1937, this cause came on regularly to be heard in open court before Honorable Alfred P. Murrah, Judge presiding, and the complainant, the United States, being represented by Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and it being shown to the Court that the respondents T. R. Jones and Christena Jones have been regularly served with subpoena in a city herein more than 30 days prior to this date, and that the respondent, Aetna Building and Loan Association, a corporation, has filed a waiver of service of subpoena in equity in this cause, entered a general appearance herein and consented that this cause may be set down for trial and disposed of by the Court in regular order, and that each of said respondents has failed to appear, answer or demur herein, they are by the Court declared to be in default; and the Court finds that complainant, in its own behalf and in behalf of Frank Lohow, restricted Usage Allottee No. 683, is entitled to judgment against the respondent, T. R. Jones, in the sum of \$250.00 with interest thereon at the rate of 8% per annum, payable semi-annually, from May 9, 1933, until paid, together with taxes for the years 1933 to 1936, inclusive, in the sum of \$21.93, and to the further judgment foreclosing the mortgage herein and the sale of the property if said indebtedness is not paid at the expiration of six months from date of said judgment.

The Court further finds that complainant is entitled to have a receiver appointed to take charge of said property, collect the rents thereon until the sale thereof, and to bring the same into this court, to await the further orders of the Court.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that complainant, in behalf and in behalf of Frank Lohow, restricted Usage Allottee No. 683, have and recover from the respondent, T. R. Jones, the sum of \$250.00, with interest thereon at the rate of 8% per annum, payable semi-annually from May 9, 1933, until paid, together with unpaid taxes for the years 1933 to 1936, in the sum of \$21.93, with interest and penalties, and all costs of this suit.

IT IS FURTHER ORDERED that complainant, in its own behalf and in behalf of said ward, Frank Lohow, Usage Allottee No. 683, have judgment foreclosing the mortgage hereon and if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, without appraisal, the following described land, to-wit:

All of Lots Five and Six, Block Two, Mullins Second Addition to the town of Hominy, Usage County, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - To payment of cost of said sale and this suit.
- Second - Payment to complainant in behalf of its said ward, in the sum of \$250.00, with interest at 8% per annum, payable semi-annually from May 9, 1933, until paid.

104
4

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, SEPTEMBER 14, 1937

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

THE TEXAS COMPANY, a Corporation, Plaintiff, /
vs. /
SHELL OIL COMPANY, a Corporation, Defendant. /
IN EQUITY NO. 1937

ORDER EXTENDING TIME TO PLEAD.

ON THIS 14th day of September, 1937, and pursuant to the stipulation in between the plaintiff and defendant in this cause filed herein,

IT IS, BY THE COURT, ORDERED that the time of the defendant within which plead, answer or otherwise move, with respect to the Bill of Complaint of the plaintiff herein, is hereby extended to and including the 13th day of October, 1937.

F. E. AENNAMER
JUDGE.

WITNESSETH: Filed Sep 14 1937
H. P. Jarfield, Clerk
U. S. District Court

Court adjourned to September 15, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, SEPTEMBER 14, 1937

Court convened pursuant to adjournment, Thursday, September 16th, 1937.

Present: Hon. F. E. Aennamer, Judge, U. S. District Court.
H. P. Jarfield, Clerk, U. S. District Court.

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

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA.

THE PREOLITE COMPANY, a Corporation, Plaintiff, /
vs. /
THE DEHYDRO COMPANY, a Corporation, RICHARDS /
CHEMICAL WORKS OF OKLAHOMA, INC., a Corporation, /
RODARD L. BERKEY and SHERWOOD J. LAHMAN, /
individually and as co-partners doing business /
under the fictitious name and style of PETRA /
OIL MARKETING COMPANY, Defendants. /
IN EQUITY NO. 1937

S T I P U L A T I O N

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, th

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA THURSDAY, SEPTEMBER 16, 1937

their respective counsel, that the defendants, and each of them, may have, and they are given, to and including October 5, 1937, within which to plead or answer to the bill of complaint filed herein.

DATED this 4th day of September, 1937.

LYON & LYON
LEONARD S. LYON
EDMUND LASHLEY
attorneys for Plaintiff

APPROVED, and IT IS SO ORDERED.

JOHN E. CURRAN
attorney for Defendants

F. E. KENNAMER
U. S. District Judge

ENDORSED: Filed Sep 16 1937
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT NORTH DISTRICT OF OKLAHOMA.

THE TRETOLITE COMPANY, a corporation,)
Plaintiff)
vs.)
THE DEHYDRAC COMPANY, a corporation,)
RICHARDS CHEMICAL WORKS OF OKLAHOMA,)
INC., a corporation, and HOWARD L. BERKEY,)
Defendants)
IN EQUITY NO. 1254 ✓

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between by parties hereto, through their respective counsel, that the defendants, and each of them, may have, and they are given, to and including October 5, 1937, within which to plead or answer to the bill of complaint filed herein.

DATED this 4th day of September, 1937.

LYON & LYON
LEONARD S. LYON
EDMUND LASHLEY
attorneys for Plaintiff

APPROVED and IT IS SO ORDERED:

JOHN E. CURRAN
Attorney for Defendants

F. E. KENNAMER
U. S. District Judge

ENDORSED: Filed Sep 16 1937
H. P. Warfield, Clerk
U. S. District Court B

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OKLAHOMA.

THE PRETOLITE COMPANY, a corporation,
and BAKER CASTOR OIL COMPANY, a corporation, Plaintiffs,
vs. IN EQUITY NO. 1225

THE DEHYDRO COMPANY, a corporation,
RICHARDS CHEMICAL WORKS OF OKLAHOMA, INC., a corporation and HOWARD L. BENKEY, Defendants.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, to their respective counsel, that the defendants, and each of them, may have, and they are hereby given, to and including October 6, 1937, within which to plead or answer to the bill of complaint filed herein.

D A T E D this 4th day of September, 1937.

LYON & LYON
LEONARD S. LYON
EDWARD LESLEY
Attorneys for Plaintiffs

JOHN E. CURRAN

APPROVED, and IT IS SO ORDERED:
F. E. KENNAMER
U. S. District Judge

RECORDED: filed Sep 16 1937
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to September 17, 1937.

Court convened pursuant to adjournment, Friday, September 17, 1937.

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

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

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT DENVER, COLORADO.

SECOND DAY, SEPTEMBER TERM, TUESDAY, SEPTEMBER 14th, A. D. 1937.

PRESENT: Honorable Robert E. Lewis, Senior Circuit Judge,
Honorable Orie L. Phillips, Circuit Judge,
Honorable Sam G. Bratton, Circuit Judge,
Honorable Robert L. Williams, Circuit Judge,
Honorable J. Foster Symes, District Judge.

And other officers as noted on the thirteenth day of
September, 1937.

Before Honorable Robert E. Lewis, Honorable Orie L. Phillips
and Honorable Sam G. Bratton, Circuit Judges.

United States of America, Appellant, {
1935 vs. } Appeal from the District Court of the
C. E. Foster, Appellee. } United States for the Northern District
of Oklahoma.

This cause came on to be heard on the motion of appellant to dismiss the
herein and was submitted to the court.

On consideration whereof, it is now here ordered by the court that said motion
and the same is hereby granted and that the appeal in this cause be and the same is hereby
dismissed out of this court.

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

A true copy as of record,

TESTE: ALBERT TREGO
Clerk.

(SEAL)

ENDORSED: Filed Sep 17 1937
H. P. Warfield, Clerk
U. S. District Court H

THE FIRST NATIONAL BANK & TRUST CO. OF TULSA,)
SUCCESSOR TRUSTEE, ETC., Plaintiff,)
vs.) No. 1195 - Equity.
OKLAHOMA HOSPITAL, INC., ET AL, Defendants.

Now on this 17th day of September, A. D. 1937, the above styled case is on
trial. All parties present and announce ready for trial. And thereafter, it is ordered by
Court that report of receiver be filed. Opening statements of counsel are made and the Pla
introduces documentary evidence herein. And thereafter, the Plaintiff introduces evidence
with the following witness: Norman M. Huling. And thereafter, the Defendants and interven
introduce documentary evidence herein. And thereafter, both sides rest. And thereafter, i

ordered that the Receiver be directed to leave present tenant in possession of said premises and thereafter, it is further ordered by the Court that George Lassley be and he is hereby appointed Special master for disposition of property. It is further ordered that an amount \$5,000.00 be deposited by buyer as evidence of good faith at sale, etc. As per journal an to be filed. (A.P.M. Judge).

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

THE FIRST NATIONAL BANK AND TRUST COMPANY)
OF TULSA, Successor Trustee for MARY)
FRANCES WALTER, Plaintiff,)

vs.

OKLAHOMA HOSPITAL, INC., a corporation; OKLAHOMA
HOSPITAL CORPORATION, a corporation; OKLAHOMA
HOSPITAL, a corporation; FRED S. CLINTON and
JANE H. CLINTON, his wife; EXCHANGE TRUST COMPANY,
a corporation; HOWARD C. JOHNSON, Bank Commissioner
of the State of Oklahoma; THE FIRST NATIONAL BANK
AND TRUST COMPANY OF TULSA, Successor Trustee of the
Frank H. Reed and Isabelle S. Reed Trust; THE FIRST
NATIONAL BANK AND TRUST COMPANY, Successor Trustee
for John Francis Malloy; J. C. DENTON, C. H. SWEET
and F. M. SOWLE, as Trustees; VIRGINIA HAGAN HINTON,
Successor Trustee for S. L. Canterbury; FEDERAL
NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation;
Guardian of the Estate of Charline Naomi Crossland,
a minor; PHILLIPS UNIVERSITY, a corporation, MOLLIE
DAVIS, nee Jones; HAROLD T. WRIGHT, FRANK G. COOPER;
TULSA GENERAL HOSPITAL; FLORENCE L. WILSON; and
MAUDE C. MARKHAM, Executrix of the Estate of John
H. Markham, Deceased, Defendants.

In Equity No. 1195.

DECREE OF FORECLOSURE AND SALE.

NOW, on this 17th day of September, 1937, this matter came on for hearing open court pursuant to regular setting on the equity docket of this Court, and the various hereto appearing by their respective counsel, and each of said parties having introduced his its evidence and rested, and the matter having been submitted to the Court and the Court has duly and fully considered the same and having been fully advised in the premises, finds and THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

I.

That the property forming the subject-matter of this litigation and herein described, is situated in the City of Tulsa, Tulsa County, Oklahoma, and within the Northern Judicial District of the State of Oklahoma; that the matter in controversy involves more than Three Thousand Dollars (\$3,000.00); that a material portion of the funds in controversy here belong to Mollie Davis, nee Jones, a restricted Creek Indian of the full-blood, enrolled on Roll No. 7721 of the records of the Dawes Commission, and that under and by virtue of the Act of Congress of April 10, 1906, the United States is a proper and necessary party in this cause; that by virtue of the provisions of said Act this cause was properly removed to this Court; and that all of the parties hereto have duly entered their appearance herein, and that this has jurisdiction of all of said parties and of the subject-matter of this action;

II.

That all of the allegations of the bill of Complaint of the complainant, and the cross-petitions filed by the cross-petitioners herein, are true; that on or about the 1st of August, 1928, for value received, the defendants, Oklahoma Hospital, a corporation, and Clinton and Jane H. Clinton, his wife, made, executed and delivered to Exchange Trust Company, their certain series of real estate mortgage notes in writing wherein and where they agreed to pay to the order of said payee the total aggregate sum of Seventy-five Thousand Dollars (\$75,000.00), payable in semi-annual installments extending from August 1, 1930 to 1938, with interest thereon at the rate of 6% per annum, payable semi-annually, on the 1st of February and August of each year until maturity thereof, and to pay interest at the rate of per annum from and after maturity; that said real estate mortgage notes were twenty-five in number and were in and for the following amounts:

- Notes 1 to 18, inclusive, in the sum of \$2500.00 each;
- Notes 19 and 20, in the sum of \$3,000.00 each;
- Notes 21 and 22, in the sum of \$4,000.00 each;
- Notes 23 and 24, in the sum of \$5,000.00 each;
- Note 25, in the sum of \$6,000.00;

that the first two of said notes in the sum of twenty-five hundred Dollars (\$2500.00) each thereafter duly satisfied and paid, and that the remainder of said notes were subsequently redemerged by the payee therein to various assignees, and that the same are now owned and follows:

Notes Nos. 18, 19 and 22, in the aggregate principal sum of \$9500.00, by the complainant herein, The First National Bank and Trust Company of Tulsa, successor trustee for Mary Frances Walter;

Note No. 18, in the principal sum of \$2500.00, by the defendant and cross-petitioner, The First National Bank and Trust Company of Tulsa, successor trustee for the Frank A. Reed and Isabelle S. Reed Trust;

Notes Nos. 16 and 17, in the aggregate principal sum of \$8,000.00, by the defendant and cross-petitioner, The First National Bank and Trust Company of Tulsa, successor trustee for John Francis Walling;

Note No. 10, in the principal sum of \$2500.00, by the defendant and cross-petitioner, Clinton H. Clinton, successor trustee for S. L. Clinton, Jr.;

Notes Nos. 21, 22, 23, 24 and 25, in the aggregate principal sum of \$23,000.00 by the defendant and cross-petitioner, Federal National Bank of Okmulgee, Oklahoma, a corporation, Guardian of the Estate of Christine Naomi Goodrich, Deceased;

Notes Nos. 11, 14 and 15, in the aggregate principal sum of \$10,000.00, by the defendant and cross-petitioner, Phillips and Smith, Deceased;

Note No. 12, in the principal sum of \$2500.00, by the defendant and cross-petitioner, Maudie C. Minkhan, Executrix of the Estate of John H. Minkhan, Deceased;

Notes Nos. 1 to 9, inclusive, in the aggregate principal sum of \$17,500.00, by the defendant and cross-petitioner, Lollie Davis, Deceased;

III.

That on or about the 1st day of August, 1928, the defendant, Oklahoma Hospital Corporation, a corporation, being the maker of the notes and mortgage above referred to, for a valuable consideration, sold and conveyed the above and foregoing lands and property by warranty deed to the defendant, Oklahoma Hospital Corporation, a corporation, which said warranty deed thereafter and on the 6th day of August, 1928, filed for record in the office of the County Clerk and Ex-officio Registrar of Deeds of Tulsa County, Oklahoma, and recorded in Book 768, at page 293, of the records of said office; that it is provided in said warranty deed that the grantee should and shall make the payment of the notes and mortgage indebtedness above referred to agreed to pay the same, and that by virtue thereof said grantee, Oklahoma Hospital Corporation, became liable and obligated for the payment of said notes and said mortgage obligation exactly in the same manner and to the same extent as were the makers thereof;

All of Block 14 (4) in Riverside Addition to the City of Tulsa, Oklahoma, according to the recorded plat of said block, and Lot 14 in Woodlark Park Addition (formerly known as Block 14) to the City of Tulsa, Oklahoma, according to the recorded plat thereof, and all the rents, profits and issues thereof;

that the mortgage tax on and for said mortgage was duly paid by said mortgagee to the County Treasurer of said County as required by law, and that thereafter and on the 1st day of June, 1928, said mortgage was filed for record in the office of the County Clerk and Ex-officio Registrar of Deeds of said County and recorded in Book 768, at page 293, of the records of said office; that said mortgage contains a provision that, in the event of foreclosure, appraisal of the property covered thereby shall be waived or not, at the option of the mortgagee, the mortgagee and he and that the latter has elected herein to waive said appraisal;

IV.

That at the time and coincident with the transfer, said mortgagee sold to each of all of the above and foregoing notes by the payee therein, Exchange Trust Company, a corporation, the latter executed and delivered to each of said assignees a written assignment of the same in the above and foregoing mortgage to the amount and extent of the value of amount of said notes assigned; that on the 29th day of June, 1928, the said Exchange Trust Company, a corporation, was taken over by W. J. Barnett, then Bank Commissioner of the State of Oklahoma, for the purpose of liquidation, and that by virtue thereof said Exchange Trust Company, a corporation, ceased to function as a corporation; that said mortgage is now held and appears of record in the name of said Exchange Trust Company, a corporation, as mortgagee for the equal pro rata benefit of each of the present note holders, in the respective amounts heretofore set out; that Howard C. Johnson prior to the institution of this action, succeeded said W. J. Barnett, as Bank Commissioner of the State of Oklahoma and as such now has charge of the operation and direction of the said Exchange Trust Company, a corporation; that neither the said Exchange Trust Company, a corporation, nor Howard C. Johnson, Bank Commissioner of the State of Oklahoma, have any right, title or interest in or to said notes and mortgage, save only that the former holds the naked legal title therefor for the benefit of said note holders as above set out;

V.

That on or about the 6th day of August, 1928, the defendant, Oklahoma Hospital Corporation, being the maker of the notes and mortgage above referred to, for a valuable consideration, sold and conveyed the above and foregoing lands and property by warranty deed to the defendant, Oklahoma Hospital Corporation, a corporation, which said warranty deed thereafter and on the 6th day of August, 1928, filed for record in the office of the County Clerk and Ex-officio Registrar of Deeds of Tulsa County, Oklahoma, and recorded in Book 768, at page 293, of the records of said office; that it is provided in said warranty deed that the grantee should and shall make the payment of the notes and mortgage indebtedness above referred to agreed to pay the same, and that by virtue thereof said grantee, Oklahoma Hospital Corporation, became liable and obligated for the payment of said notes and said mortgage obligation exactly in the same manner and to the same extent as were the makers thereof;

VI.

That on or about the 18th day of March, 1931, the defendant, Oklahoma Hosp
Cor, nation, incorporation, for a valuable consideration, transferred, sold and conveyed the
and foregoing lands and property by warranty deed to the defendant, Oklahoma Hospital, Inc., a
which said warranty deed was thereafter and on the 18th day of March, 1931, filed for record
office of the County Clerk and Ex officio Register of Deeds of Tulsa County, Oklahoma, and
in Book 970, at page 92, of the records of said office; that it was provided in said warranty
that the grantee therein should and would assume the payment of the notes and mortgage inde
above referred to and agreed to pay the same, and that by virtue thereof said grantee, Okla
Hospital, a corporation, became liable and obligated for the payment of said notes and said
same obligation exactly in the same manner and to the same extent as were the makers thereof

VII.

That thereafter and on the 18th day of December, 1935, the defendant, Okla
Hospital, a corporation, for a valuable consideration, transferred, sold and conveyed the
foregoing lands and property by warranty deed to the defendant, Oklahoma Hospital, Inc., a
corporation, which said warranty deed was thereafter and on the 18th day of December, 1935, fil
record in the office of the County Clerk and Ex-Officio Register of Deeds of Tulsa County, O
homa, and recorded in Book 1174, at page 141, of the records of said office; that the said
Oklahoma Hospital, Inc., a corporation, assumed the payment of said mortgage indebtedness an
said notes by agreement made between it and the said defendant, Oklahoma Hospital, a corpore
whereby said mortgage indebtedness constituted a portion of the purchase price of and for sa
and property; that said agreement was made by and between said defendants, Oklahoma Hospital
a corporation, and Oklahoma Hospital, a corporation, for the benefit of each and all of the
of the above and foregoing notes, and that the same constituted a part and parcel of said
and sale, and that the defendant, Oklahoma Hospital, Inc., thereby became bound and liable t
each and all of said notes referred to above;

VIII.

That the above and foregoing notes, and each of them, provide that, upon th
to pay the interest on the principal thereof when and as the same become due. shall, at the
of the holder thereof, cause the whole sum, together with the interest thereon as provided i
notes, to become due and payable, and that the complainant and cross-petitioners herein, be
owners of said notes, have hereto exercised their option and elected to declare said princip
together with the interest thereon as provided in said notes, to become due and payable by r
of the default on the part of the makers of said notes; and their successors and assigns, as
indefinitely;

IX.

That default has been made in said notes and mortgage and mortgage obligati
that the makers thereof, as well as the successor obligors, have already failed to pay the pr
of said notes nos. 3 to 18, inclusive, which principal amounts heretofore became due and pay
and have further failed to pay the interest on each and all of said notes nos. 3 to 25, inclu
since the 1st day of August, 1931, and that by virtue thereof there is now due and owing by
defendants, Oklahoma Hospital, a corporation, Oklahoma Hospital Corporation, a corporation, O
Hospital, Inc., a corporation, Fred S. Clinton and Jane H. Clinton, his wife, and each of th
the complainant and cross-petitioners herein, being the owners and holders of said notes, the
following amounts set opposite the respective name of each.

DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA
FRIDAY, APRIL 17, 1937

To the complainant, the First National Bank and Trust Company of Tulsa, Successor Trustee for Mary Frances Walker, the sum of \$12,000.00, together with interest thereon at the rate of 6% per annum from August 1, 1931, to February 1, 1936, in the sum of \$377.00, making a total of \$12,377.00 with interest thereon at the rate of 10% per annum from February 1, 1936, and the further sum of \$7,000.00, together with interest thereon at the rate of 6% per annum from August 1, 1931, until paid, as well as other sum of \$100.00, with interest thereon at 6% per annum from December 20, 1936, until paid, which was expended in payment of the insurance premium for the property in question, for delinquent paving assessments, and for abstract expense, and an attorneys' fee in the sum of \$50.00, as provided in said notes and mortgage;

To the cross-petitioner, The First National Bank and Trust Company of Tulsa, Successor Trustee of the Frank H. Reid and Isabelle J. Reid Trust, the sum of \$2000.00, together with interest thereon at 6% per annum from August 1, 1937, to February 1, 1937, in the sum of \$200.00, making a total of \$2200.00 together with interest thereon at the rate of 10% per annum from February 1, 1937, until paid, as well as for advances and for insurance and delinquent paving made by said cross-petitioner in the sum of \$50.00, and in the sum of 10% per annum from July 1, 1937, until paid, and an attorney fee as provided in said notes and mortgage in the sum of \$50.00;

To the cross-petitioner, The First National Bank and Trust Company of Tulsa, Successor Trustee for John Francis Walker, the sum of \$2,000.00, together with interest thereon at the rate of 6% per annum from August 1, 1931, until paid, as well as for advances and for insurance and delinquent paving made by said cross-petitioner for said property and delinquent paving last assessed in the sum of \$10.00, and in the sum of 10% per annum from July 1, 1937, until paid, and an attorney fee in the sum of \$50.00 as provided in said notes and mortgage;

To the cross-petitioner, Virginia Margaret Reid, the sum of \$1,000.00, together with interest thereon at the rate of 6% per annum from August 1, 1937, to February 1, 1937, in the sum of \$60.00, and interest from February 1, 1937, to August 1, 1937, in the sum of \$100.00, together with interest thereon at the rate of 10% per annum from February 1, 1937, until paid, as well as for advances and for insurance and delinquent paving made by said cross-petitioner in the sum of \$50.00, and in the sum of 10% per annum from July 1, 1937, until paid, and an attorney fee in the sum of \$50.00 as provided in said notes and mortgage;

To the cross-petitioner, Federal National Bank of Oklahoma, Oklahoma, the sum of \$12,000.00, together with interest thereon at the rate of 6% per annum from August 1, 1931, to February 1, 1936, in the sum of \$377.00, making a total of \$12,377.00, with interest thereon at the rate of 10% per annum from February 1, 1936, until paid, as well as for other sum of \$100.00, with interest thereon at 6% per annum from December 20, 1936, until paid, which was expended in payment of the insurance premium for the property in question, for delinquent paving assessments, and for abstract expense, and an attorneys' fee in the sum of \$50.00, as provided in said notes and mortgage;

To the cross-petitioner, Phillips Petroleum Company, the sum of \$500.00, together with interest thereon at the rate of 6% per annum from August 1, 1937, until paid, and an attorney's fee of \$50.00 as provided in said notes and mortgage;

To the cross-petitioner, Willie C. Kindel, who has filed a petition for foreclosure of a mortgage, the principal amount of which, together with interest thereon at 10% per annum from August 1, 1931, to August 1, 1936, and a total sum of interest of \$3100.00, together with the principal amount of \$1000.00 of 10% per annum from August 1, 1936, until paid, and the cost of suit which was advanced and paid by said cross-petitioner for insurance and delinquent payments, with interest thereon at the rate of 10% per annum from December 22, 1936, until paid, and attorneys' fees in the sum of \$250.00, as provided in said petition and caption;

To the cross-petitioner, Willie Dashi, who has filed a petition for foreclosure of a mortgage, the principal amount of which, together with interest thereon at the rate of 10% per annum from 1931, until paid;

That the complainant and each of the cross-petitioners herein, shall have and they hereby petitioned judgment of equal parity against the said defendants above named for the amount due for respective amounts, and for their respective costs and expenses herein; that said complainant and cross-petitioners are further entitled to, and are hereby demanded, judgment against all of the defendants herein establishing said mortgage as a first and prior lien on, and the above and foregoing real estate and property, and demanding foreclosure thereof;

X.

That the defendants, J. C. Denton, C. H. Sweet and F. M. Soyle, together with the defendant, Harold I. Wright, have each filed their respective Disclaimers herein, and each and all of them, as well as the defendant, Frank G. Cooper, neither have nor claim any title or interest in or to the property involved herein, and that the rights in and to said property involved herein, and the rights in and to said property claimed or asserted by the plaintiffs herein, I. Lee General Hospital, a corporation, and Florence M. Wilson, are subject in all things and in all respects to the right, title and interest of the complainant and named cross-petitioners herein.

XI.

Appraisement having been waived in said mortgage, IT IS HEREBY ORDERED that in the event the judgment herein rendered is not satisfied and paid within six (6) months from date hereof, that the mortgaged property above described shall be sold as hereinafter provided and that all the right, title, interest and equity of redemption therein of each and all defendant defendants herein, their successors or assigns, and all persons claiming or to claim under them, or any of them, in and to said property and every part thereof, including all rights to this action, and the claims by, through or under them, or any of them, subsequent to date of the filing of this action, shall be forever barred and foreclosed from asserting or any interest in, or real estate and property adverse to the purchaser thereof;

XII.

Said mortgaged property shall be sold in the following manner and on the terms:

- (1) All sales shall be made at public auction by George Leamy, of the City of Tulsa, Oklahoma, who is hereby appointed Special Master to make, direct and conduct said sale or sales, and to execute and deliver a deed or deeds of conveyance and instrument or instruments of transfer of the real estate and property to be sold to the purchaser or purchasers thereof pursuant to the Order confirming the sale, and upon payment of the purchase price as hereinafter provided. All sales may be made by the Special Master in person or by his duly appointed agent. The Court reserves the right.

any time, without notice, to appoint another Special Master in case of a removal or inability for any reason of the Special Master hereby appointed to act or perform the duties of his office. As soon as the sale shall have been made by the Special Master, he shall report the same to this Court for confirmation and from time to time thereafter, shall make such further or supplemental reports as shall be necessary to keep the Court and parties to the above entitled proceeding properly advised of his proceedings in the execution of this Decree.

(2) All sale shall be made at the west front door of the County Court House of Tulsa County, State of Oklahoma, in the City of Tulsa, Oklahoma, on a day and at an hour to be fixed by the Special Master in his notice of sale or request of the complainant herein. Notice of the time, place and terms of describing the property to be sold, and referring the intended purchaser to this Decree for further particulars shall be published once each week at least four (4) successive weeks preceding the date of such sale in the Tulsa World, a newspaper printed, regularly issued, and of general circulation in the City of Tulsa, Oklahoma, and said Special Master may advertise the sale of such property in such other appropriate way and at such reasonable expense as he may deem proper.

(3) The Special Master shall have power to adjourn any such sale or sales from time to time by announcement at the time and place appointed for such sales.

(4) Upon any sale, the Special Master shall make known the terms of sale.

(5) The Special Master shall accept the highest and best bid received. The successful bidder may assign his bid, and his assignee shall thereupon stand to the rights and be bound by all the obligations of the purchaser hereunder.

(6) The Special Master shall receive no bid for the mortgaged property from a bidder who shall not deposit with him at the time as a pledge he will make his bid in case of its acceptance and approval by the Court, \$5,000.00 if the deposit made by any unsuccessful bidder shall be returned to such bidder upon final rejection of his bid. The deposit made by any successful bidder shall be applied on account of the purchase price of the property.

(7) Upon acceptance of any bid and the confirmation of such sale by the Court, the purchaser shall make payment in cash to the Special Master for the amount of his bid, less the amount theretofore deposited by him with the Special Master. Payment of the purchase price in the manner herein provided, shall be made within ten (10) days after confirmation of the sale of such property; the Court shall otherwise direct.

(8) All sums of money received by the Special Master hereunder shall be forthwith deposited by him with The First National Bank and Trust Company of Tulsa, Oklahoma.

(9) The Court reserves the right to retake and surrender any or all of the mortgaged property upon such notice as the Court shall direct, in case the purchaser shall fail or omit to make any payment on account of the purchase price herein above required.

XIII.

upon sale being made of the mortgaged property as provided in this Decree, the proceeds arising from said sale, together with any moneys which may be held by the Receiver

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA FOR THE DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION MUSA, OKLAHOMA FRIDAY, MARCH 19, 1937

heretofore appointed by the Court, shall be applied and distributed as follows and in the order:

First: To the payment of all costs of this action, including expenses and fees allowed to the Special Master, and to the auction, and all costs and expenses of conducting said sale.

Second: To the payment of the judgment rendered herein in favor of the complainant and cross-petitioners in proportion as their respective interests may appear.

Third: The remainder, if any, shall be turned over to the Clerk of this Court to be disbursed as this Court may hereafter direct.

If the amount derived from said sale is insufficient to satisfy the total amount of the judgment rendered herein and costs, let execution issue against said defendants, Oklahoma Hospital, a corporation, Oklahoma Hospital Corporation, a corporation, Oklahoma Hospital, a corporation, Fred S. Clifton and Jane H. Clifton, his wife, or any of them, for the unpaid remainder;

XIV.

Upon confirmation of the sale of the mortgaged property and upon payment of all of the costs of the sale, including the payment of the purchase price by the purchaser, Special Master shall execute and deliver a good and sufficient deed or deeds or instrument or instruments of conveyance and transfer conveyance and transferring the property purchased to purchaser, and shall deliver such property to the purchaser;

XV.

It is ordered that this Court has heretofore appointed Lon H. Stansberry, Attorney at Law, as Special Master in this case for the purpose of preserving, protecting and renting property of the estate of the parties hereto, and the said Special Master, upon confirmation of the sale and the firmation heretofore given to him by the Court, shall be and he hereby is, ratified and confirmed in all respects;

XVI.

All questions, issues, matters and things not hereby disposed of are hereby referred by the Court to the further adjudication, and any party to this cause may at any time apply to the Court for further relief at the foot of this Decree in respect to any matter not here specifically provided for.

DONE in open Court on this, the day and year first above set forth.

ALFRED P. MORAN
DISTRICT JUDGE.

FORWARDED: Filed 3/19/37
A. A. ... Clerk
U. S. District Court

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

UNITED STATES OF AMERICA, Plaintiff, vs. GEORGE S. ZERVAS, Defendant.

No. 1197-87

ORDER

On this 17th day of September, 1987, the Court held an in camera hearing and all parties appeared in person... The Court has been advised in the affidavits... that this Court is without jurisdiction in the premises... dismissed at plaintiff's costs.

It is therefore the ORDER and JUDGMENT of this Court that the cause herein be, and is hereby, forthwith dismissed at plaintiff's costs.

W. J. ... U. S. District Court

RECORDED: 21st Sep 19 1987... U. S. District Court

Case assigned to September 21, 1987.

Case assigned to September 21, Monday, September 20, 1987.

Attorney: ... U. S. District Court... U. S. District Court.

... following appended hereto and on file...

... on the Honorable District of Columbia.

The Clerk of the Court is directed to issue a writ of Habeas Corpus... Complainant,

UNITED STATES OF AMERICA, Plaintiff, vs. GEORGE S. ZERVAS, Defendant.

No. 1197-87

200

Court convened pursuant to adjournment, Tuesday, September 21, 1937.

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

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

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

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

ORDER AUTHORIZING SALE OF STOCK

This cause coming on to be heard on this 21st day of September, 1937, on application of T. P. Farmer, Receiver for Exchange National Company, for an order authorizing and empowering him to sell to P. C. Dings the 667 shares of stock in the American Bank and Trust Company, of Ardmore, Oklahoma, for the sum of One Hundred (\$100.00) Dollars, and the Court having read said application and finding that it has jurisdiction to entertain said application and enter an order thereon, and being fully advised in the premises, finds that said order should be sustained.

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained and the said T. P. Farmer be and he is hereby directed, authorized and empowered to sell unto P. C. Dings the 667 shares of stock in the American Bank and Trust Company, of Ardmore, Oklahoma, for the sum of \$100.00 cash, and that he is further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to comply with the letter and spirit of the application and this order.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed Sep 21 1937
H. P. Warfield, Clerk
U. S. District Court ACC

MIDLAND NATIONAL BANK & TRUST COMPANY,)
of Minneapolis, Plaintiff,)
-vs-) No. 1184 - Equity.
ROBERT A. HESS and SARA S. HESS, Defendants.)

Now on this 21st day of September, A. D. 1937, the above styled case is called on. Both sides present and announce ready for trial. All witnesses are sworn in open court and their statements of counsel are made. and thereafter, the noon hour having arrived, court is adjourned to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M. on this same day, court is again in session. All parties present as heretofore. Now at this time stipulation is made and the Court finds in favor of the Defendant Sarah S. Hess and orders that Decree for Defendants be entered, as per entry to be filed. Exceptions allowed. (F.E.K. Judge).

BEULAH M. GAMBILL, et al, Plaintiffs,)
-vs-) No. 1213 - Equity. ✓
UNITED STATES OF AMERICA, Defendant.)

Now on this 21st day of September, A. D. 1937, the above styled case is called on. Both sides present and announce ready for trial herein. Thereupon, permission is granted to Defendant to file motions to dismiss Amended Cross Petition and Amended Bill of Complaint and for Lucille Anna McHaffie to intervene herein. And thereafter, it is ordered by the Court that Defendant's motions to dismiss be and the same are hereby overruled and exception allowed. After that, it is ordered by the Court that Defendant be granted five (5) days to file Answer to Cross-Petition and Bill of Beulah M. Gambill and to intervening petition of Lucille Anna McHaffie. It is further ordered by the Court that trial be continued until the further order of the Court (F.E.K. Judge).

ROXIE SCHMIDT, Plaintiff,)
-vs-) No. 1219 - Equity. ✓
BETHELEHEM SUPPLY CORPORATION, Defendant.)

Now on this 21st day of September, A. D. 1937, it is ordered by the Court that Decree for Plaintiff be entered upon condition that Plaintiff pay Defendant for pipe in well. If Plaintiff and Defendant cannot agree upon value of pipe in well, the Court will appoint Appraiser herein to report same, etc, all as per journal entry to be filed. (F.E.K. Judge).

Court adjourned to September 22, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, SEPTEMBER 22, 1937

Court convened pursuant to adjournment, Wednesday, September 22, 1937.

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. 1215 Equity ✓
Chas. A. Nichols, et al, Respondents.)

ORDER TO PAY INSURANCE CLAIMS

Now on this 22nd day of September, 1937, this cause coming on to be heard on application of Jno. I. Logan, Receiver in said cause, for an order of Court authorizing him to pay an insurance claim of the Bailey-Foristell Agency in the sum of \$62.35 on the store building

102

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, SEPTEMBER 22, 1937

on Lot One, Block Seventy-three, in the original town, now cit of Tulsa, Tulsa County, Okla involved in this cause, and it being shown to the Court that said insurance is necessary for protection of said property, and that said claim should be allowed out of money that has bee be collected by said Receiver, said Receiver to make a proper return of payment of said bill

IT IS THEREFORE ORDERED that the Receiver in this cause be, and he hereby authorized to pay the sum of \$62.35 to Bailey-Foristell Agency, covering insurance premium of above described property from any funds said receiver may have in his hands, collected from perly involved herein, and to make due report thereof.

F. E. KENNAMER
JUDGE.

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

ENDORSED: Filed Sep 22 1937
H. P. Warfield, Clerk
U. S. District Court H

THE CHAUTAUQUA COUNTY MACHINE SHOP)
CO.,) Plaintiff,)
-vs-) No. 1229 - Equity. ✓
A. D. SIMON, ET AL,) Defendants.)

Now on this 22nd day of September, A. D. 1937, it is ordered by the Court Motions to remand herein be and they are hereby overruled and exceptions allowed. Given ten days to plead or twenty (20) days to answer. (F.E.K. Judge).

Court adjourned to September 24, 1937.

SPECIAL MARCH 1937 TERM-Equity Session TULSA, OKLAHOMA FRIDAY, SEPTEMBER 24, 1937

Court convened pursuant to adjournment, Friday, September 24, 1937.

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.) No. 873 Equity)
))
EXCHANGE NATIONAL COMPANY,) Defendant.)

ORDER AUTHORIZING AMENDMENT TO ORDER

THIS CAUSE COMING on to be heard on this the 24th day of September, 1937, application of T. P. Farmer, Receiver for Exchange National Company, to amend, modify and vacate an order of this court heretofore entered on the 23rd day of August, 1937, respecting the terms of a settlement between the Exchange National Company in Receivership and Exchange Trust Co in liquidation, in that the former order of this court respecting said settlement erroneously included the figure \$35,953.30, as an allowed claim against the said Exchange National Company in receivership, not as an offset but only as a general claim against the Exchange National Company to be paid, liquidated and discharged only as and when the Exchange National Company to be liquidated and discharged only as and when the Exchange National Company might hereafter pay debts or monies, or other things of value to its creditors, and then only ratably with all creditors occupying the same position and being similarly situated, and the Court having read the 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 to amend, modify, and vacate the order heretofore entered on the 23rd day of August, 1937, be and the same is hereby sustained, and it is accordingly the order, judgment and decree of this court that wherever the figure of \$35,953.30 appears, the same shall now read \$19,433.30, the said amendment being that a claim in said latter sum, in lieu of the said sum of \$35,953.30 shall be allowed against Exchange National Company in receivership in the manner and sum in said sum was allowed under said original order, and in all other things said former order be confirmed and herewith confirmed and approved and T. P. Farmer, Receiver for Exchange National Company hereby authorized, directed and empowered to do all other things necessary and proper in or to carry out fully and effectually to accomplish the letter and spirit of the application and this order

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Sep 24 1937
H. P. Farfield, Clerk
U. S. District Court AC

UNITED STATES CIRCUIT COURT OF APPEALS TENTH CIRCUIT. No. _____

Sheridan P. Tschappat and Harold
Callahan, Plaintiffs - Appellants

-vs-

Hinderliter Pool Company, Defendant - Appellee

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

Sheridan F. Tschappat, and Harold Callahan,	Plaintiffs,)	
		)	IN EQUITY NO. 1032
-vs-)	
Hinderliter Tool Company,	Defendant.)	

ORDER OF ENLARGEMENT OF TIME

Now on this the 23rd day of September, 1937, this matter coming on for he before the undersigned, Edgar S. Vaught, being the judge who tried the above cause and the who signed the citation herein, upon the application of the plaintiffs-appellants for enlar of time herein, and the undersigned judge being well and sufficiently advised in the premis for good and sufficient cause shown,

IT IS HEREBY ORDERED AND ADJUDGED that the time in which the said plainti appellants may docket this cause and file record thereof with the clerk of the United State Circuit Court of Appelas for the Tenth Circuit, be, and the same is hereby extended an enl to and including the 1st day of December, 1937.

IT IS FURTHER ORDERED AND ADJUDGED that within said time as so enlarged, . plaintiffs-appellants have such time as may be necessary or proper for lodging with the Clerk the trial court the narrative of evidence and the settlement and approval thereof by the unc and the filing of the same with said Clerk of the trial court, including any and all other l which may be necessary or proper for the perfecting of their appeal.

EDGAR S. VAUGHT
Judge of the District Court of the United Sta
for the Northern District of Oklahoma, by
Assignment.

ENDORSED: Filed Sep 24 1937
H. P. Warfield, Clerk
U. S. District Court H

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

WILLIAM E. CALLISON,	Plaintiff,)	
		)	No. 1182 Equity
-vs-)	
James Boyle, doing business as Boyle Amusement Company, and Crown Drug Company,	Defendants.)	

ORDER ENLARGING TIME TO LODGE APPEAL

Now on this 24th day of September, 1937, and prior to the expiration of th heretofore extended for lodging the appeal in this cause in the United States Circuit Court peals for the Tenth Circuit, and for good and sufficient cause to me shown, and being well a sufficiently advised in the premises:

IT IS HEREBY ORDERED that the time for printing the record and lodsing the heretofore allowed plaintiff herein, in the United States Circuit Court of Appeals for the I

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, SEPTEMBER 24, 1937

Circuit, for docketing, be and the same is hereby further enlarged and extended to and include October 24th, 1937.

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

ENDORSED: Filed Sep 24 1937
H. P. Warfield, Clerk
U. S. District Court

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

United States of America,	Complainant,	}	
		}	
vs.		}	No. 1322 Equity
		}	
Chas. T. Abbott, et al,	Respondents.	}	

O R D E R

Now on this 24th day of September, 1937, this matter coming on before the Court and it appearing that heretofore, and on July 15, 1937, complainant filed its Bill of Complaint, making the Exchange National Bank of Tulsa, Oklahoma, now National Bank of Tulsa, Oklahoma, respondent in this cause of action; and it further appearing to the Court that the Exchange National Bank of Tulsa, Oklahoma, now National Bank of Tulsa, Oklahoma, was made respondent in this cause of action by reason of a judgment against Chas. T. Abbott in case No. 59473, in the District Court of Tulsa County, Oklahoma, dated February 11, 1935, entered February 1935, in the sum of \$12,655.59, with interest thereon at 10% from February 11, 1935; and by reason of a further judgment against Chas. T. Abbott in the sum of \$2,407.11, with interest thereon March 31, 1933, and costs.

And it further appearing to the Court that said judgments have been assigned to the Exchange National Bank of Tulsa, Oklahoma, now National Bank of Tulsa, Oklahoma, and Home Land Company, a Corporation, and that said Home Land Company, a corporation, should be a party respondent in this cause of action;

And it further appearing to the court that the Exchange National Bank of Tulsa, Oklahoma, now National Bank of Tulsa, Oklahoma, was made a party respondent in this cause of action for the further reason that the said Exchange National Bank of Tulsa, Oklahoma, now National Bank of Tulsa, Oklahoma, held a judgment against Chas. T. Abbott in case No. 59386, in the District Court of Tulsa County, Oklahoma, said judgment being dated March 2, 1935, entered March 1935, in the sum of \$4500.00, with interest thereon at 10% per annum from October 2, 1932, and costs.

That said judgment has been assigned by the Exchange National Bank of Tulsa, Oklahoma, now National Bank of Tulsa, Oklahoma, to William O. Ligon.

And it further appearing to the Court that the complainant, United States of America, should be permitted to file a supplemental Bill of Complaint herein, making said Home Land Company a corporation, and William O. Ligon parties respondent;

IT IS THEREFORE THE ORDER of the Court that said complainant be, and hereby is permitted and directed to file in this cause of action its supplemental Bill of Complaint; makin

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

H. C. COLVIN, TRUSTEE,	Plaintiff)	
)	
vs.		)	No. 957 Equity
)	
J. F. CROSBIE, et al.,	Defendants.)	

ORDER ENLARGING TIME

THIS CAUSE COMING on to be heard on this the 25th day of September, 1937, application of the complainant for an enlargement and extension of time within which to lodge appeal in the Circuit Court of Appeals for the Tenth Circuit, and for good cause shown, said application is sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that the time which to lodge an appeal in the Circuit Court of Appeals be and it is hereby enlarged and extended for a period of thirty days from this day, for the lodging of said appeal in said Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Sep 25 1937
H. P. Warfield, Clerk
U. S. District Court B

LOTTIE HAMRICK, ET AL,	Plaintiffs,)	
)	
-vs-		)	No. 1203 - Equity
)	
CURTIS F. BRYAN, et al,	Defendants.)	

Now on this 25th day of September, A. D. 1937, it is ordered by the Court that the motion of Defendants for introduction of additional evidence be and it is hereby sustained. After Curtis F. Bryan is examined further and documentary evidence is introduced. And thereafter both sides rest. Closing arguments of counsel are made. And thereafter, it is ordered by the Court that case stand submitted on evidence and that briefs and arguments be filed and made. (F.E.K. Judge and A. P. M. Judge).

Court adjourned to September 27, 1937.

DISTRICT OF OKLAHOMA
SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, SEPTEMBER 27, 1937

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

Now on this 27th day of September, A. D. 1937, it is ordered by the Court Clerk file and spread of record the Mandate in the above cause, same being in words and file follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF
UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between North American Car Corporation a corporation, plaintiff, and White Oak Corporation, a corporation, et al., defendants, Shell Petroleum Corporation, a corporation, et al., interveners, No. 802 Equity, the decree of the District Court in said cause entered on June 2, 1936, was in the following words, viz:

* * * * *

"It is therefore considered, adjudged and decreed:

"1. That interveners, and each of them, are entitled to an accounting from, and to have and recover of, plaintiff, North American Car Corporation and defendant, Centorp Corporation, each the amounts, respectively, to-wit:

"Shell Petroleum Corporation, \$5476.12, with interest thereon at the rate of 6% per annum from October 31, 1929;

"Bessie M. Taylor, as executrix of the estate of R. H. Taylor, deceased \$2500.00, with interest thereon at the rate of 6% per annum from and after 19th day of June, 1933;

"Bessie M. Taylor, \$500.00, with interest thereon at the rate of 6% per annum from and after the 19th day of June, 1933;

"McKee Oil & Gas Company, the sum of \$2716.71, with interest thereon at the rate of 6% per annum from and after September 27, 1933, in behalf each of which, respectively, execution and other proper process for the satisfaction thereof may herein issue.

"2. That said interveners have and recover their costs herein."

as by the inspection of the transcript of the record of the said District Court, which was filed into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by North American Car Corporation, a corporation, et al., agreeably to the act of Congress, in such manner and provided, fully and at large appears;

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

On consideration whereof it is now here ordered, adjudged and decreed by Court that the decree of the said District Court in this cause be and the same is hereby and that Shell Petroleum Corporation, a corporation, et al., appellees, have and recover from North American Car Corporation, a Corporation, et al., appellants, their costs herei

- - August 7, 1937.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United St 24th day of September, in the year of Our Lord one thousand nine hundred and thirty-seven

COSTS OF	Appellees:	
Clerk:	\$-- --	ALBERT TREGO
Printing Record,	\$-- --	Clerk of the United States Circuit Court of Ap
Attorney,	\$20.00	Tenth Circuit
	\$20.00	

ENDORSED: Filed Sep 27 1937
H. P. Warfield, Clerk
U. S. District Court ME

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

Ethel Brooks Shaw,	Plaintiff,)	
)	
vs.		)	No. 1242 Equity. ✓
C. R. Hunter, O. S. Hopping, John L.)	
Beauchamp and Julia Beauchamp, his wife,)	
	Defendants.)	

O R D E R

This cause came on for further hearing on this, the 24th day of September, same being a regular day of a term of this Court at Tulsa, Oklahoma, upon the application tiff f or leave to file abill in equity as a substitute for her petition in ancillary proc in aid of collection of judgment in cause docketed No. 2053 Law, and cause No. 2053 Law ha been this day ordered transferred to the Equity Docket, plaintiff's motion for leave to fi bill is granted, and said bill having been this day filed, defendants John L. Beauchamp an Beauchamp, are allowed four (4) days from this date to file their answers thereto, said ans filed to be treated as filed instanter on September 24, 1937.

Made and ordered entered this 27th day of September, 1937, as of September 1937.

OK: PRATT HORNOLD & SWINDELL
F. E. KENNAMER
Judge.

ENDORSED: Filed Sep 27 1937
H. P. Warfield, Clerk
U. S. District Court B

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
 DISTRICT OF OKLAHOMA
 SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA WEDNESDAY, SEPTEMBER 29, 1937

Court convened pursuant to adjournment, Wednesday, September 29, 1937.

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.

Hartford Accident & Indemnity Company,)	
a corporation,	)	Plaintiff,
)	
vs.	)	No. 1064 In Equity
)	
Petroleum Royalties Company of Oklahoma,)	
a corporation, et al,	)	Defendants.

O R D E R

For good cause shown the plaintiff herein is granted an extension of time to including October 11, 1937, in which to file its brief herein.

Dated this 28 day of September, 1937.

ALFRED F. MURRAH
 District Judge.

ENDORSED: Filed Sep 29 1937
 H. P. Warfield, Clerk
 U. S. District Court B

 Court adjourned to October 1, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA FRIDAY, OCTOBER 1, 1937

Court convened pursuant to adjournment, Friday, October 1, 1937.

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

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

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

Howard Gray, Executor of the estate of Julia)	
S. Perryman, deceased,	)	Plaintiff,
)	
vs.	)	No. 877 - Equity.
)	
Exchange National Company, a corporation, et al.,)	
	)	Defendants.

ORDER GRANTING PERMISSION TO FILE CLAIM

NOW, on this 1st day of October, 1937, comes on for consideration before the

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

J. F. TEATS, Plaintiff,)
vs.) No. 1,179 In Equity
FORAKER TOWNSITE GAS COMPANY, Defendants.)
et al,

O R D E R

For good cause shown it is hereby ordered that William M. Taylor, receiver appointed herein, be and he is hereby authorized and directed forthwith to file his certain in this court upon the accounts alleged to be due and payable to said receiver and his price from the Town of Foraker, a municipal corporation.

Dated at Tulsa, Oklahoma this 2 day of October, 1937.

F. E. KENNAKER
United States District Judge

ENDORSED: Filed Oct 2, 1937
H. P. Warfield, Clerk
U. S. District Court EA

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

Midland National Bank & Trust Company, Plaintiff,)
vs.) No. 1184 - Equity. ✓
Robert A. Hess, et al., Defendants.)

D E C R E E

Now on this the 21st day of September, 1937, this cause came on regularly trial, the plaintiff being represented by Allen R. Shaw and Paul Pinson, and the defendant, F Hess, appearing per se, and the defendant, Sara S. Hess, by her attorneys, Clement Winzenburg Edgar A. deMeules; and the court having heard the evidence and argument of counsel, and being advised in the premises, finds the issues in favor of the defendants and against the plaintiff

And finds that the defendant, Sara S. Hess, is the legal owner and in possession of the premises involved in this controversy, to-wit:

Lot Fifteen (15) in Block Eighteen (18) less six (6) inches off the west side of said lot, according to the original plat of the Town (now city) of Bartlesville, Oklahoma, Washington County, Oklahoma.

and that her title thereto is valid and perfect and superior to any right or interest claimed plaintiff, and that plaintiff has no right, title or interest in and to the premises.

It is therefore ordered, adjudged and decreed by the court that the title possession of the defendant, Sara S. Hess, in the real estate above described be, and the same hereby forever settled and quieted in the defendant, Sara S. Hess, as against all claims or interests of the plaintiff, and those claiming or to claim under it.

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

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA SATURDAY, OCTOBER 2, 1937

It is further ordered, decreed and adjudged that the plaintiff, Midland Nat Bank & Trust Company, and those claiming through, by or under it be, and it hereby perpetual enjoined and forbidden to claim right, title, interest or estate in and to the above described and from commencing any suit to disturb the defendant, Sara S. Hess, in her possession and t said real estate, and from setting up any claim or interest adverse to the title of the defe Sara S. Hess, and from disturbing her in her peaceful and quiet enjoyment thereof.

To which decree, and every finding, consideration or decision therein the tiff excepted and prayed an appeal therefrom, which appeal was allowed.

F. E. KENNAMER
United States District Judge.

OK PAUL PINSON

ENDORSED: Filed Oct 2 1937
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to October 4, 1937.

SPECIAL MARCH 1937 TERM-EQUITY SESSION TULSA, OKLAHOMA MONDAY, OCTOBER 4, 1937

Court convened pursuant to adjournment, Monday, October, 4, 1937.

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

FARM & HOME SAVINGS & LOAN ASSOCIATION)
OF MISSOURI, a corporation, Plaintiff,)
vs.) No. 1025 Equity)
EDNA J. WAKELY and JOHN D. WAKELY ET AL,)
Defendants.)

ORDER CONFIRMING SALE

Now on this 21st day of December, 1936, same being a regular judicial day Special March 1936 Term of said Court, this cause comes on for hearing, on motion of plaintiff to confirm the sale made herein to plaintiff on the 29th day of September, 1936, and defendant's objections thereto.

Plaintiff appeared by James W. Cosgrove, its attorney, and John D. Wakely pro se and for Edna J. Wakely. Plaintiff introduced the order of sale and the Marshal's ret of the proceedings thereunder duly endorsed thereon, and the Court, after examining said ret being fully advised in the premises, finds that said motion should be granted, and that \$400 a reasonable price for said premises under the circumstances and that said sale has been mad all respects in conformity to law and the decree of this Court.

the March, 1937 Term of this Court, this cause comes on for hearing upon the application of Otto Sieg for leave to be made a party plaintiff herein, and upon the special appearance and objection of H. F. Wilcox Loan & Investment Company to said application, and upon the special appearance and objection of H. F. Wilcox Oil & Gas Company to said application, and upon the objections of Apex Loan & Investment Company and H. F. Wilcox to said application, and the Court having heard argument of counsel and considered the briefs filed by the parties and being fully advised in the premises finds that said application should be granted and that said objections and each of them should be overruled.

IT IS THEREFORE ORDERED AND ADJUDGED:

1. That said application of Otto Sieg for leave to be made a party plaintiff in the above entitled action be and the same is hereby granted and said Otto Sieg is hereby made a party plaintiff to this action, to which the defendants and each of them severally except and their exceptions are allowed.

2. That the special appearance and objection of the defendant H. F. Wilcox Loan & Investment Company to the application of Otto Sieg to be made a party plaintiff herein be and the same is hereby overruled, to which said defendant excepts and its exception is allowed.

3. That the special appearance and objection of defendant H. F. Wilcox Oil & Gas Company to the said application of Otto Sieg to be made a party herein be and the same is hereby overruled, to which said defendant excepts and its exception is allowed.

4. That the objections of the defendants Apex Loan & Investment Company, H. F. Wilcox Loan & Investment Company, and H. F. Wilcox to the granting of said application of Otto Sieg to be made a party plaintiff herein be and the same are hereby overruled, to which said defendants and each of them except and their exceptions are allowed.

5. That Warren H. Davis and Otto Sieg, the plaintiffs in this action, be and the same are hereby granted 15 days from this date within which to prepare and file an amended complaint in this action. A copy of which said complaint shall be served upon one of the attorneys for the defendants when the same is filed and the defendants and each of them shall have 20 days from the date of filing of said amended complaint within which to plead to the amended complaint.

F. E. KENNAMER
U. S. DISTRICT JUDGE.

O.K. AS TO FORM:
MONNET & SAVAGE
DONALD L. BROWN
F. A. BODOVITZ
Attorneys for Plaintiffs.

HORACE B. CLAY
MILSTEN & MILSTEN
HAMSEY MARTIN & LOGAN
Attorneys for Defendants.

ENDORSED: Filed Oct 7 1937
H. P. Jarfield, Clerk
U. S. District Court H