



UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9029 - Criminal.
		)
LEWIS FREDERICK RUNCK, JR.,	Defendant.	)

At Tulsa, Oklahoma, in said District on this 27th day of January, A. D. 1938.

(CAPTION OMITTED)

It is thereupon by the Court here CONSIDERED, ORDERED, and ADJUDGED that the Defendant Lewis Frederick Runck, Jr., for the crime by him committed as charged in the Indictment, and upon a plea of guilty to Count 1, is adjudged guilty and sentenced, be committed to the custody of the Attorney General of the United States, or his authorized representative, for confinement in a United States Penitentiary for a period of:

Count One - Two (2) Years  
 Count Two - Dismissed on motion of U. S. Attorney

It is thereupon by the Court that this order shall be the authority of the Marshal to deliver the Defendant to the Warden, or other proper Custodian of the Institution to which the Defendant has been sentenced, and cause said order to be executed without delay.

F. E. KENNAMER  
 UNITED STATES DISTRICT JUDGE

APPROVED: JOE W. HOWARD, ASS'T U. S. ATT'Y.

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9030 - Criminal.
		)
J. L. SMITH and NOLAN KING alias JACK NELSON,	Defendants.	)

Now on this 27th day of January, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant J. L. Smith and Nolan King alias Jack Nelson appearing in person and by counsel, Harry Seaton and J. M. Hill. Defendant J. L. Smith waives the reading of the Indictment and Defendant King is arraigned. Each Defendant enters a plea of not guilty as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court that trial of cause be set for next criminal docket. (F.E.K.Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9031 - Criminal.
		)
SYDNEY THOMPSON,	Defendant.	)

Now on this 27th day of January, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant appearing in person and by counsel, R. Clarke. The Defendant waives arraignment and enters a plea of guilty as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court that Defendant be and he is hereby placed on probation for a period of eighteen (18) Months during good behavior or until the further order of the Court. (F.E.K. Judge).

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UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 9032 - Criminal.
		)	
ELMER WASSON,	Defendant.	)	

At Tulsa, in said District, on this 27th day of January, A. D. 1938.

(CAPTION OMITTED)

It is thereupon by the Court here CONSIDERED, ORDERED, and ADJUDGED that the Defendant Elmer Wasson for the crime by him committed as charged in the Indictment, and upon plea of guilty, is adjudged guilty and sentenced, be committed to the custody of the Attorney General of the United States, or his authorized representative, for confinement in a United States Penitentiary, for a period of:

Fifteen (15) Months

It is further ordered by the Court that this order shall be the authority of the Marshal to deliver the Defendant to the Warden, or other proper Custodian of the Institution to which the Defendant has been sentenced, and cause said order to be executed without delay.

F. E. KENNAMER  
 UNITED STATES DISTRICT JUDGE

APPROVED: PAUL O. SIMMS, ASS'T ATTY.

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 9033 - Criminal.
		)	
ERNIE SHUCK,	Defendant.	)	

Now on this 27th day of January, A. D. 1938, comes the United States Attorney representing the Government herein and the defendant Ernie Shuck appearing in person and by counsel, J. G. Austin. Defendant Shuck waives arraignment and is granted permission to file demurrer to Indictment and demurrer is filed. And thereafter, it is ordered by the Court that said Demurrer be and it is hereby overruled. Thereafter, it is ordered by the Court that request of Defendant for Bill of Particulars be and it is hereby granted. Thereupon, Defendant Ernie Shuck enters a plea of not guilty as charged in the Indictment heretofore filed herein. Thereupon, the Government is granted five (5) days in which to prepare bill of particulars herein. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 9034 - Criminal.
		)	
HARRY C. UNDERWOOD,	Defendant.	)	

Now on this 27th day of January, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant appearing in person and by attorneys, Ward, Justus and Ward. The Defendant is arraigned and enters a plea of not guilty as charged in the Indictment heretofore filed herein. Thereupon, trial of said cause is set for the next criminal docket. (F.E.K. Judge).

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

Harry C. De Long, a minor, by his mother and next friend, Sue De Long,	)	
	)	
Plaintiff	)	
	)	No. 2528 L.
vs	)	
	)	
Jenkins Music Company, a corporation,	)	
Defendant.	)	

O R D E R

It appearing to the Court that this action was instituted by Harry C. De Long by next friend, Sue De Long, during the minority of said Harry C. de Long, and that said action has been eliminated in said manner and is not finally determined.

That Harry C. De Long reached his majority on the 17th day of January, 1938, and has filed in this court his motion, ratifying the action of said Sue De Long as next friend, and electing to continue said action in his own name.

And it appearing to the Court that said Harry C. De Long has fully and completely ratified the acts of Sue De Long as next friend and has elected to continue said cause of action in the name of Harry C. De Long, and that said motion should be sustained,

IT IS, THEREFORE, ORDERED by the Court that Harry C. De Long be substituted as plaintiff instead of Harry C. De Long by Sue De Long his next friend, and that said action be hereafter prosecuted in the name of Harry C. De Long as plaintiff.

Dated this 27th day of January, 1938.

O.K. ELDON J. DICK  
 Attorney for Plaintiff

F. E. KENNAMER  
 JUDGE

GIBSON & HOLLEMAN  
 Attorneys for Defendant

ENDORSED: Filed Jan 27 1938  
 H. P. Warfield, Clerk  
 U. S. District Court H

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

GWENDOLYN BATES,	Plaintiff,	)	
		)	
vs.		)	
		)	No. 2565 - L
BETHLEHEM SUPPLY CORPORATION, RED STAR YEAST & PRODUCTS COMPANY, a Corporation, CLAUDE RITCHIE, and THURMAN PUAL BATES,	Defendants.	)	

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff, Gwendolyn Bates, to remand this suit to the District







On this 1st day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		)
		)
L. E. COOPER, O. O. PAYNE, W. E. MALLORY,		)
M. H. MORLAN, WILLIAM C. HANSCOM and		)
V. L. SCHAFFER,	Defendants.	)

NO. 8787 - Criminal. ✓

Now on this 1st day of February, A. D. 1938, comes the United States Attorney representing the Government herein and the defendants L. E. Cooper, O. O. Payne and W. E. Mallory appearing in person and by counsel, W. C. Peters, Rogers, Stephenson & Dickson and Eben L. Taylor. Now at this time Defendants L. E. Cooper, O. O. Payne and W. E. Mallory withdraw their former pleas of not guilty and now enter pleas as follows: Defendant L. E. Cooper and W. E. Mallory each enter a plea of guilty to Counts 1, 2, 4, 5 and 6; Defendant O. O. Payne enters a plea of guilty to Counts 1 and 4 as heretofore charged. Thereupon, it is ordered by the Court, the United States Attorney not objecting thereto, that Count Seven be and it is hereby dismissed as to all Defendants. Thereupon, it is ordered by the Court that judgment and sentence be now imposed as follows:

L. E. COOPER

At Tulsa, Oklahoma, in said District, on this 1st day of February, A. D. 1938.

{CAPTION OMITTED}

It is thereupon by the Court here CONSIDERED, ORDERED, and ADJUDGED that the Defendant L. E. COOPER for the crime by him committed as charged in the indictment, and upon a Plea of Guilty to Counts 1, 2, 4, 5 & 6, is adjudged guilty & sentenced

Count One - Pay a fine unto the United States in the sum of One Hundred (\$100.00) Dollars, and in default thereof stand committed to the custody of the Attorney General of the United States, or his authorized representative, until said fine is paid or until released by due process of law.

IT IS FURTHER ORDERED that Count Seven be and it is hereby dismissed.

IT IS FURTHER ORDERED that the Defendant L. E. Cooper be and he is hereby probated for a period of Two (2) Years on Counts 1, 2, 4, 5 and 6 during good behavior or until the further order of the Court.

IT IS FURTHER ORDERED that the Defendant L. E. Cooper be and he is hereby granted Sixty (60) Days in which to pay the fine herein imposed.

APPROVED: PAUL O. SIMMS  
Asst. U. S. ATTORNEY

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

No. 8787 - Cr. Cont'd.

W. E. MALLORY

At Tulsa, Oklahoma, in said District, on this 1st day of February, A. D. 1938.

(CAPTION OMITTED)

It is thereupon by the Court here CONSIDERED, ORDERED, and ADJUDGED that the Defendant W. E. MALLORY, for the crime by him committed as charged in the Indictment, and upon a Plea of Guilty to Cts. 1, 2, 4, 5 & 6, is adjudged guilty & sentenced;

Count One - A fine of One Hundred (\$100.00) Dollars on execution.

IT IS FURTHER ORDERED that Count Seven be and it is hereby dismissed.

IT IS FURTHER ORDERED that the Defendant W. E. Mallory be and he is hereby probated for a period of Two (2) years on Counts 1, 2, 4, 5 and 6, during good behavior or until the further order of the Court.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE.

APPROVED: PAUL O. SIMMS  
ASS'T U. S. ATTORNEY

O. O. PAYNE

At Tulsa, Oklahoma, in said District, on this 1st day of February, A. D. 1938.

(CAPTION OMITTED)

It is thereupon by the Court here CONSIDERED, ORDERED, and ADJUDGED that the Defendant O. O. PAYNE for the crime by him committed as charged in the Indictment, and upon a Plea of Guilty to Cts 1 and 4, is adjudged guilty & sentenced:

Count One - Pay a fine unto the United States in the sum of One Hundred (\$100.00) Dollars, and in default thereof stand committed to the custody of the Attorney General of the United States or his authorized representative, until said fine is paid or until released by due process of law.

IT IS FURTHER ORDERED that Count Seven be and it is hereby dismissed.

IT IS FURTHER ORDERED that the Defendant O. O. Payne be and he is hereby probated for a period of Two (2) Years on Counts 1 and 4, during good behavior or until the further order of the Court.

IT IS FURTHER ORDERED that the Defendant O. O. Payne be and he is hereby granted Sixty (60) Days in which to pay the fine herein imposed.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

APPROVED: PAUL O. SIMMS  
U. S. ATTORNEY.

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Court adjourned to February 3, 1938.

On this 3rd day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 8935 - Criminal. ✓  
BERNICE LAWRENCE, Defendant. )

Now on this 3rd day of February, A. D. 1938, it is ordered by the Court that Defendant Bernice Lawrence be and she is hereby discharged. (F.E.K. Judge).

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UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 8962 - Criminal. ✓  
JIM WARD, Defendant. )

At Tulsa, Oklahoma, in said District, on this 3rd day of February, A. D. 1938.  
(CAPTION OMITTED)

It is thereupon by the Court here CONSIDERED, ORDERED, and ADJUDGED that the Defendant Jim Ward for the crime by him committed as charged in the Indictment, and upon Revocation of Probation, be committed to the custody of the Attorney General of the United States, or his authorized representative, for confinement in a County Jail for a period of:

Count Two - Six (6) Months and a fine of One Hundred (\$100.00) Dollars, on execution.

IT IS FURTHER ORDERED that the Defendant, Jim Ward, be and he is hereby probated for a period of Fifteen (15) Months on Count Two, during good behavior or until the further order of the Court.

It is further ordered by the Court that this order shall be the authority of the Marshal to deliver the Defendant to the Keeper, or other proper Custodian of the Institution to which the Defendant has been sentenced, and cause said order to be executed without delay.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE.

APPROVED: JOE W. HOWARD  
ASS'T U. S. ATTORNEY.





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

United States of America, Plaintiff, )  
vs. ) No. 8934 - Cr. ✓  
Chum M. Hilligoss, et al, Defendants. )

ORDER GRANTING WRIT OF HABEAS CORPUS AD PROSEQUENDUM

On reading and considering the petition of the Assistant United States Attorney filed herein, whereby it appears that one Chum M. Hilligoss is one of the defendants in a certain cause in this court, which is assigned for trial on Tuesday, February 8, 1938, and it further appearing that said defendant is a prisoner and confined in the Federal Penitentiary at Leavenworth, Kansas, and is under the control and in the charge and custody of the Warden of said Federal Penitentiary, and it appearing that a Writ of Habeas Corpus Ad Prosequendum ought to issue,

IT IS HEREBY ORDERED that a writ of Habeas Corpus Ad Prosequendum issue out of and under the seal of this court, directed to the Warden of said Penitentiary, commanding him to deliver the body of said Chum M. Hilligoss to the United States Marshal in and for the Northern District of Oklahoma, upon said Marshal's delivery to said Warden of said Writ, and that said United States Marshal shall have the body of the said Chum M. Hilligoss before me in the District Court room of the Federal Building on the 8th day of February, 1938, at Tulsa, Oklahoma, to be tried in a certain cause wherein the United States of America is Plaintiff, and the said Chum M. Hilligoss is one of the defendants, and that said United States Marshal shall hold said Chum M. Hilligoss subject to the further order of this court.

Dated this 3 day of February, 1938.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Feb 4 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to February 5, 1938.

REGULAR JANUARY 1938 TERM TULSA, OKLAHOMA SATURDAY, FEBRUARY 5, 1938

On this 5th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:



IT IS FURTHER ORDERED that the defendant, Logan Cottingham, be and he is hereby probated for a period of Two (2) years, during good behavior or until the further order of the Court.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE.

APPROVED: PAUL O. SIMMS  
U. S. ATTORNEY.

UNITED STATES OF AMERICA, )  
 )  
-vs- ) No. 9013 - Criminal. L  
 )  
FRANK E. WHITNEY, )  
 )  
Defendant. )

Now on this 5th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendants Frank E. Whitney appearing in person and by counsel, Fred Tillman. Thereupon, Defendant's motion to quash indictment and Defendant's demurrer to the Indictment are each overruled by the Court upon confession of Defendant. And thereafter, it is further ordered by the Court that motion of Defendant for bill of particulars be and it is hereby overruled. Exceptions allowed. (F.E.K. Judge).

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

Fern Williams, Administratrix of the estate )  
of Lester Williams, deceased, ) Plaintiff, )  
 )  
vs. ) No. 2594 Law. ✓  
 )  
Voss Truck Lines, Inc., a corporation, )  
and American Fidelity and Casualty Company, )  
a corporation, ) Defendants. )

DISMISSAL BY PLAINTIFF

Comes now the plaintiff herein, Fern Williams, Administratrix of the estate of Lester Williams, deceased, and hereby dismissed the within action without prejudice.

FERN WILLIAMS PLAINTIFF  
JOHNSON & JONES  
ATTORNEYS FOR PLAINTIFF

IT IS HEREBY ORDERED that the above case be dismissed without prejudice. Dated this 5 day of February, 1938.

F. E. KENNAMER  
U. S. DISTRICT JUDGE

ENDORSED: Filed Feb 5 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

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Court adjourned to February 7, 1938.



REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 7, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8320 - Criminal. ✓
		)
KNOX D. EASTERLING,	Defendant.	)

ORDER OF COURT

Considered and ordered this 4th day of February, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Knox D. Easterling be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8354 - Criminal. ✓
		)
PLUMER HOLMAN,	Defendant.	)

ORDER OF COURT

Considered and ordered this 4th day of February 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer Plumer Holman be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8394 - Criminal. ✓
		)
MOSE MARSHALL ELLIS,	Defendant.	)

ORDER OF COURT

Considered and ordered this 4th day of February, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Mose Marshall Ellis be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court B







UNITED STATES OF AMERICA,

Plaintiff, )

-vs-

MARTIN COLEMAN,

Defendant. )

No. 8567 - Criminal. ✓

ORDER OF COURT

Considered and ordered this 4th day of February, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Martin Coleman be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,

Plaintiff, )

-vs-

STEPHEN ROWEE,

Defendant. )

No. 8569 - Criminal. ✓

ORDER OF COURT

Considered and ordered this 4th day of February, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Stephen Rowee be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,

Plaintiff, )

-vs-

MONTIE FREEMAN,

Defendant. )

No. 8570 - Criminal. ✓

ORDER OF COURT

Considered and ordered this 4th day of February, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Montie Freeman be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court





UNITED STATES OF AMERICA,	Plaintiff,	)	
-vs-		)	No. 8615 - Criminal.
JAMES BROWN,	Defendant.	)	

ORDER OF COURT

Considered and ordered this 4th day of February, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer James Brown be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,	Plaintiff,	)	
-vs-		)	No. 8617 - Criminal.
CHARLEY HENDERSON, B. C. CHILDS and NELSON BERTRAND,	Defendants.	)	

ORDER OF COURT

Considered and ordered this 4th day of February, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer B. C. Childs be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA,	Plaintiff,	)	
-vs-		)	No. 8620 - Criminal.
JOHN DOUGLAS GARROLL,	Defendant.	)	

ORDER OF COURT

Considered and ordered this 4th day of February, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer John Douglas Carroll be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
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

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 7, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8668 - Criminal.
		)
HENRY M. CARTER,	Defendant.	)

ORDER OF COURT

Considered and ordered this 4th day of February, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer Henry M. Carter be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8679 - Criminal.
		)
PLUE PATTERSON,	Defendant.	)

ORDER OF COURT

Considered and ordered this 4th day of February, 1938 and ordered filed and made a part of therecords in the above case. Ordered that probationer Plue Patters be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 7 1938  
H. P. Warfield, Clerk  
U. S. District Court B

BLANCHE WINIFRED HILDT,	Plaintiff,	)
		)
-vs-		) No. 2414 - Law.
		)
UNITED STATES OF AMERICA,	Defendant.	)

Now on this 7th day of February, A. D. 1938, it is ordered by the Court that judgment for Defendant be entered due to action being barred by Statute of Limitations. Ex-ceptions allowed. (F. E.K. Judge).

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

JENNIE B. CLAY, Administratrix of the  
Estate of ALLEN P. CLAY, Deceased, Plaintiff, )  
vs ) NO. 2547 - L. ✓  
SISTERS OF THE SORROWFUL MOTHER, a corporation, )  
and THE INTERNATIONAL PETROLEUM EXPOSITION, )  
a corporation, Defendants. )

O R D E R

Now on this 7th day of February, 1938, this matter coming on to be heard upon the demurrer of the defendant, The International Petroleum Exposition, to the amended petition of the plaintiff, and the plaintiff and defendant being present by their respective attorneys and the court having heard the argument of counsel and being fully advised in the premises, finds that the said demurrer should be over-ruled.

IT IS THEREFORE BY THE COURT ORDERED that the demurrer of the defendant, The International Petroleum Exposition, to the amended petition of the plaintiff be and the same is over-ruled, to which ruling of the court the defendant excepted and exception is allowed.

IT IS FURTHER ORDERED that defendant have twenty (20) days from this date within which to file its answer.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Feb 16 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

PEARL JOBE, Plaintiff, )  
vs. ) No. 2598 Law. ✓  
TULSA CITY LINES, INC., a corporaion, )  
and DON KUHN, Defendants. )

ORDER REMANDING TO STATE COURT

The motion of the above named plaintiff to remand the above entitled cause to the District Court of the State of Oklahoma in and for the County of Tulsa, having been regularly heard and considered,

IT IS ORDERED that the said motion be, and the same is, granted, and this cause be, and the same is hereby, remanded to the District Court of the State of Oklahoma, in and for the County of Tulsa for further proceedings.

IT IS FURTHER CONSIDERED by the Court that the plaintiff have and recover of the defendant her costs incurred in this court, for which execution is awarded, to which judgment of the court the defendant then and there excepted.

Dated the 7th day of February, 1938.

ALFRED P. MURRAH  
JUDGE OF THE UNITED STATES COURT.

O.K. BRIDGES & PARRY

ENDORSED: Filed Feb 9 1938  
H. P. Warfield, Clerk  
U. S. District Court B

Court adjourned to February 8, 1938.

On this 8th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, U. S. Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 8th day of February, A. D. 1938, comes the Marshal and makes return on the Venire heretofore issued out of this Court for Petit Jurors for the Regular January 1938 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

M. A. Tallon	J. R. Moore	M. R. Floyd	B. F. Bowman	J. F. Moore
F. W. Wheeler	Omer Kircher	U. G. Taber	Herrrell McAlester	Chas. Mabry
A. D. Krow	Bob Williams	J. V. Hodshire	Ralph Mundell	
L. V. Wilson	A. F. Jeffrey	Everett Hughes	A. J. Lamkin	
F. M. King	Bayless Graham	V. C. Strobe	W. A. Shidler	
Joe LaBenske	Harvey Adams	R. W. McInnon	G. S. Welker	
Roy Ebling	J. Y. Hart	A. P. Jenkins	R. J. Daugherty	
O. W. Fox	Fred Compton	J. N. Hudson	A. W. Bowling	
Percy Cockrell	L. E. Gibson	D. T. Roark	Quitman Andrews	
A. F. Henegar	Paul Labarr	N. E. Cooper	George Patchett	
J. W. Hodge	W. A. Healey	R. O. Jenkins	G. R. McConnell	
C. C. Edens	Frank Kiser	A. E. Bathe	Henderson Harrington	
J. G. Allen	Dave Maple	Earl Whitney	Grant Jones	
H. L. Gaskin	Ave Marshall	Craig Goodpaster	Wm. T. Hogan	
L. P. Harrington	Dewey Martin	Hugh Brewer	Art Ray	
C. M. Bartlett	Lewis Moffatt	Chas. W. Kinch	John E. Wells	
C. A. Hadley	W. E. Crow	L. A. Hurst	Floyd Shaffer	
Pin Bryan	N. G. Powers	E. A. Lane	Jas. W. Barker	

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

REGULAR JANUARY 1938 term

TUESDAY, FEBRUARY 8, 1938

Thereupon, the Court examines the jurors as to their qualifications, and for good cause shown

M. A. Tallon	W. A. Healey
A. D. Krow	Frank Kiser
F. M. King	Dave Maple
Roy Ebling	Lewis Moffatt
J. W. Hodge	M. R. Floyd
J. G. Allen	J. V. Hodshire
H. L. Gaskin	D. T. Roark
C. M. Bartlett	N. H. Cooper
J. R. Moore	A. E. Bathe
A. F. Jeffrey	Craig Goodpaster
Bayless Graham	J. A. Lane
L. E. Gibson	R. J. Daugherty

Wm. T. Hogan

are excused from service as jurors for the term.

And thereupon, it is ordered by the Court that the following names of those who were not served

Bob Williams	Herrell McAlester
Harvey Adams	A. J. Lemkin
N. G. Powers	G. S. Welker
U. G. Taber	A. W. Bowling
Earl Whitney	George Patchett
Hugh Brewer	Art Ray
Chas. W. Kinch	Floyd Shaffer
B. F. Bowman	Jas. W. Barker

be, and they are, hereby stricken from the jury roll.

Thereupon, the balance of said array are accepted as petit jurors for this Regular January 1938 Term of Court. (F.E.K. Judge).

ENDORSED: Filed In Open Court  
Feb. 8, 1938  
H. P. Warfield, Clerk  
U. S. District Court.

UNITED STATES OF AMERICA,

-vs-

EVERETT CUNNINGHAM,

Plaintiff, )

) No. 8840 - Criminal. ✓

Defendant. )

Now on this 8th day of February, A. D. 1938, comes the United States Attorney representing the Government herein and the defendant appearing in person and counsel, Rollie Clark. Defendant waives arraignment and enters a plea of Nolo Contendere to Counts 1 and 2, which plea is accepted by the Court. Opening statements of counsel are made. And thereafter, after being fully advised in the premises, the Court finds Defendant Everett Cunningham not guilty to Counts 1 and 2 as heretofore charged. Thereupon, said Defendant is ordered discharged. (A.P.M. Judge).

UNITED STATES OF AMERICA,

Plaintiff, )

-vs-

Lew Wilder, Everett S. Collins, Harry Stein,  
Enos Pickett, Ben E. Chandler, Curtis  
Brumley, James Knight, Jack Ary, John E.  
Whitwell, D. B. Jones, Chum M. Hilligoss,  
Mrs. Alice Norris, Herbert Norris, Claude  
Webb, alias Claude Norris, Herbert Bean,  
Jesse E. Thompson, L. R. Cook, George Joseph  
and S. P. Smith,

Defendants. )

No. 8934 - Criminal. ✓

Now on this 8th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein. Now at this time, it is ordered by the Court that motion of Defendant Lew Wilder for continuance be and it is hereby overruled and exception allowed. Thereupon, Defendants James Knight, Chum M. Hilligoss, Mrs. Alice Norris and Herbert Norris appear in person and by counsel Johnson and Jones for Defendant James Knight; F. L. Patrick for Defendant Chum M. Hilligoss; Now at this time, each of the above defendants are arraigned and each Defendant enters a plea as follows: Defendant James Knight enters a plea of not guilty; Chum M. Hilligoss enters a plea of not guilty; to Counts 1 and 2; Defendants Mrs. Alice Norris and Herbert Norris each enter a plea of guilty to Count 1 and not guilty to Count 2; all as charged in the Indictment heretofore filed herein. Now at this time, Defendant D. B. Jones withdraws his former plea of not guilty to Counts 1 and now enters a plea of guilty to Count 1 as heretofore charged.

Now at this time Defendants Lew Wilder appears in person and by counsel Moss & Young and Sebe Christian; Defendant Ben E. Chandler appears in person and by counsel, Homer Chandler and W. C. Henneberry; Curtis Brumley appears in person and by counsel, Homer Chandler; John E. Whitwell appears in person and by counsel, Coffey & Coffey, and each of the said defendants withdraw their former pleas of not guilty to Counts 1 and 2 and interpose demurrers herein. Jury excused during the hearing on the demurrers. And thereafter, it is ordered by the Court that the demurrers of Defendants Wilder, Chandler, Brumley and Whitwell be and they are hereby overruled, without prejudice and exceptions allowed. Thereupon, Defendants Wilder, Chandler, Brumley and Whitwell re-enter their pleas of not guilty to Counts 1 and 2 as heretofore charged. Thereupon, said case is called for trial.

All witnesses are sworn in open court and the rule is invoked at the request of Defendants. Thereupon, Defendants move for the Court to require the Government to elect between Counts 1 and 2 and said motion is, by the Court, overruled and exception allowed. Now at this time, the Court appoints Johnson & Jones to represent defendant James Knight herein. All defendants on trial are duly represented by counsel. And thereafter, the noon hour having arrived, court is recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in session. All parties present as heretofore. Now at this time, defendant Herbert Bean withdraws his former plea of not guilty to Counts 1 and now enters a plea of guilty to Count 1. Thereupon, it is ordered by the Court, upon motion of the U. S. Attorney, that Count 2 be dismissed as to defendants D. B. Jones, Mrs. Alice Norris, Herbert Norris and Herbert Bean. It is further ordered by the Court that Defendant Herbert Bean be excused from attendance until February 10, 1938. Thereupon, each and every defendant, with the exception of Claude Webb is present and announces ready for trial. The Government announces ready for trial. A jury is duly empaneled and sworn as to qualifications. The Plaintiff challenges Percy Cockrell, C. C. Edens, Ave Marshall, Everett Hughes, R. W. McKinnon. The Defendants challenge F. W. Wheeler, Paul Labarr, A. F. Henegar, L. V. Wilson, A. P. Jenkins, J. N. Hudson, R. C. Jenkins. Fred Compton is excused by the Court for cause. Thereupon, the jury sworn to try said cause and a true verdict render is as follows: Joe LaBenske, O. W. Fox, L. P. Harrington, C. A. Hadley, Pin Bryan, Omer Kircher, J. Y. Hart, Dewey Martin, W. E. Crow, V. C. Strude, L. A. Hurst, Charles Mabry; Alternate juror, Ralph Mundell. Thereupon, opening statements of counsel are made and each and every





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

A. N. COPE,	Plaintiff,	)	
		)	
vs.		)	No. 2555 - Law. ✓
		)	
PHILLIPS PETROLEUM COMPANY, a		)	
corporation,	Defendant.	)	

O R D E R

Now on this 9th day of February, 1938, there came on for hearing before the Honorable Franklin E. Kennamer, the demurrer of the defendant Phillips Petroleum Company to the plaintiff's amended petition, the plaintiff appearing by Walter D. Hanson of her attorneys, and the defendant appearing by R. B. F. Hummer of its attorneys. The Court having heard argument of counsel and being fully advised in the premises upon consideration finds that said demurrer and each of the separate grounds of demurrer set forth therein should be overruled and the defendant allowed an exception as to each.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the demurrer of the defendant to the amended petition of plaintiff and each separate ground of demurrer therein set forth be, and the same are, hereby overruled and the defendant allowed an exception as to each, and the defendant is granted ten (10) days to plead further or twenty (20) days to answer said amended petition.

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

O.K. RITTENHOUSE, WEBSTER & RITTENHOUSE  
Attorneys for Plaintiff.

OK R. B. F. HUMMER  
Attorney for Defendant.

ENDORSED: Filed Feb 14 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

EARL D. ALFORD, ADMR. OF ESTATE OF		)	
MAMIE M. WEIDMAN, DEC'D.,	Plaintiff,	)	
		)	
-vs-		)	No. 2502 - Law. ✓
		)	
DAVE McCONNELL, ET AL,	Defendants.	)	

Now on this 9th day of February, A. D. 1938, it is ordered by the Court that Demurrer of Defendant, Maryland Casualty Company to stand submitted on briefs. Given five (5) days to file Answer Brief. (Defendants brief filed in No. 2503 Law). (F.E.K. Judge).





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

J. B. Arnold,	Plaintiff,	)	
		)	
vs.		)	
		)	No. 2584 L A W
Empire Oil and Refining Company, a corporation,	Defendant.	)	

JOURNAL ENTRY

Now upon this 9th day of February, 1938, being one of the days of the regular term of this Court and Court being in due and legal session, comes the above named plaintiff, J. B. Arnold, by his attorneys Sands & Campbell, and comes the defendant, Cities Service Oil Company, by its attorney F. H. Bacon; and thereupon the cause comes regularly on for hearing upon the Motion of defendant to make Petition more definite and certain. And thereupon after argument of counsel for both parties and after due consideration, it is ORDERED by the Court that said Motion of defendant be and is now overruled as to each and every paragraph thereof, the defendant Cities Service Oil Company, formerly Empire Oil and Refining Company, duly excepting.

Thereupon, it is further ORDERED by the Court that the defendant have ten (10) days from this date in which to plead or twenty (20) days in which to Answer said Petition.

F. E. KENNAMER  
DISTRICT JUDGE

O.K. A. B. CAMPBELL  
SANDS & CAMPBELL  
Attorneys for plaintiff.

O.K. S. N. HAWKES  
Attorney for Defendant.

ENDORSED: Filed Feb 21 1938  
H. P. Warfield, Clerk  
U. S. District Court ME

W. G. NELSON, ET AL, D/B, ETC.,	Plaintiffs.	)	
		)	
-vs-		)	No. 2586 - Law.
ALLIS-CHALMERS MANUFACTURING CO. ET AL,	Defendants.	)	

Now on this 9th day of February, A. D. 1938, it is ordered by the Court that separate demurrer of Defendant Erple J. Dinkin be and it is hereby overruled and exception allowed. It is further ordered that demurrer of Defendant Allis-Chalmers Manufacturing Co. be and it is hereby overruled and exception allowed. It is further ordered by the Court that demurrer of Defendants Pioneer Store of Hominy, Oklahoma, George Treadway and Guy Bennett be and they are hereby overruled and exceptions allowed. Given ten (10) days to plead. Thirty (30) days to answer. (F.E.K. Judge)

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

EVA CARR, Plaintiff, )  
vs ) NO. 2587 - L. ✓  
CONTINENTAL BAKING COMPANY, a )  
corporation, Defendant. )

O R D E R

Now on this 9th day of February, 1938, the above coming on for hearing on defendant's motion to dismiss and demurrer to the petition of plaintiff and, after the argument of counsel and being advised in the premises, the court finds that the same should be over-ruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that defendant's motion to dismiss and defendant's demurrer to the petition of plaintiff on file herein be and the same hereby are over-ruled, to all of which defendant excepts.

IT IS FURTHER ORDERED that defendant be given fifteen (15) days from this date in which to answer.

F. E. KENNAMER  
JUDGE.

O.K. F. V. WESTHOPE  
L. O. TODD  
Attys for Plaintiff.

HAL CROUCH, Atty for Deft.

ENDORSED: Filed Feb 16 1938  
H. P. Warfield, Clerk  
U. S. District Court B

-----  
GEORGE S. CARMAN, Plaintiff, )  
-vs- ) No. 2591-Law. ✓  
TURMAN OIL COMPANY, Defendant. )

Now on this 9th day of February, A. D. 1938, it is ordered by the Court that motion of Plaintiff to remand to State Court be and it is hereby overruled. Exception allowed. Given ten (10) days to reply. (F.E.K. Judge).

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

GEORGE S. CARMAN, Plaintiff, )  
vs. ) No. 2591 Law  
TURMAN OIL COMPANY, Defendant. )

ORDER ON MOTION TO REMAND

This cause came on to be heard at this term upon the motion of plaintiff to re-  
mand to the State Court, and was argued by counsel; and thereupon, upon consideration thereof,

IT IS ORDERED AND ADJUDGED that said motion to remand to the State Court be  
and the same is hereby overruled, to which order and ruling the plaintiff excepts, and exception  
is hereby allowed.

MADE AND ENTERED this 9th day of February, 1938.

F. E. KENNAMER  
U. S. D. J.

ENDORSED: Filed Feb 9 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

GEORGE S. CARMAN, Plaintiff, )  
vs. ) No. 2591 Law  
TURMAN OIL COMPANY, Defendant. )

ORDER ALLOWING ANSWER OF DEFENDANT TO BE FILED WITHIN TIME

It appearing to the Court that the defendant filed its answer herein one day out  
of time and, upon application of defendant,

IT IS ORDERED that the said answer be permitted to be filed as within time.

MADE AND ENTERED this 9th day of February, 1938.

By the Court,

F. E. KENNAMER  
U. S. D. J.

ENDORSED: Filed Feb 9 1938  
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

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 9, 1938

FLOYD B. COPE, )  
Plaintiff, )  
vs. ) No. 2595 - Law. ✓  
THE NATIONAL CASH REGISTER CO., )  
Defendant. )

Now on this 9th day of February, A. D. 1938, it is ordered by the Court that Defendant's motion to strike be and it is hereby sustained as to the injunction herein. Plaintiff permitted to allege violation of Statute. Given five (5) days to amend. Ten (10) days to plead or twenty (20) days to answer. (F.E.K. Judge).

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

FLOYD B. COPE, )  
Plaintiff, )  
vs. ) No. 2595 in Law ✓  
THE NATIONAL CASH REGISTER COMPANY, )  
a corporation, )  
Defendant. )

O R D E R

Now on this 9th day of February, 1938, the above cause came on to be heard upon the motion of the defendant to strike; and the court, being fully advised in the premises, is of the opinion that the first part of defendant's motion should be sustained.

It is therefore ORDERED that that part of plaintiff's petition, mentioned and described in defendant's motion to strike, be stricken, the plaintiff to have five (5) days from this date to amend, and the defendant ten (10) days thereafter to plead.

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

ENDORSED: Filed Mar 2 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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W. T. DOUGHERTY, )  
Plaintiff, )  
-vs- ) No. 2597-Law ✓  
OKLAHOMA NATURAL GAS COMPANY, a )  
Corporation, )  
Defendant. )

Now on this 9th day of February, A. D. 1938, it is ordered by the Court that Defendant's motion to require security for costs be and it is hereby denied. Exception allowed. (F.E.K. Judge).  
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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
OF THE STATE OF OKLAHOMA

BEN HENSHALL, Administrator, and )  
MAUDE HENSHALL, Administratrix of the )  
Estate of Ben Henshall, Jr., Deceased, )  
Plaintiffs, )  
vs. ) No. 2604 - Law. ✓  
ANDERSON BROTHERS, a Co-Partnership composed )  
of C. C. ANDERSON AND C. M. ANDERSON, A. & M. )  
CONSTRUCTION COMPANY, a corporation, and )  
EMPLOYERS CAUSUALTY COMPANY, a corporation, )  
Defendants. )

ORDER REMANDING TO STATE COURT.

The motion of the above named plaintiffs to remand the above entitled cause to the District Court of the State of Oklahoma, in and for the County of Tulsa, having been regularly heard and considered,

IT IS ORDERED that the said motion be, and the same is, granted, and his cause be, and the same is hereby, remanded to the District Court of the State of Oklahoma, in and for the County of Tulsa for further proceedings.

IT IS FURTHER CONSIDERED by the Court that the plaintiff have and recover of the defendant her costs incurred in this court, for which execution is awarded, to which judgment of the Court the defendant then and there excepted.

Dated the 9th day of February, 1938.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Feb 9 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

ELLA MAY SMITH, )  
Plaintiff, )  
-vs- ) No. 2608 - Criminal. ✓  
TULSA CITY LINES, INC., )  
Defendant. )

Now on this 9th day of February, A. D. 1938, it is ordered by the Court that motion of Defendant to require Plaintiff to give security for costs be and it is hereby overruled and exception allowed. (F.E.K. Judge).

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

Herbert H. Hinze, Jr., a Minor, by his	)	
Father as next friend and Legal	)	
Guardian, Herbert H. Hinze,	)	
	)	Plaintiff,
	)	
-vs-	)	No. 2609 L.
	)	
James M. Kurn and John G. Lonsdale, as	)	
trustees of the Estate of the St. Louis-	)	
San Francisco Railway Co., a Corp., Dr.,	)	
and C. E. Smith,	)	Defendants.

JOURNAL ENTRY

Now on this 9th day of February, 1938, the above cause coming on for hearing upon the motion of the defendant C. E. Davis to quash the summons issued in said cause, plaintiff appearing by counsel and defendants appearing by counsel, and upon application of the defendants to withdraw said motion and secure time to plead, the court finds that said application should be granted.

IT IS THEREFORE ORDERED by the court that the application of the defendants to withdraw said special appearance and motion to quash be granted, and that said defendants be granted ten (10) days from this date in which to plead or Twenty (20) days in which to answer in said cause.

o.k. JOE HOUSTON, Attorneys for Plaintiff  
CRUCE, SATTERFIELD & GRIGSBY,  
 Attorneys for Defendants.

F. E. KENNAMER  
 JUDGE

ENDORSED: Filed Feb 14 1938  
 H. P. Warfield, Clerk  
 U. S. District Court EA

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

Talbot Gene Hinze, a Minor, by his	)	
Father, as next friend and legal	)	
guardian, Herbert H. Hinze,	)	
	)	Plaintiff,
	)	
-vs-	)	No. 2610 L.
	)	
James M. Kurn, et al., as Trustees, et al.,	)	
	)	Defendants.

JOURNAL ENTRY

Now on this 9th day of February, 1938, the above cause coming on for hearing upon the motion of the defendant C. E. Davis to quash the summons issued in said cause, plaintiff appearing by counsel and defendants appearing by counsel, and upon application of the defendants to withdraw said motion and secure time to plead, the court finds that said application should be granted.

IT IS THEREFORE ORDERED by the court that the application of the defendants to withdraw said special appearance and motion to quash be granted, and that said defendants be



IT IS THEREFORE ORDERED by the court that the application of the defendants to withdraw said special appearance and motion to quash be granted, and that said defendants be granted ten (10) days from this date in which to plead or twenty (20) days in which to answer in said cause.

F. E. KENNAMER  
JUDGE

O.K. JOE HOUSTON  
Attorneys for Plaintiff

CRUCE, SATTERFIELD & GRIGSBY  
Attorneys for Defendants.

ENDORSED: Filed Feb 14 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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Court adjourned to February 10, 1938.

On this 10th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA, Plaintiff, )  
 )  
-vs- )  
 )  
LEW WILDER, EVERETT S. COLLINS, HARRY STEIN, ) No. 8934 - Criminal. ✓  
ENOS PICKETT, BEN E. CHANDLER, CURTIS )  
BRUMLEY, JAMES KNIGHT, JACK ARY, JOHN E. WHITWELL, )  
D. B. JONES, CHUM M. HILLIGOSS, MRS. ALICE )  
NORRIS, HERBERT NORRIS, CLAUDE WEBB, ALIAS )  
CLAUDE NORRIS, HERBERT BEAN, JESSE E. THOMPSON, )  
L. R. COOK, GEORGE JOSEPH and S. P. SMITH, Defendants. )

Now on this 10th day of February, A. D. 1938, court is again in session. All parties present as heretofore and the jury, each and every member present and in the box. Now at this time, it is ordered by the Court that case be dismissed as to defendants, L. R. Cook, George Joseph, Jesse E. Thompson, Chum M. Hilligoss, all upon motion of the U. S. Attorney. It is further ordered by the Court that all demurrers to the Indictment be and they are hereby overruled and exception allowed. And thereafter, defendants Lew Wilder, Harry Stein, Ben E. Chandler, Curtis Brumley, James Knight and John E. Whitwell each demur to the evidence introduced herein. And thereafter, it is ordered by the Court that demurrer of

No. 8934 Cr. Cont'd.

John E. Whitwell be sustained as to Count 1. It is further ordered by the Court that all other demurrers be overruled and exceptions allowed. Thereupon, all jurors are called back into open court. And thereafter, all defendants move to require the Government to elect as between Counts 1 and 2, which motions are, by the Court, overruled and exceptions allowed. Now at this time, the Defendants introduce evidence and proof with the following witnesses: Alva Haynes, Elmer L. Burger, Everett Collins, Deposition of Willis Strange admitted into evidence and made a part of the record herein. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present in person, and in the box. The Defendants continues with their introduction of evidence and proof with the following witnesses: Harold A. Stafford, E. S. Clark, C. W. Binns, Homer Acres, P. K. Lewis, O. L. Humes, Curtis Brumley, F. M. Horn, Ben E. Chandler, Joe Bruner, Kirk Edgerton, S. W. Millholland, Emmett Mathews, Chas. B. Reece, Don McMasters, Henry May, Glen Mannery, Enos Pickett, Virgil DeShane, Mrs. Lew Wilder, Earl Sellers. And thereafter, the hour for adjournment having arrived, the jury is admonished and court is adjourned to 9:30 o'clock A.M. February 11, 1938.

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Court adjourned to February 11, 1938

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 11, 1938

On this 11th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, and Hon. Alfred P. Murrah, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)
-vs-		)
W. WALTER CRABTREE,	Defendant.	)
		) No. 8880 - Criminal. ✓

Now on this 11th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant W. Walter Crabtree appearing in person. Now at this time, it is ordered by the Court that Defendant Crabtree be placed on probation for a period of eighteen (18) Months during good behavior or until the further order of the Court, upon motion of the U. S. Attorney. (F.E. Kennamer, Judge).

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No. 9019 Cr. Cont'd.

arraigned and enters a plea of guilty as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court that Defendant be placed on probation for a period of eighteen (18) Months during good behavior or until the further order of the Court, upon recommendation of Assistant U. S. Attorney Howard. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9035 - Criminal.
		)
J. W. PACKARD and O. T. COVEY,	Defendants.	)

Now on this 11th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendants J. W. Packard and O. T. Covey appearing in person and by counsel, Mr. W. C. Brewster. Defendants are each arraigned and each enter a plea of guilty to Counts 1 and 2 as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court that each of said Defendant be placed on probation for a period of Twelve (12) Months during good behavior or until the further order of the Court. (F.E.K. Judge)

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

BLANCHE WINIFRED HILDT,	Plaintiff,	)
		)
vs.		) No. 2414 law.
		)
UNITED STATES OF AMERICA,	Defendant.	)

JOURNAL ENTRY OF JUDGMENT

Now on this 13th day of September, 1937, this matter having come on for hearing on plaintiff's demurrer to that part of defendant's answer wherein lack of jurisdiction of this court and pleas of the statute of limitations was raised and a stipulation of facts signed by the respective parties having been filed, and the Court, having heard the arguments of counsel, directed the filing of briefs in support of the contentions of plaintiff and defendant.

The essential facts as set out in said stipulation are as follows: John Edward Hildt enlisted in the United States Army on the 7th day of September, 1918, and was honorably discharged December 16, 1918. While in the service he applied for and was granted \$10,000 war risk term insurance naming as beneficiary therein his wife, Blanche Winifred Hildt, plaintiff herein. Premiums were paid on said policy until February 1, 1925 and with the thirty-one days of grace provided in said policy, the same lapsed for the nonpayment of premium due March 3, 1925 unless at said time this veteran was totally and permanently disabled. This veteran died May 17, 1935. On July 3, 1931, the veteran wrote a letter to the Veterans' Administration claiming insurance benefits under the above named policy, the letter being received by the Veterans' Administration on July 6, 1931. No action was taken on this claim during the lifetime of the veteran. The beneficiary named in the policy and that plaintiff herein filed claim for insurance benefits which was received by the Veterans' Administration on November 18, 1935. This claim was denied by the Insurance Claims Council of the Veterans' Administration on February 5, 1936. An appeal was taken by this plaintiff on July 6, 1936, to the Administrator of Veterans' Affairs and the denial of the Insurance Claims Council was affirmed on October 8, 1936.

Claim of the deceased veteran for insurance benefits was received by the Veterans' Administration on July 6, 1931, and no action could be brought as provided for under



On this 12th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, and Hon. Alfred P. Murrah, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
 Whit Y. Mauzy, United States Attorney.  
 John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8791 - Criminal. ✓
		)	
SAM BREWER,	Defendant.	)	

Now on this 12th day of February, A. D. 1938, it is ordered by the Court that judgment and sentence of Defendant be and it is hereby set for March 4, 1938. It is further ordered by the Court that Defendant stand on present bond. (A.P.M. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8896 - Criminal. ✓
		)	
JESSIE E. THOMPSON,	Defendant.	)	

Now on this 12th day of February, A. D. 1938, it is ordered by the Court that judgment and sentence of Defendant be and it is hereby set for March 4, 1938. It is further ordered by the Court that Defendant stand on present bond. (A.P.M. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8901 - Criminal. ✓
		)	
SAM BREWER,	Defendant.	)	

Now on this 12th day of February, A. D. 1938, it is ordered by the Court that judgment and sentence of Defendant be and it is hereby set for March 4, 1938. It is further ordered by the Court that Defendant stand on present bond. (A.P.M. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8904 - Criminal. ✓
		)	
EMMA FOREMAN,	Defendant.	)	

Now on this 12th day of February, A. D. 1938, it is ordered by the Court that judgment and sentence of Defendant be and it is hereby set for March 4, 1938. It is further ordered by the Court that Defendant stand on present bond. (A.P.M. Judge).



UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8929 - Criminal. ✓
		)	
DILLARD S. SHELTON,	Defendant.	)	

Now on this 12th day of February, A. D. 1938, it is ordered by the Court that judgment and sentence be and it is hereby set for March 4, 1938. It is further ordered by the Court that Defendant stand on present bond. (A.P.M. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	
		)	
LEW WILDER, EVERETT S. COLLINS, HARRY STEIN,		)	
ENOS PICKETT, BEN E. CHANDLER, CURTIS		)	No. 8934 - Criminal. ✓
BRUMLEY, JAMES KNIGHT, JACK ARY, JOHN E.		)	
WHITWELL, D. B. JONES, CHUM M. HILLIGOSS,		)	
MRS. ALICE NORRIS, HERBERT NORRIS, CLAUDE		)	
WEBB, ALIAS CLAUDE NORRIS, HERBERT BEAN,		)	
JESSE E. THOMPSON, L. R. COOK, GEORGE		)	
JOSEPH and S. P. SMITH,	Defendants.	)	

Now on this 12th day of February, A. D. 1938, court is again in session. All parties present as heretofore. Now at this time, the jury returns into open court and through their Foreman present their verdicts, which verdicts are in words and figures as follows:

JOHN E. WHITWELL

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

UNITED STATES OF AMERICA,	Plaintiff,	)	
vs.		)	No. 8934 Cr.
JOHN E. WHITWELL,	Defendant.	)	

VERDICT

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant John E. Whitwell, guilty as charged in the second count of the indictment.

L. P. HARRINGTON  
Foreman.

FILED In open court  
Feb 12 1938  
H. P. Warfield, Clerk

LEW WILDER

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

UNITED STATES OF AMERICA,	Plaintiff	)	
vs.		)	No. 8934 Cr.
LEW WILDER,	Defendant.	)	

VERDICT

We, the jury in the above-entitled cause, duly empaneled and sworn, upon

No. 8934 Cr. Cont'd.

our oaths, find the defendant, Lew Wilder, guilty, as charged in the first count of the indictment.

We further find the defendant, Lew Wilder, not guilty, as charged in the second count of the indictment.

L. P. HARRINGTON  
Foreman

FILED In Open Court  
Feb 12 1938  
H. P. Warfield, Clerk

JAMES KNIGHT

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 8934 Cr.  
JAMES KNIGHT, Defendant. )

VERDICT

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant, James Knight, not guilty, as charged in the first count of the indictment.

We further find the defendant, James Knight, not guilty, as charged in the second count of the indictment.

L. P. HARRINGTON  
Foreman.

FILED In Open Court  
Feb 12 1938  
H. P. Warfield, Clerk

HARRY STEIN

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 8934 Cr.  
HARRY STEIN, Defendant. )

VERDICT

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant, Harry Stein, guilty, as charged in the first count of the indictment.

We further find the defendant, Harry Stein, guilty, as charged in the second count of the indictment.

L. P. HARRINGTON  
Foreman.

FILED In Open Court  
Feb 12 1938  
H. P. Warfield, Clerk

CURTIS BRUMLEY

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 8934 Cr.  
CURTIS BRUMLEY, Defendant. )

VERDICT

No. 8934 Cr. Cont'd.

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant, Curtis Brumley, not guilty, as charged in the first count of the Indictment.

We, further find the defendant, Curtis Brumley, not guilty, as charged in the second count of the indictment.

L. P. HARRINGTON  
Foreman.

FILED In Open Court  
Feb 12 1938  
H. P. Warfield, Clerk

BEN E. CHANDLER

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 8934 Cr.  
BEN E. CHANDLER, Defendant. )

VERDICT

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant, Ben E. Chandler, not guilty, as charged in the first count of the indictment.

We further find the defendant, Ben E. Chandler, not guilty, as charged in the second count of the indictment.

L. P. HARRINGTON

FILED In Open Court  
Feb 12 1938  
H. P. Warfield, Clerk

Thereupon, Defendants Lew Wilder and John E. Whitwell except to verdicts. And thereafter, it is ordered by the Court that Defendants James Knight, Curtis Brumley and Ben E. Chandler be and they are hereby discharged. And thereafter, the jury having announced these to be their true verdicts herein, it is ordered by the Court that said jury be discharged from further consideration of said case. It is further ordered by the Court that judgment and sentence of defendants Lew Wilder, Harry Stein, John E. Whitwell, D. B. Jones, Mrs. Alice Norris, Herbert Norris, and Herbert Bean be set for March 4, 1938. It is further ordered by the Court that all Defendants stand on their present bonds herein. (A.P.M. Judge).

-----  
Court adjourned to February 14, 1938.

On this 14th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8802 - Criminal. ✓
		)	
GEORGE HARDY and SAM ROEBUCK,	Defendants.	)	

Now on this 14th day of February, A. D. 1938, comes the United States Attorney representing the Government herein and the defendant George Hardy appearing in person and by counsel, W. A. Chase. Now at this time, Defendant withdraws his former plea of not guilty to Count 1 and now enters a plea of guilty to Count 1, as heretofore charged in the Indictment. Thereupon, it is ordered by the Court, upon motion of the U. S. Attorney, that Count Two be and it is hereby dismissed. Thereupon, it is ordered by the Court that Defendant George Hardy be placed on probation for a period of Three (3) Years on Count One during good behavior or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8811 - Criminal. ✓
		)	
F. SHERMAN PHILPOT,	Defendant.	)	

Now on this 14th day of February, A. D. 1938, comes the United States Attorney representing the Government herein and the defendant appearing in person and by counsel, E. J. Doerner. Now at this time, it is ordered by the Court, upon motion of the U. S. Attorney, that case be and it is hereby dismissed. ( F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8936 - Criminal. ✓
		)	
KENNETH BEARS and CHARLES E. PRICE,	Defendants.	)	

(CAPTION OMITTED)

JUDGMENT AND COMMITMENT

On this 14th day of February, 1938, came the United States Attorney, and the defendant Kenneth Bears appearing in proper person.

The defendant having been convicted on his plea of guilty of the offense charged in the Indictment in the above-entitled cause to wit:

Possession of unregistered still and material

IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the Jail type to be designated by the Attorney General or his authorized representative for the period of:

Count Two - Ninety (90) Days

IT IS FURTHER ORDERED that the defendant, Kenneth Bears, be and is hereby probated for a period of Two (2) years on Count One (1) during good behavior or until further order of the Court.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD  
Asst. U. S. Attorney

(SIGNED) F. E. KENNAMER  
JUDGE

CHARLES E. PRICE

(CAPTION OMITTED)

JUDGMENT AND COMMITMENT

On this 14th day of February, 1938, came the United States Attorney, and the defendant Charles E. Price appearing in proper person

The defendant having been convicted on his plea of guilty of the offense charged in the indictment in the above-entitled cause to wit

Possession of unregistered still and material

IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be committed to the custody of the Attorney General of the United States for imprisonment in an institution of the Jail type to be designated by the Attorney General or his authorized representative for the period of:

Count Two - Ninety (90) days

IT IS FURTHER ORDERED that the defendant, Charles E. Price, be and is hereby probated for a period of Two (2) Years on Count One (1) during good behavior or until the further order of the Court.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD  
Asst. U. S. Attorney.

(SIGNED) F. E. KENNAMER  
JUDGE



No. 8943 Cr. Cont'd

We further find the defendant, Duncan C. Parker, guilty, as charged in the second count of the indictment.

HENDERSON G. HARRINGTON  
 Foreman.

FILED IN OPEN COURT  
 Feb 14 1938  
 H. P. Warfield, Clerk  
 U. S. District Court H

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8951 - Criminal.
		)	
HOMER HOLMAN,	Defendant.	)	

Now on this 14th day of February, A. D. 1938, the above styled cause comes on for trial. The Government is represented by the U. S. Attorney and the defendant is present in person and by counsel, C. S. Fenwick. Both sides announce ready for trial. A jury is duly empaneled and sworn as to qualifications. Both sides waive challenges. Thereupon, the jury sworn to try said cause and a true verdict render, is as follows: F. W. Wheeler, L. V. Wilson, Joe La Benske, O. W. Fox, Percy Cockrell, A. F. Henegar, C. C. Edens, L. P. Harrington, C. A. Hadley, Pin Bryan, Omer Kircher, J. Y. Hart. All witnesses are sworn in open court and opening statements of counsel are waived. The Plaintiff introduces evidence and proof with the following witnesses: George E. Carver, W. F. Wolverton, Sherman Philpot. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present and in the box. The Plaintiff continues with the following testimony: Harry Brill, Geo. Carver. And thereafter, the Plaintiff rests. Thereupon, the Defendant demurs to the evidence introduced herein which demurrer is, by the Court, overruled and exception allowed. Now at this time, the Defendant introduces evidence and proof with the following witnesses: Virgil Petty, Mrs. Homer Holman, Homer Holman. And thereafter, the Defendant rests. Thereupon, the Plaintiff offers in rebuttal the following testimony: W. F. Wolverton, Geo. Carver. And thereafter, the Plaintiff rests. Closing arguments of counsel are made and the Court instructs the jury as to the law in the case and the jury retires in charge of a sworn bailiff to deliberate upon their verdict herein. And thereafter, on this same day, the jury returns into open court and through their Foreman present their verdict, which verdict is in words and figures as follows:

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

UNITED STATES	)	
vs.	)	No. 8951 Crim.
HOMER HOLMAN	)	

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant, Homer Holman not guilty, as charged in the indictment.

JOE LaBENSKE  
 Foreman

FILED In Open Court  
 Feb 14 1938, H. P. Warfield, Clerk

Thereupon, the jury having announced this to be their true verdict herein, it is ordered by the Court that said jury be discharged. (F.E.K. Judge).



UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8964 - Criminal.
		)	
CECIL BENNETT,	Defendant.	)	

Now on this 14th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant Cecil Bennett appearing in person and by counsel, C. S. Fenwick. Now at this time, Defendant withdraws his former plea of not guilty to Counts 1 and 2 and now enters a plea of guilty to Counts 1 and 2 as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court, upon motion of the U. S. Attorney, that Defendant be placed on probation for a period of eighteen (18) Months during good behavior or until the further order of the Court. (F.E.K. Judge)

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8969 - Criminal.
		)	
EDWARD PARKER,	Defendant.	)	

Now on this 14th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant Edward Parker appearing in person. Now at this time, Defendant Parker withdraws his former plea of not guilty to Counts 1 and 2 and now enters a plea of guilty to Counts 1 and 2 as heretofore charged. Thereupon, it is ordered by the Court, upon recommendation of Officers making case, that defendant be placed on probation for a period of Eighteen (18) Months during good behavior or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 9005 Criminal.
		)	
ULYSSES HARNESS, JAMES HORTON and ROBERT HORTON,	Defendants.	)	

Now on this 14th day of February, A. D. 1938, the above styled case is called for trial. The Government is represented by the United States Attorney and the defendants Ulysses Harness, James Horton and Robert Horton are all present in person and by counsel, I. F. Long. Both sides announce ready for trial. A trial by jury is duly waived in open court and opening statements of counsel are waived. All witnesses are sworn in open court. The Plaintiff introduces evidence and proof with the following witnesses: John Sawyer, Harry Brill. And thereafter, the Defendants introduce evidence and proof with the following witnesses: Ulysses Harness, James Horton, Robert Horton. And thereafter, both sides rest. Thereupon, it is ordered by the Court, after being fully advised in the premises, that defendant Ulysses Harness be and he is hereby adjudged not guilty to Counts 1 and 2 as charged and it is further ordered that said Defendant be now discharged. It is the further order of the Court that Defendants James Horton and Robert Horton be and they are hereby adjudged guilty to Counts 1 and 2 as charged. Thereupon, it is ordered by the Court, that each of defendants, James Horton and Robert Horton be and they are hereby placed on probation for a period of eighteen (18) Months during good behavior or until the further order of the Court. (F.E.K. Judge).



"It is further ordered, adjudged and decreed by the court that the cause of action of the plaintiff be and the same is hereby dismissed, and a judgment is hereby entered in favor of the defendant, and against the plaintiff for costs, to which the plaintiff excepts; all of which said exceptions are hereby allowed."

As by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by T. P. Farmer, Receiver of the Exchange National Company, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and thirty-seven, the said case came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from the said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that H. L. Standeven, appellee, have and recover of and from T. P. Farmer, Receiver of the Exchange National Company, appellant, his costs herein.

--December 30, 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, the 14th day of February, in the year of our Lord one thousand nine hundred and thirty-eight.

COSTS OF	Appellee:
Clerk,	\$Paid by appellant.
Printing Record,	\$None
Attorney,	\$20.00
	<u>\$20.00</u>

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

ENDORSED: Filed Feb 14 1938  
H. P. Warfield, Clerk  
U. S. District Court ME

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 2322 - Law.
		)
AUGUST SANDSTROM, ET AL,	Defendants.	)

Now on this 14th day of February, A. D. 1938, it is ordered by the Court that judgment for Plaintiff and against Defendant Homer Huffaker in the sum of \$615.00 with interest at 6% per annum from March 1, 1932, until paid, be entered, all as per journal entry to be filed. (F.E.K. Judge).

-----  
Court adjourned to February 15, 1938.

On this 15th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered to-wit:

UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 8905 - Criminal.  
DON HUBLER, and CHRISTINE HUBLER alias )  
MRS. DON HUBLER, Defendants. )

Now on this 15th day of February, A. D. 1938, the above styled case is called for trial. The Government is represented by the U. S. Attorney and the defendants Christine Hubler alias Mrs. Don Hubler and Don Hubler present in person and by counsel, Fred Tillman and Harry Seaton. Defendant Don Hubler announces he is not ready for trial and it is ordered by the Court that case be continued to February 16, 1938 for trial of Don Hubler and sentence of Christine Hubler alias Mrs. Don Hubler. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 8943 - Criminal.  
DUNCAN C. PARKER, Defendant. )

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 15th day of February, 1938, came the United States Attorney, and the defendant Duncan C. Parker, appearing in proper person and by counsel Harry Seaton and,

The defendant having been convicted on verdict of guilty of the offense charged in the indictment in the above-entitled cause to wit

Possession of unregistered still and material, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the jail type to be designated by the Attorney General or his authorized representative for the period of:

Count Two - Ninty (90) days, and a fine of Five Hundred (\$500.00) Dollars on execution

IT IS FURTHER ORDERED THAT the defendant, Duncan C. Parker, be and is hereby probated for a period of Two (2) years on Count One (1) during good behavior or until further order of the Court.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD, Ass't U. S. Att'y. F. E. KENNAMER JUDGE



UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 9006 - Criminal. ✓  
ORVEL JEFFERSON, W. C. BERRY, OTTO )  
BLANCHARD, WOODROW WOODS, Defendants. )

Now on this 15th day of February, A. D. 1938, the above styled case is called for trial. The Government is represented by the U. S. Attorney and the defendants Orvel Jefferson, W. C. Berry, Otto Blanchard and Woodrow Woods are all present in person and by counsel, C. S. Fenwick. Now at this time, Defendants W. C. Berry, Otto Blanchard and Orvel Jefferson each withdraw their former pleas of not guilty to Counts 1 and 2 and now enter a plea of guilty to Counts 1 and 2 as heretofore charged. And thereafter, defendant Woodrow Woods is arraigned and enters a plea of guilty to Counts 1 and 2 as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court that judgment and sentence be imposed on defendant, Orvel Jefferson as follows, to-wit:

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 15th day of February, 1938, came the United States Attorney, and the defendant Orvel Jefferson appearing in proper person, and by counsel, C. S. Fenwick, and

The defendant having been convicted on his plea of guilty of the offense charged in the Indictment in the above-entitled cause to wit: possession of unregistered still and distilling apparatus, and possession of non-tax paid liquor, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the U. S. Penitentiary type to be designated by the Attorney General or his authorized representative for the period of:

- Count One - Two (2) years, and a fine of One Hundred (\$100.00) Dollars, on execution; and a penalty of Five Hundred (\$500.00) Dollars, on execution.
- Count Two - Two (2) Years, and a fine of One Hundred (\$100.00) Dollars, on execution.

Said sentence of confinement in Count Two shall begin at the expiration of and run consecutively to the sentence in Count One.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: PAUL O. SIMMS, Ass't Atty. Assistant United States Attorney (SIGNED) F. E. KENNAMER JUDGE.

It is further ordered by the Court that Defendants W. C. Berry, Otto Blanchard and Woodrow Wood s be and they are each hereby placed on probation for a period of Two (2) years during good behavior or until the further order of the Court. (F.E.K. Judge).

-----



REGULAR JANUARY 1938 ATERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 15, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9013 - Criminal. ✓
		)
FRANK E. WHITNEY,	Defendant.	)

Now on this 15th day of February, A. D. 1938, the above styled case is called for trial. The Government is represented by the U. S. Attorney and the Defendant is present in person and by counsel, Fred Tillman. Both sides announce ready for trial. A trial by jury is duly waived in open court and opening statements of counsel are waived. All witnesses are sworn in open court. The Plaintiff introduces evidence and proof with the following witnesses: Dick Gentry, C. L. Ellis, Chas. Bacon. And thereafter, the noon hour having arrived, court is recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in session. All parties present as heretofore noted. The Plaintiff continues with its introduction of evidence and proof with the following testimony: Chas. Bacon, George Tellos, Philip Hahn, G. Fred Hahn, Jno. Hunter, Francis Hunter. And thereafter, the Plaintiff rests. Thereupon, the Defendant demurs to the evidence introduced herein which demurrer is, by the Court, overruled and exception allowed. Thereafter, the Defendant introduces evidence and proof with the following witnesses: G. B. Hale, Walter Johnson, Virgil Pitts, Frank E. Whitney. And thereafter, both sides rest. Thereupon, it is ordered by the Court that case stand submitted. Decision set for February 28, 1938. Defendant granted leave to file brief by February 23, 1938. Plaintiff may file reply brief. (F.E. K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9014 - Criminal. ✓
		)
ARTHUR H. BRANNON and E. B. McKEE,	Defendants.	)

Now on this 15th day of February, A. D. 1938, it is ordered by the Court that case be and it is hereby dismissed as to defendant Arthur H. Brannon, all upon motion of the U. S. Attorney. Thereupon, defendant E. B. McKee is present in person and by counsel, C. S. Fenwick. Thereupon, it is ordered by the Court that judgment and commitment be imposed as follows:

(CAPTION OMITTED) **JUDGMENT AND COMMITMENT**

On this 15th day of February, 1938, came the United States Attorney, and the defendant, E. B. McKee, appearing in proper person, and by counsel, C. S. Fenwick and,

The defendant having been convicted on his plea of guilty of the offense charged in the indictment in the above-entitled cause, to wit:

Possession and sale of whiskey to Indian ward, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the penitentiary type to be designated by the Attorney General or his authorized representative for the period of:

One (1) Year and One (1) Day, and a fine of One Hundred (\$100.00) Dollars on execution.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD, Ass't U. S. Att'y.

F. E. KENNAMER  
JUDGE

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

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 15, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
-vs-		)
		) No. 9018 - Criminal. ✓
FRANZEL ROBERSON,	Defendant.	)

Now on this 15th day of February, A. D. 1938, Defendant Franzel Roberson is thrice called in open court but answers not. Sureties A. G. Fork, Webb Nevins are thrice called in open court but answer not. Whereupon, it is ordered by the Court that the bond in the sum of \$1,000.00 herein be and it is hereby forfeited, Scire Facias awarded, alias capias ordered and new bond set in the sum of \$1500.00. (F. E.K. Judge).

-----  
Court adjourned to February 16, 1938.

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 16, 1938

On this 16th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
John P. Logan, United States Marshal.  
Whit Y. Mauzy, United States Attorney.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)
-vs-		)
		) No. 8745 - Criminal. ✓
BLACKIE GOULD, CARL LAWYER & WALTER BRIDGES,	Defendants.	)

(CAPTION OMITTED)

JUDGMENT AND COMMITMENT

On this 16th day of February, 1938, came the United States Attorney, and the defendant Blackie Gould appearing in proper person.

The defendant having been convicted on his plea of guilty of the offense charged in the indictment in the above-entitled cause on May 13th, 1937 for possession of un-registered still and untax paid liquor with intent to sell and having been placed on probation for a period of Two (2) years on Count One (1) during good behavior.

It now being shown to the Court that said defendant has violated the terms and condition of said probation, IT IS BY THE COURT

ORDERED AND ADJUDGED that the order of probation be terminated and that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the jail type to be designated by the Attorney General or his authorized representative for the period of:

Count One - Six (6) Months and a fine of One Hundred (\$100.00) Dollars on execution, and an assessed penalty in the sum of Five Hundred (\$500.00) Dollars on execution.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

F. E. KENNAMER  
JUDGE

APPROVED: PAUL O. SIMMS,  
Asst. U. S. Attorney.

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8905 - Criminal.
		)
DON HUBLER and CHRISTINE HUBLER alias		)
MRS. DON HUBLER,	@Defendants.	)

Now on this 16th day of February, A. D. 1938, the above cause comes on for trial as to defendant Don Hubler. The Government is represented by the U. S. Attorney and the Defendant Don Hubler is present in person and by counsel, Harry Seaton. Both sides announce ready for trial. A jury is duly empaneled and sworn as to qualifications. Both sides waive challenges. Thereupon, the jury sworn to try said cause and a true verdict reader, is as follows: L. P. Harrington, C. A. Hadley, Pin Bryan, Omer Kircher, J. Y. Hart, Fred Compton, Paul La Barr, Ave Marshall, Dewey Martin, W. E. Crow, Everett Hughes, V. C. Strode. All witnesses are sworn in open court and the rule is invoked at the request of the Defendant. Opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: John Henderson, C. W. Franks. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present and in the box. Now at this time, the Plaintiff rests. Thereupon, the Defendant introduces evidence and proof with the following witnesses: Christine Hubler, Louis Wadsworth, Debbs Cole, Don Hubler. And thereafter, the Defendant rests. Thereupon, the Plaintiff offers in rebuttal the following testimony: John Henderson, C. W. Franks, Smith Leahy. And thereafter, the Plaintiff rests. Thereupon, the Defendant offers in surrebuttal the following testimony: Christine Hubler, Debbs Cole and Don Hubler. And thereafter, the Defendant rests. Both sides rest. Closing arguments of counsel are made and the Court instructs the jury as to the law in the case and the jury retires in charge of a sworn bailiff to deliberate upon their verdict herein. And thereafter, on this same day, the jury returns into open court and through their Foreman, present their verdict, which verdict is in words and figures as follows:

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

UNITED STATES	)
vs.	) No. 8905 Crim.
DON HUBLER	)

We, the jury in the above-entitled cause, duly empaneled and sworn, upon our oaths, find the defendant Don Hubler guilty, as charged in the indictment.

D. A. MARTIN  
Foreman

FILED In Open Court  
Feb 16 1938  
H. P. Warfield, Clerk

No. 8905 Cr. Cont'd.

And thereafter, the jury having announced this to be their true verdict herein, it is ordered by the Court that jury be discharged from further consideration of said case. Defendant Christine Hubler is present in person and by counsel, John Tillman. Now at this time, it is ordered by the Court that judgment and sentence be imposed upon defendant, Don Hubler as follows:

JUDGMENT AND COMMITMENT

On this 16th day of February, 1938, came the United States Attorney, and the defendant, Don Hubler, appearing in proper person and by counsel, Harry Seaton and,

The defendant having been convicted on a verdict of guilty of the offense charged in the Indictment in the above-entitled cause to wit

Possession of liquor in the Indian country, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the Jail type to be designated by the Attorney General or his authorized representative for the period of:

Six (6) Months, and a fine of One Hundred (\$100.00) Dollars, on execution,

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD  
Assistant U. S. Attorney

F. E. KENNAMER  
JUDGE.

It is the further order of the Court that Defendant Christine Hubler alias Mrs. Don Hubler be placed on probation for a period of eighteen (18) Months during good behavior or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 8963 - Criminal.  
HOYLE BROWN, Defendant. )

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 16th day of February, 1938, came the United States Attorney, and the defendant Hoyle Brown appearing in proper person and by counsel I. F. Long and,

The defendant having been convicted on verdict of guilty of the offense charged in the Indictment in the above-entitled cause to wit

Possess whiskey with tax unpaid with the intent to sell, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the jail type to be designated by the Attorney General or his authorized representative for the period of:

Sixty (60) Days.



No. 8996 Cr. Cont'd.

Thereupon, it is ordered by the Court that judgment and sentence be imposed as follows:

JUDGMENT AND COMMITMENT

On this 16th day of February, 1938, came the United States Attorney, and the defendant Max Oldstein appearing in proper person, and by counsel, Frank Leslie and Harry Seaton and

The defendant having been convicted on a verdict of guilty of the offense charged in the Indictment in the above-entitled cause to wit:

For violation of the Mann Act, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the U. S. Penitentiary type to be designated by the Attorney General or his authorized representative for the period of:

Three (3) Years

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD

Assistant United States Atty.

F. E. KENNAMER

JUDGE

It is further ordered by the Court that execution of the above judgment and commitment be stayed for a period of five (5) days. It is the further order of the Court that the appeal bond herein be set at \$3,000.00. (F.E.K. Judge).

UNITED STATES OF AMERICA,

Plaintiff, )

-vs-

) No. 8997 - Criminal. )

B. W. SMITH alias J. R. KING,

Defendants. )

Now on this 16th day of February, A.D. 1938, the above case is called for trial. Defendant B. W. Smith alias J. R. King is present in person and by counsel, Frank Leslie. Now at this time, Defendant pleads true name to be Burton Winfield Smith. Both sides announce ready for trial. A jury is duly empaneled and sworn as to qualifications. Both sides waive challenges. Thereupon, the jury sworn to try said cause and a true verdict render, is as follows: R. W. McKinnon, J. N. Hudson, R. C. Jenkins, L. A. Hurst, Ralph Munnell, W. A. Shidler, Quitman Andrews, G. R. McConnell, Henderson Harrington, Grant Jones, John E. Wells, J. F. Moore. All witnesses are sworn in open court and opening statements of counsel are waived. The Plaintiff introduces evidence and proof with the following witnesses: Felix Altaffer, J. B. Billows, Madge Walker, Oliver Carr, Tom Carter. And thereafter, the Plaintiff rests. Thereupon, the Defendant demurs to the evidence introduced herein which demurrer is, by the Court, sustained and Defendant is ordered discharged.

It is further ordered by the Court that the jury be discharged from further consideration of said case. (F. E. K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
-vs-		)	
GEORGE HUTCHINGS, alias T. M. COTTON, alias GEORGE DAVIS,	Defendant.	)	No. 9026 - Criminal.

Now on this 16th day of February, A. D. 1938, the above styled case is called for trial. Defendant George Hutchings alias T. M. Cotton alias George Davis is thrice called in open court but answers not. Whereupon, it is by the Court ordered that the bond in the sum of \$5,000.00 in the above entitled cause be and the same is hereby forfeited, Scire Facias awarded and new bond set in the sum of \$1500.00.

And thereafter, witness Mrs. Louise Malone is thrice called in open court but answers not. Sureties J. B. Steiner, and W. C. Garrison are thrice called in open court but answers not. Whereupon, it is by the Court ordered that the witness bond in the sum of \$1,000.00 in the above entitled cause be and the same is hereby forfeited, Scire Facias awarded, alias capias ordered and new bond set in the sum of \$1500.00. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
-vs-		)	
J. L. SMITH and NOLAN KING, alias JACK NELSON,	Defendants.	)	No. 9030 - Criminal.

Now on this 16th day of February, A. D. 1938, it is ordered by the Court upon motion of the U. S. Attorney, that case against defendant J. L. Smith be and it hereby is dismissed. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)	
-vs-		)	
HARRY C. UNDERWOOD,	Defendant.	)	No. 9034 - Criminal.

Now on this 16th day of February, A. D. 1938, it is ordered by the Court, upon motion of the U. S. Attorney, that case be and it is hereby dismissed. (F.E.K. Judge).

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

Helmerich & Payne, Inc.,	Plaintiff,	)	
vs.		)	
Jas. S. Wilson,	Defendant.	)	No. 2398 - Law.

ORDER STRIKING CASE FROM SETTING ON JURY DOCKET

Now on this the 16 day of February, A. D. 1938, the same being a regular judicial day of the January term of the above-named court, both parties appearing before the Court by their attorneys of record, and waiving trial of the above-described cause by jury, and asking

that same be tried by the court, and the court being fully advised in the premises and finding that said cause which is now set for trial by jury on February 21, 1938, should be stricken from said trial docket; NOW, THEREFORE,

IT IS HEREBY ORDERED that the setting of the trial of the above-described case for February 21, 1938, be stricken, said cause to be tried before the Court at a subsequent date by the Court to be determined.

Dated February 16, 1938.

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

O.K. THOMAS W. CAFFEY  
Thomas W. Caffey

O.K. JARMAN & BROWN  
Jarman & Brown  
Attorneys for Defendant

O.K. MONNET & SAVAGE  
Monnet & Savage  
Attorneys for Plaintiff

ENDORSED: Filed Feb 16 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

Ada Combs, Plaintiff, )  
vs. ) No. 2554 - Law ✓  
H. F. Wilcox Oil & Gas Company, a )  
corporation, et al, Defendants. )

O R D E R

NOW, on this 16th day of February, 1938, upon motion of the above named plaintiff, Sun Oil Company is made a party defendant in this action.

F. E. KENNAMER  
JUDGE

O.K. GEO. H. BOWEN, By (not legible)  
Atty for Defendant

ENDORSED: Filed Feb 16 1938  
H. P. Warfield, Clerk  
U. S. District Court AC  
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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Ada Combs,	Plaintiff,	)	
		)	
vs.		)	No. 2554 - Law. ✓
		)	
H. F. Wilcox Oil & Gas Company, a corporation, et al,	Defendants.	)	

JOURNAL ENTRY OF JUDGMENT

Now, on this 16th day of February, 1938, the above entitled cause coming on for trial in its regular order, and the above named plaintiff appearing in person and by her attorneys of record, Miller, Lytle & Wildman and Rex Anspaugh, and that above named defendants appearing by their attorney of record, I. L. Lockewitz, and both parties having announced ready for trial and having in Open Court waived a trial by jury herein and agreed that the Court may try said cause without the intervention of a jury; thereupon plaintiff introduced her evidence and rested, and thereafter said defendants introduced their evidence and rested, and said cause having been finally submitted by the parties for judgment, the Court finds as follows, to-wit:

1. That said plaintiff has sustained each and every material allegations stated and contained in her original petition, amended petition and amendment thereto, filed herein; that during all of the times involved herein said plaintiff was and is now the owner of the following described tract of land situated in Creek County, Oklahoma, to-wit:

The West Half of West Half of Southeast Quarter ( $W\frac{1}{2} W\frac{1}{2} SE\frac{1}{4}$ ) and the West Half of the East Half of West Half of Southeast Quarter ( $W\frac{1}{2} E\frac{1}{2} W\frac{1}{2} SE\frac{1}{4}$ ) of Section 8, Township 15 North, Range 10 East, containing sixty (60) acres, more or less.

2. That within two years next before the commencement of this action, the defendants, and each of them, as a necessary indispensable incident to their operations in the production, transportation and the refining of petroleum products, have and are now permitting and will continue to permit for an indefinite time in the future, large quantities of salt water, oil and other pollutive substances to escape from their said operations and to commingle and to flow on, over, across and under the real estate and premises of said plaintiff; that said real estate and premises lie downstream and within the watershed of said defendants' operations, and that during overflows and heavy rains such pollutive substances will be carried over and deposited upon the entire surface of said tract of land to the extent that the fertility of the soil has now been practically wholly destroyed for all purposes and will eventually be totally and wholly destroyed; that a large number of pecan and other trees have already died as a result of the acts of the defendants, as aforesaid; that the remainder of the trees have been seriously and permanently injured and will eventually die; that all of the waters, including lakes, ponds, surface streams, underground waters of every kind and character have been and are now wholly, totally and permanently destroyed by the pollutive substances permitted to escape by the defendants, as aforesaid, to the extent that such waters have been and are now and will be for a long time in the future wholly unfit for use of any kind or character whatsoever.

3. The Court further finds that certain crops grown on the lands of the plaintiff described herein were, also, destroyed as a result of the acts of the defendants in permitting pollutive substances to escape upon plaintiff's said tract of land.

4. The Court further finds that located upstream from and within the watershed of plaintiff's said described tract of land are approximately one thousand oil and gas wells,

numerous pump stations, several refineries, numerous pipelines, buildings, tanks, and other permanent structures which are owned and operated by said defendants; that in the operation and maintenance of said properties, and as a necessary and indispensable incident thereto, and without negligence, said defendants have brought to the surface and deposited upon the surface of their leasehold estates and other properties large quantities of salt, salt water, oil and other field refuse to the extent that the surface of such estates have become and are now and will be for an indefinite time in the future, wholly and completely saturated and impregnated with the aforesaid pollutive substances to the extent that normal rainfalls will, for an indefinite time in the future, wash such substances down upon, on, across and under the real estate and premises of the plaintiff, and will, therefore, continue to contaminate, pollute and injure said entire tract of land; that in addition thereto said defendants have, within the past two years, and as a necessary incident to the operation of their properties, permitted large quantities of such substances to escape from the wells, tanks and other structures and to commingle and to be deposited upon, over, across and under said plaintiff's tract of land; that said defendants will continue to operate their said properties for an indefinite time in the future and, as a necessary incident, will during said time continue to permit large quantities of such pollutive substances to escape and flow on, over, across and under said plaintiff's tract of land; that the escape of such pollutive substances could not and cannot be prevented by any known means by the expenditure of labor or money, or otherwise, or by injunction, and therefore, has been, is now and will continue to be for an unpredictable time in the future a constant menace and hazard to plaintiff's tract of land herein described. The Court specifically finds that the cause of plaintiff's injuries herein is permanent and unabatable by any known means, by injunction, or otherwise.

5. The Court further finds that by reason of the large deposits of pollutive substances permitted to escape by said defendants and to commingle and to be deposited upon and under plaintiff's said described land, the fertility of the soil of said entire tract of land has been greatly injured, a large number of valuable pecan and other trees have been killed, and that the remaining trees have been seriously injured and will die in the future; that all of the waters located upon or in and under said tract of land have been and are now wholly, totally and permanently destroyed, to the extent that such waters are and will be for an indefinite time in the future unfit for domestic and agricultural or other uses.

6. The Court further finds that said defendants will continue for an indefinite time in the future, and so long as they maintain and operate their said properties, and as a necessary and indispensable incident thereto, and without negligence, deposit and permit to be deposited upon, in and under plaintiff's said land large quantities of oil field pollution, and to the extent that plaintiff's said tract of land will eventually be totally, wholly and permanently destroyed for all purposes of every kind and character.

7. The Court further finds under the pleadings and the evidence herein that plaintiff is entitled to recover herein for all past, present and future damages, not only resulting from the past actions of the defendants, but as a result of the future necessary and indispensable acts of the defendants in continuing to permit, for an indefinite time in the future, pollutive substances to escape from their operations and to be deposited upon, in and under plaintiff's tract of land.

IT IS, THEREFORE, by the Court, ORDERED, ADJUDGED AND DECREED that the above named plaintiff do have and recover of and from the defendants, H. F. Wilcox Oil & Gas Company, The Carter Oil Company, Sun Oil Company, The Texas Company, Margay Oil Corporation, Barnsdall Oil Company, Mid-Continent Petroleum Corporation, Darby Petroleum Company, Phillips Petroleum Company, Sinclair Prairie Oil Company, The Ohio Oil Company, Selby Oil & Gas Company, and Skelly oil Company, for all past, present and future damages which plaintiff has sustained and may sustain, the sum of Three Hundred Fifty (\$350.00) Dollars and the costs of this action. For which let execution issue.

O.K. MILLER, LITTLE & WILDMAN, & REX ANSPAUGH,  
By Roy T. Wildman, Attorneys for Plaintiff  
ENDORSED: Filed Feb 16 1938 H. P. Warfield, Clerk O.K. I. L. LOCKEWITZ, Attorney for Defendants  
U. S. District Court AC

F. E. KENNAMER  
JUDGE

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

MRS. W. M. (LELIA) FEWEL, Plaintiff, )  
vs. )  
E. L. POWELL and H. H. POWELL, a ) NO. LAW 2588 ✓  
partnership d/b under the style )  
and firm name of, E. L. POWELL & SON )  
TRUCKING COMPANY and COMMERCIAL )  
STANDARD INSURANCE COMPANY, a Cor- )  
poration and PAUL DERRINGER, Defendants. )

D I S M I S S A L

Comes now the plaintiff and dismisses the above entitled cause with prejudice to future actions and with costs to the defendant.

MRS. W. M. (LELIA) FEWEL  
Plaintiff

PIERCE and RUCKER, By A. M. Covington  
Plaintiff's Attorney

Upon motion of the plaintiff it is hereby ordered that this case is dismissed with prejudice to future actions at the cost of the defendant.

F. E. KENAMER  
U. S. District Judge

ENDORSED: Filed Feb 16 1938  
H. P. Warfield, Clerk  
U. S. District Court B.

-----  
Court adjourned to February 17, 1938

On this 17th day of January, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:



UNITED STATES OF AMERICA, Plaintiff, )  
 )  
-vs- ) No. 8366 - Criminal. ✓  
 )  
ROY D. MANN and FRANCIS KING, Defendants. )

ORDER OF COURT

Considered and ordered this 17th day of February, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Francis King be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA, Plaintiff, )  
 )  
-vs- ) No. 8370 - Criminal. ✓  
 )  
J. W. CRUSE, Defendant. )

ORDER OF COURT

Considered and ordered this 17th day of February, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer J.W. Cruse be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA, Plaintiff, )  
 )  
-vs- ) No. 8383 - Criminal. ✓  
 )  
CLARENCE SULLIVAN, Defendant. )

ORDER OF COURT

Considered and ordered this 17th day of February, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer Clarence Sullivan be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S. District Court



thereafter, the Plaintiff rests. Thereupon, the Defendant introduces evidence and proof with the following witnesses: Robert Browning. And thereafter, both sides rest. Thereupon, it is ordered by the Court, after being fully advised in the premises, that defendant Robert Browning be and he is hereby adjudged guilty as charged. It is further ordered by the Court that judgment and sentence be imposed as follows:

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 17th day of February, 1938, came the United States Attorney, and the defendant Robert Browning appearing in proper person, and by counsel, Preston Davis and,

The defendant having been convicted on verdict of guilty by Court of the offense charged in the Indictment in the above-entitled cause to wit: Conspiracy and Impersonation of an Officer of the United States, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the Jail type to be designated by the Attorney General or his authorized representative for the period of:

Count One - Six (6) Months  
Count Two - Six (6) Months. Said sentence of confinement in Count Two shall run concurrent with the sentence in Count One.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD, Ass't U. S. Att'y.

F. E. KENNAMER  
JUDGE

CLAUD WILLIAMS JUDGMENT AND COMMITMENT (CAPTION OMITTED)

On this 17th day of February, 1938, came the United States Attorney, and the defendant Claud Williams appearing in proper person and,

The defendant having been convicted on his plea of guilty of the offense charged in the Indictment in the above-entitled cause to wit: Conspiracy and Impersonation of an Officer of the United States, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the Jail type to be designated by the Attorney General or his authorized representative for the period of:

Count One - Six (6) Months  
Count Two - Six (6) Months. Said sentence of confinement in Count Two shall run concurrent with the sentence in Count One.

IT IS THE FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD, Ass't U. S. Att'y.

F. E. KENNAMER  
JUDGE

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9004 - Criminal. ✓
		)
SEARCY FRAZIER alias CHIEF FRAZIER and		)
LEWIS WILLIAMS,	Defendants.	)

Now on this 17th day of February, A.D. 1938, it is ordered by the Court that the above case be and it is hereby stricken on motion of the U. S. Attorney, until defendant Lewis Williams can be apprehended. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9015 - Criminal. ✓
		)
RAYMOND L. CROSSLIN, HAROLD L. WHITAKER,		)
JAMES AUD, FRANTZ BL MIDDLETON and KERMIT		)
L. NEUMAN,	Defendants.	)

Now on this 17th day of February, A. D. 1938, the above styled case is called for trial, as to defendants Harold F. Whitaker and James Aud. The Government is represented by the U. S. Attorney and the defendant Harold F. Whitaker is present in person and by counsel, Z. I. Holt and M. P. Howser. Defendant James Aud present in person and by counsel, W. L. Coffey. Both sides announce ready for trial. Now at this time, Defendant James Aud withdraws his former plea of not guilty to Counts 1 and 2 and now enters a plea of Nolo Contendere to Counts 1 and 2 which plea is accepted by the Court. Thereupon, a trial by jury is duly waived in open court. Opening statements of counsel are made and all witnesses are sworn in open court. The Plaintiff introduces evidence and proof with the following witnesses: Raymond L. Crosslin, Frantz B. Middleton, Kermit L. Neuman, Earl Gibson, Tom Carter. And thereafter, the Plaintiff rests. Thereupon, the Defendant Harold F. Whitaker demurs to the testimony introduced herein which demurrer is, by the court, overruled and exceptions allowed. Thereafter, the Defendants introduce evidence and proof with the following witnesses: Harold F. Whitaker, James Aud, Mr. Slump. And thereafter, the noon hour having arrived, court is recessed to 1:30 o'clock P.M.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in session. All parties present as heretofore. Both sides rest. Thereupon, after being fully advised in the premises, it is ordered by the Court that defendants Harold F. Whitaker and James Aud each be adjudged not guilty to Counts 1 and 2 and it is further ordered that said defendants be and they are hereby discharged.

It is further ordered by the Court that defendants Raymond L. Crosslin, Frantz B. Middleton and Kermit L. Neuman each be placed on probation for a period of Twelve (12) Months during good behavior or until the further order of the Court. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9033 - Criminal. ✓
		)
ERNIE SHUCK,	Defendant.	)

Now on this 17th day of February, A. D. 1938, the above styled case is called for trial. The Government is represented by the U. S. Attorney and defendant Ernie Shuck is present in person and by counsel, J. G. Austin. Both sides announce ready for trial and a trial by jury is duly waived in open court. All witnesses are sworn in open court and opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: Joe Hobson, Arthur Bray, Tom Bailey, Mrs. Opal Boice, Burleigh Flowers, Ben Stanley,

Tom Carter, Andrew Sexton. And thereafter, the Plaintiff rests. Thereupon, the Defendant introduces evidence and proof with the following witness: Sylvia Shuck, Ernie Shuck. And thereafter, both sides rest. Thereupon, after being fully advised in the premises, it is ordered by the Court that Defendant be and he is hereby adjudged guilty. It is further ordered by the Court that judgment and sentence be imposed as follows:

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 17th day of February, 1938, came the United States Attorney, and the defendant Ernie Shuck appearing in proper person and by counsel, J. G. Austin and,

The defendant having been convicted on verdict of guilty by court of the offense charged in the Indictment in the above-entitled cause, to wit: Harboring a criminal wanted by the United States Government, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General of the United States for imprisonment in an institution of the Jail type to be designated by the Attorney General or his authorized representative for the period of:

Six (6) Months; and that he pay a fine unto the United States in the sum of Fifty (\$50.00) Dollars. It is further ordered that the Defendant, Ernie Shuck be and he is hereby granted Ninety (90) days within which to pay said fine.

and that said defendant be further imprisoned until payment of said fine, or until said defendant is otherwise discharged as provided by law.

IT IS FURTHER ORDERED that the defendant, Ernie Shuck, be and he is probated for the period of Twelve (12) Months during good behavior or until the further order of the Court.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

F. E. KENNAMER  
JUDGE

APPROVED: JOE W. HOWARD  
Assistant U. S. Attorney

CURTIS F. BRYAN, ET AL,

-vs-

UNITED STATES OF AMERICA,

Plaintiffs, )

Defendant. )

No. 2445 - Law.

Now on this 17th day of February, A. D. 1938, it is ordered by the Court that the demurrer of the Defendant to the Amended Bill of Complaint be and it is hereby sustained and exceptions allowed. Plaintiff elects to stand upon Amended Bill and refuses to plead further whereupon, it is ordered by the Court that judgment for Defendant be entered. (F.E.K. Judge).

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

CURTIS F. BRYAN, CHAS. R. BOSTICK and  
 PAUL L. SISK, Trustees of the Imperial  
 Royalties Company, a trust estate, and the  
 IMPERIAL ROYALTIES COMPANY, a trust es-  
 tate, )  
 )  
 ) Plaintiffs, )  
 )  
 vs. )  
 )  
 THE UNITED STATES OF AMERICA, Defendant. )  
 )  
 ) No. 2445 Law. ✓

ORDER SUSTAINING DEMURRER OF THE DEFENDANT UNITED STATES OF AMERICA TO THE AMENDED PETITION OF THE PLAINTIFFS.

NOW, on this 17th day of February, 1938, this matter having come on for hearing on November 18, 1937, on the demurrer of the defendant, United States of America, to the amended petition of the plaintiffs and the plaintiffs appearing by their attorney, G. C. Spillers, and the defendant appearing by its attorneys, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma and Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and after hearing arguments of counsel, the court took the matter unde advisement and instructed counsel to file briefs in support of their contentions and the said briefs having been filed and the court being fully advised in the premises finds that the demurrer of the defendant to the amended petition of the plaintiffs should be sustained.

IT IS, THEREFORE, THE ORDER OF THE COURT, that the demurrer of the defendant, United States of America, to the amended petition of the plaintiffs be and the same is hereby sustained to which ruling of the court the plaintiffs except and exceptions are allowed.

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

O.K. AS TO FORM  
 G. C. SPILLERS, Attorney for Plaintiff.

WHIT Y. MAUZY, United States Attorney

CHESTER A. BREWER, Assistant United States Attorney,  
 ATTORNEYS FOR DEFENDANT.

ENDORSED Filed Feb 17 1938  
 H. P. Warfield, Clerk  
 U. S. District Court EA

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

CURTIS F. BRYAN, CHAS. R. BOSTICK and PAUL  
 L. SISK, Trustees of the Imperial Royalties  
 Company, a trust estate, and the IMPERIAL  
 ROYALTIES COMPANY, a trust estate, )  
 )  
 ) Plaintiffs, )  
 )  
 -vs- )  
 )  
 THE UNITED STATES OF AMERICA, Defendant. )  
 )  
 ) No. 2445 Law. ✓

JOURNAL ENTRY OF JUDGMENT

NOW, on this 17th day of February, 1938, this matter having come on for

hearing on November 18, 1937 on the demurrer of the defendant, United States of America, to the amended petition of the plaintiffs herein and the plaintiffs appearing by their attorney, G. C. Spillers, and the defendant appearing by its attorneys, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and after hearing arguments of counsel, the court took the matter under advisement and instructed counsel to file briefs in support of their contentions and said briefs having been filed and the court being fully advised in the premises did, on February 17, 1938, make and order sustaining the demurrer of the defendant, United States of America, to the amended petition of the plaintiffs herein.

WHEREUPON, counsel for the plaintiffs announced that said plaintiffs declined to further amend their petition in this cause of action and elected to stand upon their amended petition herein,

WHEREUPON, the court finds in favor of the defendant, United States of America, and against the plaintiffs, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, Trustees of the Imperial Royalties Company, a trust estate, and the Imperial Royalties Company, a trust estate.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court that the amended petition of the plaintiffs be and it hereby is dismissed with prejudice and that the United States of America recover its costs herein, to which rulings of the court plaintiffs except and exceptions are allowed, whereupon plaintiffs give notice of their intention to appeal to the Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER  
U. S. DISTRICT JUDGE

O.K. G. C. SPILLERS  
Attorney for Plaintiffs,

WHIT Y. MAUZY  
United States Attorney

CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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

Edna Spruill, as administratrix of the estate  
of Amo R. Cunningham, Deceased, Plaintiff, )

vs. )

Reserve Loan Life Insurance Company,  
a corp., I. S. Woofter and Bessie  
Woofter, Defendants )

The Fourth National Bank of Tulsa, Oklahoma,  
and J. W. Cunningham brought in on the  
cross-petition of defendants I. S. Woofter and  
Bessie Woofter, as Additional Defendants. )

No. 2456 Law ✓

ORDER OF SEVERANCE

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

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

THURSDAY, FEBRUARY 17, 1938

Now on this 17th day of February, 1938, it appears to the satisfaction of the Court that the defendants herein, Reserve Loan Life Insurance Company, The Fourth National Bank of Tulsa, Oklahoma, and J. W. Cunningham, have been duly summoned and notified by the defendants herein, I. S. Woofter and Bessie Woofter, to join in the appeal from the judgment of this Court of January 25, 1938, and have failed and refused to appear in response to said notice and summons and join in said appeal; it is therefore on motion of said defendants, I. S. Woofter and Bessie Woofter,

ORDERED that a severance be, and it is granted said I. S. Woofter and Bessie Woofter, and that they are allowed to prosecute said appeal without joining the other defendants herein named.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Edna Spruill, as administratrix of the Estate of Amo R. Cunningham, deceased,	)	
	)	
Plaintiff,	)	
-vs-	)	
	)	
Reserve Loan Life Insurance Company, a corp., I. S. Woofter and Bessie Woofter,	)	No. 2456 Law. ✓
Defendants.	)	
	)	
The Fourth National Bank of Tulsa, Oklahoma, and J. W. Cunningham brought in on the cross-petition of defendants I. S. Woofter and Bessie Woofter, as Additional Defendants.	)	

ORDER ALLOWING APPEAL

The defendants in the above entitled action, I. S. Woofter and Bessie Woofter, having filed their petition for an appeal from the judgment of this Court rendered on January 25, 1938, and entered herein, in favor of the aforesaid plaintiff, and against the aforesaid defendants, on the pleadings and adjudging that said defendants take nothing and dismissing their answer and counter-claim, now on motion of Phil W. Davis, Jr., attorney for said defendants and petitioners; it is

ORDERED that an appeal to the United States Circuit Court of Appeals for the Tenth Circuit from said order and judgment be and the same hereby is allowed, and that a certified transcript of the record be forwarded to the United States Circuit Court of Appeals for the Tenth Circuit. It is further

ORDERED that said appellants within 10 days from this date furnish bond on appeal of \$100.00 conditioned to prosecute their appeal to effect and to answer all costs if they fail to make good their appeal.

F. E. KENNAMER  
Judge of the District Court.

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S District Court ME

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

J. H. Collins, Plaintiff, )  
vs. ) No. 2562 - Law. ✓  
Safeway Stores, Inc., Defendant. )

O R D E R

Now on this 13th day of February, 1938, for good cause shown, the plaintiff is given leave to file a reply instanter without prejudice to the trial of this case on the date already set.

O.K. REMINGTON ROGERS  
Attorney for Plaintiff

F. E. KENNAMER  
DISTRICT JUDGE.

O.K. HUDSON & HUDSON  
Attorneys for Defendant

ENDORSED: Filed Feb 17 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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Court adjourned to February 18, 1938

On this 18th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, U. S. Attorney.  
John P. Logan, U. S. Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

BANKERS' & SHIPPERS' INSURANCE COMPANY, Plaintiff, )  
vs. ) NUMBER 2292 LAW ✓  
L. N. EWING, ET AL, Defendants. )

ORDER OF DISMISSAL

On this February 18th, 1938, plaintiff appeared by S. M. Rutherford and James



United States of America, have and recover judgment against the defendant, Homer Huffaker, in the sum of \$615.00, together with interest thereon at the rate of 6% per annum from March 1, 1932, until paid and for all costs of this action, to which judgment of the court the defendant excepts and exceptions are allowed.

IT IS THE FURTHER JUDGMENT of the court that this cause of action be and the same is hereby dismissed as to the defendant August Sandstrom.

F. E. KENAMER  
U. S. DISTRICT JUDGE

O.K. WHIT Y. MAUZY, United States Attorney  
CHESTER A. BREWER, Assistant United States Attorney  
ATTORNEYS FOR PLAINTIFF.

F. W. FILES  
R. A. BARNEY  
ATTORNEYS FOR DEFENDANT.

ENDORSED: Filed Feb 18 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

Dorothy Lawrence, Guardian, Plaintiff )  
of Arvel Lawrence, Incompetent, Plaintiff )  
vs. ) No. 2405 Law  
United States of America, Defendant. )

APPLICATION FOR SUBPOENA FOR WITNESS OUTSIDE DISTRICT

Chester A. Brewer, being fully duly sworn, states: That he is Assistant U. S. Attorney for the Northern District of Oklahoma, and as such is attorney for the defendant herein; that said cause is set for trial on February 21, 1938, at 9 o'clock A.M., at Tulsa, Oklahoma, in said district. Affiant further states that Dr. E. A. Werner, c/o Veterans' Administration, at Muskogee, Oklahoma, resides without this district where said trial is to be held; that he is an important witness for the United States in said cause and it is necessary to have said witness at said trial on said date to properly present the facts herein by evidence in open court, and that this affidavit is for the purpose of procuring an order of court, directed to the Marshal for the Eastern District of Oklahoma, for service of subpoena on said witness.

WHEREFORE, affiant asks that this Court grant an order directing the United States Marshal for the Eastern District of Oklahoma to make proper service and return of subpoena for said witness for the 21st day of February, 1938, to appear at Tulsa, at 9 o'clock A.M. on said date, to testify in said cause.

CHESTER A. BREWER  
Assistant U.S. Attorney

Subscribed and sworn to before me this 18th day of February, 1938.

(SEAL)

DOROTHY LONERGAN  
Notary Public

My commission expires: 1-5-40



IT IS HEREBY ORDERED that said petition for appeal be, and it is hereby granted, and the appeal allowed.

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

ENDORSED: Filed Feb 18 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

United States of America, Plaintiff, )  
)  
vs. ) No. 2447 Law. ✓  
)  
Board of County Commissioners of )  
Pawnee County, Oklahoma, Defendant. )

PETITION FOR APPEAL AND ORDER ALLOWING APPEAL

TO THE HONORABLE F. E. KENNAMER, JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA:

The plaintiff, United States of America, feeling aggrieved at the decision, action, order and judgment of the court made and entered herein on October 15, 1937 and the judgment of the court overruling plaintiff's motion for a new trial entered herein on November 18, 1937 wherein judgment was rendered against the plaintiff and in favor of the defendant, Board of County Commissioners of Pawnee County, Oklahoma, as shown by the judgment rendered by this court on said date and also by formal journal entry entered in said cause on November 30, 1937, files this, its petition for appeal from said decision, action, order and judgment in favor of said defendant, to the United States Circuit Court of Appeals for the Tenth Circuit, sitting at the city of Denver, Colorado.

Plaintiff files herewith its assignment of errors and incorporated the same herewith by reference hereto.

Plaintiff respectfully prays that the court make an order granting this appeal.

WHIT Y. MAUZY, United States Attorney  
CHESTER A. BREWER, Assistant United States Attorney.  
ATTORNEYS FOR PLAINTIFF.

IT IS HEREBY ORDERED that said petition for appeal be, and it is hereby granted, and the appeal allowed.

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

ENDORSED: Filed Feb 18 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

John D. Davis, Plaintiff, )  
vs. ) No. 2483 Law ✓  
United States, Defendant. )

APPLICATION FOR SUBPOENA FOR WITNESS OUTSIDE DISTRICT

Chester A. Brewer, being first duly sworn, states that he is Assistant U. S. Attorney for the Northern District of Oklahoma, and as such is attorney for the defendant herein; that said cause is set for trial on February 22, 1938, at 9 o'clock A.M., at Tulsa, Oklahoma, in said district. Affiant further states that Dr. Robert L. Mitchell, c/o U.S. Veterans' Administration Facility, Muskogee Oklahoma, resides without the district where said trial is to be held; that he is an important witness for the United States in said cause and it is necessary to have said witness at said trial on said date to properly present the facts herein by evidence in open court, and that this affidavit is for the purpose of procuring an order of court, directed to the Marshal for the Eastern District of Oklahoma, for service of subpoena on said witness.

WHEREFORE, affiant asks that this Court grant an order directing the United States Marshal for the Eastern District of Oklahoma to make proper service and return of subpoena for said witness for the 22nd day of February, 1938, to appear at Tulsa, at 9 o'clock A.M. on said date, to testify in said cause.

CHESTER A. BREWER  
Assistant U. S. Attorney

Subscribed and sworn to before me this 18th day of February, 1938.

(SEAL) DOROTHY LONERGAN  
Notary Public

My commission expires:  
1-5-40

O R D E R

Now on this 18th day of February, 1938, having read the above application, and being fully advised in the premises, it is hereby ordered that proper subpoena issue in said cause out of the Clerk's office of the United States District Court for the Northern District of Oklahoma, directed to the United States Marshal for the Eastern District of Oklahoma, to forthwith make proper service and return of subpoena on the witness named in said application, to appear in this court at Tulsa, Oklahoma on February 22, 1938, at 9 o'clock A.M., to testify in behalf of the United States of America in said cause, and that a certified copy of this order accompany said subpoena.

F. E. KENNAMER  
JUDGE

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

ENDORSED: Filed Feb 18 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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

J. P. C. PETROLEUM CORPORATION, Plaintiff, )  
vs. ) No. 2612 ✓  
VULCAN STEEL TANK CORPORATION, Defendant. )

O R D E R

For good cause shown the defendant, Vulcan Steel Tank Corporation, is hereby granted an extension of five (5) days from and after February 21, 1938, in which to plead or answer in this cause.

Done this the 18th day of February, 1938.

F. E. KENNAMER  
DISTRICT JUDGE

ENDORSED: Filed Feb 18 1938  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
Court adjourned to February 21, 1938.

On this 21st day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

DOROTHY LAWRENCE, GUARDIAN OF )  
ARVEL LAWRENCE, Plaintiff, )  
-vs- ) No. 2405 - Law. ✓  
UNITED STATES OF AMERICA, Defendant. )

Now on this 21st day of February, A. D. 1938, the above styled case is called for trial. Both sides present and announce ready for trial. Now at this time leave is granted Plaintiff to file reply herein. Thereupon, a jury is duly empaneled and sworn as to qualifications. Plaintiff waives challenges. The Defendant challenges Ralph Mundell, Dewey Martin. Thereupon, the jury sworn to try said cause and a true verdict render is as follows: W. E. Crow, Everett Hughes, V. C. Strode, R.W. McKinnon, J. N. Hudson, R. C. Jenkins, L. A. Hurst, Quitman Andrews, G. R. McConnell, Grant Jones, John E. Wells, J. F. Moore. All witnesses are sworn in open court

and the rule invoked at the request of the Defendant. Opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: Dorothy Lawrence, Dr. Ned R. Smith, Dr. Paul Mote. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present and in the box. The Plaintiff continues with her introduction of evidence and proof with the following witnesses: Fred Speakman, E. R. Unger and E. B. Mathews. And thereafter, the Plaintiff rests. Thereupon, the Defendant moves for dismissal herein, which motion is, by the Court, overruled and exception allowed. Thereupon, the Defendant introduces evidence and proof with the following witnesses: Dr. Paul Mote, E. L. Southard, Mont Hanna, Joe Harris, Dr. E. A. Werner, Dr. S. DeSell Howley. And thereafter, the hour for adjournment having arrived, the jury is admonished and court is adjourned to February 22, 1938.

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J. H. BURT, as Admr. of the estate of ELLEN BENNETT,	)	
	)	
-vs-	)	No. 2419 - Law. ✓
	)	
ST. LOUIS-SAN FRANCISCO RY. CO. ET AL,	)	Defendants.

Now on this 21st day of February, A. D. 1938, the above styled case is called for trial. Both sides present and announce ready for trial. A jury is duly empaneled and sworn as to qualifications. The Plaintiff waives challenges. The Defendant challenges C. C. Edens. Thereupon, the jury sworn to try said cause and a true verdict render is as follows: F. W. Wheeler, L. V. Wilson, O. W. Fox, Percy Cockrell, L. P. Harrington, C. A. Hadley, Pin Bryan, Omer Kircher, J. Y. Hart, Fred Compton, Paul Labarr, Ave Marshall. All witnesses are sworn in opening court and opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: Dr. J. H. Burt, Andrew Pope, Helen Brown, Charity Buckley. And thereafter, the Plaintiff rests. Thereupon, the Defendant demurs to the evidence introduced by the Plaintiff and the Court directs the jury to return a verdict for the Defendant which verdict is in words and figures as follows:

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

J. H. BURT, ADMR.	Plaintiff, )	
vs.	)	
TRUSTEES, ST. L. & S. F. RY. CO.	) Defendant. )	Case No. 2419 L.

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the defendant.

FILED In Open Court Feb 21 1938 H. P. Warfield, Clerk	FRED W. WHEELER, Foreman.
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To which verdict the Plaintiff except and exceptions are allowed. Thereafter, it is ordered by the Court that said jury be discharged from further consideration of said case. Thereupon, it is ordered by the Court that judgment be entered for the Defendant herein. (F.E.K. J).

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

Howard H. Hadsell, Plaintiff, )  
 )  
-vs- ) No. 2475 Law ✓  
 )  
General Paint Corporation, a )  
corporation, Defendant. )

ORDER OF DISMISSAL

Now, on this 21st day of February, 1938, this cause comes regularly on for hearing on the written dismissal with prejudice filed herein by the plaintiff, The court, after being fully advised in the premises, finds that this litigation has been compromised and settled to the entire satisfaction of the plaintiff herein and that the plaintiff herein has been paid in settlement of said litigation by the defendant the sum of Two Thousand (\$2000.00) Dollars, which sum of money plaintiff has accepted in full, final and complete settlement of the above styled litigation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED By the Court that the above entitled cause and all cause and all cause of action set forth in plaintiff's petition be, and the same is hereby dismissed with prejudice to the filing of a future action between the same parties involving the same subject matter.

F. E. KENNAMER  
JUDGE.

O.K. ROBERT B. THOMAS  
BAILEY E. BELL  
Attorneys for Plaintiff

GEORGE F. SHORT  
WELCOME D. PIERSON  
Attorneys for Defendant.

ENDORSED: Filed Feb 21 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

Harry S. De Long, Plaintiff, )  
 )  
vs ) No. 2528 Law. ✓  
 )  
Jenkins Music Company, a corporation Defendant. )

ORDER ALLOWING TESTIMONY BY DEPOSITION.

This 21st day of February, 1938, came the plaintiff by his attorney, Eldon J. Dick, and moves the court that plaintiff be allowed to take the testimony of his witness, Dr. T. O. Crawford, by way of deposition to be used in plaintiff's behalf on the trial of this cause, because of the advanced age and infirmity of said Dr. T. O. Crawford, by reason of which he is unable to leave his home and attend the trial of said cause on the 24th day of February, 1938,





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

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 22, 1938

made. The Plaintiff introduces evidence and proof with the following witnesses: John D. Davis, George Davis, Dr. Robert L. Mitchell. And thereafter, the Plaintiff rests. Thereupon, the Defendant moves for a directed verdict herein which motion is, by the Court, overruled and exceptions allowed. Thereafter, the Defendant introduces evidence and proof with the following witnesses: Claud James, Walter Martin, James Martin, Amie Lowe, George A. Hinshaw, B. O. Mulkey, J.W. Craig. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present and in the box. Thereupon, the Defendant continues with its introduction of evidence and proof with the testimony of the following witness: Dr. Robert L. Mitchell. And thereafter, the Defendant rests. Thereupon, the Plaintiff offers in rebuttal testimony of John D. Davis. And thereafter the Plaintiff rests. Both sides rest. Thereupon, the Defendant renews his motion for a directed verdict herein. Plaintiff moves for a directed verdict. Thereupon, it is ordered by the Court that motion of Defendant for a directed verdict herein be, and it is hereby sustained and exceptions allowed. And thereafter, the following verdict is returned in open court:

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

John D. Davis, Plaintiff, )  
vs. ) Case No. 2483 Law.  
United States, Defendant. )

We, the jury in the above-entitled case, duly impaneled and sworn,  
upon our oaths find for the defendant.

FRED W. WHEELER,  
Foreman.

FILED In Open Court  
Feb 22 1938  
H. P. Warfield, Clerk  
U. S. District Court

Thereupon, it is ordered by the Court that said jury be discharged from further consideration of said case. (F.E.K. Judge).

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

MIDLAND VALLEY RAILROAD COMPANY, a )  
corporation, Plaintiff, )  
vs. ) No. 2512 - Law. /  
PUBLIC SERVICE COMPANY, a corporation, )  
and CHARLES GREVER, Defendants. )

D I S M I S S A L

Comes now the plaintiff and dismisses the above styled and numbered action  
with prejudice to the bringing of a future action, at the cost of the defendants.

MIDLAND VALLEY RAILROAD COMPANY  
Plaintiff

O. E. SWANN  
ATTORNEYS FOR PLAINTIFF





On this 23rd day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

United States of America, Plaintiff, )  
vs. ) Miscellaneous Criminal ✓  
John Brew, Defendant. )

ORDER REDUCING BOND

Now on this 23rd day of February, a judicial day of the Regular January A. D. 1938 Term of said Court, at Tulsa, the defendant herein, John Brew, moves the court to reduce the bond in said cause, now set in the sum of \$7500.00, to the sum of \$5000.00, and the court being well and sufficiently advised in the premises, finds that the motion of defendant should be granted.

IT IS THEREFORE THE ORDER OF THE COURT that the bond of John Brew, now charged on complaint of the United States Commissioner at Pawhuska, Oklahoma, with a violation of the Harrison Anti Narcotic Act, be, and the same is hereby reduced from the sum of \$7500.00 to the sum of \$5000.00.

F. E. KENNAMER  
JUDGE

O.K. JOE W. HOWARD  
Assistant U. S. Attorney

ENDORSED: Filed Feb 23 1938  
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

ORDER DIRECTING SPECIAL MARCH 1938 TERM

It appearing that the accumulation of business in this District is of such a nature and volume as to require that a Special March Term of this Court be held at Tulsa, Oklahoma, in said District beginning Tuesday, March 8th, 1938 at 9 O'clock A.M.

IT IS THEREFORE ORDERED that a Special March Term of this Court be held at Tulsa, in said District, beginning on the 8th day of March A. D. 1938, at 9 O'clock A.M., to be designated as the Special March 1938 Term for the transaction of any business which might be transacted at a regular term, and to continue until adjourned by the Court.

IT IS FURTHER ORDERED that the spreading of this Order upon the records of the Court and the publication thereof in the Tulsa Daily Legal News on Saturday, March 5, 1938, shall be deemed sufficient notice of such Special Term.

DATED this 23rd day of February, A. D. 1938..

F. E. KENNAMER  
 U. S. DISTRICT JUDGE

ENDORSED: Filed Feb 23 1938  
 H. P. Warfield, Clerk  
 U. S. District Court ME8

DOROTHY LAWRENCE, GUARDIAN OF ARVEL LAWRENCE,	)	
	)	
vs.	)	No. 2405 - Law. ✓
	)	
UNITED STATES OF AMERICA,	)	Defendant.

Now on this 23rd day of February, A. D. 1938, court is again in session, all parties present as heretofore and the jury, each and every member present and in the box. Thereupon, the Defendant continues with the introduction of documentary evidence. And thereafter, both sides rest. Now at this time, a trial by jury is waived in open court and the Court now discharges said jury. Thereupon, it is ordered by the Court that case stand submitted on briefs to be filed. Each side given leave to file proper motions herein. Plaintiff given twenty (20) days to file brief. Defendant given ten (10) days thereafter to file answer brief. (F.E.K. Judge).

CORA TRAMMELL,	)	
	)	
-vs-	)	No. 2500 - Law. ✓
	)	
S. H. KRESS & COMPANY, ET AL,	)	Defendants.

Now on this 23rd day of February, A. D. 1938, the above styled case is called for trial. Both sides present and announce ready for trial. A jury is duly empaneled and sworn as to qualifications. Both sides waive challenges. Thereupon, the jury sworn to try said cause and a true verdict render, is as follows: F. W. Wheeler, L. V. Wilson, O. W. Fox, Percy Cockrell, C. C. Edens, L. P. Harrington, C. A. Hadley, Pin Bryan, Omer Kircher, J. Y. Hart, Fred Compton, Paul Labarr. And thereafter, the noon hour having arrived, court is recessed to 1:30 o'clock P.M. and the jury is admonished.

And thereafter, at 1:30 o'clock P.M., on this same day, court is again in session. All parties present as heretofore and the jury, each and every member present in person and in the box. All witnesses are sworn in open court and opening statements of counsel are made and the rule is invoked at the request of the Defendant. Thereupon, the Plaintiff introduces evidence and proof with the following witnesses: E. P. Mathew, Cora Trammell, Dr. W. S. Larrabee, Dr. William A. Walker, Mrs. A. J. Floyd. And thereafter, the Defendants introduce evidence and proof with the following witnesses: E. P. Mathew, Miss Stout, Miss Boyd, Dr. Glas, Booker Gallaher, Dr. M. O. Hart. And thereafter, the hour for adjournment having arrived, the jury is admonished and court is adjourned to 9:30 o'clock A.M., February 24, 1938. (F.E.K. Judge).

Court adjourned to February 24, 1938

On this 24th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
 Whit Y. Mauzy, United States Attorney.  
 John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

CORA TRAMMELL,	Plaintiff,	)
		)
-vs-		) No. 2500 - Law. ✓
		)
S. H. KRESS & COMPANY, et al,	Defendants.	)

Now on this 24th day of February, A. D. 1938, the above styled case is called for trial. All parties present as heretofore and the jury, each and every member present in person and in the box. Now at this time, it is ordered by the Court that the above case be and it is hereby dismissed with prejudice at the cost of the Defendant, the parties herein having reached a settlement. Thereafter, it is ordered by the Court that said jury be discharged from further consideration of said case. (F.E.K. Judge).

R. T. TAYLOR,	Plaintiff,	)
		)
-vs-		) No. 2525 - Law. ✓
		)
ST. LOUIS-SAN FRANCISCO R.WY. CO. ET AL,	Defendants.	)

Now on this 24th day of February, A. D. 1938, the above styled case is called for trial. Both sides present and announce ready for trial. The jury is duly empaneled and sworn as to qualifications. Plaintiff challenges C. A. Hadley. The Defendant challenges C. C. Edens. Thereupon, the jury sworn to try said cause and a true verdict render, is as follows: F. W. Wheeler, L. V. Wilson, O. W. Fox, Percy Cockrell, L. P. Harrington, Pin Bryan, Omer Kircher, J. Y. Hart, Fred Compton, Paul Labarr, Ave Marshall, Dewey Martin. All witnesses are sworn in open court and opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: R. T. Taylor, Dr. B. A. Waynes, Zella Mathis, W. E. Keys, And thereafter, the Plaintiff rests. Thereupon, the Defendant demurs to the evidence introduced herein which demurrer is, by the Court, overruled. Thereafter, the Defendant introduces evidence and proof with the following witnesses: Edward M. Munroe, Robert Shaw, E. A. Perry, E. I. Miller, Francis McNeil, George Stiles, Kenneth Burks, James Young. And thereafter, the Defendant rests. Thereupon, the Plaintiff offers in rebuttal the further testimony of R. T. Taylor. Anthereafter, both sides rest. Thereupon, the Defendant moves for a directed verdict herein. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present and in the box. Now at this time, it is ordered by the Court that motion of Defendant for a directed verdict be and it is hereby sustained and exceptions allowed. Thereupon, the following verdict is returned:

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

R. T. TAYLOR,	Plaintiff,	)
vs.		)
ST. LOUIS-SAN FRANCISCO RAILWAY		) Case No. 2525 Law
COMPANY, A CORP. ET AL,	Defendants.	)

No. 2525 Law, Cont'd.

We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths find for the defendant.

FRED W. WHEELER, Foreman.

FILED In Open Court  
Feb 24 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

Thereupon, it is ordered by the Court that said jury be discharged from further consideration of said case. It is further ordered that judgment for Defendant on the verdict be entered. (F.E.K. Judge).

FREDA COLSON,	Plaintiff,	)
		)
-vs-		) No. 2527 - Law. ✓
		)
MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION,		)
A CORPORATION,	Defendant.	)

Now on this 24th day of February, A. D. 1938, the above styled case is dismissed, by order of the Court, at the cost of Plaintiff, without prejudice. (F.E.K. Judge).

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

Effa Sommers,	Plaintiff,	)
		)
-vs-		) No. 2534 Law. ✓
		)
The Guardian Life Insurance Company		)
of America, a corporation,	Defendant.	)

DISMISSAL

All matters and things in controversy in the above-entitled and numbered cause having been settled between the parties, the plaintiff hereby dismissed the said action, with prejudice, and at her costs.

Dated this 24th day of February, 1938.

EFFA SOMMERS Plaintiff

MARSHALL & COBB  
Attorneys for Plaintiff

By J. J. D. Cobb

In conformity with the above and foregoing dismissal, it is hereby ordered by the Court that the above entitled and numbered cause be, and it is hereby, dismissed, with prejudice and at the costs of the Plaintiff.

This February 24th, 1938.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Feb 24 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

JENNIE B. CLAY, Administratrix of the Estate of Allen P. Clay, deceased, Plaintiff,  
vs. No. 2547 Law. ✓  
SISTERS OF THE SORROWFUL MOTHER, a corp., et al., Defendants.

ORDER OVERRULING MOTION TO STRIKE

THIS CAUSE COMING on to be heard on this the 3rd day of January, 1938, on the separate motion of the defendant, Sisters of the Sorrowful Mother, a corporation, to strike from the files the amended petition of plaintiff, and plaintiff being present by her counsel, John M. Goldesberry, and said defendant being present by its counsel, T. Austin Gavin, and argument having been heard in support of said motion and against the same, and the court finding that said motion should be overruled.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said separate motion of the defendant, Sisters of the Sorrowful Mother, a corporation, to strike from the files, be and the same is hereby overruled, to which action of the court in overruling said motion said defendant excepts and said exceptions is allowed and thereupon request having been made therefor, said defendant is given twenty days from date hereof within which to plead further or to answer.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 24 1938  
H. P. Warfield, Clerk  
U. S. District Court MEB

-----  
Court adjourned to February 25, 1938.

On this 25th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT WITHIN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
UNITED STATES OF AMERICA, Plaintiff, )  
vs. No. 8996 Cr. ✓  
MAX OLDSTEIN, Defendant. )

O R D E R



REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 25, 1938

SAMUEL A. BOORSTIN, ET AL.,	Plaintiffs,	)	
		)	
vs.		)	No. 2620 - Law. ✓
		)	
HAROLD PAIKIN,	Defendant.	)	

Now on this 25th day of February, A. D. 1938, it is ordered by the Court that motion of Defendant to dissolve attachment be and it is hereby taken under advisement. (F.E.K.)

-----  
Court adjourned to February 26, 1938

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

SATURDAY, FEBRUARY 26, 1938

On this 26th day of February, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

Rhoda Johnson and Sam Johnson, executor of the	)	
estate of Eli Kay, deceased, and L. E. Hard-	)	
ridge, executor of the estate of Lucy McNack,	)	
deceased,	Plaintiffs,	)
		)
-vs-		)
		)
United States of America,	Defendant.	)

No. 2406 Law. ✓

ORDER EXTENDING TIME

Now on this 21 day of February, 1938, the above named respondents having prayed an appeal of the within cause to the Circuit Court of Appeals of the Tenth Circuit and said appeal having been duly allowed and upon allowance thereof said appeal having made application for an extension of additional time within which to prepare, serve and file record in said cause and it appearing satisfactory to the Court that said respondents, appellents, should be allowed an extension of time.

It is, therefore, ordered and decreed that said respondents be, and hereby are, allowed and extension of time of ninety days from this date in which to complete their record and lodge an appeal in this cause in said Circuit Court of Appeals.

F. E. KENNAMER  
Judge of the U. S. District Court  
for the Northern District of Oklahoma.

ENDORSED: Filed Feb 26 1938  
H. P. Warfield, Clerk  
U. S. District Court B.

-----  
Court adjourned to February 28, 1938.

On this 28th day of February, A.D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9013 - Criminal. ✓
		)
FRANK E. WHITNEY,	Defendant.	)

Now on this 28th day of February, A. D. 1938, it is ordered by the Court that decision herein be withheld pending arguments. It is further ordered by the Court that oral argument be set for March 4, 1938. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9027 - Criminal. ✓
		)
W. A. MUSGRAVE,	Defendant.	)

Now on this 28th day of February, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant appearing in person. The Defendant is arraigned and enters a plea of not guilty as charged in the indictment heretofore filed herein. (F.E.K. Judge).

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

Luther D. Pinnick,	Plaintiff,	)
		)
vs.		) No. 2240 Law. ✓
		)
Baker Ice Machine Company, a corporation,	Defendant.	)

O R D E R

Now upon the 28th day of February, 1938, there came on regularly for hearing, motion of plaintiff to withdraw his motion now pending to set aside an order granting a new trial and to dismiss the above entitled cause with prejudice, the plaintiff and defendant having heretofore compromised, adjusted and settled the controversy between them, and it appearing that said action should be dismissed and the costs having been paid,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff is hereby permitted to withdraw his motion to set aside the order granting a new trial and said motion is hereby withdrawn and that the above entitled cause be and it is hereby dismissed on motion of the plaintiff with prejudice to any further action.

OK ROSCOE E. HARPER for Pltf.

F. E. KENNAMER

OK B. A. HAMILTON Atty for Plaintiff

JUDGE

ENDORSED: Filed Feb 28 1938 H. P. Warfield, Clerk, U. S. District Court ME

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

Cora Trammel,	Plaintiff,	)
		)
-vs-		) No. 2500 Law.
		)
S. H. Kress & Company,	Defendant.	)

ORDER UPON MOTION OF PLAINTIFF.

It appearing that a settlement has been entered into between plaintiff and defendant, the above entitled cause is hereby dismissed with prejudice at the cost of the defendant this the 24th day of February, 1938.

F. E. KENNAMER  
JUDGE

O.K. M. O. HART & ROY F. FORD  
Attys for Pltff

ENDORSED: Filed Feb 28 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

EMMA ROGERS WHITE,	Plaintiff,	)
		)
-vs-		) No. 2557 - Law.
		)
THE TEXAS COMPANY, ET AL,	Defendants.	)

Now on this 28th day of February, A. D. 1938, the above styled case is called for trial. Plaintiff, Defendants and Intervener present and announce ready for trial. Thereupon, it is ordered by the Court that Answer of Defendants be considered re-filed as against petition in intervention. It is further ordered that permission be granted Defendants to amend Answer. It is further ordered by the Court that Intervener be permitted to adopt Plaintiff's reply. Thereafter, a jury is duly empaneled and sworn to qualifications. The Plaintiff and Intervener challenge G. R. McConnell, Ralph Mundell and Everett Hughes. The Defendants waive challenges. Thereupon, the jury sworn to try said cause and a true verdict render is as follows: W. E. Crow, V. C. Stode, R. W. McKinnon, J. W. Hudson, R. C. Jenkins, L. A. Hurst, Quitman Andrews, Grant Jones, John E. Wells, J. F. Moore, F. W. Wheeler and L. V. Wilson. All witnesses are sworn in open court and the rule is invoked at the request of the Plaintiff. Opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: Emma Rogers White, Charlie White, Frank Riker. And thereafter, the noon hour having arrived, the jury is admonished and 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 the jury, each and every member present and in the box. The Plaintiff continues with the following witnesses: Frank Riker, E. A. Henderson, William Sprague, Owen C. Epperson, And thereafter, the Plaintiff rests. Thereupon, the Defendants demur to the evidence introduced by the Plaintiff. And thereafter, parties waive a trial by jury in open court and agree that cause may be submitted to the Court, in the event the parties are unable to reach a settlement. And thereafter, it is ordered by the Court that said jury be discharged from further consideration of said case. And thereafter, it is ordered by the Court that case be passed for further hearing pending settlement. (F.E.K. Judge).

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

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 28, 1938

SAMUEL A. BOORSTIN, ET AL,	Plaintiffs, )	
	)	
-vs-	)	No. 2620 - Law. ✓
	)	
HAROLD PAIKIN,	Defendant. )	

Now on this 28th day of February, A. D. 1938, it is ordered by the Court that case be set for final hearing upon agreement of parties. Parties waive a trial by jury in open court. (F.E.K. Judge).

-----  
Court adjourned to March 1, 1938.

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 1, 1938

On this 1st day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 1st day of March, A. D. 1938, it being made satisfactorily to appear that Harry Brelsford is qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court. (F.E.K.J).

UNITED STATES OF AMERICA,	Plaintiff, )	
	)	
-vs-	)	No. 7886 - Criminal. ✓
	)	
BIRT DUNKIN,	Defendant. )	

ORDER OF COURT

Considered and ordered this 1st day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Birt Dunkin be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 1, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8190 - Criminal. ✓
		)
BASIL MAYES INCE,	Defendant.	)

ORDER OF COURT

Considered and ordered this 1st day of March, 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer Basil Ince be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8332 - Criminal. ✓
		)
CHARLEY WISE,	Defendant.	)

ORDER OF COURT

Considered and ordered this 1st day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Charley Wise be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8376 - Criminal. ✓
		)
KNON BROWN,	Defendant.	)

ORDER OF COURT

Considered and ordered this 1st day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Knon Brown be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

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

DISTRICT OF OKLAHOMA

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 1, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8380 - Criminal.
		)
SID HALL,	Defendant.	)

ORDER OF COURT

Considered and ordered this 1st day of March 1938 and ordered filed and made a part of the records in the above case. Ordered that probationer Sid Hall be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8401 - Criminal.
		)
CLINT CLARK,	Defendant.	)

ORDER OF COURT

Considered and ordered this 1st day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Clint Clark be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8530 - Criminal.
		)
CHARLES K. WILLIAMS,	Defendant.	)

ORDER OF COURT

Considered and ordered this 1st day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Charles K. Williams be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court

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

T. P. FARMER, Receiver of the )  
EXCHANGE NATIONAL COMPANY, a )  
corporation, Plaintiff, )  
vs. ) No. 2018 Law  
DAN ROODS, et al., Defendants. )

ORDER DISMISSING CAUSE

This cause coming on for hearing before me, F. E. Kennamer, Judge of said court, on motion of the plaintiff for an order dismissing this cause at the cost of the plaintiff, on the ground that the cause of action is barred by the statute of limitations; and it appearing to the court that in the case of T. P. Farmer, Receiver of the Exchange National Company, versus H. L. Standeven, this court held that a similar cause of action was barred by the statute of limitations, and the same was affirmed by the Circuit Court of Appeals for the Tenth Circuit, and that this cause should be dismissed at the cost of the plaintiff.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed at the cost of the plaintiff.

Dated this 1st day of March, 1938.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 2 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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

T. P. FARMER, Receiver of the )  
EXCHANGE NATIONAL COMPANY, a cor- )  
poration, Plaintiff ) No. 2019 Law  
vs. )  
FAULKNER C. BROACH, et al., Defendants. )

ORDER DISMISSING CAUSE

This cause coming on for hearing before me, F. E. Kennamer, Judge of said court, on motion of the plaintiff for an order dismissing this cause at the cost of the plaintiff, on the ground that the cause of action is barred by the statute of limitations; and it appearing to the court that in the case of T. P. Farmer, Receiver of the Exchange National Company, versus H. L. Standeve, this court held that a similar cause of action was barred by the statute of limitations, and the same was affirmed by the Circuit Court of Appeals for the Tenth Circuit, and that this cause should be dismissed at the cost of the plaintiff.

IT IS, THEREFORE, ORDERED, CONSIDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed at the cost of the plaintiff.

Dated this 1st day of March, 1938.

F. E. KENNAMER  
JUDGE

ENDORSED Filed Mar 2 1938 H. P. Warfield, Clerk  
U. S. District Court EA

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

T. P. FARMER, Receiver of the EXCHANGE NATIONAL COMPANY, a corporation,	Plaintiff,	)	
vs.		)	No. 2020 - Law.
DAN ROODS, et al.,	Defendants.	)	

ORDER DISMISSING CAUSE

This cause coming on for hearing before me, F. E. Kennamer, Judge of said court, on motion of the plaintiff for an order dismissing this cause at the cost of the plaintiff, on the ground that the cause of action is barred by the statute of limitations; and it appearing to the court that in the case of T. P. Farmer, Receiver of the Exchange National Company versus H. L. Standeven, this court held that a similar cause of action was barred by the Statute of Limitations, and the same was affirmed by the Circuit Court of Appeals for the Tenth Circuit Court of Appeals, and that this cause should be dismissed at the cost of the plaintiff.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the court that this cause be and the same is hereby dismissed at the cost of the plaintiff.

Dated this 1st day of March, 1938.

F. E. KENNAMER  
 JUDGE

ENDORSED: Filed Mar 2 1938  
 H. P. Warfield, Clerk  
 U. S. District Court EA

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

J. H. COLLINS,	Plaintiff,	)	
vs.		)	No. 2562 Law.
SAFEWAY STORES, INC.,	Defendant.	)	

DISMISSAL WITH PREJUDICE

Comes now the plaintiff and dismisses the above styled and numbered action with prejudice to the bringing of a future action, at the cost of the defendant.

Dated this the 1st day of March, 1938.

J. H. COLLINS PLAINTIFF  
REMINGTON ROGERS Counsel for Plaintiff

Permission is hereby given plaintiff to dismiss the above styled and numbered

cause of action with prejudice.

Dated this 1st day of March, 1938.

F. E. KENNAMER  
JUDGE.

ENDORSED: Filed Mar 1 1938  
H. P. Warfield, Clerk  
U. S. District Court H

GEORGE S. CARMAN, Plaintiff, )  
vs. ) No. 2591 - Law.  
TURMAN OIL COMPANY, Defendant. )

Now on this 1st day of March, A. D. 1938, the above styled case is called for trial. Both sides present and announce ready for trial. A jury is duly empaneled and sworn as to qualifications. The Plaintiff challenges L. P. Harrington, Dewey Martin, G. R. McConnell. Defendant challenges Pin Bryan. Thereupon, the jury sworn to try said cause and a true verdict render, is as follows: O. W. Fox, Everett Hughes, Ralph Mundell, Percy Cockrell, C. C. Edens, Ave Marshall, Paul Labarr, Fred Compton, C. A. Hadley, Omer Kircher, J. Y. Hart, F. W. Wheeler. All witnesses are sworn in open court and the rule is invoked at the request of the Defendant. Opening statements of counsel are made. The Plaintiff introduces evidence and proof with the following witnesses: George S. Carman, Adolph Miller, Charlie Brewer, Gus Johnson, And thereupon, the noon hour having arrived, the jury is admonished and court is recessed to 1:30 o'clock P.M.

And thereafter at 1:30 o'clock P.M., court is again in session. All parties present as heretofore and the jury, each and every member present in person and in the box. Now at this time, all parties, in open court, waive a trial by jury. Thereupon, the Plaintiff continues with his introduction of evidence and proof with the following witnesses: Bert LeGrand, Ora N. Clark. And thereafter, the Plaintiff rests. Thereupon, the Defendant introduces evidence and proof with the following witnesses: M. G. Thompson, Wm. F. Andrews, Mr. Mahlan, N. G. Ahren. And thereafter both sides rest. And thereafter, it is ordered by the Court after being fully advised in the premises, that judgment for Plaintiff be entered in the sum of \$500.00 and costs. All as per journal entry to be filed. It is further ordered by the Court that jury be discharged from further consideration of said case.

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

GEORGE S. CARMAN, Plaintiff, )  
vs. ) NO. 2591 LAW  
TURMAN OIL COMPANY, now Midstates Oil Corporation, Defendant. )

JOURNAL ENTRY OF JUDGMENT

THIS CAUSE came on for trial before a jury at this term of Court and after the introduction of certain evidence on behalf of plaintiff it was agreed between the parties to this cause and their respective attorneys that the Court dismiss the jury from further consideration of this case and that the Court determine the issues; and thereupon the Court proceeded with the trial. After hearing all the evidence and argument of counsel, it was

---

ORDERED AND ADJUDGED that plaintiff have and recover of and from the defendant the sum of FIVE HUNDRED DOLLARS (\$500.00) as damages and costs incurred in this Court, for which execution may issue.

MADE AND ENTERED THIS 1st day of March, 1938.

BY THE COURT,

F. E. KENNAMER  
U. S. D. J.

ENDORSED : Filed Mar 2 1938  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
MISCELLANEOUS - ORDER DISCHARGING PETIT JURORS. ✓

Now on this 1st day of March, A. D. 1938, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged for this Regular January 1938 Term of this Court, at Tulsa, Oklahoma, Sine Die. (F.E.K. Judge).

-----  
MISCELLANEOUS - ORDER TO PAY PETIT JURORS AND WITNESSES MILEAGE AND PER DIEM. ✓

On this 1st day of March, A. D. 1938, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Regular January 1938 Term of Court, their mileage and attendance as shown by the Record of Attendance. (F.E.K. Judge).

-----  
Court adjourned to March 2, 1938.

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On this 2nd day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

REGULAR JANUARY 1938 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 2, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
vs.		) No. 9018 - Criminal.
		)
FRANZEL ROBERSON,	Defendant.	)

Now on this 2nd day of March, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant appearing in person and by attorneys, Hickman & Ungerman. The Defendant is arraigned and enters a plea of guilty as charged in the indictment heretofore filed herein. Thereupon, it is ordered by the Court that Defendant be placed on probation for a period of fifteen (15) Months during good behavior or until the further order of the Court. It is further ordered by the Court that Order forfeiting bond of February 15, 1938 be and it is hereby vacated, all upon motion of the U. S. Attorney. (F.E.K. Judge).

-----

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

A. R. Cowling,	Plaintiff,	)
		)
vs.		) No. 2462 - Law. ✓
		)
Missouri-Kansas-Texas Railroad Company, a corporation,	Defendant.	)

JOURNAL ENTRY

Now on the 28 day of Feb., 1938, the same being one of the Judicial days of the regular Jan., 1938 term of this Court, sitting at Tulsa, Oklahoma, come the parties to the above entitled and numbered cause and file and present stipulation by the terms of which it is agreed that said cause having been settled, it may be dismissed with prejudice, at the cost of defendant, and the Court having seen the same and being fully advised in the premises finds that the case should be dismissed accordingly.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that this cause be and it is hereby dismissed, with prejudice, at the cost of the defendant.

F. E. KENNAMER  
JUDGE

O.K. A. F. MOSS H. R. YOUNG  
Attorneys for Plaintiff.

M. D. GREEN JNO E. M. TAYLOR C. S. WALKER  
Attorneys for Defendant.

ENDORSED: Filed Mar 2 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to March 3, 1938.

On this 3rd day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)
-vs-		) No. 2288 - Law. ✓
BOARD OF COUNTY COMMISSIONERS, TULSA COUNTY, OKLAHOMA,	Defendant.	)

Now on this 3rd day of March, A.D. 1938, it is ordered by the Court that the Clerk file and spread of record in the Mandate in the above case, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss: ✓

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, Plaintiff, and Board of County Commissioners of Tulsa County, Oklahoma, defendant, No. 2288, Law, the judgment of the said district court in said cause, entered on June 17, 1937, was in the following words, viz:

\*\*\*\*\*

It is therefore ordered, adjudged and decreed that the plaintiff, United States of America, in its own behalf, and in behalf of its said ward, have judgment against the defendant, Board of County Commissioners of Tulsa County, Oklahoma, in the sum of \$3,426.61, together with interest thereon at the rate of 6% per annum from the date of payment of said amount, until paid, and for the costs of this action, to which judgment of the court defendant excepts, and exceptions are allowed."

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

AND WHEREAS, at the January Term, in the year of our Lord one thousand nine hundred and thirty-eight, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from the said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that United States of America, appellee, have and recover of and from Board of County Commissioners of Tulsa County, Oklahoma, appellant, its costs herein.

--January 19, 1938.

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, the 1st day of March, in the year of our Lord one thousand nine hundred and thirty-eight.

COSTS OF	APPELLEE:
Clerk,	\$ 6.00
Printing Record	\$ None
Attorney,	<u>\$20.00</u>
	\$26.00

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 appellee, in the case of Board of County Commissioners of Tulsa County, Oklahoma, vs. United States of America. No. 1592

Filing record and docketing cause,	-- --
Filing copies of printed record,	-- --
Filing and entering appearance for	-- --
Filing and entering 2 appearances for appellee,	1 00
Clerk, preparing record for printer, etc.,	-- --
Printer, for printing record,	-- --
Filing paper,	-- --
Entering order, folio,	-- --
Filing briefs for	-- --
Filing briefs for appellee	5 00
Filing opinion	-- --
Filing and entering judgment or decree	-- --
Filing petition for a rehearing,	-- --
Issuing mandate to District Court,	-- --
Filing receipt for mandate	-- --
Filing receipt for balance of deposit	-- --
Attorney's docket fee	20 00
	<u>26 00</u>

ATTEST:

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

ENDORSED: Filed Mar 3 1938  
H. P. Warfield, Clerk  
U. S. District Court H

FRANK YOUNG EAGLE,	Plaintiff,	)
		)
-vs-		) No. 2468 - Criminal. ✓
		)
UNITED STATES OF AMERICA,	Defendant.	)

Now on this 3rd day of March, A. D. 1938, the above styled case is called for hearing on jurisdictional questions. Both sides present and announce ready for hearing. Thereupon, permission is granted Plaintiff to file reply herein. It is further ordered by the Court that plea to jurisdiction be and it is hereby overruled, and legal questions reserved. It is further ordered by the Court that case stand for trial on next non-jury docket. (F.E.K.)

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

Ella May Smith,	Plaintiff,	)
		)
vs.		) No. 2608 Law ✓
		)
Tulsa City Lines, Inc.,	Defendant.	)

ORDER OF DISMISSAL WITH PREJUDICE

A dismissal with prejudice having been duly filed in the above entitled cause and the court being fully advised in the premises, it is hereby considered, ordered, adjudged and decreed that said cause of action is dismissed, with prejudice, at the cost of the defendant.

F. E. KENNAMER  
JUDGE

OK ELLA MAY SMITH, Plaintiff

BAILEY E. BELL, Attorney for Plaintiff

ENDORSED: Filed Mar 3 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

SAMUEL A. BOORSTIN and WILLIAM D. SALTIEL,	Plaintiffs,	)
		)
versus		) NO. 2620 LAW ✓
		)
HAROLD PAIKIN,	Defendant.	)

ORDER DISSOLVING ATTACHMENT

Now, on this the 3rd day of March, 1938, this matter comes on to be heard upon the motion of the defendant herein to dissolve the attachment in this case. The Plaintiffs appeared by their counsel, B. A. Hamilton and the defendant appeared by his counsel, Hudson and Hudson, and both sides having announced ready, and the court being fully advised in the premises, finds that the attachment levied in this case upon the paintings described in the return of the officer should be dissolved in part, and that certain of the property in

possession of the Marshall should be delivered to the defendant for the reason that the Marshall holds in his possession personal property of a value far in excess of the amount prayed for by the plaintiffs in their petition.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the attachment in this case be dissolved as to all of the paintings and all the personal property in the possession of the Marshall under said attachment except the following described paintings, which shall be held by the Marshall under said attachment, towit:

1. Landscape by J. C. Ibbetson	(appraised value)	\$500.00
2. Mari Ten Kate (Young Woodsman)	" "	350.00
3. Seascape by Bonnington	" "	300.00
4. The Shy Admirer by Albert Newhuys	" "	1500.00
5. Man in Red Coat	" "	600.00
6. The Doll by Pilte	" "	75.00
7. Burning Weeds by C. F. Day	" "	100.00
8. Cottage in the Wood by J. Stark	" "	150.00
9. Andromena by William Etty	" "	600.00
10. Mary Ann Tempest by Beechey	" "	2500.00
11. Landscape by Joseph Israels	(appraised value)	250.00
12. Sylvanus Padley by John Opie	" "	800.00
13. The Coming Storm by Diaz	" "	500.00
14. The Passage through the Stream, C. Tryon	" "	1500.00
15. The Reply by Croegaert	" "	150.00
16. The Young Angler by Hurwater	" "	100.00

The Marshall is therefore directed to deliver to the defendant all of the paintings and personal property in his possession except those just above named, which he is directed to hold in his possession under said attachment and is subject to the future order of the court.

To all of which the Plaintiffs, and each of them, in open court, duly except, which exception is by the court allowed.

F. E. KENNAMER  
J U D G E

O.K. B. A. HAMILTON  
Attorneys for Plaintiffs

HUDSON & HUDSON  
Attorneys for Defendant

ENDORSED: Filed Mar 3 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to March 4, 1938.

On this 4th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8938 - Criminal.
		)	
JOE CARR, SAMUEL HOLMES and EDDIE WESBY,	Defendants.	)	

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 4th day of March, 1938, came the United States Attorney, and the defendant Joe Carr appearing in proper person and

The defendant having been convicted January 27, 1938 on his Plea of guilty to Cts. 1 & 2 of the offense charged in the Indictment in the above-entitled cause to wit: Possession of unregistered still, apparatus, and whiskey mash; and having been placed on probation for a period of Eighteen (18) Months during good behavior.

It now being shown to the Court that said defendant has violated the terms and conditions of said probation, IT IS BY THE COURT

ORDERED AND ADJUDGED that the Order of probation be terminated and the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the U. S. Penitentiary type to be designated by the Attorney General or his authorized representative for the period of:

Count One - Fifteen (15) months, and a fine of One Hundred (\$100.00) Dollars, on execution, and a penalty of Five Hundred (\$500.00) Dollars, on execution.

Count Two - Fifteen (15) Months, and a fine of Five Hundred (\$500.00) Dollars on execution. Said sentence of confinement in Count Two shall run concurrent with the sentence in Count One.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD,  
Asst. U. S. Attorney

F. E. KENNAMER  
JUDGE

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UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 9013- Criminal. ✓
		)
FRANK E. WHITNEY,	Defendant.	)

Now on this 4th day of March, A. D. 1938, the above styled case is called for arguments of counsel. The Government is represented by the U. S. Attorney and the defendant is present in person and by counsel, Fred Tillman. Closing arguments of counsel are made. And thereafter, it is ordered by the Court, after being fully advised in the premises, that Defendant be adjudged guilty to Count 1 and not guilty to Counts 2, 3 and 4 as heretofore charged. Thereupon, it is ordered by the Court that judgment and sentence be imposed as follows:

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 4th day of March, 1938, came the United States Attorney, and the defendant Frank E. Whitney appearing in proper person, and by counsel Fred Tillman and,

The defendant having been convicted on verdict of the Court of the offense charged in the indictment in the above-entitled cause, to wit:

Accepting a bribe, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the penitentiary type to be designated by the Attorney General or his authorized representative for the period of:

Count One - One (1) Year and One (1) Day and that he pay a fine unto the United States in the sum of Five Hundred Sixty-Five and 50/100 (\$565.50) Dollars.,

and that said defendant be further imprisoned until payment of said fine, or fine and costs, or until said defendant is otherwise discharged as provided by law. It is FURTHER ORDERED that the defendant is granted Sixty (60) Days within which to pay said fine..

IT IS FURTHER ORDERED that the defendant, Frank E. Whitney, be and is hereby probated for a period of Two (2) Years on Count One (1) during good behavior or until further order of the Court.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: PAUL O. SIMMS  
Asst. U. S. Atty.

F. E. KENNAMER  
JUDGE.

And thereafter, it is ordered by the Court that Defendant be and he is hereby allowed an exception to the judgment and sentence rendered herein. Thereupon, the Defendant gives notice, in open court, of his intention to appeal. (F.E.K. Judge).

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

Florence Headley, Administratrix of the Estate of Albert Eugene Headley, Deceased, for the use and benefit of Florence Headley, surviving spouse of said decedent, Plaintiff,

vs.

Indian Territory Illuminating Oil Company, a corporation, and Elmer Hoffman, Defendants.

No. 2622 Law ✓

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the District Court of Washington County, Oklahoma, coming on for hearing this 4th day of March, 1938, pursuant to notice duly served upon the defendants, and the court having heard the argument of counsel, and being advised, upon consideration finds that said motion should be sustained.

IT IS THEREFORE ORDERED that the motion of the plaintiff to remand this case to the District Court of Washington County, Oklahoma, be, and the same is hereby granted, and this cause be and the same is hereby remanded to the District Court of Washington County, Oklahoma, for further proceedings.

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

APPROVED: HOLLIMAN, BAILEY & HARKIN  
Attorneys for Plaintiff

SAMUEL H. RIGGS  
Attorneys for Defendants.

ENDORSED: Filed Mar 4 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

Florence Headley, Administratrix of the Estate of Albert Eugene Headley, deceased, Plaintiff,

vs.

Indian Territory Illuminating Oil Company, a corporation, and Elmer Hoffman, Defendants.

No. 2623 Law ✓

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the District Court of Washington County, Oklahoma, coming on for hearing this 4th day of March, 1938, pursuant to notice duly served upon the defendants, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that the said motion should be sustained.





REGULAR JANUARY 1938 TERM

SATURDAY, MARCH 5, 1938

of America, in the above entitled cause, good cause being shown therefor, the time for signing, allowing and filing the bill of exceptions of the above named plaintiff is hereby extended to March 30, 1938, including that date, and

IT IS FURTHER ORDERED that the present term of this court be, and the same is hereby extended for that purpose, to March 30, 1938, including that date.

F. E. KENNAMER  
JUDGE

WHIT Y. MAUZY, United States Attorney  
CHESTER A. BREWER, Assistant United States Attorney

ENDORSED: Filed Mar 5 1938  
H. P. Warfield, Clerk  
U. S. District Court B

MISCELLANEOUS - ORDER ADJOURNING COURT SINE DIE.

It is this day ordered in pursuance of Section 12 of the Judicial Code, that the Regular January 1938 Term of Court at Tulsa, Oklahoma, be adjourned Sine Die.

REGULAR MARCH 1938 TERM

VINITA, OKLAHOMA

MONDAY, MARCH 7, 1938

On this 7th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular March 1938 Term at Vinita, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
A. R. Cottle, Chief Deputy United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - REPORT OF REGISTRY FUND.

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

TO THE HONORABLE FRANKLIN E. KENNAMER, Judge  
of the United States District Court for the  
Northern District of Oklahoma.

Sir:

In accordance with the law, I hereby respectfully report the condition of the Registry Fund of this Court at the close of business March 5th, 1938.

Balance in the First National Bank and Trust Company of Tulsa, Oklahoma, at the close of business December 4th, 1937	\$32,638.91
Received since December 4, 1937:	None
Total.....	<u>\$32,638.91</u>



and exceptions are allowed. It is the further order of the Court that the costs of this action be taxed against the plaintiff, and judgment for defendant for costs is awarded accordingly.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

OK AS TO FORM

ERNEST R. BROWN  
WHIT Y. MAUZY, U. S. Atty.

ENDORSED: Filed Mar 7 1938  
H. P. Warfield, Clerk  
U. S. District Court

JOHN D. DAVIS,	Plaintiff,	)
		)
-vs-		) No. 2483 - Law.
		)
UNITED STATES OF AMERICA,	Defendant.	)

Now on this 7th day of March, A. D. 1938, it is ordered by the Court that Defendant be and hereby is given ten (10) days to file brief herein in support of motion for new trial. (F.E.K.)

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

James Ruark,	Plaintiff,	)
		)
vs.		) No. 2559 Law.
		)
Missouri-Kansas-Texas Railroad Company, a corporation,	Defendant.	)

O R D E R

Now on this 7th day of March, 1938, comes on to be heard the motion of the plaintiff to make the defendant's answer more specific, definite and certain, and both parties appearing by counsel, and the court having heard the argument of counsel the following order is made;

IT IS ORDERED by the court that the motion of the plaintiff be and the same is hereby sustained as to the first part thereof wherein it is requested that defendant make paragraph two of it's answer more specific, definite and certain, and to such ruling defendant is allowed an exception.

IT IS FURTHER ORDERED that the second part of plaintiff's motion be and the same is hereby overruled, and the plaintiff allowed an exception.

IT IS FURTHER ORDERED that the defendant have 15 days from this date within which time to file an amended answer.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 9 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

MISCELLANEOUS - ORDER AJOURNING COURT SINE DIE.

It is this day ordered in pursuance of Section 12 of the Judicial Code, that the Regular March 1938 Term of Court at Vinita, Oklahoma, be adjourned Sine die.

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA TUESDAY, MARCH 8, 1938

On this 8th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 9012 - Criminal. ✓  
WILBUR TRIMM, Defendant. )

(CAPTION OMITTED)

At Tulsa, Oklahoma, in said District, on this 8th day of March, A. D. 1938.

WHEREAS, it is shown to the Court that the said defendant, Wilbur Trimm, was on the 15th day of February, 1938, found guilty in this court and sentenced to a term of two (2) years and to pay a fine of \$100.00, said fine thereafter being placed on execution, the said defendant having been placed on probation for a period of two years during his good behavior, and

WHEREAS, on this 8th day of March, 1938, an application for revocation of said probation having been filed, and order granted, and the Court being fully advised in the premises,

IT IS, THEREFORE, BY THE COURT CONSIDERED, ORDERED AND ADJUDGED that said probation be terminated and that the defendant be sentenced for a term of two years and to pay a fine of \$100.00 said fine being placed on execution, for the crime by him committed as charged in the Indictment, and be committed to the custody of the Attorney General of the United States or his authorized representative for confinement in a Federal Penitentiary for a period of two years.

IT IS FURTHER ORDERED BY THE COURT that this order shall be the authority of the Marshal to deliver the Defendant to the Warden of a Federal Penitentiary; or other proper custodian of such Institution to which the Defendant may be committed by the Attorney General of the United States, or his authorized representative, and cause said order to be executed without delay.

APPROVED: PAUL O. SIMMS Assistant U. S. Attorney  
F. E. KENNAMER UNITED STATES DISTRICT JUDGE

-----  
Court adjourned to March 9, 1938.



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

Idna Spruill, as administratrix of the estate of Amo. R. Cunningham, deceased, Plaintiff,  
vs. Reserve Loan Life Insurance Company, a corp., I. S. Woofter and Bessie Woofter, Defendants.  
The Fourth National Bank of Tulsa, Oklahoma, and J. W. Cunningham brought in on the cross-petition of defendants I. S. Woofter and Bessie Woofter, as Additional Defendants.

No. 2456 Law. ✓

ORDER ENLARGING TIME FOR DOCKETING AND FILING RECORD ON APPEAL

Upon the petition of I. S. Woofter and Bessie Woofter, and for good and sufficient cause shown it is this 9th day of March, 1938.

ORDERED that the time for docketing the above entitled case and filing a transcript of the record therein in the United States Circuit Court of Appeals for the Tenth Circuit be, and the same hereby is enlarged and extended until and including the 9th day of April, 1938; and that this order of enlargement be filed with the Clerk of the United States Circuit Court of Appeals for the Tenth Circuit.

In chambers, this 9th day of March, 1938.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 9 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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

Bill Lee, Plaintiff,  
vs. G. F. Grab and H. Johnson, Be Mac Transport Company, a corporation and Be Mac Transport Company of Oklahoma, a corporation, and John Lohman, Defendants.

No. 2490 Law ✓

ORDER OF DISMISSAL

Now, on this 9th day of March, 1938, this cause comes regularly on for hearing on the written dismissal with prejudice filed herein by the plaintiff. The Court, after being fully advised in the premises, finds that this litigation has been compromised and settled to the entire satisfaction of the plaintiff herein and that the plaintiff herein has been paid in settlement of said litigation by the defendants, G. F. Grab and H. Johnson, Be Mac Transport Company, a corporation, and John Lohman, the sum of THIRTY FIVE HUNDRED & N/100 (\$3500.00) DOLLARS, which sum of money plaintiff has accepted in full, final and complete settlement of the above styled litigation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the above entitled cause and all causes of action set forth in plaintiff's petition be, and the same is hereby dismissed with prejudice to the filing of a future action between the same parties involving the same subject matter.

F. E. KENNAMER  
JUDGE

D.K. W. E. HENNEBERRY  
HUGHEY BAKER  
Attorneys for Plaintiff

GEORGE F. SHORT  
Attorneys for Defendants.

ENDORSED: Filed Mar 9, 1938  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Freda Colson, Plaintiff, )  
vs. ) No. 2527 Law. ✓  
Mutual Benefit Health & Accident Association, a corporation, Defendant. )

ORDER OF DISMISSAL

This cause came on for trial on this 23rd day of February, 1938, pursuant to regular assignment, the defendant appearing by its attorneys Monnet & Savage, and the plaintiff failed to appear either in person or by her attorneys of record, and the Court being fully advised in the premises finds that said cause should be dismissed without prejudice at the costs of the plaintiff.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED that this cause should be and the same is hereby dismissed without prejudice at the costs of the plaintiff herein.

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

ENDORSED: Filed Mar 9 1938  
H. P. Warfield, Clerk  
U. S. District Court B

Court adjourned to March 10, 1938.



UNITED STATES OF AMERICA, Plaintiff, )  
 )  
-vs- )  
 )  
LEW WILDER, EVERETT S. COLLINS, HARRY STEIN, )  
ENOS PICKETT, BEN E. CHANDLER, CURTIS ) No. 8934 - Criminal. ✓  
BRUMLEY, JAMES KNIGHT, JACK ARY, JOHN E. )  
WHITWELL, D. B. JONES, CHUM M. HILLIGOSS, )  
MRS. ALICE NORRIS, HERBERT NORRIS, CLAUDE )  
WEBB alias CLAUDE NORRIS, HERBERT BEAN, )  
JESSE E. THOMPSON, L. R. COOK, GEORGE )  
JOSEPH and S. P. SMITH, Defendants. )

Now on this 12th day of March, A. D. 1938, it is ordered by the Court that motions of Defendants Lew Wilder, Harry Stein and John E. Whitwell in arrest of judgment be and they are hereby overruled and exceptions allowed. It is further ordered by the Court that ruling be reserved on motions for a new trial of Defendants Lew Wilder, Harry Stein and John E. Whitwell until March 19, 1938 pending further investigation of legal propositions involved. It is the further order of the Court that briefs be submitted by March 16, 1938. (A.P.M. Judge).

-----  
Court adjourned to March 14, 1938.

On this 14th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM, W. P. SMITH. ✓

At the Special January Term, 1938, of the District Court of the United States, within and for the Northern District of Oklahoma, at the City of Tulsa, on the 1st day of March, 1938.

Present, the Honorable F. E. Kennamer, Judge,

W. P. Smith, United States Commissioner in and for the Northern District of Oklahoma, having presented an account for his official services for the months of December, 1937, January and February, 1938, duly certified, and pursuant to provisions of Section 21 of the Act of May 28, 1896, 29 Stat. 184, that "No more than one per diem shall be allowed a Commissioner in a case unless the account shall show that the hearing could not be completed in one day, when one additional per diem may be especially approved and allowed by the Court, then additional per diem claimed in the cases herein below listed is hereby especially approved and allowed, it being shown with respect to each of said cases that the hearings could not be completed in one day."

- (1) J. L. Smith, et al
- (2) Sam Meteavalis
- (3) George Davis, et al

- (4) Hobert Horton, et al
- (5) J. T. Gower, et al
- (6) George Davis, et al
- (7) Lewis Frederick Runch, Jr.
- (8) Sam Meteavalis
- (9) Duncan C. Parker
- (10) Harry C. Underwood, et al
- (11) Nolen King, et al
- (12) Wallace Hanaker, et al
- (13) Thomas Lee Austin,
- (14) C. E. McCaskey, et al
- (15) Charley McDaniel
- (16) Earle Bailey, et al
- (17) Ted Fitzgerald
- (18) Moses Bowle
- (19) Lewis Williams, et al
- (20) J. A. Shadrick, et al
- (21) Charley Fitch
- (22) Harley L. Finchun
- (23) Jewell Benjamin
- (24) Cooper Lee, et al
- (25) Robert E. Adair
- (26) Jim Ward, et al
- (27) Thomas H. Bruton
- (28) Ella Mays
- (29) Levi Gatlin
- (30) Fred Gaines
- (31) Search (Chief) Frazier, et al
- (32) Harry Burton
- (33) Clifford Kimble
- (34) Alvin C. Wyse

It was impossible to conclude any of the hearings in the above entitled cases in one day due to the absence of material witnesses for the prosecution.

W. P. SMITH  
U. S. Commissioner

And two per diems in each of the foregoing cases is hereby especially approved and allowed by the Court on this the 1st day of March, 1938.

F. E. KENNAMER  
JUDGE OF THE DISTRICT COURT

ENDORSED: Filed Mar 14 1938  
N. P. Warfield, Clerk  
U. S. District Court

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

United States of America, Plaintiff, )  
vs. ) No. 8996 Cr. ✓  
Max Oldstein, Defendant. )

ORDER FIXING TIME FOR PREPARATION OF, SETTLING AND  
SIGNING BILL OF EXCEPTIONS.

Now on this 25th day of February, 1938, after announcement of judgment and sentence of defendant, Max Oldstein, on the verdict of the jury, said defendant, Max Oldstein, moves the court for an order fixing the time for preparation, submission, settlement and signing of bill of exceptions for appeal, and for an order staying execution of judgment.

It is therefore ordered, that the said Max Oldstein, be, and he is hereby granted 15 days from this date for the preparation, submission, settling and signing of bill of exceptions herein, and the judgment and sentence of the court as to the said defendant be, and it is hereby stayed for a period of five days, from this date for the defendant to make application for supersedeas and bail.

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

ENDORSED: Filed Mar 14 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

United States of America Plaintiff, )  
vs. ) No. 8996 Cr. ✓  
Max Oldstein, Defendant. )

ORDER ENLARGING TIME FOR PREPARATION OF SETTLING AND  
SIGNING BILL OF EXCEPTIONS.

This matter coming on for hearing on application of defendant Max Oldstein for an order extending and enlarging the time in which to prepare, settle and sign bill of exceptions in the above entitled cause and it appearing to the court that the time granted heretofore has been insufficient.

It is hereby ordered that defendant have five days additional time in which to prepare, settle and sign the bill of exceptions. Dated this 12th day of March, 1938.

ALFRED P. MURRAH  
Judge of the United States District  
Court of the State of Oklahoma

ENDORSED: Filed Mar 14 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

United States of America,	Plaintiff,	)
		)
vs		) No. 8996 - Cr.
		)
Max Oldstein,	Defendant.	)

ORDER APPROVING BILL OF EXCEPTIONS

The foregoing bill of exceptions was filed on the 11th day of March, 1938, within the time allowed for filing the same, and due and timely notice of the filing of said bill of exceptions and of the presentation of same for approval, allowance and settlement thereof was given, the parties thereto having stipulated that said bill of exceptions contains all the evidence given, proceedings had on the trial of this action and that the same may be approved, allowed, settled and ordered filed and made a part of the record herein without further notice, and said bill of exceptions containing all the evidence, introduced and proceedings had upon the trial of this action, and being in all respects, correct, the same is hereby allowed, approved and settled, and made a part of the record herein.

Dated this the 14th day of March, 1938.

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

ENDORSED: Filed Mar 14 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

United States of America,	Plaintiff,	)
		)
vs.		) No. 8996 Cr.
		)
Max Oldstein,	Defendant.	)

ORDER AND DIRECTION TO CLERK AS TO CONTENTS OF RECORD

To the Clerk of the above Court:

You are hereby ordered and directed to make a transcript of the record to be filed in the United States Circuit Court of Appeals for the Tenth Circuit, pursuant to an order allowing an appeal in the above entitled cause, and to include in said transcript of the record, the following and no other papers, to-wit:

- Bill of Indictment;
- Arraignment and plea;
- Verdict;
- Judgment and sentence;
- Order fixing the time to prepare and sign bill of exceptions;
- Order enlarging time to prepare and sign bill of exceptions;
- Bill of exceptions;



On this 15th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM OF JOHN R. PEARSON, U. S. COMMISSIONER.

Two per diems were charged in the following cases because of the fact that it was impossible to conclude the preliminary hearing on the date of the arraignment due to the absence of material witnesses for the Government:

No. 690, United States vs. Chas. Scoles and Roy Dickison  
No. 696, United States vs. Wilbur Trimm  
No. 701, United States vs. Vester Lunsford, Hazel Moon and Nellie Burchett,  
No. 704, United States vs. Guy Hill,

JOHN R. PEARSON  
U. S. COMMISSIONER

Subscribed and sworn to before me this 1st day of March, 1938.

(SEAL)

LORENA FEATHERSTON  
Notary Public

My commission expires:  
Jan. 17, 1940

Two per diems in the above listed cases are hereby approved.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM OF NORMAN C. BARRY, U. S. COMMISSIONER

At the Special March Term of the District Court of the United States within and for the Northern District of Oklahoma, at the City of Tulsa, on the 11th day of March, 1938.

Present: The Honorable F. E. Kennamer, Judge.

Norman C. Barry, United States Commissioner in and for the Northern District of Oklahoma, having presented an account for his official services for the quarter ending February 28, 1938, duly certified, and pursuant to the provisions of Section 21 of the Act of May 28, 1896, 29 Statutes 184, that "No more than one per diem shall be allowed a Commissioner in a case unless the account shall show that the hearing could not be completed in one day, when one additional per diem may be especially approved and allowed by the Court," the additional per

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 15, 1938

diems claimed in the cases hereinbelow listed are hereby especially approved and allowed, it being shown with respect to each of said cases that the hearings could not be completed in one day.

- Case No. 23. Ernie Shucks.
- Case No. 24. Cisco Messinger.
- Case No. 25. Bill Castleberry et al.
- Case No. 26. William Ritchie et al

It was impossible to conclude any of the hearings in the above cases in one day due to the absence of material witnesses for the prosecution or on motion of the defendants.

NORMAN C. BARRY  
United States Commissioner

And two per diems in each of the foregoing cases are hereby especially approved and allowed by the Court on this the 11th day of March, 1938.

F. E. KENNAMER  
JUDGE OF THE DISTRICT COURT

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court.

UNITED STATES OF AMERICA,

-vs-

WILLIAM ANDREW MASON,

Plaintiff, )

) No. 8036 - Criminal.

Defendant. )

ORDER OF COURT

Considered and ordered this 8th day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer William Andrew Mason be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,

-vs-

TOM KNIGHT,

Plaintiff, )

) No. 8398 - Criminal.

Defendant. )

ORDER OF COURT

Considered and ordered this 8th day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Tom Knight be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court

SPECIAL MARCH 1938 TERM

DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

TUESDAY, MARCH 15, 1938

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8499 - Criminal.
		)	
ROBERT A. WELLER and ROY KENNEDY,	Defendants.	)	

ORDER OF COURT

Considered and ordered this 14th day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Robert A. Waller be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 8639 - Criminal.
		)	
JAMES MOSS and LUCIEN MATHIS,	Defendant.	)	

ORDER OF COURT

Considered and ordered this 14th day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer James Moss be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

United States of America,	Plaintiff,	)	
		)	
vs.		)	No. 8694 - Criminal. ✓
		)	
James J. Lewis,	Defendant.	)	

O R D E R

Now on this 14th day of March, 1938, the same being one of the regular judicial days of the Special March A. D. 1938 Term of said court, this matter comes on before the court upon the application of the defendant, James J. Lewis, for an order of court granting him permission to take a leave of absence of ten days from the jail sentence which said defendant is at present time serving in the above styled and numbered cause, by reason of business emergency, and the court being fully advised in the premises,

IT IS, THEREFORE, CONSIDERED, ORDERED, AND ADJUDGED BY THE COURT, that said defendant James J. Lewis, is hereby granted leave of absence from the service of his present jail sentence, for a period of ten days from today, for business emergency reason,

AND IT IS FURTHER ORDERED BY THE COURT, that said defendant shall return and present himself for incarceration for the remainder of his jail sentence in the above styled and numbered cause, at the expiration of ten days from this date.

F. E. KENNAMER  
JUDGE

OK: JOE W. HOWARD  
Assistant U. S. Attorney

ENDORSED: Filed Mar 15 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

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Court adjourned to March 16, 1938.

On this 16th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

Mildred L. Mudd Staton, Administratrix  
of the Estate of Alex Mudd, deceased, Plaintiff,

-vs-

United States Fidelity and Guaranty company,  
and Nannie Martin, Administratrix of the Es-  
tate of Jasper S. Martin, or J. S. Martin, de-  
ceased, one and the same person, Defendants.

)  
)  
)  
) No. 1592 Law. ✓  
)  
)

O R D E R

Now on this 16th day of March, 1938, this matter coming on to be heard on the motion of plaintiff for an order to take depositions and requesting the chief officer or agent of the General Accounting Office of the United States at Washington, D. C., to furnish certified photostatic copies of certain checks on file in said office, the Court being advised in the premises finds that such order should be made.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the depositions of the chief officer or agent, or other agents and employees of the General Accounting Office of the United States be taken in the office of the chief officer of the General Accounting Office of the United States in Washington, D. C., on the 19th day of March, 1938, between the hours of nine o'clock A.M. and four o'clock P.M. of said day, and that the taking of said depositions be continued from day to day thereafter until completed. That notice of the taking of said depositions be served upon the defendants or their attorney at least two days before the date of taking, or a waiver of notice be secured from said defendants or their attorney.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that the chief officer or agent of the General Accounting Office of the United States be and he is hereby requested to give his deposition in this matter.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the chief officer or agent of the General Accounting Office of the United States in Washington, D. C., be and is hereby requested to produce for and in the taking of said depositions the original checks or vouchers involved in this case issued by the Quapaw Indian Agency and the Osage Indian Agency between September 9, 1925 and September 10, 1927, a list of said checks and vouchers being hereto attached, and marked Exhibits "A" and "B"; and that they furnish duly certified photostatic copies of said checks, together with all indorsements thereon, as exhibits attached to said deposition, or that they be delivered to Bower Broadus, attorney of record in this case, he being the attorney who will appear for the taking of said depositions.

F. E. KENNAMER  
JUDGE OF THE U. S. DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLA.

EXHIBITS A and B attached to Order

ENDORSED: Filed Mar 16 1938  
H. P. Warfield, Clerk  
U. S. District Court - EA

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Court adjourned to March 17, 1938.

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, MARCH 17, 1938

On this 17th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM OF WILLIAM M. SIMMS, U. S. COMMISSIONER ✓

At the Special March Term of the District Court of the United States, within and for the Northern District of Oklahoma, at the City of Tulsa, on the \_\_\_\_ day of March, 1938.

Present, the Honorable F. E. Kennamer, Judge

William M. Simms, United States Commissioner, in and for the Northern District of Oklahoma, having

SPECIAL MARCH 1938 TERM

THURSDAY, MARCH 17, 1938

presented an account for his official services for the months of December, January and February, duly certified, and pursuant to provisions of Section 21 of the Act of May 28, 1896, 29 Stat., 184, that "No more than one per diem shall be allowed a Commissioner in a case unless the account shall show that the hearing could not be completed in one day, when in the Court, then additional per diem claimed in the cases herein below listed is hereby especially approved and allowed it being shown with respect to each of said cases that the hearings could not be completed in one day.

- 1 U. S. vs. Howard Chapman & Jess Kirk
- 2 U. S. vs. Emma Hopson
- 3 U. S. vs. Clellie W. Ellis
- 4 U. S. vs. Hugh Martin McDonald
- 5 U. S. vs. Mary Bratton

And two per diems in each of the foregoing cases is hereby specially approved and allowed by the Court on this 17th day of March, 1938.

F. E. KENNAMER  
Judge of the District Court.

ENDORSED: Filed Mar 17 1938  
H. P. Warfield, Clerk  
U. S. District Court

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

United States of America,	Plaintiff,	)
		)
vs.		) No. 2535 Law.
		)
Margaret Hoss, et al,	Defendants.	)

ORDER OF DISMISSAL

This matter coming on for hearing this 17th day of March, 1938, upon the motion of the United States Attorney to dismiss the above entitled cause and the court being advised in the premises finds that a settlement has been made and said cause should be dismissed.

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

AND IT IS SO ORDERED.

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

ENDORSED: Filed Mar 17 1938  
H. P. Warfield, Clerk  
U. S. District Court AC

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SAMUEL A. BOORSTIN, ET AL,	Plaintiffs,	)	
		)	
-vs-		)	No. 2620 - Law. ✓
		)	
HAROLD PAIKIN,	Defendant.	)	

Now on this 17th day of March, A. D. 1938, it is ordered by the Court that motion of Plaintiff for a new trial be and it is hereby overruled and exceptions allowed, etc. All as per journal entry to be filed. (F.E.K. Judge).

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

United States of America,	Plaintiff,	)	
		)	
vs.		)	No. 2635 LAW ✓
		)	
One 1935 Model Chevrolet Coach automobile, Motor No. 5017947,	Defendant.	)	

ORDER FOR MONITION

Now on this 17th day of March, 1938, it appearing to the court that there has been a Petition in Libel filed in the above styled and numbered case on behalf of the plaintiff, the United States of America, wherein a certain automobile, described as follows, to-wit:

One 1935 Model Chevrolet Coach automobile  
Motor No. 5017947,

has been seized and is being libeled under Section 3450 of the Revised Statutes of the United States, and it further appearing that a monition is requested by the plaintiff in said cause, to be issued to all parties claiming any interest, right or title in or to said automobile, and it further appearing to the court that J. A. Shadrick and the Exchange Bank of Skiatook, Oklahoma, claim some right, title or interest in said automobile and should be notified of said claim of the plaintiff in this cause.

IT IS, THEREFORE, the order of the Court, that a monition issue as asked for in said petition; that said monition be served upon the parties above named, requiring them to appear in said court on or before twenty days after personal service, and to show cause, if any they have, why said automobile should not be confiscated by right of libel under Section 3450 of the Revised Statutes of the United States.

IT IS FURTHER ORDERED that the U. S. Marshal for the Northern District of Oklahoma be, and he is hereby directed to detain the said above described property in his possession until further order of this court, and to make his return herein as required by law as to service of monition.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 17 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to March 13, 1938

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

FRIDAY, MARCH 18, 1938

On this 18th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ORDER OF DESIGNATION.

DESIGNATION OF EXAMINER OR OFFICER

DISTRICT COURT OF THE UNITED STATES

NORTHERN DISTRICT OF OKLAHOMA

SITTING AT TULSA, OKLAHOMA

MABEL W. DILLON, an examiner or officer of the Immigration and Naturalization Service serving within the territorial jurisdiction of the above-entitled court, is hereby designated under the provisions of the Act of June 8, 1926, to conduct preliminary hearings upon petitions for naturalization to such court, and to make findings and recommendations thereon, for the final action of the court. This designation shall remain in force until revoked.

Dated March 18, 1938.

F. E. KENNAMER  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Mar 18 1938  
H. P. Warfield, Clerk  
U. S. District Court

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

FLOYD B. COPE, Plaintiff, )  
vs. ) No. 2595 Law  
THE NATIONAL CASH REGISTER COMPANY, a )  
corporation, Defendant. )

ORDER EXTENDING TIME TO PLEAD

For good cause shown, the defendant herein is hereby given ten (10) days' additional time from this date, within which to plead in the above entitled cause.

Dated this 18th day of March, 1938.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 18 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

Court adjourned to March 21, 1938.

On this 21st day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

United States of America,	Plaintiff	)	
		)	
vs.		)	Miscellaneous Criminal
		)	
Jack Russell, alias Oliver Lawrence Dressler,	Defendant	)	

ORDER OF COURT

Now on this 18th day of March, one of the regular judicial days of the Special March A. D. 1938 Term of said court, at Tulsa, comes Joe W. Howard, Assistant United States Attorney, showing to the court that the defendant, Jack Russell, is now held in custody of the United States Marshal on a charge of unlawful flight from the State of Oklahoma to avoid prosecution for robbery of the Western Union Office at Bartlesville, Washington County, Oklahoma; that the County Attorney of Washington County has requested that subject be released to his jurisdiction for prosecution on said charge, and the court being well and sufficiently advised in the premises, finds that said request should be granted.

IT IS THEREFORE THE ORDER OF THE COURT that the said defendant, Jack Russell, alias Oliver Lawrence Dressler, be released to the Sheriff of Washington County, State of Oklahoma, for prosecution under the said robbery charge, and with the proviso and understanding that he be returned to this jurisdiction when said prosecution is concluded.

F. E. KENNAMER  
JUDGE

O.K. JOE W. HOWARD  
Assistant U. S. Attorney

ENDORSED: Filed Mar 21 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

Edward Hines Lumber Company, Plaintiff, )  
vs. ) No. 1253 Law  
H. C. Webber, Defendant. )

ORDER PERMITTING PLAINTIFF TO FILE AMENDMENT TO CREDITOR'S  
BILL AND APPLICATION FOR APPOINTMENT OF RECEIVER AND  
INJUNCTION.

On this 21st day of March, 1938, on application of plaintiff in open court permission is hereby given plaintiff to file herein instanter its amendment to creditor's bill and application for appointment of receiver and injunction.

Done in open court March 21st, 1938.

F. E. KENNAMER  
District Judge

ENDORSED: Filed Mar 21 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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

Jack M. Powell, Plaintiff, )  
-vs- ) No. 2185 - L.  
St. Louis,-San Francisco Railway )  
Company, a corporation, et al, Defendants. )

JOURNAL ENTRY

Now on this 21st day of March, 1938, the above entitled cause coming on for hearing on motion to dismiss, pursuant to addignment; plaintiff appearing not; and it appearing to the court that on September 28, 1937, defendants' demurrers to the petition of plaintiff were sustained by order of this court, and that no amended petition has been filed; the court finds that said case should be dismissed for want of prosecution.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the above entitled cause be, and the same is hereby dismissed for want of prosecution at Plaintiff's cost.

F. E. KENNAMER  
U. S. DISTRICT JUDGE

ENDORSED: Filed Mar 25 1938  
H. P. Warfield, Clerk  
U. S. District Court H

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 21, 1938

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

United States of America,	Plaintiff,	)
		)
vs.		) No. 2322 Law.
		)
August Sandstrom and Homer Huffaker,	Defendants.	)

O R D E R

Now on this 21st day of March, 1938, this matter coming on before the Court on motion of the defendant, Homer Huffaker, for a new trial in the above entitled cause, the plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendant, Homer Huffaker, appearing by his attorney of record, R. A. Barney, and the 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 of the Court the defendant, Homer Huffaker, excepts, and exceptions are allowed.

F. E. KENNAMER  
JUDGE

O.K. WHIT Y. MAUZY  
United States Attorney

CHESTER A. BREWER  
Assistant United States Attorney

R. A. BARNEY  
Attorney for defendant, Homer Huffaker.

ENDORSED: Filed In Open Court  
Mar 21 1938  
H. P. Warfield, Clerk  
U. S. District Court H

HELMERICH & PAYNE, INC. A CORP.,	Plaintiff,	)
		)
-vs-		) No. 2427 - Law.
		)
L. E. DOUGLASS,	Defendant.	)

Now on this 21st day of March, A. D. 1938, it is ordered by the Court that Defendant be and he is hereby granted fifteen (15) days to plead or twenty (20) days to answer herein petition and amendment. (F.E.K. Judge).

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

United States,	Plaintiff,	)
		)
vs.		) No. 2519 Law
		)
A. E. Williams, J. G. Smith and		)
W. G. Lynn,	Defendants.	)

JOURNAL ENTRY OF JUDGMENT

Now on this 21st day of March, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendants, A. E. Williams and W. G. Lynn have been regularly served with summons in this cause more than 30 day prior to this date, and that each of said defendants has failed to answer, demur or otherwise plead herein, they are by the Court found to be in default. And it further appearing that the Defendant, J. G. Smith, has not been served with summons in this cause by reason of the fact that he cannot be located in the Northern District of Oklahoma, the Court finds that this cause should be dismissed as to said defendant, J. G. Smith, and that plaintiff is entitled to judgment against the defendants, A. E. Williams and W. G. Lynn as prayed in its petition herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Joseph White, Osage Allottee No. 62, have judgment against the defendants, A. E. Williams and W. G. Lynn, and each of them, in the sum of \$25.00, with interest thereon at the rate of 6% per annum from April 1, 1931, until paid, and for all costs of this action.

IT IS THE FURTHER ORDER of the Court that this cause be, and the same hereby is dismissed as to the defendant, J. G. Smith.

F. E. KENNAMER  
JUDGE

O.K. WHIT Y. MAUZY  
United States Attorney

CHESTER A. BREWER  
Assistant United States Attorney

ENDORSED: Filed In Open Court  
Mar 21 1938  
H. P. Warfield, Clerk  
U. S. District Court H

CLIFTON C. VORIS,	Plaintiff,	)
		)
-vs-		) No. 2531 - Law.
		)
THE AETNA LIFE INS. CO.,	Defendant.	)

Now on this 21st day of March, A. D. 1938, it is ordered by the Court that motion of Defendant to strike or in the alternative to make definite and certain be and it is hereby overruled except such parts as confessed by Plaintiff which is sustained. Given twenty (20) days to answer. (F.E.K. Judge).





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

George F. Bell, Plaintiff, )  
vs. ) No. 2593 Law ✓  
American Steel & Wire Company, Defendant. )

O R D E R

This case came on for hearing on defendant's motion to make more definite and certain plaintiff's petition on this 21st day of March, 1938, at a regular day of a term of this Court at Tulsa, Oklahoma, and upon consideration of the plaintiff's petition, defendant's motion, and the arguments of counsel, the Court ORDERS

(1) That the plaintiff make his petition more definite and certain for identification by setting out the official number of each of the eleven letters patent he alleges in the fifth paragraph of his petition were granted to him by the United States Patent Office prior to November, 1916.

(2) That plaintiff amend his petition so as to set out the respective official number of each of the nine letters patent he alleges in paragraph ten of his petition were issued to him by the United States Patent Office.

(3) That plaintiff set forth as an exhibit to his petition the written notification from defendant to plaintiff that he was discharged as of February 1, 1935, and to all of the above order the plaintiff excepts.

(4) All other grounds of the motion to make more definite and certain are denied, to which defendant excepts.

The Plaintiff is allowed ten (10) days from this date within which to comply with this order, and the defendant is allowed twenty (20) days from the expiration of ten (10) days from this date in which to file an answer or further plead.

MADE AND ORDERED ENTERED this 21st day of March, 1938.

F. E. KENNAMER  
Regular Judge

O.K. as to form only

LADNER & LIVINGSTON  
Attorneys for Plaintiff.

GEO. S. RAMSEY  
Attorneys for Defendant.

ENDORSED: Filed Mar 21 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

Herbert H. Hinze, Jr., a Minor, by his )  
 father and next friend, and Legal Guardian, )  
 Herbert H. Hinze, Plaintiff, ) No. 2609 Law  
 Vs. )  
 James M. Kurn, et al., Defendant. )

ORDER REMANDING CAUSE

The motion of plaintiff to remand the above entitled action comes on regularly for hearing on this 21st day of March, 1938, both plaintiff and defendants being represented by their respective attorneys of record, and the court having heard the argument and being duly advised in the premises finds that the motion should be sustained.

It is, Therefore, ORDERED, that the plaintiff's motion to remand be and is hereby sustained and the Clerk of this court is hereby directed to remand said cause to the District Court of Creek County, Oklahoma.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 23 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

Talbot Gene Hinze, a Minor, by his )  
 Father, as next friend and legal )  
 Guardian, Herbert H. Hinze, Plaintiff, ) No. 261 O Law.  
 Vs. )  
 James M. Kurn, et al. Defendants. )

ORDER REMANDING CAUSE

The motion of plaintiff to remand the above entitled action comes on regularly for hearing on this 21st day of March, 1938, both plaintiff and defendants being represented by their respective attorneys of record, and the court having heard the argument and being duly advised in the premises finds that the motion should be sustained.

It is, Therefore, ORDERED, that the plaintiff's motion to remand be and is hereby sustained and the Clerk of this Court is hereby directed to remand said cause to the District Court of Creek County, Oklahoma.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 23 1938  
H. P. Warfield, Clerk  
U.S. District Court H

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 21, 1938

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

J. B. PATRICK, Plaintiff, )  
 vs. ) No. 2614 Law  
 W. C. NORRIS MANUFACTURER, INC., Defendant. )

ORDER OVERRULING DEMURRER

NOW on this 21st day of March, 1938, this cause comes on to be heard upon demurrer of the defendant, W. C. Norris Manufacturer, Inc., Plaintiff appearing by W. N. Maben and Joe W. Simpson his attorneys, and the defendant appearing by W. E. Green and J. C. Farmer, it's attorneys, and the Court having heard argument of counsel, and being fully advised, finds that the demurrer should be overruled.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendants' demurrer be and the same is hereby overruled, to which ruling of the Court, defendant excepted and exception was by the Court allowed. And Defendant asked and was granted fifteen days from this date or until and including the 5th day of April 1938 in which to answer the petition of the plaintiff herein filed.

F. E. KENNAMER

J U D G E

O.K. as to form:

W. N. MABEN  
JOE SIMPSON  
 Attorneys for plaintiff

W. E. GREEN  
J. C. FARMER  
 Attorneys for defendant

ENDORSED: Filed Mar 29 1938  
 H. P. Warfield, Clerk  
 U. S. District Court EA

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

FRED DALBY, Plaintiff, )  
 Vs. ) No. 2615 Law  
 M. J. Kurn, et al., Defendants. )

ORDER REMANDING CAUSE

The motion of plaintiff to remand the above entitled cause comes on regularly for hearing on this 21st day of March, 1938, both plaintiff and defendants being represented by their respective attorneys of record, and the court having heard the argument and being duly advised in the premises finds that the motion should be sustained.

It is, therefore, ORDERED, that the plaintiff's motion to remand be and is hereby sustained and the Clerk of this court is hereby directed to remand said cause to the District Court of Creek County, Oklahoma.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 23 1938  
H. P. Warfield, Clerk  
U. S. District Court H

E. D. STUART,	Plaintiff,	)
		)
-vs-		) No. 2616 - Law.
		)
SOUTHWESTERN STATES TELEPHONE COMPANY,		)
ET AL, CORPORATIONS,	Defendants.	)

Now on this 21st day of March, A. D. 1938, Demurrer of Defendants herein is withdrawn. And thereafter, it is ordered by the Court that Amended Petition be filed herein. Given ten (10) days to plead or twenty (20) days to answer. (F.E.K. Judge).

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

ELEANOR A. SMITH,	Plaintiff,	)
		)
vs.		) No. 2618 - Law
		)
UNION CENTRAL LIFE INSURANCE COMPANY, a		)
corporation,	Defendant.	)

O R D E R

Now on this 21st day of March, 1938, this cause comes on for hearing upon the motion to quash filed herein by the defendant, Union Central Life Insurance Company. Upon application of said defendant, said motion to quash is withdrawn and said defendant is given twenty days from this date within which to plead.

Upon application of the plaintiff, and by agreement of the parties, it is ordered that the plaintiff be permitted to amend his petition instantler by interlineation and to attach thereto a copy of the insurance policy contract sued on.

DONE this 21st day of March, 1938.

F. E. KENNAMER  
DISTRICT JUDGE

O.K.: JOE SIMPSON  
Attorneys for Plaintiff

EMBRY, JOHNSON, CROWE & TOLBERT  
Attorneys for Defendant

ENDORSED: Filed Mar 21 1938  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
Court adjourned to March 22, 1938



MISCELLANEOUS - ADMISSION TO BAR.

Now on this 23rd day of March, A. D. 1938, it being made satisfactorily to appear that Earl Sneed, Jr., is duly qualified for admission to the Bar of this Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of this Court. (F.E.K. Judge).

-----  
Court adjourned to March 24, 1938.

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, MARCH 24, 1938

On this 24th day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ORDER OF REMOVAL.

Now on this 24th day of March, A. D. 1938, it is ordered by the Court that Edward V. Turner be and he is hereby removed from the Northern District of Oklahoma to the Eastern District of Illinois. (F.E.K. Judge).

-----  
VICTOR GASOLINE CORPORATION, A CORP., )  
Plaintiff, )  
-vs- ) No. 1802 - Law.  
SHELL PETROLEUM CORP. A CORP., )  
Defendant. )

Now on this 24th day of March, A. D. 1938, it is ordered by the Court that Demurrer of Defendants be and it is hereby overruled and exception allowed. Defendant given twenty (20) days to answer. (F.E.K. Judge).

-----  
Court adjourned to March 25, 1938.



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

SPECIAL MARCH 1938 TERM

SATURDAY, MARCH 26, 1938

On this 26th day of March, A. D. 1938, the District Court of the United States or the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 8338 - Criminal.
		)
ORTEZ C. CARNATHAN and ALFRED T. ARDNER,	Defendants.	)

ORDER OF COURT

Considered and ordered this 25th day of March, 1938, and ordered filed and made part of the records in the above case. Ordered that probationer Cortez Carnathan be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Mar 26 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to March 28, 1938.

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 28, 1938

On this 28th day of March, A. D. 1938, the District Court of the United States or the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

United States of America, Plaintiff, )  
vs. ) Miscellaneous Criminal  
Bulan Owens, Defendant. )

ORDER REDUCING BAIL

Comes now the defendant, Bulan Owens, showing to the court that he was arrested on March 18, 1938, at Hockerville, Oklahoma, for possession of an unregistered still, in violation of Section 281, Title 26, U.S. Code Annotated; that his bond was set at one thousand dollars (\$1,000.00) by N. C. Barry, United States Commissioner at Miami, Oklahoma, that he is unable to obtain sureties necessary to make said bond, that he is the only support for members of his family who are now in destitute circumstances; and moves the Court for an order releasing said defendant on his own recognizance; and the court being well and sufficiently advised in the premises, finds that said motion should be granted.

IT IS THEREFORE THE ORDER OF THE COURT that the defendant, Bulan Owens, be released from custody of the United States Marshal on his own recognizance and without posting bond in the sum of one thousand dollars as set by the United States Commissioner.

F. E. KENNAMER  
JUDGE

D.K. JOE W. HOWARD  
Assistant U. S. Attorney

ENDORSED: Filed Mar 28 1938  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES OF AMERICA, Plaintiff, )  
-vs- ) No. 8877 - Criminal.  
LEE WILLIAMS, Defendant. )

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 28th day of March, 1938, came the United States Attorney, and the defendant, Lee Williams, appearing in proper person and,

The Defendant having been convicted on his plea of guilty of the offense charged on the Indictment in the above-entitled cause, to wit: Using United States Mails to defraud, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the attorney General for imprisonment in an institution of the Reformatory type to be designed by the attorney General or his authorized representative for the period of:

(One (1) Year and One (1) Day

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD  
Assistant U. S. Attorney

F. E. KENNAMER  
JUDGE

-----

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	
		)	No. 9036 - Criminal.
ABRAM ARCHER and THOMAS BUCKLEY ARCHER,		)	
co-partners trading as ARCHER PRODUCE		)	
COMPANY,	Defendants.	)	

On this 28th day of March, A. D. 1938, comes the United States Attorney, and asks and is granted leave to file Information herein against the above defendants and to prosecute thereunder and it is ordered by the Court that warrant issue for the arrest of each defendant, upon praescripte filed by the United States Attorney, and the bond of each defendant is hereby fixed in the sum of \$500.00 each. (F.E.K. Judge).

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UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	
		)	No. 2635 - Law.
ONE 1935 CHEVROLET COACH AUTOMOBILE		)	
MOTOR NO. 5017947,	Defendant.	)	

Now on this 28th day of March, A. D. 1938, the above styled case is called for hearing on merits of petition in libel. Plaintiff and Intervener, Exchange Bank of Skiatook, are present and announce ready for trial. Opening statements are made and all witnesses are sworn in open court. The Intervener introduces evidence and proof with the following witness: C. E. Brentley. And thereafter, the Plaintiff introduces evidence and proof with the following witnesses: Edgar Maloney. And thereafter, both sides rest. And thereafter, it is ordered by the Court that validity of lien of Intervener be and it is hereby sustained and Mortgagor is directed to sell car at fair sale and if any monies left after expenses are paid herein, same to be turned into this Court for the Government. (F.E.K. Judge).

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

United States of America,	Plaintiff	)	
		)	
vs.		)	
		)	
One 1935 model Chevrolet Coach automobile,		)	No. 2635 Law.
Motor No. 5017947,	Defendant	)	
		)	
The Exchange Bank of Skiatook, Skiatook, Oklahoma,		)	
a corporation,	Intervener.	)	

JOURNAL ENTRY OF JUDGMENT

Now on this 28th day of March, 1938, the same being one of the regular judicial

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 28, 1938

lays of the Special March A. D. 1938 Term of said court, this matter comes on for hearing upon the Petition of the United States of America, praying for forfeiture of the following described personal property, to-wit:

One 1935 model Chevrolet Coach automobile, Motor No. 5017947

by reason of its use in violation of the Internal Revenue Laws of the United States relating to untaxpaid intoxicating liquor; the United States of America appearing by Joe W. Howard, Ass't United States Attorney, the Exchange Bank of Skiatook, a corporation of Skiatook, Oklahoma, appearing by W. F. Schyermeier, its attorney, and J. A. Shadrick, the owner thereof, having made his general appearance in this cause and disclaimed any right, title and interest in and to such automobile, and the court having heard the evidence of plaintiff and the evidence offered by said intervenor, and being fully advised in the premises, finds that the United States of America is entitled to a forfeiture of all rights, interest or claims to said automobile which the said J. A. Shadrick may have thereto.

The court further finds that the Exchange Bank, a corporation with its principal place of business at Skiatook, Oklahoma, has filed its petition herein, praying for the remission or mitigation of such forfeiture, and the court having heard the evidence in support of such petition, and being fully advised in the premises, finds that the allegations therein contained are true, and that the said Exchange Bank of Skiatook has a first and valid lien against said automobile by reason of the first chattel mortgage in the principal sum of \$200.00, now due and unpaid thereon; and that it acquired said mortgage contract, its interest and lien upon said automobile in good faith, and that it at no time had any knowledge or reason to believe that the said automobile was being or would be used in the violation of the laws of the United States;

The court further finds that said automobile is now in the custody of the United States Marshal for the Northern District of Oklahoma, and that the Exchange Bank of Skiatook, Oklahoma is entitled to a return of such automobile upon payment by it, to the Clerk of this court, all charges for storage and other costs incidental and a part of the proceedings as a result of the aforesaid seizure of said automobile.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that a forfeiture of the above described automobile, be and the same is hereby allowed, in so far as the interest and claim of the said J. A. Shadrick is concerned.

IT IS THE FURTHER ORDER OF THE COURT that the Petition of the Exchange Bank of Skiatook, Oklahoma for the remission and mitigation of such forfeiture be, and the same is hereby allowed upon the condition that the said Exchange Bank of Skiatook, Oklahoma pay to the Clerk of this Court all costs for storage and other costs incurred by reason of the aforesaid seizure of said automobile; and that said Intervener offer and sell said automobile at a fair sale, and pay to the Clerk of said court, all equity, if any, due the said J. A. Shadrick, defendant herein, and that the United States Marshal of said District is hereby ordered and directed to deliver the possession of said automobile to the said Exchange Bank of Skiatook, Oklahoma upon payment of all costs as set forth above.

F. E. KENAMER  
JUDGE

ENDORSED: Filed Mar 28 1938  
H. P. Warfield, Clerk  
U. S. District Court B

-----  
Court adjourned to March 29, 1938.



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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, MARCH 31, 1938

On this 31st day of March, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

Dorothy Lawrence, Guardian of Arvel )  
Lawrence, Incompetent, ) Plaintiff, )  
 )  
vs. ) No. 2405 Law.  
 )  
United States of America, ) Defendant. )

O R D E R

Now on this 31st day of March, 1938, on application of the United States of America, defendant herein, for an extension of time in which to file its brief in the above entitled cause, the Court finds that such extension of time should be granted;

IT IS THEREFORE THE ORDER of the Court that the defendant, United States of America, be, and hereby is given until April 12, 1938, in which to file its brief in said cause.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Mar 31 1938  
H. P. Warfield, Clerk  
U. S. District Court B

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

Edna Spruill, as administratrix of the estate )  
of Amo R. Cunningham, deceased, ) Plaintiff, )  
 ) 2456-L  
vs. )  
 )  
Reserve Loan Life Insurance Company, a corp., )  
I. S. Woofter and Bessie Woofter, ) Defendants. )

The Fourth National Bank of Tulsa, Oklahoma, and J. W. Cunningham, brought in on the cross-petition of defendants I. S. Woofter and Bessie Woofter, as Additional Defendants,

ORDER ENLARGING TIME FOR DOCKETING AND FILING RECORD ON APPEAL

Upon the petition of I. S. Woofter and Bessie Woofter, and for good and sufficient cause shown it is this 31 day of March, 1938,

ORDERED that the time for docketing the above entitled case and filing a transcript of the record therein in the United States Circuit Court of Appeals for the Tenth Circuit be, and the same hereby is enlarged and extended until and including the 29th day of April, 1938; and that this order of enlargement be filed with the Clerk of the United States Circuit Court of Appeals for the Tenth Circuit.

In Chambers, this 31 day of March, 1938.

F. E. KENNAMER  
United States District Judge.

ENDORSED: Filed Mar 31, 1938  
H. P. Warfield, Clerk  
U. S. District Court

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

TENNIE B. CLAY, Administratrix of the Estate )  
of Allen P. Clay, deceased, Plaintiff, )  
vs. )  
SISTERS OF THE SORROWFUL MOTHER, a corporation, ) No. 2547 - L.  
and THE INTERNATIONAL PETROLEUM EXPOSITION, a )  
corp., Defendants. )

ORDER OVERRULING SEPARATE DEMURRER

THIS CAUSE COMING on to be heard on this the 21st day of March, 1938, being one of the regular court days of this court on the separate demurrer of the Sisters of the Sorrowful Mother, a corporation, to the amended petition of plaintiff, and plaintiff being present by her counsel, John M. Goldsberry, and the demurring defendant being present by its attorney, T. Austin Avin, and argument having been heard in support of said demurrer and against the same and the court finding that it has jurisdiction to entertain said demurrer and enter an order thereon, and being fully advised in the premises, finds that said demurrer should be overruled.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said demurrer be and the same is hereby overruled, to which action of the court in overruling the same, said demurring defendant excepts, and said exception is allowed, thereupon upon application of the defendant, be and it is hereby given ten days within which to file an answer.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Mar 31 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

-----  
Court adjourned to April 1, 1938.

On this 1st day of April, A.D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - CORPORATION BOND.

KNOW ALL MEN BY THESE PRESENTS:

That we, H. P. Warfield, as principal, and Maryland Casualty Company of Baltimore, Maryland a corporation created and existing under the laws of the State of Maryland, as surety, are held and firmly bound unto the United States of America in the full and just sum of Twenty Five thousand dollars, lawful money of the United States, to be paid to the United States; for which payment well and truly to be made, the said H. P. Warfield binds himself, his heirs, executors, and administrators, and the said Maryland Casualty Company binds itself, its successors and assigns, firmly by these presents.

IN WITNESS WHEREOF, the said H. P. Warfield, as principal, has hereunto set his hand and seal, and the said Maryland Casualty Company, as surety, has caused these presents to be sealed with its corporate seal and signed by L. W. Hall, Attorney-in-fact this 1st day of April, in the year one thousand nine hundred and Thirty-eight.

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH, That whereas pursuant to law, the said H. P. Warfield, has been appointed Clerk of the District Court of the United States for the Northern District of Oklahoma, to have and to hold the same, with all the rights, privileges, and emoluments thereunto lawfully appertaining, as by an appointment to him bearing date the 1st day of April, 1925, more fully appears, a certified copy of which is hereunto annexed.

NOW, THEREFORE, If the said H. P. Warfield by himself and by his deputies, shall faithfully discharge the duties of his office, and seasonably record the decrees, judgments, and determinations of the said court, and properly account for all moneys coming into his hands, as required by law, then this obligation to be void; otherwise, to remain in full force and virtue.

SIGNED, SEALED, AND DELIVERED IN THE PRESENCE OF-

E. J. BOWERS  
NOBLE HOOD  
(as to Principal)

H. P. WARFIELD (SEAL)  
Principal

E. J. BOWERS  
NOBLE HOOD  
(as to Surety)

MARYLAND CASUALTY COMPANY  
Surety  
By L. W. HALL  
(Attorney-in-Fact.)

The rate of premium on this bond is \$2.00 per thousand; the total amount of premium charged is \$50.00

ENDORSEMENTS:

BOND  
(CORPORATION)

H. P. WARFIELD, Clerk of the U. S. District Court for the Northern District of Oklahoma  
Dated April 1st 1938.  
Approved April 1938



IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court, that the said defendants Carl Spies and Marguerite Spies be, and they are hereby allowed to sign their own appearance bonds pending the action of the next federal grand jury in and for said District, and the U. S. Marshal in and for said district is hereby ordered and directed to release said defendants from custody after said bonds have been signed and approved.

F. E. KENNAMER  
JUDGE

O.K. PAUL O. SIMMS  
Assistant U. S. Attorney

ENDORSED: Filed Apr 4 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

UNITED STATES OF AMERICA,	Plaintiff, )	
	)	
-vs-	)	No. 8653 - Criminal.
	)	
LOYRON F. YOCHAM,	Defendant. )	

ORDER OF COURT

Considered and ordered this 31st day of March, 1938, and ordered filed and made a part of the records in the above case. Ordered that probationer Loyron F. Yocham be released from further supervision.

F. E. KENNAMER

ENDORSED: Filed Apr 4 1938  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES OF AMERICA,	Plaintiff, )	
	)	
-vs-	)	No. 8848 - Criminal.
	)	
DAISY MEDLEY,	Defendant. )	

Now on this 4th day of April, A. D. 1938, it is ordered by the Court that probation of defendant Daisy Medley to stand pending further investigation. (F.E.K. Judge).

UNITED STATES OF AMERICA,	Plaintiff, )	
	)	
-vs-	)	No. 9007 - Criminal.
	)	
ROBERT LLOYD alias RANDOLPH SMITH,	Defendant. )	

Now on this 4th day of April, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant appearing in person. The Defendant is arraigned, pleads true name to be Robert Lloyd and enters a plea of guilty as charged in the Indictment heretofore filed herein. Thereupon, it is ordered by the Court that judgment and sentence be imposed as follows:

No. 9007 Criminal Continued.

(CAPTION OMITTED) JUDGMENT AND COMMITMENT

On this 4th day of April, 1938, came the United States Attorney, and the defendant Robert Lloyd appearing in proper person and,

The defendant having been convicted on his plea of guilty of the offense charged in the Indictment in the above-entitled cause to wit: transport stolen automobile, IT IS BY THE COURT

ORDERED AND ADJUDGED that the defendant be hereby committed to the custody of the Attorney General for imprisonment in an institution of the Penitentiary type to be designated by the Attorney General or his authorized representative for the period of:

Three (3) Years

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the same shall serve as the commitment herein.

APPROVED: JOE W. HOWARD,  
Ass't U. S. Att'y

F. E. KENNAMER  
JUDGE

-----  
Court adjourned to April 5, 1938.

On this 5th day of April, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been made, the following proceedings were had and entered, to-wit:

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

CLIFTON C. VORIS, Plaintiff, )  
vs. ) No. 2531 - Law.  
AETNA LIFE INSURANCE COMPANY, OF HARTFORD )  
CONNECTICUT, a corporation, Defendant. )

JOURNAL ENTRY

Now on this the 21st day of March, 1938, this matter coming on to be heard on the motion to strike of defendant.

And plaintiff having confessed Paragraphs I and VII of said Motion, such Motion is sustained as to Paragraphs I and VII.

And upon argument of counsel and the Court being fully advised, the Court finds that said Motion as to Paragraphs II, III, IV, V, VI, VIII, and IX should be overruled.

IT IS THEREBY THE COURT ORDERED that the following portion of Paragraph II of the first cause of action be stricken from said Amended Petition:

"and that this plaintiff has never had the opportunity of reading said policy or of obtaining a copy of same, by reason of which said fact plaintiff is unable to attach a copy of said policy to this his Petition, and in that connection he requests an Order of this Honorable Court, directing the defendants to forthwith tender into Court a Copy of the aforementioned master policy which may be attached to this plaintiff's Petition as "Exhibit A" thereto and as a part and portion thereof as though fully and completely set forth herein."

IT IS FURTHER ORDERED that the following portion of Paragraph III. of the second cause of action be stricken from said Amended Petition:

"Plaintiff further states that the master policy, upon which said certificates was issued, is not now nor has it ever been in the possession of this plaintiff; that he has never had the opportunity of inspection of said contract and for the aforementioned reasons is unable to attach to this his Petition a copy of said contract of insurance, but this plaintiff requests this Honorable Court that an order be made forthwith directing and requiring said defendant to tender into Court, so that same may be attached to this Petition as a part and portion thereof, a true and correct copy of said master policy."

IT IS FURTHER ORDERED that the rest of said Motion to Strike namely Paragraphs II, III, IV, V, VI, VIII, and IX, be and the same is hereby overruled; and defendant is granted an exception; defendant is allowed twenty (20) days within which to plead or answer.

F. E. KENNAMER  
JUDGE

O.K. AS TO FORM.

D. F. RAINEY  
Attorney for plaintiff.

W. E. GREEN & J. C. FARMER  
Attorney for Defendant.

ENDORSED: Filed Apr 5 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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Court adjourned to April 6, 1938

On this 6th day of April, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
 Whit Y. Mauzy, United States Attorney.  
 John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

United States, )  
 Plaintiff, )  
 vs. ) Case No. 8905 Criminal  
 Don Hubler, )  
 Defendant. )

ORDER EXONERATING BONDSMEN

Now on this 6th day of April, 1938, this matter comes on to be heard upon the application of Charles F. Stuart and Frank Lewis, bondsmen for the defendant in the above entitled cause for a discharge and exoneration; and it being shown to the court that the applicants signed an appearance bond for and with the defendant, Don Hubler, in the above entitled cause, which was approved and filed of record in this cause, and it being further shown to the court that the defendant, Don Hubler, made his appearance in said cause in accordance with the orders of this court and was convicted by a jury on February 16th, 1938, and received his sentence, and that the terms and conditions of the said bond have been complied with fully;

Now Therefore, it is Considered, Ordered and Adjudged by the court that the application of Charles F. Stuart and Frank Lewis, bondsmen for the defendant in this cause, for exoneration be sustained and the said bondsmen, Charles F. Stuart and Frank Lewis, be and they are hereby released, exonerated, and discharged from further liability on said appearance bond, same being in the sum of \$1,000.00, and approved and filed with the court clerk of this court on the 30th day of Dec., 1937.

F. E. KENNAMER  
 JUDGE of the United States District  
 Court at Tulsa, Oklahoma

O.K. JOE W. HOWARD  
 Assist U. S. Atty

ENDORSED: Filed Apr 6 1938  
 H. P. Warfield, Clerk  
 U. S. District Court EA

UNITED STATES OF AMERICA, )  
 Plaintiff, )  
 -vs- ) No. 9027 - Criminal.  
 W. A. MUSGRAVE, )  
 Defendant. )

Now on this 6th day of April, A. D. 1938, comes the United States Attorney, representing the Government herein and the defendant appearing in person and by counsel, Frank



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

United States of America, Plaintiff, )  
vs. ) No. 9013 ✓  
Frank E. Whitney, Defendant. )

O R D E R

Now on this 7th day of April, 1938, this matter came on to be heard before me, Franklin E. Kennamer, United States District Judge for the Northern District of Oklahoma, upon the application of the defendant herein for an order exonerating his original appearance bond, and the court, after being fully advised in the premises, finds that said defendant made a surety bond for his appearance at the trial of said cause, and that pursuant to said bond, and upon the date upon which said case was set for trial, said defendant was tried and was duly convicted, and sentence passed; and thereafter said defendant filed his written notice of his intention to appeal to the Circuit Court of Appeals, and said appeal was allowed and bond fixed in the sum of \$1500.00 in said appeal, and said defendant, after said time and within the time fixed by the court, made his said appeal bond, which was by the court approved.

It therefore appearing that the purposes of the original appearance bond having been fully complied with, the said bond and the sureties thereon, The United States Fidelity and Guaranty Company, are exonerated and fully released therefrom.

Witness my hand as such United States District Judge for the Northern District of Oklahoma, this 7th day of April, 1938.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 7 1938  
H. P. Warfield, Clerk  
U. S. District Court EA

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

Curtis F. Bryan, Chas. R. Bostick, )  
and Paul L. Sisk, Trustees of the )  
Imperial Royalties Company, a trust )  
estate, and the Imperial Royalties )  
Company, a trust estate, Plaintiffs, ) No. 2445 Law ✓  
vs. )  
The United States of America, Defendant. )

ORDER ALLOWING APPEAL

This cause coming on for hearing before me, F. E. Kennamer, Judge of the said court, on the Petition for an Appeal and allowance thereof from the order sustaining a demurrer to each count of the Amended Petition filed herein and the entry of a judgment in favor of the defendant and against the plaintiffs for costs on the amended petition in this cause; and it appearing to the court that Assignment of Errors as required by law were filed contemporaneously with the Petition for Appeal, and that the same should be granted;

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



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

Nelis Sparlin, Plaintiff, )  
v. ) No. 2605 Law ✓  
Velie Mines Corporation, Defendant. )

ORDER OF DISMISSAL

The above entitled and numbered cause coming on to be heard on the motion of plaintiff to dismiss with prejudice at the cost of plaintiff, and the Court being fully advised,

The above entitled and numbered cause is by the Court on motion of plaintiff dismissed with prejudice at the cost of plaintiff.

This 7th day of April, 1938.

F. E. KENNAMER  
United States District Judge

APPROVED: A. L. COMMONS  
GAYLE M. PICKENS  
Attorneys for Plaintiff

ENDORSED: Filed Apr 7 1938  
H. P. Warfield, Clerk  
U. S. District Court

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

Dema Shewmake, Plaintiff, )  
vs. ) No. 2606 Law. ✓  
Velie Mines Corporation and St. )  
Louis Smelting and Refining Company, )  
Defendants. )

ORDER OF DISMISSAL

The above entitled and numbered cause coming on to be heard on the motion of plaintiff to dismiss with prejudice at the cost of plaintiff, and the Court being fully advised,

The above entitled and numbered cause is by the Court on motion of plaintiff dismissed with prejudice at the cost of plaintiff.

This 7th day of April, 1938.

APPROVED: A. L. COMMONS F. E. KENNAMER  
GAYLE M. PICKENS, Attorneys for Plaintiff United States District Judge

ENDORSED: Filed Apr 7 1938  
H. P. Warfield, Clerk, U. S. District Court H

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

Ike Eulitt, Plaintiff, )  
 )  
v. ) No. 2607 - Law.  
 )  
Velie Mines Corporation and St. Louis )  
Smelting and Refining Company, Defendants. )

ORDER OF DISMISSAL

The above entitled and numbered cause coming on to be heard on the motion of plaintiff to dismiss with prejudice at the cost of plaintiff, and the Court being fully advised,

The above entitled and numbered cause is by the Court on motion of plaintiff dismissed with prejudice at the cost of plaintiff.

This 7th day of April, 1938.

F. E. KENNAMER  
United States District Judge

APPROVED: A. L. COMMONS  
GAYLE M. PICKENS  
Attorneys for Plaintiff

ENDORSED: Filed Apr 7 1938.  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to April 11, 1938.

On this 11th day of April, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

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

United States of America, Plaintiff, )  
 )  
 vs. ) Criminal Miscellaneous  
 )  
 Urel Vernon Rutty and Andrew )  
 Wallace, Jr., Defendant. )

ORDER TO RELEASE DEFENDANTS ON RECOGNIZANCE BAIL

Comes now the defendants above named, upon recommendation of Joe W. Howard, Assistant United States Attorney, showing to the court that they have heretofore been incarcerated in the City Jail at Tulsa, Oklahoma on a charge of violation of the National Motor Vehicle Theft Act, to await the action of the next session of the U. S. Grand Jury; and further showing to the court that they are juveniles of school age, and move the court to be released on their own recognizance in order that they may attend school under the supervision of the City and Federal Probation officers, and the court being fully advised in the premises, finds that said motion should be granted.

IT IS HEREOFRE THE ORDER OF THE COURT that the United States Marshal for the Northern District of Oklahoma be, and he is hereby ordered to bring said defendants before the U. S. Commissioner at 2:00 o'clock on this the 11th day of April, 1938, to sign their own recognizance bail, and release them when said bail is duly executed.

F. E. KENNAMER  
JUDGE

O.K. JOE W. HOWARD  
Ass't U. S. Attorney

ENDORSED: Filed Apr 11 1938  
H. P. Warfield, Clerk  
U. S. District Court B

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 11th day of April, A. D. 1938, it being made satisfactorily to appear that George L. Sneed, Jr., is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court. (F.E.K. Judge).

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Court adjourned to April 13, 1938

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 13, 1938

On this 13th day of April, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT  
SITTING AT WICHITA, KANSAS

FIRST DAY, APRIL TERM, MONDAY, APRIL 11th, A. D. 1938.

PRESENT: Honorable Ori L. Phillips, Circuit Judge, *Clerk Ori L. P.*  
Honorable Sam G. Bratton, Circuit Judge, *(2447 Law)*  
Honorable Robert L. Williams, Circuit Judge, .

Lon Warner, Esquire, Marshal,  
Albert Trego, Esquire, Clerk

Before Honorable Ori L. Phillips, Honorable Sam G. Bratton and  
Honorable Robert L. Williams, Circuit Judges.

United States of America, Appellant, )  
1691 vs. ) Appeal from the District Court of the  
Board of County Commissioners of ) United States for the Northern District  
Pawnee County, Oklahoma, Appellee ) of Oklahoma.

This cause came on to be heard on the motion of appellant to dismiss the appeal herein and was submitted to the court.

On consideration whereof, it is now here ordered by the court that the said motion be and the same is hereby granted and that the appeal in this cause be and the same is hereby dismissed out of this court.

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

A true copy as of record,

(SEAL)

TESTE:

ALBERT TREGO  
Clerk.

ENDORSED: Filed Apr 13 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT  
SITTING AT WICHITA, KANSAS

FIRST DAY, APRIL TERM, MONDAY, APRIL 11th, A. D. 1938

PRESENT: Honorable Orie L. Phillips, Circuit Judge,  
Honorably Sam G. Bratton, Circuit Judge,  
Honorably Robert L. Williams, Circuit Judge,

Lon Waner, Esquire, Marshal,  
Albert Trego, Esquire, Clerk.

Before Honorable Orie L. Phillips, Honorable Sam G.  
Bratton and Honorable Robert L. Williams,  
Circuit Judges.

United States of America, Appellant. )  
1690 vs. ) Appeal from the District Court of the United  
Board of County Commissioners ) States for the Northern District of  
of Pawnee County, Oklahoma, Appellee. ) Oklahoma

This cause came on to be heard on the motion of appellant to dismiss the appeal herein and was submitted to the court.

On consideration whereof, it is now here ordered by the court that the said motion be and the same is hereby granted and that the appeal in this cause be and the same is hereby dismissed out of this court.

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

A true copy as of record,

(SEAL)

TESTE:

ALBERT TREGO,  
Clerk.

ENDORSED: Filed Apr 13 1938  
H. P. Warfield, Clerk  
U. S. District Court H

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

United States of America, Plaintiff, )  
vs. ) No. 2647 - Law.  
Sixty-nine (69) Gross Rubber Prophylactics, )  
Defendant. )

ORDER FOR MONITION

NOW, on this 13th day of April, 1938, there having been filed herein a

Petition in Libel on behalf of the United States of America against Sixty-nine (69) Gross of Rubber Prophylactics, praying the usual process and monition of this court and for an order condemning and forfeiting said merchandise and articles to said plaintiff under provisions of an Act of Congress of June 30, 1906, commonly known as the Food and Drugs Act, and it appearing from said petition in libel that on or about February 4, and February 28, 1938, said merchandise and articles were shipped in interstate commerce by the Dean Rubber Manufacturing Company, a Corporation, North Kansas City, Missouri, consigned to C. R. Beeler, Tulsa, Oklahoma.

And it further appearing in said petition in libel that said Sixty-nine (69) Gross Rubber Prophylactics was in an adulterated condition and was misbranded in violation of said Act of Congress and that said shipment should be seized under and by virtue of said Act of Congress and it further appearing that said Dean Rubber Manufacturing Company, a Corporation, North Kansas City, Missouri, and C. R. Beeler, Tulsa, Oklahoma, claim some interest in said merchandise and articles.

IT IS, THEREFORE, THE ORDER OF THE COURT that process of this court be duly issued, directing the United States Marshal for the Northern District of Oklahoma, to seize and arrest said merchandise and articles, take and safely keep same in his custody until the further order of the court and that he serve such warrant and monition upon all parties known to be interested in said merchandise and articles and particularly, the Dean Rubber Manufacturing Company, a Corporation, North, Kansas City, Missouri, and C. R. Beeler, Tulsa, Oklahoma, commanding them to appear in said cause and show cause, if any there be, why said article should not be forfeited to this plaintiff.

F. E. KENNAMER  
U. S. District Judge

ENDORSED: Filed Apr 13 1938  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to April 14, 1938.

On this 14th day of April, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court.  
Whit Y. Mauzy, United States Attorney.  
John P. Logan, United States Marshal.

Public proclamation having been duly made, the following proceedings were had and entered, to-wit: