

remainder of the records and files in said cause, and finds therefrom that the United States of America, by and through the United States Attorney for the Northern District of the State of Oklahoma, became an Intervenor in said action, having been served with Notice as provided by Act of Congress of April 12, 1926, which was an act amending section 9 of the Act of Congress of May 27, 1908, concerning suits involving Indian land titles, and providing for the United States of America to be joined in certain actions of this nature for the purpose of making judgments binding on all parties, and that said Intervenor filed herein its Motion to Dismiss as to the allotted lands of Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, which motion was by this Court sustained on the 7th day of September, 1938, and that thereupon the United States of America, by and through its attorneys of record in this cause, Chester A. Brewer, Assistant United States Attorney in and for the Northern District of the State of Oklahoma, has confessed the remainder of the allegations of plaintiff's petition, and stated to the Court that the same are true and correct, and it is therefore ordered that the allegations of plaintiff's petition insofar as it relates to the determination of heirship, partition, and quieting title of the allotted lands of Ida Hildebrand, Cherokee Citizen, Roll No. 26271, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, both Deceased, be taken as true and confessed.

It is further ordered that the allegations of plaintiff's petition insofar as the same seeks to determine heirship of Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, be taken as true and confessed.

It is further ordered that the property hereinafter described as the allotted lands of Ida Hildebrand, Cherokee Citizen, Roll No. 26271, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, both Deceased, be, and the same are hereby declared to be, free from any and all restrictions imposed by any Act of Congress, as to alienation, partition, or taxation, and that this judgment is binding upon the United States of America, and any or all of its various agencies, or anyone claiming by, through, or under it.

The Court further finds that Susie Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, died intestate in Delaware County, State of Oklahoma, on the 26th day of November, 1928, and that at the time of her death she was the owner of the following described property to-wit:

The Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section Thirty-One (31), Township Twenty-four (24), North, and Range Twenty-three (23) East and the North Half of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of Section Six (6), Township Twenty-three (23) North, Range Twenty-three, East, of the Indian Base and

Meridian containing Forty (40) acres more or less. That the said Susie Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, left surviving her, as her heirs at law, at the time of her death, the following named heirs, and no others:

Robert L. Miller, or Lee Miller, one and the same person, Cherokee Citizen, Roll No. 23735; surviving husband;

Lucille Ahniwake Miller, daughter;
Jackson L. Miller, son;
James A. Miller, son;
John Avery Miller, son;

and that under and by virtue of the laws of succession of the State of Oklahoma, said property as last hereinabove described descended to the following named persons, in the following named proportions, to-wit:

Lee Miller, or Robert L. Miller, Cherokee
Citizen, Roll No. 23735, -----One-third;
Jackson L. Miller, Minor, -----One-sixth;
James A. Miller, Minor-----One-sixth;
Lucille Ahniwake Miller, Minor,-----Onesixth;
John Avery Miller, Minor,-----One-sixth;

and that there are no other heirs, or persons entitled to inherit of or from said property, and that the persons above named have, and it is hereby ordered that they have, the said property and title thereunto vested in them, free and clear of and from the claims, estates, rights, titles, or interests of any other persons.

The Court further finds that on or about the 6th day of August, 1929, Jim Hildebrand, Cherokee Citizen, Roll No. 26271, died intestate in Delaware County, State of Oklahoma, and that at the time of his death he was the owner of the following described property, to-wit:

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of the Southeast Quarter in Section Thirteen (13), Township Twenty-four (24), North, Range Twenty-Two, East, and the Northwest Quarter of the Southeast Quarter of the Southeast Quarter and the North Half of the Southwest Quarter of the Southeast Quarter and the East Twenty (20) acres of Lot Nine (9), in Section Thirteen (13), Township Twenty-four (24) North, Range Twenty-two (22) East, and the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section Thirty-One (31), Township Twenty-four (24), North, Range Twenty-three (23) East and the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section (6), Township Twenty-three (23), North, Range Twenty-three (23) East,

of the Indian Base and Meridian, containing 100 acres more or less, and that at the time of his death he left as his heirs at law, and no others, the following named persons, who are entitled to inherit of and from the said property the amount and proportions set out opposite each respective name as follows, to-wit:

Ida Hildebrand, Deceased, -----One-half;
Lucille Ahniwake Miller, Minor, -----One-eighth;
Jackson L. Miller, Minor, -----One-eighth;
James A. Miller, Minor, -----One-eighth;
John Avery Miller, Minor, -----One-eighth;

and no other person or persons is entitled to, or has any interest, right, title, or estate in and to said property, save and except as hereinafter set out.

The Court further finds that on or about the 18th day of August, 1933, Ida Hildebrand, Cherokee Citizen, Roll No. 18853, died intestate in Delaware County, State of Oklahoma, and that at the time of her death she was seized and possessed of an inherited one-half interest in and to the allotted lands of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, as hereinabove set out, and at the time of her death, she left surviving her, as her heirs at law, and no others the following named persons, who under the law of succession of the State of Oklahoma, inherited of her estate in the amount and proportion set out opposite each respective names as follows, to-wit:

Lucille Ahniwake Miller,-----One-fourth;

Jackson L. Miller,-----One-fourth;

James A. Miller,-----One-fourth;

John Avery Miller,-----One-fourth;

and that said persons, and each of them are entitled to, and they are hereby confirmed and declared to be the heirs of Ida Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, and that there are no other heirs or persons entitled to inherit of the estate of the said Ida Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, and that no other person or persons have any right, title, interest, equity, or estate in and to said property last hereinabove described as the property and allotted lands of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, save and except as hereinabove set out.

It is therefore ordered adjudged and decreed that the titles and possession of the respective persons, their inherited interests as hereinabove set out, be, and the same is hereby forever settled and quieted and the parties and persons as hereinabove set out as against all claims or demands of the defendants, or any of them, and those claiming by, through, or under them, and that said defendants, and anyone claiming by, through or under them, be and they are hereby perpetually enjoined and forbidden to claim any right, title, interest, equity, or estate in and to said property as hereinabove described, hostile or adverse to the rights, titles, interests and estates of the persons whose interests are set out hereinabove, and said defendants and each of them and anyone claiming by, through or under them are hereby perpetually enjoined and forbidden from ever commencing any suit to disturb the said parties or persons in the quiet peaceable enjoyment of their interests in said property as hereinabove set out opposite each respective name.

And it appearing to the Court, that this Court did on the 7th day of September, 1938, make and enter an Order for Partition, wherein it was ordered that partition of the said property as set out herein be made accordingly, and that the court did appoint Hugh Wilson, Leslie L. Allen, and C. W. Newburn for the purpose of making said partition of the real estate and premises involved in this action, and it appearing to the Court, from the Report of Commissioners filed herein, that said commissioners, after having first taken and subscribed the oath prescribed by law, which has been duly filed herein, and having duly gone upon the said premises and personally inspected and examined the same, as directed by the order of this court duly made and entered on the 7th day of September, 1938, and the said Commissioners having thereafter filed their report herein finding that said premises are not susceptible of partition without great and manifest injury to the interests of the respective parties herein, and in accordance with the law, having therefore proceeded to view and appraise the said property, which said appraisal and report has been filed hereinbefore, and it appearing to the Court that the property and real estate involved herein is of the appraised value of \$10,500.00, it is by the court considered, ordered, and decreed that the said report of the commissioners is hereby in all things ratified and confirmed, and approved by the Court. It further appearing that none of the parties hereunto have offered to take said property at the appraised value thereof, it is ordered that the United States Marshall in and for the Northern District of Oklahoma, sell the said premises in question at public

auction to the highest bidder, at not less than two-thirds of the appraised value, after giving notice according to law of the time and place of said sale.

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

O.K. RILEY Q. HUNT, for the Plaintiff.

Service of copy waived.

ENDORSED: Filed Oct 24 1938
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to October 26, 1938

On this 26th day of October, 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

Florence Dismang, Plaintiff,)
-vs-) No. 2630 Law. ✓
Western Union Telegraph Company, a)
corporation, Defendant.)

O R D E R

Now, on this the 19th day of October, 1938, there came on to be considered the entry of judgment in pursuance of the motion of the defendant for preemptory instructions to the jury to find for the defendant, made during the course of the trial and taken under advisement at that time; and the court having prepared and filed a written opinion in this cause wherein he held that said motion should have been sustained.

Now on this date before the court signed a formal journal entry of judgment appears the plaintiff in open court and asks leave to dismiss said cause without prejudice and the court being fully advised in the premises is of the opinion that the said motion of plaintiff should be sustained and permission granted.

It is, therefore, ordered that plaintiff be, and is hereby permitted to dismiss said cause without prejudice upon the payment of court costs within twenty days from this date.

And it further appearing to the court that in pursuance of the opinion heretofore filed in said cause, the clerk entered upon the appearance docket of said court a minute showing that the motion of said defendant had been sustained and judgment rendered for the defendant. It is ordered that said judgment, be set aside and held for naught.

To all of which the defendant excepts and exceptions allowed.

F. E. KENNAMER
 U. S. DISTRICT JUDGE

Receipt of copy of order acknowledged
 by attorney for plaintiff.

MILLS & COHEN
FONT L. ALLEN

ENDORSED: Filed Oct 26 1938
 H. P. Warfield, Clerk
 U. S. District Court ME

 Court adjourned to October 27, 1938

On this 27th day of October, 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

New York Life Insurance Company,	Plaintiff,)
)
vs.)
)
Secretary of the Interior, and John R.)
Pearson, Executor of the estate of Wayne M.)
Penn, deceased,	Defendants.)
)
Mabel E. Schafer,	Intervenor.)

IN EQUITY NO. 936 ✓

ORDER EXTENDING TIME IN WHICH TO PREPARE, SERVE AND FILE RECORD.

Now on this 27th day of October, 1938, the above named defendant John R. Pearson, executor of the estate of Wayne M. Penn, deceased, having filed his notice of appeal in the above cause; and it appearing to the court that it is necessary that said defendant have an extension of time in which to prepare, serve and file a record in said cause, the court finds that good and sufficient cause exists for such extension.

It is therefore ordered by the court that said defendant, John R. Pearson, executor of the estate of Wayne M. Penn, deceased, be, and he hereby is, allowed an extension of ninety days from this date in which to prepare, serve and file a record in said cause and lodge his appeal in the Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER
United States District Judge

Service of copy acknowledged

FRANK T. McCOY

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

Court adjourned to October 28, 1938

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA FRIDAY, OCTOBER 28, 1938

On this 28th day of October, 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 WITHIN AND FOR THE NORTHERN DISTRICT OF
OKLAHOMA

ROSA MOORE, Plaintiff,)
vs.) No. 2660 - Law. ✓
SAFEWAY STORES, INC., Defendant.)

STIPULATION FOR DISMISSAL

It is hereby stipulated and agreed by and between the parties to this action, that the plaintiff, Rosa Moore, may and she does hereby dismiss the above and foregoing styled and numbered cause of action with prejudice to the bringing of a future action, at the cost of the defendant.

Dated this 28th day of October, 1938.

MRS. ROSA MOORE
Plaintiff.

R. R. LINKER &
Counsel for Plaintiff,
Beacon Building, Tulsa, Oklahoma.

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

SPECIAL MARCH 1938 TERM

FRIDAY, OCTOBER 28, 1938

SAFEWAY STORES, INC.,
Defendant.

W. E. HUDSON
ROBERT D. HUDSON
Counsel for Defendant,
Ritz Building, Tulsa, Oklahoma

IT IS HEREBY ORDERED that the above number and styled cause of action be dismissed with prejudice, at the cost of the defendant.

Dated this 28th day of October, 1938.

F. E. KENNAMER
U. S. District Judge

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

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

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

O R D E R

This cause coming on to be heard on the 28th day of October, 1938, on the verified application of T. P. Farmer, receiver for Exchange National Company for authorization to advertise and sell the following described premises:

S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ N E $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 31 Township 28N Range 14E, Washington
County, Oklahoma,

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

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained and the said T. P. Farmer be and he is directed, authorized and empowered to advertise and sell the above described premises and upon the confirmation thereon to make, execute and deliver a good and sufficient deed to the purchaser thereof and the said T. P. Farmer be and he is further directed, authorized and empowered to do all other things necessary and proper in order to fully and effectually to accomplish the letter and spirit of the application and this order.

Service of copy waived;
T. AUSTIN GAVIN, Attorney for
Receiver
ENDORSED: Filed Oct 28 1938
H. P. Warfield, Clerk
U. S. District Court

F. E. KENNAMER
United States District Judge

UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT OF OKLAHOMA

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

O R D E R

This cause coming on to be heard on this the 28th day of October, 1938, on the verified application of T. P. Farmer, receiver for Exchange National Company for authorization to advertise and sell the following described premises:

SW NW and SE NW NW and N $\frac{1}{2}$ NW SW and SW NW SW Section 1, Township 23 N,
Range 13E, Washington County, Oklahoma, containing 80 acres, more or less,

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

IT IS THEREFORE BY THE COURT ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained and the said T. P. Farmer be and he is directed, authorized and empowered to advertise and sell the above described premises and upon the confirmation thereon to make, execute and deliver a good and sufficient deed to the purchaser thereof and the said T. P. Farmer be and he is further directed, authorized and empowered to do all other things necessary and proper in order to fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

Service of Copy waived;
T. AUSTIN GAVIN, Attorney for Receiver.

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

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

FRED W. SEYMOUR, TRUSTEE, Plaintiff,)
)
vs.) No. 1277 - Equity ✓
)
GILMORT OIL COMPANY, a corporation,)
Defendant.)

O R D E R

Now on this 28 day of October, 1938, on application in open court by George Leslie for temporary allowance for reporting and transcribing the reports and hearings before the Special Master in the above entitled cause and for good cause shown,

IT IS THEREBY ORDERED that the Receivers of the Gilmore Oil Company pay the sum of TWO HUNDRED DOLLARS (\$200.00) to George Leslie for temporary reporting expense.

F. E. KENNAMER
J U D G E

COPY WAIVED 10-28-38

L. L. WILES WILBUR HOLLEMAN
By HAROLD C. STUART

ENDORSED: Filed Oct 28 1938
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to November 1, 1938

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA TUESDAY, NOVEMBER 1, 1938

On this 1st day of November, 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. Mausy, 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 FOR PETIT JURY.

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

ORDER FOR PETIT JURY FOR MIAMI TERM

On this the 1st day of November, A. D. 1938, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Thirty-six (36) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular November 1938 Term of this Court to be held at Miami, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in the form as provided by law, commanding the said Marshal to summon by Registered Mail said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Miami, Oklahoma, in the Northern District of Oklahoma, on Monday, November 14th, 1938, at 9:00 o'clock A.M., then and there to serve as Petit Jurors of the United States in and for said District at the Regular November 1938 Term of said Court.

F. E. KENNAMER
U. S. DISTRICT JUDGE

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF THE STATE 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)
corp., et al., Defendants.)

ORDER OF COURT

Now on this the 1st day of November, 1938, the same being a regular day of the Special March 1938 Term of said court; all parties being present in person and by their respective attorneys of record.

Whereupon the plaintiff moves that said cause be dismissed without prejudice at plaintiff's cost and upon consideration thereof the court finds: that said motion should be sustained.

It is therefore ordered, adjudged and decreed that said cause be, and the same is dismissed without prejudice at plaintiff's cost.

F. E. KENNAMER
Judge.

Received copy of Order Nov. 2, 1938

HARRY SEATON
Atty. for Deft.

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

Court adjourned to November 2, 1938

On this 2nd day of November, 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. Mausy, 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 2nd day of November, A. D. 1938, it is ordered by the Court that Norbert E. Proctor be duly admitted to the Bar of the Court, the oath prescribed by law being duly administered. (F.E.K. Judge).

VERDICT

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

W. G. NELSON, ET AL, Plaintiffs,)
vs.) No. 2586 Law ✓
ALLISCHALMERS MFG. CO. ET AL, Defendants.)

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

HOWARD WADDELL,
Foreman.

ENDORSED: Filed In Open Court
Nov. 2, 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 OF DISMISSAL

Now on this 2nd day of November, 1938, there comes on for hearing the above cause, and the plaintiff appeared in open court and dismisses said cause. Whereupon it is by the Court ORDERED that said cause be dismissed upon payment of the costs.

F. E. KENNAMER
United States District Judge

Copy of the above order waived;

BAILEY E. BELL
Attorney for Plaintiff.

LAWRENCE MILLS
Attorney for Defendant.

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

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

ELIZABETH DANIEL WALLACE and
WILLIAM M. DANIEL, Plaintiffs,

vs.

RICHARD T. DANIEL, JR., SAMUEL P. DANIEL,
GERTRUDE P. DANIEL, FLOYD RHEAM, ARTHUR
J. DEVLIN, and HOWARD C. JOHNSON, Bank
Commissioner of the State of
Oklahoma, Defendants.

J. A. DUFF and GUY S. MANATT, Interveners.

No. 1244 - Equity

O R D E R

Now on this 2 day of November, 1938, the above matter comes on for hearing upon the application of J. A. Duff and Guy S. Manatt, Interveners, praying for an order directing W. O. Buck, as Receiver, to pay to them One Thousand Dollars, which has been allowed as a charge against the assets of said receivership.

And the Court being fully advised in the premises, finds that the Receiver should pay to said Interveners, to apply on said indebtedness, the sum of Two Hundred Fifty and 00/100 Dollars.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the Receiver, W. O. Buck, be and he is hereby ordered and directed to issue his check upon the funds of the receivership payable to J. A. Duff and Guy S. Manatt, Interveners, to apply on said indebtedness and deliver the same to said Interveners in the above sum.

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

O.K. J. A. DUFF
GUY S. MANATT
INTERVENORS

O.K. AS TO FORM ONLY
G. C. SPILLERS,
Attorneys for Receiver

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

Court adjourned to November 3, 1938.

On this 3rd day of November, 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:

VERDICT

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

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

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, find for the plaintiff, and assess his damages at \$350.00 DOLLARS.

C. W. JUEDEMAN
 Foreman.

ENDORSED: Filed In Open Court
 Nov 3 1938
 H. P. Warfield, Clerk
 U. S. District Court

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

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

JOURNAL ENTRY OF JUDGMENT

On the 2nd day of November, 1938, this cause came on regularly for trial, and a jury having been duly impaneled and sworn, counsel made their respective statements and the taking of evidence was commenced. The Court then recessed to the 3rd day of November, 1938, for the further taking of testimony, and thereupon plaintiff and defendant, in open court, settled and compromised their differences and consented that the court instruct the jury to return a verdict for the plaintiff in the sum of \$350.00. Under said instruction a foreman was selected who signed the verdict and the same was filed, considered, read and approved.

IT IS THEREFORE BY THE COURT CONSIDERED, ORDERED AND ADJUDGED that the plaintiff, W. T. Dougherty, have and recover from the defendant, Oklahoma Natural Gas Company, the sum of \$350.00, together with the costs herein taxed at \$71.00.

O.K. WARD JUSTUS & WARD
By JOHN L. WARD

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Nov 14 1938
H. P. Warfield, Clerk
U. S. District Court AC

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

C. E. Bond and Nellie Bond, Plaintiffs,)
vs.)
Euchee Tom, Sam Jack, Daniel Lee Vaden,)
et al., Defendants.)
United States of America, Intervener.)

No. 1257 Equity ✓

JUDGMENT QUIETING TITLE

This cause came on to be heard in its regular order by the Hon. Franklin E. Kennamer, Judge on the 24th day of March, 1938, the plaintiffs being represented by James J. Mars, their attorney, and defendants and Intervener, United States of America, by Whit Y. Mauzy, United States District Attorney and his assistant Chester A. Brewer, the case being submitted to the Court upon an agreed statement and stipulation of facts and record evidence by all parties; and the Court having heard the evidence and argument of counsel, took the same under advisement, and all parties having submitted briefs, the Court after due consideration and deliberation, being fully advised in the premises, finds the issues in favor of the plaintiffs and against the defendants and the Intervener.

And the Court finds that the plaintiffs, C. E. Bond and Nellie Bond are the legal owners and in possession of the premises described in their petition, to-wit: -

The Northeast Quarter (NE/4) of the Northeast Quarter (NE/4); and East-half (E/2) of Northwest Quarter (N W/4) of Northeast Quarter (NE/4); and Northwest Quarter (N W/4) of Northwest quarter (NW/4) of Northeast Quarter (N E/4); and Northeast quarter (NE/4) of Northeast Quarter (N E/4) of Northwest quarter (NW/4) of Section Nineteen (19), Township Eighteen (18N) North, Range Twelve (12E) East, containing Eighty (80) acres more or less;

and that their title thereto is valid and perfect and superior to any right, title, and interest claimed by the defendants, Euchee Tom, Sam Jack and Daniel Lee Vaden, et al., and the Intervener, United States of America, and that defendants, or either of them nor the Intervener, have no right, title or interest in and to the premises above described.

It is therefore ordered, adjudged and decreed by the Court, that the title and possession of said plaintiffs in the premises be, and the same is hereby forever settled and quieted in the said plaintiffs as against said defendants and Intervener, and those claiming

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Receivers be and they are hereby instructed, authorized and empowered to enter into a contract with the Sand Springs Home for the drilling of said well for a total cost of FIVE THOUSAND TWO HUNDRED FOUR DOLLARS (\$5,204.00), and upon the completion of said well as per contract to pay to the said Sand Springs Home, one-third of the cost of the drilling of said well or the sum of ONE THOUSAND SEVEN HUNDRED THIRTY-FIVE DOLLARS (\$1,735.00).

Done at Tulsa, Oklahoma, the day and year first above written.

F. E. KENNAMER
 DISTRICT JUDGE.

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

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

United States of America,	Complainant,)	
)	
vs.)	
)	
George B. Cox, Cox Machinery Company, a Corporation, First National Bank of Miami, Oklahoma, Oklahoma Boiler & Sheet Metal Works, a corporation, and Landis Steel Construction Company, a corporation,	Respondents.)	In Equity No. 1279. ✓

O R D E R

Now on this 3rd day of November, 1938, this matter coming on before the Court, and it appearing that heretofore, and on July 5, 1938, the respondents' motion to dismiss came on for hearing before the Court, and after hearing arguments of counsel the Court directed counsel to submit briefs in support of their contentions, and said briefs having been submitted, and the Court having examined the files, and having considered the new rules of procedure in Federal Courts, and 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 hereby is overruled, to which order of the Court the respondents except and exceptions are allowed.

IT IS THE FURTHER ORDER of the Court that said respondents be, and they hereby are granted 20 days within which to plead or answer in this cause of action.

OK SERVICE OF COPY ACKNOWLEDGED.
WHIT Y. MAUZY
 United States Attorney

F. E. KENNAMER
 JUDGE

CHESTER A. BREWER, Assistant United States Attorney
FRANK NESBITT, Attorney for Respondents.

ENDORSED: Filed Nov 3 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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, NOVEMBER 7, 1938

On this 7th day of November, 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 - OATH OF DEPUTY U. S. MARSHAL.

DEPUTY U. S. MARSHAL'S OATH OF OFFICE

FOR THE NORTHERN DISTRICT OF OKLAHOMA.

I, John C. Tucker, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter: SO HELP ME GOD.

JOHN C. TUCKER

Sworn to and subscribed before me, this Seventh Day of November, 1938.

W. P. SMITH
U. S. Commissioner
Northern District of Oklahoma

(SEAL)

I certify that the above-named JOHN C. TUCKER, Salaried, Deputy Marshal, entered upon the performance of his official duties the Seventh Day of November, 1938.

JNO. P. LOGAN
United States Marshal.

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

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

R. J. Allison Company, Inc.,
a corporation, Plaintiff,
vs
The Central States Fire Insurance
Company of Wichita, Kansas, a Cor-
poration, and The Phoenix Insurance
Company, a corporation, Defendants.

No. 2712 - Law.

O R D E R

Now on this 7th day of November, 1938, the above cause comes on for hearing upon the motion of the plaintiff to dismiss said action, and the court after hearing said motion and being advised in the premises, finds that the plaintiff and the defendant have settled and compromised all matters involved in said action, and that the case should be dismissed.

IT IS, THEREFORE, BY THE COURT ORDERED that said cause be and the same is hereby dismissed with prejudice.

F. E. KENNAMER
United States District Judge

Service of copy acknowledged.

RITTENHOUSE, WEBSTER & RITTENHOUSE
Attys for Deft.

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

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

THE LINCOLN NATIONAL LIFE INSURANCE
COMPANY, Plaintiff
vs.
EXCHANGE NATIONAL COMPANY, Defendant.

No. 873 Equity.

ORDER AUTHORIZING COMPROMISE

This cause coming on to be heard on this 7th day of November, 1938, on the application of T. P. Farmer, as Receiver for Exchange National Company, to accept the sum of One Hundred Dollars (\$100.00) and execute in consideration thereof a full and complete release of a certain second mortgage executed by C. W. Garrett to Exchange National Company prior to its receivership, and the court having read said application and finding that it has jurisdiction to entertain the same and to enter an order thereon and being fully advised in the premises, finds that said application should be sustained.

fully and at large appears;

AND WHEREAS, at the April 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, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed; and that Hinderliter Tool Company, appellee, have and recover of and from Sheridan P. Tschappat and Harold Callahan, appellants, its costs herein.

-- September 8, 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 2nd day of November, in the year of our Lord one thousand nine hundred and thirty-eight.

COSTS OF	Appellee:	
Clerk,	\$Paid by appellants	ALBERT TREGO
Printing Record,	\$None	Clerk of the United States Circuit Court
Attorney,	\$20.00	of Appeals, Tenth Circuit.
	<u>\$20.00</u>	

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

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

FRED W. SEYMOUR, Trustee,	Plaintiff,)
)
vs.) No. 1277 - Equity. ✓
)
GILMORT OIL COMPANY, ET AL.,	Defendants.)

O R D E R

Now on this 7th day of November, 1938, comes on for hearing the application of the Receivers for instructions with reference to the oil and gas lease dated October 4th, 1937 from the Sand Springs Home to the Gilmort Oil Company, and the Court being fully advised in the premises finds that it is to the best interest of the said Receivership Estate that said oil and gas lease be surrendered to the lessor, Sand Springs Home, and that the Receivers of the Gilmort Oil Company be directed to execute the proper release thereof.

The Court further finds that neither the Gilmort Oil Company nor the Receivers for the Gilmort Oil Company have complied with the drilling requirements of said lease and that said lease provides for an annual rental of \$1.00 per acre.

The Court further finds that it would be a burden upon the Receivership Estate to pay said rental and that it is for the best interest of said Receivership estate that said lease be surrendered and a release given without the payment of rentals as stipulated in said lease.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Receivers be and they are hereby instructed to surrender said lease, a copy of which is attached to the application of the Receivers, and identified as Exhibit A, to the Sand Springs Home and to execute and deliver to the Sand Springs Home a written release thereof.

Done in open court the day and year first above written.

F. E. KENNAMER
J U D G E

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

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

EDMOND BURGESS, Complainant,)
vs) No. 1299
ALICE MAY BOSEN, Respondent.)

O R D E R

Now on this 7th day of November, 1938, the above matter comes on to be heard before the Court on the motion of complainant to amend his complaint and for an order for process.

The Court having examined said motion, being advised in the premises, finds that the same should be granted.

WHEREFORE, it is considered, ordered and decreed by the Court that complainant be allowed to amend his complaint herein filed by interlineation showing that Alice May Bosen, now Morrison is the respondent; and that the service of process herein had on Alice May Bosen be set aside and vacated and that complainant have process herein against Alice May Bosen, now Morrison.

F. E. KENNAMER
J U D G E

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

Court adjourned to November 9, 1938.

On this 9th day of November, 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.

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

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

FLORENCE DISMANG, Plaintiff,)
vs.) No. 2630 Law
WESTERN UNION TELEGRAPH COMPANY, a)
corporation, Defendant.)

O R D E R

Upon the application of plaintiff, it is ORDERED that plaintiff be permitted to dismiss the above cause without prejudice upon the payment of costs on this date.

Dated this 9th day of November, 1938.

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

Copy waived by attorney for Pltff.
FONT L. ALLEN
LAWRENCE MILLS

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

VERDICT

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

A. McVAY, Plaintiff,)
vs.) Case No. 2644 Law.
MUTUAL BENEFIT HEALTH & ACCIDENT)
ASSOCIATION, Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find that the plaintiff on the 24th day of November, 1936, was accidentally injured, independent of all other causes, which resulted in permanent and total disability.

HOWARD WADDELL
Foreman.

ENDORSED: Filed In Open Court
Nov. 9 1938
H. P. Warfield, Clerk
U. S. District Court H

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

George F. Bell, Plaintiff,)
vs)
Pacific Mutual Life Insurance Company, a)
corporation, and C. C. Day, doing business)
as the C. C. Day Agency, Defendants.)
No. 2673 - Law.

ORDER OF DISMISSAL

On this 9th day of November, 1938, the motion of plaintiff herein to dis-
miss the within cause of action with prejudice as against all defendants being presented to
the Court, it is **ORDERED**, **ADJUDGED** and **DECREED** by the Court that the within action and each
cause of action thereof be and the same is hereby dismissed with prejudice as against defendants
Pacific Mutual Life Insurance Company, a corporation, and C. C. Day, doing business as the C. C.
Day Agency, and each of them, at the cost of defendants.

F. E. KENNAMER
DISTRICT JUDGE.

Service Acknowledged
EMERY, JOHNSON, CROWE & TALBERT

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

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

ELIZABETH DANIEL WALLACE, et al., Plaintiffs,)
vs.)
RICHARD T. DANIEL, JR., et al., Defendants.)
No. 1244 Equity

ORDER ALLOWING ADDITIONAL ADVANCEMENT TO GERTRUDE
P. DANIEL

THIS CAUSE coming on for hearing before me, F. E. KENNAMER, Judge of said
Court, on application of the Receiver for an order for an additional allowance of \$200.00 to
Gertrude P. Daniel, the life tenant, and the court being fully advised in the premises finds
that the order should be made.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT
that W. O. Buck, Receiver herein, be and hereby is authorized and required forthwith to pay
to Gertrude P. Daniel the sum of \$200.00 and charge the same against receivership accounts.

DATED this the 9th day of November, 1938.

COPY RECEIVED 11/9/38

G. C. SPILLERS, Atty for Rec.

F. E. KENNAMER
JUDGE

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

On this 10th day of November, 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 WITHIN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Thomas Kapsenalis, Plaintiff,)
vs.) No. 2551 Law. ✓
Irene Taylor, et al, Defendants.)

ORDER PERMITTING PLAINTIFF TO FILE AMENDED PETITION

Now on this 10th day of November, 1938, on application of the plaintiff, and for good cause shown, it is by the Court ordered that the plaintiff be and he is hereby permitted to file instanter herein an Amended Petition and defendants are given 10 days from this date in which to answer or plead to the same.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Nov 10 1938
H. P. Warfield, Clerk
U. S. District Court H

VERDICT

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

BEATRICE BERNIECE LEWIS, Plaintiff,)
vs.) Case No. 2667 Law ✓
WILLIAMS HAT STORES, INC., Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, and assess her damages at One Thousand Five Hundred DOLLARS, (\$1500.00).

FRANK L. DOBEL
Foreman :

ENDORSED: Filed In Open Court
Nov 10 1938
H. P. Warfield, Clerk
U. S. District Court H

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

DORA MAUREEN BITTICK, a minor, by her)
next friend, Florence Bittick, Plaintiff,)
vs.) No. 2703 Law.
BARNSDALL REFINING CORPORATION)
a corporation, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this the 10th day of November, 1938, this cause comes on for hearing upon its merits; the plaintiff appeared in person and by her mother and next friend, Florence Bittick, and by her counsel, Pratt, Honnold & Swindell, and the defendant appeared by its counsel, Hudson & Hudson.

And both parties having announced ready for trial, and having waived a jury, the court proceeded to the trial of said cause upon its merits. The Plaintiff then introduced her evidence and rested. And the court, being fully advised in the premises, upon consideration thereof, finds:

That plaintiff is a minor of the age of three years; that she brings this action by and through her mother and next friend, Florence Bittick. The court also finds that the plaintiff is entitled to recover judgment of and from the defendant, Barnsdall Refining Corporation a corporation, in the sum of Seven Hundred (\$700.00) Dollars, on her cause of action set forth in her petition filed herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that the plaintiff, Dora Maureen Bittick, have and recover judgment of and from the defendant, Barnsdall Refining Corporation, a corporation, in the amount of Seven Hundred (\$700.00) Dollars, together with interest thereon at the rate of six per cent per annum from the 10th day of November, 1938, until paid, together with the costs of this action.

For all of which let execution issue.

F. E. KENNAMER
United States District Judge

OK AND SERVICE OF COPIES ACKNOWLEDGED:

PRATT, HONNOLD & SWINDELL
By CALVIN SWINDELL
Attorneys for Plaintiff

HUDSON & HUDSON
Attorneys for Defendant.

ENDORSED: Filed Nov 10 1938
H. P. Warfield, Clerk
U. S. District Court B

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

EAGLE OIL COMPANY, a corporation,	Plaintiff,)	
)	
vs.)	
)	
SINCLAIR PRAIRIE OIL COMPANY, a corporation, et al.,	Defendants.)	Consolidated No. 1251 Equity ✓
and)	
ELDA AUDREY HASKELL,	Plaintiff,)	
)	
vs.)	
)	
SINCLAIR PRAIRIE OIL COMPANY, a corporation,	Defendant.)	

O R D E R

Now on this 10th day of November, 1938, there came on for consideration, the motion of the plaintiffs for an order of this court directing the Clerk hereof to transmit to the Circuit Court of Appeals for the Tenth Circuit, certain exhibits introduced in evidence at the trial of said cause, for the inspection of said court; and the court, being fully advised in the premises, is of the opinion that said motion should be sustained.

It is therefore ORDERED that the originals of Plaintiffs' Exhibit 4, Defendant's Exhibit 15, and Defendant's Exhibit 31, be by the defendant, Sinclair Prairie Oil Company, delivered to the Clerk of this court to be held by him for the use of both parties in the preparation of their respective briefs and to be delivered to said parties upon receipt thereof. That after the filing of said briefs, the said original documents be transmitted by said clerk to the Clerk of the Circuit Court of Appeals, at Denver, Colorado, for the use and inspection of said court in the consideration of this cause.

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

RECEIPT OF COPY ACKNOWLEDGED
LAWRENCE MILLS
Atty for Pltffs.

ENDORSED: Filed Nov 10 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

Silva C. Robinson,	Plaintiff,)	
)	
vs.)	No. 1287-E
)	
The Exchange National Bank of Tulsa, Oklahoma, a corporation, and the National Bank of Tulsa, Oklahoma, a corporation,	Defendants.)	

O R D E R

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, NOVEMBER 10, 1938

On this 10th day of November, 1938, upon application of the defendants, The Exchange National Bank of Tulsa, and National Bank of Tulsa, for leave to file their first amended separate answers herein, it is

ORDERED That the defendant, The Exchange National Bank of Tulsa and National Bank of Tulsa, be and are hereby given leave to file herein their first amended separate answers to the bill of complaint of the plaintiff in this cause.

F. E. KENNAMER
United States District Judge

APPROVED AS TO FORM AND SERVICE OF NOTICE OF ENTRY OF SAME IS WAIVED:

JOHN LADNER & CARL H. LIVINGSTON and
STANLEY C. EDMISTER
Attorneys for plaintiff, Silva C. Robinson.

FRANK SETTLE and SAM CLAMMER
Attorney for defendant, R. M. MOODY

JOS. L. HULL
Attorneys for defendants. The Exchange National Bank of Tulsa, and National Bank of Tulsa.

ENDORSED: Filed Nov 10 1938
H. P. Warfield, Clerk
U. S. District Court B

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

GENE BUCK, as President of the American Society of Composers, Authors and Publishers, and M. WITMARK & SONS, Plaintiffs,

vs.

ELLEN P. BAKER and C. C. BAKER, Defendants.

No. 1297 Eq. ✓

ORDER OF DISMISSAL

Now on this 10th day of November, 1938, this cause coming on for hearing on motion of plaintiffs to dismiss the above cause and the court having heard the argument of counsel and being fully advised in the premises and upon consideration finds:

That on the 30th day of September, 1938, the parties hereto entered into a stipulation wherein it was agreed that said cause should be dismissed upon the performance of certain conditions by defendants; the court further finds that said conditions have been performed by said defendants, and that thereby this cause has been settled according to the mutual agreement of the parties under said stipulation.

IT IS THEREFORE, ORDERED, that upon this motion of plaintiffs to dismiss said cause, the same is hereby dismissed with prejudice to a future action.

F. E. KENNAMER
JUDGE

SERVICE OF COPY ACKNOWLEDGED

DAVID R. MILSTEN, By Jacob L. Morehead

ENDORSED: Filed Nov 10 1938
H. P. Warfield, Clerk
U. S; District Court B

MISCELLANEOUS - ORDER DISCHARGING PETIT JURY.

On this 10th day of November, A. D. 1938, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged, subject to call, for this Special March 1938 Term of this Court, at Tulsa, Oklahoma. (F.E.K.J.)

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

On this 10th day of November, A. D. 1938, it is ordered by the Court that the Marshal of this District, pay the Petit Jurors and Witnesses for this Special March 1938 Term of Court their mileage and attendance as shown by the record of attendance. (F.E.K.J.)

Court adjourned to November 14, 1938

On this 14th day of November, 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 - ADMISSION TO BAR.

On this 14th day of November, A. D. 1938, it being made satisfactorily to appear that Matthew J. Kane and Arthur A. O'Dell are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are declared admitted to the Bar. (F.E.K. Judge).

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

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

ORDER CONFIRMING SALE

THIS CAUSE COMING on to be heard on this the 14th day of November, 1938, it being one of the regular court days of this court, on the motion of T. P. Farmer, Receiver for Exchange National Company, for an order approving and confirming the sale conducted by him on the 5th day of November, 1938, wherein he sold unto W. I. Parrott, for the consideration of \$2700.00, the following described premises, to-wit:

132
/

Lots One and Two except the South Seven acres of the Southwest Quarter of said Lot Two and all of the Northeast Quarter of Southwest Quarter of Northeast Quarter and Northwest Quarter of Southeast Quarter of Northeast Quarter lying North of the A. and O. Railway Company right-of-way all in Section Five (5), Township Twenty-four (24) North, Range Twenty-four (24) East, Delaware County, Oklahoma,

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

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

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

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

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

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

Court adjourned to November 15, 1938.

On this 14th day of November, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular November 1938 Term at Miami, met pursuant to adjournment, Hon. Alfred P. Murrah, Judge, present and presiding.

Benjamin B. Ballenger, Deputy U. S. Court Clerk.
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 DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ORDER FOR ADDITIONAL PETIT JURORS

On this 14th day of November, A. D. 1938, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Forty (40) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular November 1938 Term of this Court to be held at Miami, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Miami, Oklahoma, in the Northern District of Oklahoma, on Wednesday, the 16th day of November, A. D. 1938, at 9:00 o'clock A. M., then and there to serve as Petit Jurors of the United States in and for said District at the Regular November 1938 Term of said Court.

ALFRED P. MURRAH
U. S. DISTRICT JUDGE

ENDORSED: Filed In Open Court
Nov 14 1938
H. P. Warfield, Clerk
U. S. District Court B

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 14th day of November, A. D. 1938, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Regular November 1938 Term of Court, at Miami, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Henry Foster	O. W. Brown
E. R. Russell	Ben McDuffy
A. C. Sweeney	C. L. Oaks
Chas. Holt	G. B. Cogswell
J. C. Willhite	J. G. Logan
Geo. Houk	Andrew Whisenhunt
B. C. King	Homer J. Smith
J. W. Hughes	C. T. Winters
Paul C. Tate	John W. Lowry
Arthur Karnes	C. C. Beach
Leonard Shaffner	S. D. McCalb
S. J. Tyler	C. M. Griffith
S. M. Zickefoose	A. B. McGeachie
J. Wright Young	James Martin
Bert Stoner	E. R. O'Brien
Charley Burden	Dorn Caywood
Berl Moody	W. B. Stahl
Red Lucas	R. C. Van Denberg

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

J. C. Willhite
Arthur Karnes
G. B. Cogswell

A. B. McGechie
James Martin
R. C. Van Denberg

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

Henry Foster
E. R. Russell
Chas. Holt
Paul C. Tate
J. Wright Young
Berl Moody

Red Lucas
O. W. Brown
Andrew Whisenhunt
C. C. Beach
Dorn Caywood
W. B. Stahl

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular ~~November~~ 1938 Term of Court.

ENDORSED: Filed In Open Court
Nov 14 1938
H. P. Warfield, Clerk
U. S. District Court

ORDER FOR ADDITIONAL PETIT JURORS.

On this 14th day of November, A. D. 1938, it appearing to the Court that there are not sufficient jurors in the panel, it is ordered that the Marshal of said District summon from the bystanders eight (8) good and lawful men, duly qualified, to serve as Petit Jurors for this Regular November, 1938 Term of said Court.

Thereupon, the Marshal returns the names of Roy Clouser, Francis Edward Millner, Frank Spencer, Denver T. Seals, Erskine R. Chappell, Rudolph Doenges, Roy Green and Bert Wall, who are examined by the Court, and all are accepted as Petit Jurors for this Regular November 1938 Term of Court, to report for duty November 15, 1938.

MISCELLANEOUS - ORDER APPOINTING OFFICIAL COURT REPORTER

Now on this 14th day of November, A. D. 1938, it is ordered by the Court that W. S. Jordan be and he is hereby appointed official Court Reporter for this Term of Court. (Alfred P. Murrah, Judge).

MISCELLANEOUS - OATH OF OFFICIAL COURT REPORTER.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA
IN THE MATTER OF OFFICIAL COURT REPORTER

O A T H

I, W. S. Jordan, do solemnly swear that I will faithfully and impartially

discharge and perform all the duties incumbent upon me as Official Court Reporter; that I will write down in shorthand and correctly transcribe all the proceedings of the court as may be required; and that I will support and defend the constitution and laws of the United States of America. So Help Me. God.

W. S. JORDAN

Subscribed and sworn to before me this 14th day of November, 1938.

ALFRED P. MURRAH
U. S. District Judge

In Open Court
ENDORSED: Filed Nov 14 1938
H. P. Warfield, Clerk
U. S. District Court

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

United States of America, Complainant,)
vs) No. 1279 - Equity ✓
George B. Cox et al, Respondents.)

ORDER OF ENLARGEMENT

Now this 14th day of November, 1938, at the November, 1938 Term of said Court sitting in the city of Miami, in said Judicial District, this matter comes on for hearing on the application of the defendants for an order of court enlarging the time within which to answer, The parties litigant appear by their respective attorneys, and there being no objections to said application,

IT IS ORDERED that the time within which defendants may file Response herein be and the same is enlarged and shall extend to the 25th day of November, 1938.

ALFRED P. MURRAH
JUDGE

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

Court adjourned to November 15, 1938.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF OKLAHOMA
SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA TUESDAY, NOVEMBER 15, 1938

On this 15th day of November, 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 - ADMISSION TO BAR.

Now on this 15th day of November, A. D. 1938, it being made satisfactorily to appear that Alfred C. Thomas and Gustav A. Kruger are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are duly admitted to the Bar of the Court. (F.E.K. JUDGE).

Court adjourned to November 17, 1938.

REGULAR NOVEMBER 1938 TERM MIAMI, OKLAHOMA WEDNESDAY, NOVEMBER 16, 1938

On this 16th day of November, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular November 1938 Term at Miami, met pursuant to adjournment, 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:

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 16th day of November, A. D. 1938, comes the Marshal and makes return on the venire heretofore issued out of this court for Petit Jurors for this Regular November 1938 Term Court, at Miami, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Lester Shearhart
G. I. Alexander
R. M. Dittman
J. H. Erbelding
George Colombe
John Nichols
E. A. Meyer
Charles Stanton
Raymond Griffith
Herbert Thomas
Ralph Beree
Arthur J. Black
Lee Smith
R. H. Sibley

Paul Elam
J. K. Bewley
H. P. Holley
Elmer Farrier
Nat. D. White
A. B. Watkins
T. L. Never
J. L. Watson
Faxon E. Barnhart
L. D. Edington
C. H. Dowell
O. C. Wemhaner
H. H. Henry
Ralph Davis

A. M. Jones	Harold A. Brewer
J. F. Stallard	H. H. Snyder
L. R. Canfield	W. H. Watkins
R. G. Cunningham	H. G. Benson
C. T. Abbott	W. C. Wood
John C. Copeland	E. N. Adams

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

G. I. Alexander	J. F. Stallard
R. M. Dittman	John C. Copeland
Faxon E. Barnhart	Harold A. Brewer
H. H. Snyder	
W. H. Watkins	

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 served but not reporting

J. K. Bewley	A. B. Watkins
H. H. Henry	

and of those not served

Charles Stanton	C. H. Dowell
Arthur J. Black	O. C. Wemhaner
Lee Smith	Ralph Davis
Elmer Farrier	A. M. Jones
Nat. D. White	R. G. Cunningham
T. L. Never	C. T. Abbott
L. D. Edington	Harold A. Brewer
E. N. Adams	

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Regular November 1938 Term of Court at Miami.

ENDORSED: Filed In Open Court
Nov 16 1938
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - ORDER APPOINTING BAILIFF FOR THIS TERM.

Now on this 16th day of November, A. D. 1938, it is ordered by the Court that O. L. Hopkins be and he is hereby appointed bailiff for this term of court. (A.P.M.J.)

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

DISTRICT OF OKLAHOMA

REGULAR NOVEMBER 1938 TERM

MIAMI, OKLAHOMA

WEDNESDAY, NOVEMBER 16, 1938

MISCELLANEOUS - ORDER DISCHARGING TALESMAN.

Now on this 16th day of November, A. D. 1938, it is ordered by the Court that all Talesman be, and they are, hereby discharged for this Regular November, 1938 Term of this Court at Miami, Oklahoma, Sine Die.

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

On this 16th day of November, A. D. 1938, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Regular November 1938 Term of Court, their mileage and attendance as shown by the Record of Attendance.

Court adjourned to November 18, 1938

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, NOVEMBER 17, 1938

On this 17th day of November, 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 - ADMISSION TO BAR.

Now on this 17th day of November, A. D. 1938, it is ordered by the Court that Aaron Mesirou be admitted to the Bar of the Court, it being made satisfactorily to appear that said attorney is qualified for admission to the Bar of the Court and the oath prescribed by law was duly administered and said attorney is declared admitted to the Bar of the Court.

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

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

vs.)

No. 877 Equity ✓

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

ORDER AUTHORIZING TRUSTEE TO ADJUST INDEBTEDNESS

On this 17th day of November, 1938, upon the application of J. H. McBirney, Successor Trustee, for authority to adjust and compromise the indebtedness of Richard Olive and Ruth Olive, and it appearing that among the assets coming into the hands of J. H. McBirney, Successor Trustee,

was a real estate mortgage note or bond, executed by Richard Olive and Ruth Olive, for the principal sum of One Thousand Five Hundred Dollars (\$1,500.00). which said note was secured by a first real estate mortgage covering the following described land, to-wit:

The East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 24, and the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 25, Township Eight (8) South, Range Twenty Three (23) East, McCurtain County, Oklahoma.

The court further finds that Richard Olive and Ruth Olive reside in Idabel, Oklahoma that the said debtors refused to pay said indebtedness and it was necessary for J. H. McBirney Successor Trustee, to institute an action in the District Court of McCurtain County, Oklahoma, being cause No. 9808, for the recovery of a judgment upon said note and for the foreclosure of the real estate mortgage securing the same; that judgment was entered in said suit on the 4th day of May, 1938, in which the said Trustee recovered judgment in the principal sum of One Thousand Five Hundred Dollars (\$1,500.00), together with interest thereon from the 1st day of November, 1932 plus Ninety & 88/100 Dollars (\$90.88) advanced for the payment of taxes, and an attorney's fee of Two Hundred Dollars (\$200.00), costs and for the foreclosure of the said mortgage.

The Court further finds that the said real estate described above will not sell for a sum sufficient to satisfy said judgment; that said real estate will not sell for a sum in cash equal to the amount which has been offered in settlement of said judgment indebtedness, to-wit: One Thousand Two Hundred Dollars (\$1,200.00); that Richard Olive and Ruth Olive are without financial responsibility, and that in the opinion of the trustee he will be unable to enforce collection of said judgment as against Richard Olive and Ruth Olive.

The court further finds that J. H. McBirney, Successor Trustee, has been offered the sum of One Thousand Two Hundred Dollars (\$1,200.00) in full payment and satisfaction of the said judgment and indebtedness evidenced thereby and merged therein; that said sum is greater in amount than the said trustee will be able to obtain from the sale of said real estate and in excess of the sum obtainable from the said real estate and from Richard Olive and Ruth Olive.

The court further finds that the Advisory Committee appointed and designated by this court, upon whom notice of settlements and transactions involving said trust estate shall be served, have been duly notified of said proposal of settlement, and have considered the same, and have recommended that the said judgment indebtedness be settled for the sum of One Thousand Two Hundred Dollars (\$1,200.00) in cash, and that upon the payment thereof said judgment and mortgage be released and the note merged in said judgment be surrendered.

The court further finds that the said trust is in liquidation; that the said real estate above described is not readily salable for cash, and that it is for the best interest of said trust and its said beneficiaries to settle and adjust said indebtedness for One Thousand Two Hundred Dollars (\$1,200.00) and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to accept the sum of One Thousand Two Hundred Dollars (\$1,200.00) in cash, as full and complete payment and satisfaction of the judgment entered in cause No. 9808, in the District Court of McCurtain County, Oklahoma, wherein J. H. McBirney, as Successor Trustee, is plaintiff, and Richard Olive and Ruth Olive, et al, are defendants.

IT IS FURTHER ORDERED that upon payment of the said sum of One Thousand Two Hundred Dollars (\$1,200.00), J. H. McBirney, Successor trustee, as judgment creditor, be and he is hereby authorized to release the said judgment in cause No. 9808, District Court of McCurtain County, Oklahoma, and is further authorized to execute and deliver release of real estate mortgage, as well

as surrender the note merged in said judgment.

F. E. KENNAMER
United States District Judge

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

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

ELIZABETH DANIEL WALLACE, et al, Plaintiffs,)
vs.) No. 1244 Equity ✓
RICHARD T. DANIEL, JR., et al, Defendants.)

ORDER APPROVING REPORT OF RECEIVER

This cause coming on for hearing before me, F. E. Kennamer, Judge of said Court, on this, the 17th day of November, 1938, on the application of the Receiver for an order approving his report for the month of October, 1938, filed herein; and the court being fully advised in the premises, finds that the receiver has fully and faithfully accounted for all monies received from the properties herein and the manner of disbursement of the same, and that the said report should be in all matters and things approved.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the report of the receiver filed herein for the month of October, 1938, be and the same is hereby in all matters and things approved.

DATED this 17th day of November, 1938.

F. E. KENNAMER
JUDGE

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

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

FRED W. SEYMOUR, TRUSTEE, Plaintiff,)
vs.) No. 1277 Equity ✓
GILMORT OIL COMPANY, a corporation, Defendant.)

In the matter of the Intervention and Bill of Complaint of PRODUCERS PIPE & SUPPLY CO.)

ORDER OF REFERENCE

NOW on this 12th day of September, 1938, there came on for hearing the application of PRODUCERS PIPE & SUPPLY CO., for an order of reference in the above matter, the PRODUCERS PIPE & SUPPLY CO. appearing by their counsel, ROSENSTEIN & RINEHART; the Receivers appearing by their

counsel, LAWRENCE MILLS and E. J. DOERNER; the Defendant, GILMORT OIL COMPANY, appearing by their counsel, FLOYD RHEAM; and all of the parties and cross petitioners in this matter appearing by their counsel, upon the agreement of all parties;

It is ORDERED, ADJUDGED and DECREED by the Court that the intervention and bill of complaint of PRODUCERS PIPE & SUPPLY CO., heretofore filed in this cause, and all of the answers and cross petitioners of the parties filed in the matter of such intervention and bill of complaint of PRODUCERS PIPE & SUPPLY CO. and all issues therein, be and the same are hereby referred to W. L. COFFEY, as Special Master in Chancery of this Court, and the order of reference heretofore entered in cause No. 1277 Equity be, and the same hereby is extended to said intervention and bill of complaint, to each of the causes of complaint herein stated and to all of the answers, cross petition and issues filed in reference thereto, and said Special Master is hereby vested with power and authority to audit the same, to hear all testimony in support thereof, to fix a place or places for hearing and to adjourn said hearing from time to time to suitable places to be determined by him to require the attendance before him of all witnesses with books, papers or documents in their possession or under their control, and to administer all oaths, to issue commissions for deposition of non-resident witnesses, to receive and consider all depositions taken by any of the parties and to examine all of said witnesses and exhibits of documents, papers and writings to a full extent that he shall deem lawful and proper, and that he shall check all physical evidence offered by either side, including personal inspection of any property, whether real or personal, involved therein, in his discretion it may be of benefit in determining any questions in such issues, to make all needed computations, and shall have all the powers as are conferred on Masters by law and by Rules of Practice for Courts of Equity of the United States as prescribed by the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that all testimony of witnesses be reduced in writing and that said Special Master shall report in writing and that the same to this Court together with all exhibits and depositions of non-residents offered together with a report to the Court of the findings of fact and conclusions of law and to recommend the judgment to be entered thereon, all subject to examination, consideration, approval, modification or other disposal by the Court.

The said Special Master is authorized to employ a stenographer or stenographers to take down and transcribe the testimony submitted to the Special Master and other proceedings before the Special Master and to keep a record of the proceedings of the hearings before him.

Said Special Master is further authorized and empowered to do all things and to make such orders as may be required to accomplish a full hearing on all matters of fact and law in issue in said intervention and bill of complaint of Producers Pipe & Supply Co., and all answers, cross petitions and other pleadings filed in response thereto, or in connection therewith.

F. E. KENNAMER
DISTRICT JUDGE.

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA THURSDAY, NOVEMBER 17, 1938

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

Fred W. Seymour, Trustee, Plaintiff,)
vs-) No. 1277 - Equity ✓
Gilmort Oil Company, Defendant.)

ORDER PERMITTING SNEED INVESTMENT COMPANY TO FILE CLAIMS

Now on this October 24th, 1938, upon oral application of Sneed Investment Company by its attorney, L. K. Pounders, and upon showing made to the satisfaction of the Court, it is ordered that said Sneed Investment Company be and it hereby is permitted to file with the receiver herein two claims by it acquired by assignment, namely, claim for labor by R. R. Grandin in the sum of \$823.45, and claim for labor by E. C. Yearly in the sum of \$426.32, such claims to be filed within 5 days from this date.

F. E. KENNAMER
JUDGE

O.K. L. K. POUNDERS
Attorney for Sneed Investment Co.

O.K. and copy of above order receiver.

E. J. DOERNER
Attorney for Receivers, L. L. Wiles
and Wilbur J. Holleman.

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

Court adjourned to November 22, 1938.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA TUESDAY, NOVEMBER 22, 1938

On this 22nd day of November, A. D. 1938, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March A. D. 1938 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kenamer, 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 - OATH OF JACK BONHAM, DEPUTY U. S. MARSHAL

DEPUTY U. S. MARSHAL'S OATH OF OFFICE
FOR THE NORTHERN DISTRICT OF OKLAHOMA.

I, JACK BONHAM, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter: SO HELP ME GOD.

JACK BONHAM

Sworn to and subscribed before me, this 14 day of November, 1938.

ALFRED P. MURRAH
United States Dist. Judge

Tulsa, Oklahoma November 14, 1938

I certify that the above-named Jack Bonham, Field, Deputy Marshal, entered upon the performance of his official duties the 14 day of November, 1938.

JNO. P. LOGAN
United States Marshal.

ENDORSED: Filed Nov 22 1938
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - ORDER APPOINTING LURLINE F. GOAD, Deputy U. S. Marshal.

DEPTY U. S. MARSHAL'S OATH OF OFFICE
FOR THE NORTHERN DISTRICT OF OKLAHOMA

I, LURLINE F. GOAD, do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the Northern District of Oklahoma, under the authority of the United States, and true returns make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Deputy, United States Marshal of the Northern District of Oklahoma, during my continuance in said office, and take only my lawful fees; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter: SO HELP ME GOD.

LURLINE F. GOAD

Sworn to and subscribed before me, this 22 day of November, 1938.

F. E. KENNAMER
United States Judge

Tulsa, Okla., Nov. 22, 1938.

I certify that the above-named Lurline F. Goad, Deputy Marshal, entered upon the performance of his official duties the 22 day of November, 1938.

ENDORSED: Filed Nov 22 1938
H. P. Warfield, Clerk
U. S. District Court

JNO. P. LOGAN
United States Marshal

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA.

In the Matter of the Estate of Wosey) CONSOLIDATED CIVIL FILE # 35. ✓
Deere, nee John, Deceased,)

O R D E R

NOW on this 26th day of November, 1938, this matter having come on before the court on November 22, 1938, pursuant to regular setting on the motion to remand of Milford Thomas, the movant appearing by his attorneys, Norman Barker, N. E. McNeill and Glen O. Young, and the guardian, Creekmore Wallace, appearing in person and by his attorney, Geo. H. Jennings, and Evelyn Sebers appearing by her attorney Joe Brown, Probate Attorney, and the 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 court after hearing the arguments of counsel and being fully advised in the premises finds that said motion to remand should be held in abeyance pending a determination of the heirs of Wosey Deere, nee John, full-blood Creek Indian appearing opposite Roll No. 9546, deceased, and the court further finds that said causes of action No. 35 Civil and No. 42 Civil, should be consolidated under No. 35 Civil.

The court further finds that said hearing for the determination of the heirs of Wosey Deere, nee John, deceased full-blood Creek Indian appearing opposite Roll No. 9546, should be set for hearing on January 9, 1939.

IT IS, THEREFORE, ORDERED that the motion to remand of Milford Thomas, he and the same hereby is held in abeyance pending a determination of the heirs of Wosey Deere, nee John, deceased full-blood Creek Indian, appearing opposite Roll No. 9546.

IT IS THE FURTHER ORDER OF THE COURT that Civil No. 35 and Civil No. 42, he and the same hereby are consolidated under Civil No. 35 Consolidated.

IT IS THE FURTHER ORDER OF THE COURT that said hearing for determination of the heirs of Wosey Deere, nee John, Deceased full-blood Creek Indian, appearing opposite Roll No. 9546 he and the same hereby is set for hearing for January 9, 1939, at 9:30 a.m.

F. E. KENNAMER
JUDGE

O.K. as to Form, Service of copy acknowledged.
N. E. McNEILL
GLENN O. YOUNG, By N. E. McNeill
NORMAN BARKER, By N. E. McNeill
Attorneys for Milford Thomas.

GEORGE H. JENNINGS
Attorney for Creekmore Wallace, guardian of Jimmy Povesheik.

JOE BROWN
Joe Brown, Probate Attorney,
Attorney for Evelyn Sebers.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney.

ENDORSED: Filed Nov 26 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

Mildred Leitner Mudd Staten, Administratrix
 of the Estate of Alex Mudd, Deceased, PLAINTIFF,)
 VS.) No. 1592 Law. ✓
 United States Fidelity & Guaranty Company, a)
 corporation, Defendant.)

EXTENSION OF TIME

Upon the application of the Wm. T. Rye, Referee, appointed by this Court in the above entitled cause of action, and upon the showing having been made by the said Referee of the stupendous amount of work already accomplished and of the testimony already taken and agreed upon, showing to the court that exhibits of around seven or eight hundred have been agreed upon and introduced, and the court being fully advised, finds that the request of the Referee for thirty days additional time should be granted.

IT IS THEREFORE ordered that the Referee's Report shall be on file in this court on or before thirty days after November 22, 1938.

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

ENDORSED: Filed Nov 22 1938
 H. P. Warfield, clerk
 U. S. District Court H

 Court adjourned to November 23, 1938.

On this 23 day of November, 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

LOTTIE HAMRICK and L. D. HAMRICK, Complainants)
 vs.) No. 1263 Civil In Equity ✓
 CURTIS F. BRYAN, CHAS. R. BOSTICK, PAUL L.)
 SISK, and IMPERIAL ROYALTIES COMPANY, A)
 TRUST, Defendants.)

FINDINGS, CONCLUSIONS AND DECREE

This cause coming on for hearing before me, T. Blake Kennedy, assigned Judge, on the 7th day of June, 1938, and the complainants appearing in person and by their attorneys, Felix Bodovitz and Donald Brown, and the defendants, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk appearing in person, and the Imperial Royalties Company, a trust estate, appearing by its Trustees, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, and all defendants appearing by their attorneys, Underwood, Canterbury, Pinson & Lupardus, by I. J. Underwood, and Yancey & Spillers, by G. C. Spillers; and all parties having announced ready for trial;

Whereupon, certain testimony was introduced and the Court recessed the cause until the 9th day of June, 1938;

On the 9th day of June, 1938, the trial was resumed and complainants and defendants introduced further testimony and rested. Both complainants and defendants agreed to submit the issues upon the testimony introduced and upon written briefs, and written briefs having been filed by both complainants and defendants, and the testimony and briefs having been considered by the Court, the Court finds:

1. That at the time of the commencement of the action herein the complainants were citizens and residents of the State of Texas and the individual defendants were citizens and residents of the State of Oklahoma, residing in Tulsa County, and Imperial Royalties Company, a trust estate, is a business trust, organized under and by virtue of the laws of the State of Oklahoma, with its offices and principal place of business in the City of Tulsa, Oklahoma.

2. The defendants, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, are the duly appointed, qualified and acting Trustees of Imperial Royalties Company, a trust, having been so appointed by an order of the District Court of Tulsa County, Oklahoma, entered on the 26th day of January, 1935, in the case of Alta L. Hamrick, et al v. Imperial Royalties Company, a trust, et al., No. 56614.

3. That the said case of Alta L. Hamrick, et al v. Imperial Royalties Company, a trust, et al, was instituted in the District Court of Tulsa County, Oklahoma, for the purpose of obtaining an accounting of the affairs of former Trustees of Imperial Royalties Company, for the removal of said former Trustees, for the appointment of successor Trustees, for judgment against said former Trustees for all trust funds illegally diverted from said trust, for the appointment of a Receiver for said trust estate pending said litigation, and for general equitable relief.

4. The amount in controversy in this action is in excess of \$3,000.00, exclusive of interest and costs, and this Court has jurisdiction of this action, to which finding the defendants jointly and severally except and exceptions are allowed.

5. Lottie Hamrick and L. D. Hamrick, complainants herein, were the owners of shares of Imperial Royalties Company, a trust, as alleged in the amended bill of complaint.

6. A receiver was appointed by the District Court of Tulsa County, Oklahoma, for Imperial Royalties Company, a trust, in the said case of Alta L. Hamrick, et al. v. Imperial Royalties Company, a trust, et al., on the 7th day of September, 1933.

7. An order was entered in the said Alta L. Hamrick case above described, pending in the District Court of Tulsa County, Oklahoma, on the 5th day of March, 1935, directing that the Receiver of Imperial Royalties Company turn over all the properties of said trust estate to the defendants, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, except the sum of \$50,000.00 of the funds of said trust estate, and the individual Trustee defendants were thereafter in charge of the properties and business of Imperial Royalties Company, subject to the continued jurisdiction of the District Court of Tulsa County, Oklahoma, over the trust estate and over said newly appointed Trustees, to which finding the complaints jointly and severally except and exceptions are allowed;

8. An order was entered in the said Alta L. Hamrick case above described, pending in the District Court of Tulsa County, Oklahoma, on the 14th day of November, 1935, discharging the Receiver appointed in said cause and terminating the receivership proceedings involving Imperial Royalties Company in that Court.

9. The Trustees, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, prior to making the disbursements of money complained of in this action, employed and consulted competent counsel as to how said disbursements were to be made and relief upon the advice given them by said counsel; said Trustees used prudence and acted in good faith in making all of said disbursements complained of and exercised that degree of care, diligence and caution that reasonable prudent men, of discretion and intelligence, would exercise in taking care of their own personal affairs; said Trustees in no manner profited by said disbursements and in making said disbursements, discharged their duties to the trust estate with fidelity, to which complainants jointly and severally except and their exceptions are allowed.

As a matter of law it is concluded:

1. This Court has jurisdiction of the parties and the subject matter of this action, to which the defendants jointly and severally except and their exceptions are allowed.

2. The defendants, Curtis F. Bryan, Chas. R. Bostick and Paul L. Sisk, are not liable to complainants or to any one represented by complainants for the manner of making disbursements of the funds belonging to Imperial Royalties Company, complained of in the amended bill of complaint, the complainants having wholly failed to establish any claim for relief against said defendants or any of them, and this action should be dismissed, with prejudice to any other action, at the cost of the complainants, to which complainants jointly and severally except and exceptions are allowed.

3. It is unnecessary to determine or pass upon any other defenses interposed by defendants or any issues raised by them, to which complainants jointly and severally except and their exceptions are allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the complainants take nothing by this action; that the defendants and each of them be and they hereby are exonerated of and discharged from any liability in favor of complainants, and that this cause of action be dismissed, with prejudice to another action, at the cost of complainants, to which judgment the complainants jointly and severally except and their exceptions are allowed.

DATED the 18 day of November, 1938.

FORM O.K.:

FELIX A BODOVITZ
DONALD L. BROWN
Attorneys for Complainants

I. J. UNDERWOOD
G. C. SPILLERS
Attorneys for Defendants

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

T. BLAKE KENNEDY
JUDGE

On this 26th day of November, 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 DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff,)
vs.) No. 2041 Law. ✓
L. J. Briscoe, et al, Defendants.)

ORDER OF DISMISSAL

NOW, on this 26th day of November, 1938m this matter coming on before the court and it appearing that the United States Attorney for the Northern District of Oklahoma has been instructed to dismiss this action without prejudice;

IT IS, THEREFORE, THE ORDER OF THE COURT that said action be and the same hereby is dismissed without prejudice.

AND IT IS SO ORDERED.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Nov 26 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

United States of America, Petitioner,)
vs.)
490.995 acres of land, more or less, in Delaware)
County, State of Oklahoma;) No. 13 - Civil ✓
Lucy Proctor, a Full Blood Cherokee Citizen,)
Roll No. 26453, if living, and if deceased, her)
unknown heirs, executors, administrators, devisees,)
legatees and assigns, whose names, ages, and)
addressed are unknown, et al., Respondents.)

PUBLICATION ORDER

Now on this 26th day of November, 1938, it appearing from the affidavit of Curtis P. Harris, Special Attorney, Department of Justice, and the application of the United States of America, petitioner in the above styled cause, that the following, defendants, to-wit:

Andrew Murphy, if living, and if deceased, his unknown heirs, executors, administrators, devisees, legatees and assigns, whose names, ages and addresses are unknown;
John Casey;
John C. Watson;
Fannie D. Watson;
Alice Boyer;
Maggie Raper, a minor;
C. M. Gragg;
Tom Bly;
R. V. Bly;
Too-late Cochran;
R. B. Shriver, also known as Raselyn B. Shriver;
Alice Beamer;
C. A. Coon;
W. D. Queen;
Mrs. Jessie Shaffer;
Wm. D. Queen;
Frank J. Atkinson, also known as F. J. Atkinson;
Marian White, also known as Marion White;
S. C. Woolums;
James M. Woolums;
T. J. Miller;
Lewis W. Stevens;

and the unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, of the following names deceased persons, to-wit:

Lucy Proctor;
Lum Moore;
Quatie Chuwalooky;
Samuel M. Coleman;
W. H. Doherty, Jr;
Lydia Buck;
Sam Hair;
Dakie Hair, nee Proctor;
Ed Coppedge;
Nancy Cochran;
John W. Beamer;
Lewis Beamer;

and any and all persons, firms and corporations claiming any interest whatsoever in the real estate hereinafter described, are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is necessary that said defendants, and their unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, be served by publication notice.

IT IS, THEREFORE, ORDERED that the petitioner's application for the appointment of commissioners to appraise the land sought to be condemned be heard by this Court on the 23rd day of January, 1939, at 10:00 o'clock A.M., in the United States Court Room in the Federal Building, Tulsa, Oklahoma, and that there be published in The Grove Sun, a weekly newspaper of general

circulation in Delaware County, State of Oklahoma, on the following dates, to-wit: on December 1, 1938; on December 8, 1938; on December 15, 1938; on December 22, 1938; on December 29, 1938; and on January 5, 1939, notice directing the aforewaid non-resident respondents to appear before this Court at the time and place aforesaid, and that the notification of said non-resident defendants shall be complete upon the filing of an affidavit by the publisher, managing officer, or printer of said The Grove Sun that the notice referred to above has been printed and published in said newspaper as hereby directed.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Nov 26 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

United States of America,	Petitioner,)	
)	
vs.)	
)	
490.995 acres of land, more or less, in Delaware County, State of Oklahoma;)	No. 13 - Civil. ✓
)	
Lucy Proctor, a Full Blood Cherokee Citizen, Roll No. 26453, if living, and if deceased, her unknown heirs, executors, administrators, devisees, legatees and assigns, whose names, ages, and addresses are unknown, et al.,	Respondents.)	

ORDER OF AMENDMENT

Now on this 26th day of November, 1938, there is presented to this court an application for an amendment to the Petition for Condemnation filed herein. After due consideration thereof, and the court being fully advised in the premises, finds that said application should be granted.

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioner be permitted to amend its Petition for Condemnation filed herein by interlineation, by inserting in paragraph 2 thereof, and immediately following the words, "December 31, 1936", being on the 7th line of said paragraph 2, the following words, figures and phrases, to-wit:

"The Act to Amend the Agricultural Adjustment Act and for other purposes approved August 24, 1935 (49 Stat. 781)",

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner herein be permitted to amend its petition for condemnation by striking out of paragraph 3 of said petition the words, figures and phrases, to-wit:

"to establish a proper fish and game conservation".

F. E. KENNAMER
JUDGE

ENDORSED: Filed Nov 26 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, Plaintiff,
 vs.
 EXCHANGE NATIONAL COMPANY, Defendant.

No. 873 Equity

ORDER AUTHORIZING EXECUTION OF RELEASE OF JUDGMENT ON SECOND MORTGAGE

THIS CAUSE COMING on to be heard on this the 26th day of November, 1938, on the application of T. P. Farmer, Receiver of Exchange National Company, for authority to release the judgment on the second mortgage, said judgment having been obtained in the case of J. H. Mc-Birney, Trustee, vs. Richard Olive and Ruth Olive, No. 9809, in the District Court of McCurtain County, Oklahoma, said judgment being inferior to the judgment on the first mortgage, obtained in the cause above described, in the sum of \$1500.00 with interest and costs, said judgment on the second mortgage being in the sum of \$50.00 and the court having read said application and finding that it has jurisdiction to entertain the same and enter and order thereon, and being fully advised in the premises, finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and it is hereby sustained, and the said T. P. Farmer Receiver of Exchange National Company, be and he is hereby directed, authorized and empowered to release the judgment on the second mortgage, above described, upon the payment to him of the sum of \$1.00, and that he be and he is hereby directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
 United States District Judge

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Complainant,
 vs.
 S. S. Kennedy, Amy Kennedy and E. H. Ryan, if living, or if dead, his unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, Respondents.

No. 1155 Equity

ORDER NUNC PRO TUNC

NOW, on this 26th day of November, 1938, this matter coming on before the court and it appearing that heretofore and on June 9, 1938, a journal entry of judgment was entered in the above entitled case, decreeing the foreclosure of the property involved in this action and it further appearing to the court that said judgment is defective in that the order of the court granting money judgment is not sufficiently set out therein.

IT IS, THEREFORE, THE ORDER of the Court that said journal entry of judgment be and the same hereby is corrected so that the following paragraph may be inserted after line 3 on the second page of said journal entry of judgment:

IT IS, THEREFORE, the order, judgment and decree of the court that the complainant United States of America in its own behalf and in behalf of Simon Henderson, restricted Osage Allottee No. 757, have and recover judgment against the respondents, S. S. Kennedy and Amy Kennedy and each of them in the sum of \$10,650.00, with interest thereon at the rate of 10% per annum, payable annually, from February 28, 1932, together with the taxes for the years 1930 to 1935, inclusive, in the total sum of \$375.63, with interest and penalties and for all costs of this suit and that if the sale price of the property decreed to be sold be not sufficient to pay said judgment that execution issue for any deficiency.

F. E. KENNAMER
U. S. DISTRICT JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED.

WHIT Y. MAUZY
United States Attorney

GREGG A. BREWER
Assistant United States Attorney

ENDORSED: Filed Nov 26 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

United States, Plaintiff,)
vs.) No. 1222 Equity ✓
Chas. T. Abbott, et al, Defendant.)

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER.

Now on this 26th day of November, it being shown to the Court that Jno. P. Logan, has heretofore by the Court been appointed Receiver in the above cause to collect the rents and otherwise care for the real estate involved in the mortgage foreclosure herein, and the Receiver having filed his report showing that he has collected the sum of \$160.00 from said property, and as shown by said report has disbursed, including expense as said Receiver, the sum of \$7.76, and there now remains in his hands, subject to disbursement by order of Court, the sum of \$152.24, the Court finds that said expense as shown by said report, should be and same is accepted and allowed.

IT IS THEREFORE THE ORDER OF THE COURT that said Receiver's report be and is hereby accepted and approved, and said Receiver's is directed to pay himself from said funds as shown in said report his expenses shown therein, and to pay the remaining funds in his hands in the sum of \$152.24 to D. Buddrus, Disbursing Agent of the Five Civilized Tribes, Muskogee.

And it is further ordered that said Receiver be, and hereby is discharged.

F. E. KENNAMER
J U D G E

APPROVED: CHESTER A. BREWER
Assistant United States Attorney

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

Court adjourned to November 28, 1938

On this 28th day of November, 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 DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
DISTRICT OF THE STATE OF OKLAHOMA

GEORGE F. SHORT, Plaintiff,)
-vs-) No. 2702 Law
S. D. FALLEY AND CENTRAL MUTUAL INSURANCE)
COMPANY OF CHICAGO, A CORPORATION, Defendants.)

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard this 26th day of November, 1938, pursuant to regular assignment for trial, the said plaintiff, George F. Short, being present by his attorneys George L. Sneed, Jr. and T. Austin Gavin, and the defendant, S. D. Falley, by his attorney, John M. Williams, of Topeka, Kansas, and Emmett V. Rosser, Jr., of Tulsa, Oklahoma; and it appearing to the Court that the defendant, Central Mutual Insurance Company of Chicago, a corporation, having been regularly served with summons herein which service is herewith approved, came not, but makes default; and both parties present announcing ready for trial and jury being expressly waived in open court, the Court proceeded to hear the evidence of the witnesses and argument of counsel.

The Court being fully advised, on consideration finds: That the plaintiff has sustained all the allegations of his petition and amended petition and is entitled to judgment accordingly.

The Court further finds that the defendant, S. D. Falley, that by virtue of the

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terms of an insurance policy, a copy of which is attached to plaintiff's petition, said contract of insurance existing between S.D. Falley and the Central Mutual Insurance Company of Chicago, a corporation, is entitled to be subrogated to any right or interest that said plaintiff may herein against the defendant, Central Mutual Insurance Company of Chicago, a corporation, in the event that the said defendant, S. D. Falley, pays and satisfies the judgment of the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, that the said plaintiff, George F. Short, have and recover of the said defendants, S. D. FALLEY AND THE CENTRAL MUTUAL INSURANCE COMPANY OF CHICAGO, a corporation, jointly, the sum of \$500.00, with interest at the legal rate from the 1st day of December, 1938, and costs of this action; to which finding and judgment the plaintiff, S. D. Falley, then and there duly excepted.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said defendant, S. D. FALLEY, be and is hereby subrogated to any and all right which the said plaintiff, George F. Short, may or could have against the defendant, CENTRAL MUTUAL LIFE INSURANCE COMPANY OF CHICAGO, a corporation, by virtue of this judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that should the defendant, S. D. Falley, pay and satisfy this judgment, interest and costs, then in that event; IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED: that the defendant, S.D. FALLEY, have and recover a money judgment against the CENTRAL MUTUAL INSURANCE COMPANY OF CHICAGO, a corporation, in the sum of \$500.00 with interest at the legal rate from the 1st day of December, 1938, and the costs of this action.

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

T. AUSTIN GAVIN
GEORGE L. SNEED, JR.,
Attorneys for Plaintiff

EMMET V. ROSSER, JR.,
JOHN M. WILLIAMS
Attorneys for Defendants.

SERVICE WAIVED
T. AUSTIN GAVIN
GEORGE L. SNEED, JR.
Attorneys for Plaintiff

DOCKET FEE WAIVED
G.L.S.

JOHN M. WILLIAMS
Attorneys for Defendant.

ENDORSED: Filed Nov 28 1938
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to November 29, 1938.

On this 29th day of November, 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

Helmerich & Payne, Inc., an)
Oklahoma Corporation,) Plaintiff,)
-vs-) No. 2713 - Law. ✓
Sayre Oil Corporation, a)
Texas corporation,) Defendant.)

ORDER DISMISSING CAUSE WITH PREJUDICE

Upon motion of the plaintiff, and for good cause shown, it is

ORDERED:

That the within and foregoing action be, and the same is hereby, in all things, dismissed at the cost of plaintiff, and with prejudice to the institution of another action.

ENTERED this the 29th day of November, 1938.

F. E. KENNAMER
United States District Judge

OK MONNET & SAVAGE Attys for Pltf.
SERVICE ACKNOWLEDGED
MONNET & SAVAGE

ENDORSED: Filed Nov 29 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

R. A. WAXLER, Complainant,)
 vs.) No. 1132 Equity ✓
 PHILLIPS PETROLEUM COMPANY,)
 a corporation, Defendant.)

O R D E R

NOW, on this 29th day of November, 1938, the suggestion of the death of the complainant, R. A. Waxler, having been made, and it appearing that the parties hereto have joined in a motion addressed to this Court requesting that this action be revived in the name of Alfred Beck, Administrator of the estate of R. A. Waxler, deceased, in the place and stead of said R. A. Waxler, as complainant herein;

NOW, THEREFORE, IT IS ORDERED, CONSIDERED AND ADJUDGED that this action on the part of the complainant herein, R. A. Waxler, be, and the same hereby is, revived in the name of Alfred Beck, Administrator of the estate of R. A. Waxler, deceased, and the name of said Alfred Beck, Administrator of the estate of R. A. Waxler, deceased, shall henceforth be substituted herein as complainant in the place and stead of R. A. Waxler.

F. E. KENNAMER
 District Judge.

NOV. 29,-38

SERVICE OF COPY ACKNOWLEDGED

VALJEAN BIDDISON
 Atty for Defendant

ENDORSED: Filed Nov 29 1938
 H. P. Warfield, Clerk
 U. S. District Court H

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

ELFRED BECK, Administrator of the)
 Estate of R. A. Waxler, Deceased, Complainant,) In Equity No. 1132. ✓
 vs.)
 PHILLIPS PETROLEUM COMPANY, a)
 Corporation, Defendant.)

ORDER DISMISSING CAUSE

NOW, on this 29th day of November, 1938, upon motion of the complainant, it is hereby ORDERED that this action be, and the same hereby is, dismissed at complainant's cost.
 h

F. E. KENNAMER
 District Judge

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, NOVEMBER 29, 1938

Nov. 29-38

SERVICE OF COPY HEREOF ACKNOWLEDGED.
VALJEAN BIDDISON
Solicitor for Defendant.

ENDORSED: Filed Nov 29 1938
H. P. Warfield, Clerk
U. S. District Court H

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

Lee Miller, individually, and as Guardian of)
Lucille Ahniwake Miller, Jackson L. Miller,)
James A. Miller, and John Avery Miller,)
Minors, Plaintiff,)

-vs-

) No. 1294 Equity

The heirs, executors, administrators, devisees,)
trustees and assigns, known and unknown, immediate)
and remote, living or dead, of Jim Hildebrand, Cherokee)
Citizen, Roll No. 26271, Ida Hildebrand, Cherokee)
Citizen, Roll No. 18853, and Susie Hildebrand,)
Cherokee Citizen, Roll No. 18854, all Deceased, and)
the State of Oklahoma, Defendants.)

AMENDED JOURNAL ENTRY OF JUDGMENT

Now, on this the 29th day of November, 1938, this matter coming on for hearing upon the motion of Riley Q. Hunt, attorney of record for the plaintiffs in this action, and the defendants and each of them being three times duly called in open court, came not, but make default, and said defendants and each of them, having failed to answer, except demur, or otherwise plead, are held and adjudged by the Court to be in default; whereupon the Court proceeds to examine the records and files in this case, and, to hear the evidence produced upon behalf of the plaintiff by way of oral testimony and being fully advised in the premises the court finds that the defendant the State of Oklahoma, having been duly served with a summons within this State, more than twenty days prior to this date, said service being upon C. C. Brown, Tax Commissioner of the State of Oklahoma, and the said Oklahoma, Tax Commission having filed herein its Disclaimer, which Disclaimer is by the Court examined and approved and the court finds, therefrom, that the State of Oklahoma, or the Oklahoma Tax Commission, has no interest in and to said property and that there is no indebtedness due from the plaintiffs or the defendants unto the State of Oklahoma, or the Oklahoma Tax Commission by reason of inheritance or transfer taxes, or the inheritance or transfer tax laws of the State of Oklahoma; the Court further finds that it appears from the affidavit of the plaintiff annexed to his Petition that the names of the heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, known or unknown living or dead of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Ida Hildebrand, Cherokee Citizen, Roll No. 18853, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, all Deceased, and their residences, are unknown to this plaintiff, and that it is necessary to make such unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, living or dead, known or unknown of the parties last hereinabove set out as Deceased, defendants herein; that said defendants have been duly and legally served by publication, the first publication as shown by proof of publication on file herein being made more than forty-one (41) days prior to this date, and that said defendants have not answered or filed other pleadings herein;

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, NOVEMBER 29, 1938

that such pleading was made in the manner and form required by the laws of the State of Oklahoma; It is therefore ordered that service by publication upon the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, living or dead, known or unknown, of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Ida Hildebrand, Cherokee Citizen, Roll No. 18853, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, all Deceased, be, and it is hereby in all respects, approved and adjudged to be sufficient to give this court jurisdiction to render judgment herein, and it is further ordered that said defendants are adjudged to be in default, and that the allegations of plaintiff's petition be taken as true and confessed against said defendants and each of them.

Whereupon, the Court proceeds to examine the remainder of the records and files in said cause, and findst therefrom that the United States of America, by and through the United States Attorney for the Northern District of the State of Oklahoma became an intervenor in said action, having been served with Notice as provided by Act of Congress of April 12, 1926, which was an act amending Section 9 of the Act of Congress of May 27, 1908, concerning suits involving Indian land titles, and providing for the United States of America to be joined in certain action of this nature for the purpose of making judgments binding on all parties, and that said Intervenor filed herein its Motion to Dismiss as to the allotted lands of Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, which Motion was by this Court sustained on the 7th day of September, 1938, and that thereupon the United States of America, by and through its attorney of record in this cause, Chester A. Brewer, Assistant United States Attorney in and for the Northern District of the State of Oklahoma, has confessed the remainder of the allegations of plaintiff's petition and stated to the Court that the same are true and correct, and it is therefore ordered that the allegations of plaintiff's petition insofar as it relates to the determination of heirship, partition and quieting title of the allotted lands of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, both Deceased, be taken as true and confessed.

It is further ordered that the allegations of plaintiff's petition insofar as the same seekx to determine heirship of Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, be taken as true and confessed.

The Court further finds that Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, were, during their lifetimes, the same identical respective persons as Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854 deceased.

It is further ordered that the property hereinafter described as the allotted lands of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, and Susie Hildebrand, Cherokee Citizen, Roll No. 18854, both Deceased, be, and the same is hereby declared to be free and from any and all restrictions imposed by Act of Congress, as to alienation, partition, taxation, and that this judgment is binding upon the United States of America, and any or all of its various agencies or anyone claiming by, through, or under it.

The Court further finds that Susie Hildebrand, Cherokee Citizen, Roll No. 18854 Deceased, died intestate in Delaware County, State of Oklahoma, on the 26th day of November, 1928, and that at the time of her death she was the owner of the following described property, to-wit:

The Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Twenty-four (24), North, and Range Twenty-three (23) East and the North Half of the Southeast Quarter of the Northeast Quarter and the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section Six (6), Township Twenty-three (23) North, Range Twenty-three (23) East of

the Indian Base and Meridian containing Forty (40) acres more or less. That the said Susie Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, left surviving her, as her heirs at law, at the time of her death, the following named heirs, and no others:

Robert L. Miller, or Lee Miller, one and the same person, Cherokee Citizen, Roll No. 23735, surviving husband;

Lucille Ahniwake Miller, daughter;
Jackson L. Miller, son;
James A. Miller, son;
John Avery Miller, son;

and that under and by virtue of the laws of succession of the State of Oklahoma, said property as lat hereinabove described descended to the following named persons, in the following named proportions, to-wit:

Lee Miller, or Robert L. Miller, Cherokee Citizen,
Roll No. 23735.....One-third;
Jackson L. Miller, Minor.....One-sixth;
James A. Miller, Minor.....One-sixth;
Lucille Ahniwake Miller, Minor.....One-sixth;
John Avery Miller, Minor.....One-sixth;

and that there are not other heirs, or persons entitled to inherit of or from said property, and that the persons above named have, and it is hereby ordered that they have, the said property and title thereunto vested in them, free and clear of and from the claims, estates, rights, titles, or interests of any other persons.

The court further finds that on or about the 6th day of August, 1929, Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, died intestate in Delaware County, State of Oklahoma, and that at the time of his death he was the owner of the following described property, to-wit:

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of the Southeast Quarter in Section Thirteen (13), Township Twenty-four (24) North, Range Twenty-Two (22) East and the Northwest Quarter of the Southeast Quarter of the Southeast Quarter and the North Half of the Southwest Quarter of the Southeast Quarter and the East Twenty (20) acres of Lot Nine (9) in Section Thirteen (13), Township Twenty-four (24) North, Range Twenty-Two (22) East, and the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section Thirty-One (31), Township Twenty-four (24) North, Range Twenty-three (23) East and the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section Six (6), Township Twenty-three (23), North, Range Twenty-three (23) East,

of the Indian Base and Meridian, containing 100 acres more or less, and that at the time of his death he left as his heirs at law, and no others, the following named persons, who are entitled to inherit of and from the said property the amount and proportions set out opposite each respective name as follows, to-wit:

- Ida Hildebrand, Deceased,.....One-half;
- Lucille Ahniwake Miller, Minor.....One-eighth;
- Jackson L. Miller, Minor,.....One-eighth;
- James A. Miller, Minor,.....One-eighth;
- John Avery Miller, Minor.....One-eighth;

and no other person or persons is entitled to, or has any interest, right, title, or estate in and to said property save and except as hereinafter set out.

The Court further finds that on or about the 18th day of August, 1933, Ida Hildebrand, Cherokee Citizen, Roll No. 18853, Deceased, died intestate in Delaware County, State of Oklahoma, and that at the time of her death she was seized and possess of an inherited one-half interest in and to the allotted lands of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, as hereinafter set out, and that at the time of her death she left surviving her, as her heirs at law, and no others, the following named persons, who under the law of succession of the State of Oklahoma, inherited of her estate in the amount and proportion set out opposite each respective name as follows, to-wit:

- Lucille Ahniwake Miller.....One-fourth;
- Jackson L. Miller.....One-fourth;
- James A. Miller.....One-fourth;
- John Avery Miller.....One-fourth;

and that said persons, and each of them are entitled to, and they are hereby confirmed and declared to be the heirs of Ida Hildebrand, Cherokee Citizen, Roll No. 18854, Deceased, and that there are no other heirs of persons entitled to inherit of the estate of the said Ida Hildebrand Cherokee Citizen, Roll No. 18854, Deceased, and that no other person or persons have any right, title, interest, equity or estate in and to said property last hereinabove described as the property and allotted lands of Jim Hildebrand, Cherokee Citizen, Roll No. 26271, Deceased, save and except as hereinabove set out.

It is therefore ordered, adjudged and decreed that the titles and possession of the respective persons, their inherited interests as hereinabove set out, be, and the same is hereby forever settled and quieted in the parties and persons as hereinabove set out as against all claims or demands of the defendants, or any of them, and those claiming by through, or under them, be and they are hereby perpetually enjoined and forbidden to claim any right title, interest, equity, or estate in and to said property as hereinabove described, hostile or adverse to the rights, titles, interests and estates of the persons whose interests are set out hereinabove, and said defendants and each of them and anyone claiming by, through or under them are hereby perpetually enjoined and forbidden from every commencing any suit to disturb the said parties or persons in the quiet peaceable enjoyment of their interests in said property as hereinabove set out opposite each respective name.

And it appearing to the Court that this Court did on the 7th day of September, 1938, make and enter an Order for Partition wherein it was ordered that partition of the said property as set out herein be made accordingly, and that the court did appoint Hugh Wilson, Leslie L. Allen, and C. W. Newburn for the purpose of making said partition of the real estate and premises involved in this action, and it appearing to the court, from the Report of Commissioners filed herein, that said Commissioners, after having first taken and subscribed the oath prescribed by law, which has already been duly filed herein, and having duly gone upon the said premises and personally inspected and examined the same, as directed by the order of this court duly came and entered on the 7th day of September, 1938, and the said Commissioners having thereafter filed their report herein finding that said premises are not susceptible of partition without great and manifest injury to the interests of the respective parties herein, and in accordance with the law, having therefore proceeded to view and appraise the said property, and having filed said appraisal as follows, to-wit:

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, NOVEMBER 29, 1938

The North Half of the Southeast Quarter of the Northeast Quarter and the Southwest Quarter of the Southwest Quarter of the Northeast Quarter and the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of Section Six (6), Township Twenty-three (23), North, Range Twenty-three East (23), containing Forty (40) acres.....\$ 1,600.00

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter of the Southeast Quarter and the North Half of the Southwest Quarter of the Southeast Quarter and the East Twenty (20) acres of Lot Nine (9) in Section Thirteen (13), Township Twenty-four (24) North, Range, Twenty-two (22) East containing 80 acres more or less.....\$ 8,000.00

The Southeast Quarter of the Northwest Quarter of the Northwest Quarter and the Northeast Quarter of the Northeast Quarter of the Northwest Quarter, containing 20 acres in Section Thirty-One (31), Township Twenty-four (24) North, Range Twenty-three (23) East.....\$ 800.00

and, it is therefore ordered by the court considered, ordered and decreed that the said report of the commissioners is hereby in all things ratified and confirmed, and approved by the court. It further appearing that this court made and entered on the 3rd day of October, 1938, an Order directing the United States Marshall for the Northern District of the State of Oklahoma to sell the said premises in question, at public auction to the highest bidder, at not less than two-thirds of the appraised value thereof in accordance with the law, it is herefore hereby ordered adjudged and decreed that the orderlast hereinabove referred to be set aside, andmodified, as follows:to-wit: That the United States Marshall within and for the Northern Districtof the State of Oklahoma is hereby ordered and directed to sell the following premises at public auction to the highest bidder, at not less than two-thirds of the appraised value after giving notice according to law, of the time and place of said sale, to-wit:

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter of the Southeast Quarter and the North Half of the Southwest Quarter of the Southeast Quarter and the East Twenty (20) acres of Lot Nine (9), in Section Thirteen (13), Township Twenty-Four (24) North, Range Twenty-two (22) East, containing 80 acres more or less.....

which real property has been appraised under order of this Court, at the sum of \$8,000.00, it appearing that none of the parties hereunto have offered to take said property at the appraised value thereof.

It is further ordered that the remainder and residus of the real property in this judgment and decree described, be held to await the further order of this court.

F. E. KENNAMER

United States District Judge

Service of copy acknowledged:

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, NOVEMBER 29, 1938

WHIT Y. MAUZY , U. S. Atty.

RILEY HUNT, Atty for Pltf.

ENDORSED: Filed Nov 29 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to November 30, 1938

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

WEDNESDAY, NOVEMBER 30, 1938

On this 30th day of November, 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

J. H. TEATS,

Plaintiff,)

-vs-

No. 1179 In Equity ✓

FORAKER TOWNSITE GAS COMPANY,
a corporation, et al,

Defendants.)

O R D E R

On this 30 day of November, 1938, this matter comes on for hearing upon the receiver's application for advancement on fee. The Court being fully advised in the premises on consideration thereof.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that William M. Taylor, Receiver, be and he is hereby allowed an advancement of \$100.00 on fee in addition to the advancements heretofore made and the said receiver be and he is hereby authorized and directed to issue check to himself against the funds on deposit in this cause.

F. E. KENNAMER
JUDGE.

SERVICE OF COPY ACKNOWLEDGED
WILLIAM M. TAYLOR

Receiver.

ENDORSED: Filed Nov 30 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

FRED W. SEYMOUR, TRUSTEE,	Plaintiff,)	
-vs-)	
GILMORT OIL COMPANY, a corporation,	Defendant.)	No. 1277 In Equity ✓

O R D E R

On this 30th day of November, 1938 and for good cause shown W. D. Jarrett is hereby given permission to file out of time and instanter his answer and cross petition herein.

SERVICE OF COPY ACKNOWLEDGED F. E. KENNAMER
JUDGE.

WILLIAM M. TAYLOR, Atty for W. D. Jarrett

ENDORSED: Filed Nov 30 1938 .
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to December 3, 1938.

On this 3rd day of December, 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 DISTRICT COURT OF THE UNITED STATES NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,)	
vs.)	
One 1937 Plymouth Sedan Automobile, Motor No. P4-306626; W. E. (Ed) Pennington, and L. L. Barry,	Claimants.)	CIVIL FILE NO. 46 ✓

ORDER FOR MONITION

Now on this 3rd day of December, 1938, it appearing to the court that the above named automobile, described herein as a

1937 Plymouth Sedan Automobile, Motor No. P4-306626,

are permitted to file herein on this date their Intervention and Complaint.

Dated this 3rd day of December, 1938.

F. E. KENNAMER
JUDGE

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

Court adjourned to December 5, 1938.

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA MONDAY, DECEMBER 5, 1938

On this 6th day of December, 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Fred W. Seymour, Trustee, Plaintiff,)
vs.) No. 1277 In Equity)
Gilmort Oil Company, Defendant.)

O R D E R

For good cause shown, Bill Gates, labor claimant, is hereby given permission to file his claim in the above entitled proceeding, and same is referred to the Honorable W. L. Coffey, Special Master, for consideration.

F. E. KENNAMER
JUDGE.

SERVICE OF COPY ACKNOWLEDGED.
PAUL P. PINKERTON, Atty for Applicant.
ENDORSED: Filed Dec 5 1938
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to December 6, 1938.

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 6, 1938

On this 6th day of December, 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

William Simmons, et al, Plaintiffs
vs No. 6 - Civil
Amerada Petroleum Corporation, et al, Defendants.

O R D E R

Now on this 6th day of December, 1938 there coming on for hearing the motion filed by the plaintiffs herein to remand said cause to the District Court of Creek County, Oklahoma, plaintiffs and defendants being present in court by their respective attorneys and after hearing thereon and consideration of argument of counsel, it is hereby ordered that said motion be overruled, to which order plaintiffs except.

F. E. KENNAMER
JUDGE

OK AS TO FORM:

WALKER & LEWIS
By Dan W. Walker, Attys for Pltffs.

ENDORSED: Filed Dec 13 1938
H. P. Warfield, Clerk
U. S. District Court H

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

William Simmons, et al, Plaintiffs
vs No. 6 - Civil.
Amerada Petroleum Corporation, et al, Defendants.

O R D E R

Now on this 6th day of December, 1938 there coming on for hearing the demurrer of the defendant, Amerada Petroleum Corporation, to the petition of plaintiffs filed herein, plaintiffs and defendant being in court by their respective counsel and after argument of counsel, it is hereby ordered that said demurrer be overruled and defendant, Amerada Petroleum Corporation, is given fifteen (15) days from this date to file answer in this cause, to which order defendant, Amerada

Petroleum Corporation, excepts.

F. E. KENNAMER
JUDGE

OK WALKER & LEWIS
By Dan W. Walker, Attys for Pltffs.

ENDORSED: Filed Dec 13 1938
H. P. Warfield, Clerk
U. S. District Court H

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

William Simmons, et al, Plaintiffs)
vs) No. 6 - Civil.
Amerada Petroleum Corporation, et al, Defendants.)

O R D E R

Now on this 6th day of December, 1938 there coming on for hearing the demurrer of the defendant, Lue Upshaw, to the petition of plaintiffs, and plaintiffs and defendant being present in court by their respective attorneys and said demurrer being presented to the court, it is hereby ordered that said demurrer be sustained, to which order the plaintiffs except.

F. E. KENNAMER
JUDGE

OK AS TO FORM:

WALKER & LEWIS
By Dan W. Walker, Attys for Pltffs.

ENDORSED: Filed Dec 13 1938
H. P. Warfield, Clerk
U. S. District Court H

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

William Powell, Plaintiff,)
-vs-) No. 38 Civil
The City of Tulsa, Oklahoma, a municipal)
corporation, and the Midland Valley Rail-)
road Company, a corporation, Defendants.)

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the District Court of Tulsa County, Oklahoma, coming on for hearing this 6th day of December, 1938, pursuant to regular setting, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that this motion to remand should be sustained.

It is therefore ordered, that the motion of the plaintiff to remand this case to the District Court of Tulsa County, Oklahoma, be, and the same is hereby granted, and this cause be and the same is hereby remanded to the District Court of Tulsa County, Oklahoma, for further proceedings.

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

ENDORSED: Filed Dec 12 1938
H. P. Warfield, Clerk
U. S. District Court B

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

Florence Dismang, Plaintiff,)
vs.) No. 2630 Law
Western Union Telegraph Company, a)
corporation, Defendant.)

ORDER EXTENDING TIME TO FILE TRANSCRIPT AND DOCKET APPEAL

It appearing to the Court that the defendant above-named has this day filed in the above entitled cause its notice of appeal to the United States Circuit Court of Appeals for the Tenth Circuit, and has this day filed its bonds for costs,

Now, upon application of said defendant, and for good cause shown:

IT IS HEREBY ORDERED that the time within which said defendant is required to file its transcript on appeal and to docket said cause in the United States Circuit Court of Appeals for the Tenth Circuit be, and the same is hereby extended to and including the First day of March, 1939.

Dated this 6th day of December, 1938.

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

Service of copy acknowledged:
RICHARD K. BRIDGES

ENDORSED: Filed Dec 6 1938
H. P. Warfield, Clerk
U. S. District Court B

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

CAROLINE L. YEARGAIN, ET AL, Plaintiffs,)
-vs-) No. 821 Equity.
JOSEPH D. YEARGAIN ET AL, Defendants.)

ORDER APPROVING MARSHAL'S SALE

Now, on this 6th day of December, 1938, comes the plaintiff, Caroline L. Yeargain, by

A. C. Sinclair, her attorney, and moves the Court to confirm the sale of real estate made by the United States Marshal of the Northern District of Oklahoma, on the 22nd day of August, 1938, under a writ of execution issued out of the office of the Clerk of the United States District Court for the Northern District of Oklahoma, dated the 7th day of July, 1938, of the following property, to-wit:

An undivided 3/5 interest in and to the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, Township 24 North, Range 24 East, in Delaware County, Oklahoma.

And the Court having examined the proceedings of said Marshal under said writ of execution, finds that the same have been performed in all respects in conformity to law, that due and legal notice of said sale was given by publication for thirty (30) days in The Delaware County Journal, a newspaper printed in Delaware County, Oklahoma, as shown by proof of said publication on file herein, and that on the day fixed therein, to-wit: the 22nd day of August, 1938, said property was sold to Caroline L. Yeargain, she being the highest and best bidder therefor; and no exceptions being filed nor objections made, it is ordered that John P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the said purchaser at said sale, Caroline L. Yeargain, a good and sufficient deed for the premises so sold.

It is further ordered that the said Caroline L. Yeargain, the purchaser of said premises, lands and tenements at said sale, as aforesaid, be immediately let unto possession of said premises, and each and every part thereof; that the Clerk of this Court is ordered to issue a writ of assistance to said United States Marshal, directing him to place the said Caroline L. Yeargain, purchaser of said premises, in full possession thereof; and the said defendants, and each of them, and every person who has come into possession of said premises, or any part thereof, under said defendants, or either of them, since the commencement of this action, shall upon presentation of such writ of assistance, immediately deliver possession thereof to the said purchaser, and that the refusal of said defendants, or either of them, or any one in possession of said premises or any part thereof, under them or either of them, as aforesaid, to deliver immediate possession of said premises to the said purchaser, shall constitute contempt of this Court.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed In Open Court
Dec 6 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to December 8, 1938.

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA THURSDAY, DECEMBER 8, 1938

On this 8th day of December, 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

MAY MAIN, Plaintiff,)
vs) NO. 2729 LAW
TULSA CITY LINES, INC.,)
a Corporation, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 8th day of December, 1938, this matter comes on for consideration of the court, it being first shown this cause was set for trial before a jury on November 10, 1938, pursuant to regular and statutory notice given to the parties involved at which time plaintiff appeared in person and by her Attorneys Ward, Justus & Ward, and the defendant appeared by its Attorneys Truman B. Rucker and A. M. Covington, at which time both parties announced ready for trial and the trial was had with the parties appearing, and represented as above on November 14, 1938; and the plaintiff presented her evidence and rested; thereupon the defendant filed a demurrer, which was overruled and an exception allowed; thereupon the defendant presented its evidence, both parties rested, thereupon the defendant moved for judgment; thereupon the court requested briefs, which were filed and considered; thereupon, and on December 8, 1938, the court makes the following findings of fact:

1. That the accident involved and injury to the plaintiff was caused by the negligence of the defendant, through its agent in failing to keep the bus in which the plaintiff was a passenger under proper control and bringing the same to a sudden stop throwing plaintiff to the floor thereof, which was the proximate cause of the accident.
2. That the driver of defendant's bus was acting within the scope of his employment at the time of the accident involved.
3. That the plaintiff was exercising due and care for her own safety at the time of the accident and was not guilty of contributory negligence.
4. The court finds that at the time of the execution of the release referred to in the evidence of this case that all parties concerned in the execution and receipt of said release were mutually mistaken as to the nature, character, and extent of plaintiff's personal injuries, in that it was then thought by all parties concerned that the plaintiff's injuries were slight, mild, and inconsequential, whereas the court finds from the evidence that plaintiff's said injuries were not mild or inconsequential, but that they were serious, and more serious than was thought by the parties at said time.
5. That the plaintiff received serious personal injuries in the accident for which the court finds the sum of \$2750.00 is a reasonable and fair amount for compensation for damages.
6. That the defendant Layton though named in the petition, was not served and is not a party to this proceeding.
7. That defendant heretofore paid plaintiff the sum of \$250.00.

It is therefore the conclusion of the court that the release and settlement agreement introduced herein should be set aside and held for naught and that the plaintiff is entitled to a recovery in the sum of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00), but that of said amount the defendant is entitled to credit for the sum of Two Hundred Fifty Dollars (\$250.00) heretofore paid.

On this 12th day of December, 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

In the Matter of the Estate of) No. 35 Civil
Woosey Thomas, nee John, Deceased.)

O R D E R

On oral application of Alexander George, by and through his attorneys, Wm. M. Taylor, of Tulsa, Oklahoma; and R. K. Robertson, of Sapulpa, Oklahoma, to file a petition and claim in the above entitled matter wherein Alexander George claims to be an heir of the said Woosey Derre deceased, and for good cause shown,

IT IS HEREBY ORDERED by the Court that permission to file said petition and Claim is hereby granted, and the same is ordered filed.

IT IS THE FURTHER ORDER OF THE COURT that a copy of said Petition and Claim be served by mailing upon all claimants herein, or their attorneys of record, and that they are hereby given twenty (20) days from this date to file response thereto if they so desire.

DATED this 12 day of December, 1938.

F. E. KENNAMER
JUDGE

SERVICE OF COPY ACKNOWLEDGED.
WILLIAM M. TAYLOR
R. K. ROBERTSON, BY William M. Taylor
Attys for Alexander George.
CHESTER A. BREWER, Asst. U. S. Atty.
JOE BROWN, Probate Atty.

ENDORSED: Filed Dec 12 1938
H. P. Warfield, Clerk
U. S. District Court B

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA MONDAY, DECEMBER 12, 1938

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

UNITED STATES OF AMERICA, PLAINTIFF,)
VS.) NO. 2576 - L. ✓
TEXAS PIPE LINE CO. OF OKLAHOMA, A CORPORATION, DEFENDANT.)

JOURNAL ENTRY EXTENDING TIME WITHIN WHICH TO FILE AMENDED COMPLAINT.

This matter coming on for hearing upon this 12th day of December, A. D. 1938, upon the application of the plaintiff herein, for an extension of twenty (20) days from this date within which to file an amended complaint under the order of November 10, 1938, and it appearing to the Court that said extension should be granted;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be and is granted an extension of time of twenty (20) days from this date within which to file an amended complaint in accordance with the order of November 10, 1938.

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

ENDORSED: Filed Jan 3 1939
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. 2577 - L. ✓
BARNSDALL OIL CO. A CORPORATION, DEFENDANT.)

JOURNAL ENTRY EXTENDING TIME WITHIN WHICH TO FILE AMENDED COMPLAINT.

This matter coming on for hearing upon this 12th day of December, A. D. 1938, upon the application of the plaintiff herein, for an extension of twenty (20) days from this date within which to file an amended complaint under the order of November 10, 1938, and it appearing to the Court that said extension should be granted;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be and is granted an extension of time of twenty (20) days from this date within which to file an amended complaint in accordance with the order of November 10, 1938.

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

ENDORSED: Filed Jan 3 1939
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. 2578 - L. ✓
CONTINENTAL OIL CO., A CORPORATION, DEFENDANT.)

JOURNAL ENTRY EXTENDING TIME WITHIN WHICH TO
FILE AMENDED COMPLAINT.

This matter coming on for hearing upon this 12th day of December, A. D. 1938, and upon the application of the plaintiff herein, for an extension of twenty (20) days from this date within which to file an amended complaint under the order of November 10, 1938, and it appearing to the court that said extension should be granted;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be and is granted an extension of time of twenty (20) days from this date within which to file an amended complaint in accordance with the order of November 10, 1938.

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

ENDORSED: Filed Jan 3 1939
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. 2579 ✓
SKELLY OIL COMPANY, A CORPORATION, DEFENDANT.)

JOURNAL ENTRY EXTENDING TIME WITHIN WHICH TO
FILE AMENDED COMPLAINT.

This matter coming on for hearing upon this 12th day of December A. D. 1938, upon the application of the plaintiff herein, for an extension of twenty (20) days from this date within which to file an amended complaint under the order of November 10, 1938, and it appearing to the Court that said extension should be granted;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be and is granted an extension of time of twenty (20) days from this date within which to file an amended complaint in accordance with the order of November 10, 1938.

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

ENDORSED: Filed Jan 3 1939
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. 1177-E ✓
MID-CONTINENT PETROLEUM CORPORATION,)
A CORP., DEFENDANT.)

JOURNAL ENTRY EXTENDING TIME WITHIN WHICH TO FILE AMENDED COMPLAINT.

This matter coming on for hearing upon this 12th day of December, A. D. 1938, upon the application of the plaintiff herein, for an extension of twenty (20) days from this date within which to file an amended complaint under the order of November 10, 1938, and it appearing to the Court that said extension should be granted;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be and is granted an extension of time of twenty (20) days from this date within which to file an amended complaint in accordance with the order of November 10, 1938.

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

ENDORSED: Filed Jan 3 1939
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. 1178 - Eq. ✓
GOSDEN PIPE LINE CO., A)
CORPORATION, DEFENDANT.)

JOURNAL ENTRY EXTENDING TIME WITHIN WHICH TO FILE AMENDED COMPLAINT

This matter coming on for hearing upon this 12th day of December, A. D. 1938, upon the application of the plaintiff herein, for an extension of twenty (20) days from this date within which to file an amended complaint under the order of November 10, 1938, and it appearing to the Court that said extension should be granted;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff be and is granted an extension of time of twenty (20) days from this date within which to file an amended complaint in accordance with the order of November 10, 1938.

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

ENDORSED: Filed Jan 3 1939
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
TULSA, OKLAHOMA

SPECIAL MARCH 1938 TERM

MONDAY, DECEMBER 12, 1938

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THE OHIO CASUALTY INSURANCE COMPANY, PLAINTIFF,)
)
 VS)
)
 ANNA M. MARR, ET AL, DEFENDANTS.)

No. 1209 - Equity. ✓

Now on this 12th day of December, A. D. 1938, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

GREETING: (SEAL)

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

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between The Ohio Casualty Insurance Company, complainant, and Anna M. Marr et al., respondents, No. 1209, Equity, the decree of the said district court in said cause, entered on December 14, 1937, was in the following words, viz:

"Pursuant to the findings of fact and conclusions of law filed herein, it is ordered, adjudged and decreed by the court that the bill of complaint filed herein be and the same is hereby fully and finally dismissed, said dismissal being at the cost of complainant and all relief prayed for in said bill of complaint is hereby denied.

"It is further ordered, adjudged and decreed that the relief sought in the separate answers of the respondents, Shelby W. Marr and Anna M. Marr, be and the same is hereby denied."

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 The Ohio Casualty Insurance 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-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, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed; and that Anna M. Marr, et al., appellees, have and recover of and from The Ohio Casualty Insurance Company, appellant, their costs herein.

- - September 15, 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

8th day of December, in the year of our Lord one thousand nine hundred and thirty-eight.

COSTS OF	APPELLEES:	
Clerk,	\$Paid by appellant.	ALBERT TREGO
Printing Record	\$None	Clerk of the United States Circuit Court of
Attorney,	\$20.00	Appeals, Tenth Circuit.
	<u>\$20.00</u>	

ENDORSED: Filed Dec 12 1938
 H. P. Warfield, Clerk
 U. S. District Court EA

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

United States,	Complainant,)
)
vs.) No. 1232 Equity ✓
)
Rilla Hessenberger, et al,	Respondents.)

ORDER APPROVING REPORT OF RECEIVER AND DISCHARGING
 RECEIVER

Now on this 12th day of December, 1938, this matter coming on before the Court on the report of W. H. Rudrauff, Receiver, and it being shown to the Court that the said W. H. Rudrauff was appointed Receiver of the property involved in this cause on the 18th day of January, 1938 for the purpose of managing said property, collecting the rents and caring for said property; and said Receiver having filed his report showing that he has collected the sum of \$450.25, from which he paid for insurance, water bills, advertising, etc., leaving a balance in his hands of \$355.91, subject to disbursement by order of the Court, the Court finds that said report should in all things be approved, allowed and accepted.

IT IS THEREFORE THE ORDER of the Court that said Receiver's report be, and the same hereby is approved, allowed and accepted, and said Receiver is directed to pay the funds remaining in his hands, in the sum of \$355.91, to the Superintendent of the Osage Indian Agency.

IT IS THE FURTHER ORDER of the Court that said Receiver, W. H. Rudrauff, be, and he hereby is discharged as such Receiver.

O.K. SERVICE OF COPY ACKNOWLEDGED:
CHESTER A. BREWER
 Assistant United States Attorney

F. E. KENNAMER
 JUDGE

ENDORSED: Filed Dec 12 1938
 H. P. Warfield, Clerk
 U. S. District Court

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

UNITED STATES,)
)
VS.) NO. 1235 Equity ✓
)
W. H. FINDLEY, ET AL,)
)
RESPONDENTS.)

ORDER APPROVING REPORT OF RECEIVER AND DISCHARGING
RECEIVER.

Now on this 12th day of December, 1938, this matter coming on before the Court on the report of W. H. Rudrauff, Receiver, and it being shown to the Court that the said W. H. Rudrauff, was appointed Receiver of the property involved in this cause on the 18th day of January, 1938, for the purpose of managing said property, collecting the rents and caring for said property, and said Receiver having filed his report showing that he has collected nothing and paid out and expended nothing as Receiver of said property, the Court finds that said report should in all things be approved, allowed and accepted.

IT IS THEREFORE THE ORDER of the Court that said Receiver's report be, and the same hereby is approved, allowed and accepted.

IT IS THE FURTHER ORDER OF THE COURT that said Receiver, W. H. Rudrauff, be, and he hereby is discharged as such Receiver.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED:
CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Dec 12 1938
H. P. Warfield, Clerk
U. S. District Court

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

UNITED STATES,)
)
VS.) NO. 1236 Equity ✓
)
WILLIAM T. BROOKS, ET AL,)
)
RESPONDENTS.)

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER.

Now on this 12th day of December, 1938, this matter coming on before the Court on the report of W. H. Rudrauff, Receiver, and it being shown to the Court that the said W. H. Rudrauff was appointed Receiver of the property involved in this cause on January 18, 1938, for the purpose of managing said property, collecting the rents and caring for said property; and said Receiver having filed his report showing that he has collected nothing and has paid out and expended nothing as Receiver of said property, the Court finds that said report should in all things be approved, allowed and accepted.

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

SPECIAL MARCH 1938 TERM

MONDAY, DECEMBER 12, 1938

IT IS THEREFORE THE ORDER of the Court that said Receiver's report be, and the same hereby is approved, allowed and accepted.

IT IS THE FURTHER ORDER of the Court that said Receiver, W. H. Rudrauff, be and he hereby is discharged as such Receiver.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED:
CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Dec 12 1938
H. P. Warfield, Clerk
U. S. District Court

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

United States of America, Intervenor In)
Case of E. C. Woodruff, Trustee for Mae)
Woodruff and Mollie Davis, ne James,)
Creek Roll 7721. Plaintiff,) No. 1237 Equity ✓
vs.)
A. Simon and Mabel Simon, Defendant.)

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER.

Now on this 12th day of December, 1938, it being shown to the Court that Jno. P. Logan, has heretofore by the Court been appointed Receiver in the above cause to collect the rents and otherwise care for the real estate involved in the mortgage foreclosure herein, and the Receiver having filed his report showing that he has collected the sum of \$105.00 from said property, and as shown by said report has disbursed, including expense as said Receiver, the sum of \$9.80, and there now remains in his hands, subject to disbursement by order of Court, the sum of \$95.20, the Court finds that said expense as shown by said report, should be and same is accepted and allowed.

IT IS THEREFORE THE ORDER OF THE COURT that said Receiver's report be and is hereby accepted and approved, and said Receiver is directed to pay himself from said funds as shown in said report his expenses shown therein, and to pay the remaining funds in his hands in the sum of \$95.20 to D. Buddrus, Disbursing Agent of the Five Civilized Tribes, Muskogee, And it is further ordered that said Receiver be, and hereby is discharged.

F. E. KENNAMER
JUDGE

APPROVED: CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Dec 12 1938
H. P. Warfield, Clerk
U. S. District Court

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

United States of America, Complainant,)
vs.) No. 1262 Equity
S. A. (Stanley) Lay, Respondent.)

O R D E R

Now on this 12th day of December, 1938, this cause having come on before the Court on December 6, 1938, on respondent's motion to dismiss, and complainant 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 respondent appearing by McCoy, Craig & Pearson, his attorneys, and upon agreement of counsel the Court finds that said motion to dismiss should be overruled, and that the respondent should be allowed 30 days from December 6, 1938, within which to plead or answer in this cause of action.

IT IS THEREFORE THE ORDER of the Court that respondent's motion to dismiss be, and hereby is overruled, to which order of the Court respondent excepts and exceptions are allowed.

IT IS THE FURTHER ORDER of the Court that the respondent be, and hereby is given 30 days from December 6, 1938, within which to plead or answer in this case.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM,
SERVICE OF COPY ACKNOWLEDGED
WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

MCCOY, CRAIG & PEARSON
Attorneys for Respondent

ENDORSED: Filed Dec 12 1938
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to December 13, 1938

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 13, 1938

On this 13th day of December, 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

ELIZABETH DANIEL WALLACE, et al, Plaintiffs,
vs No. 1244 Equity
RICHARD T. DANIEL, JR., et al, Defendants.

ORDER APPROVING REPORT OF RECEIVER

This cause coming on for hearing before me, F. E. Kennamer, Judge of said Court, on this, the 13th day of December, 1938, on the application of the Receiver for an order approving his report for the month of November, 1938, filed herein; and the Court being fully advised in the premises, finds that the Receiver has fully and faithfully accounted for all monies received from the properties herein and the manner of disbursement of the same, and that the said report should be in all matters and things approved.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the report of the Receiver filed herein for the month of November, 1938, be and the same is hereby in all matters and things approved.

DATED this 13th day of December, 1938.

F. E. KENNAMER
JUDGE

SERVICE OF COPY ACKNOWLEDGED:
G. C. SPILLERS, Atty for Rec.

ENDORSED: Filed Dec 13 1938
H. P. Warfield, Clerk
U. S. District Court

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

Fred W. Seymour, Trustee, Plaintiff,
vs No. 1277 Equity
Gilmort Oil Company, Defendant,
Producers Pipe & Supply Company, Intervenor.

ORDER

Upon the application of Sand Springs State Bank for leave to intervene as defendant

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

EDMOND BURGESS, Plaintiff,)
vs.) No. 1299 Equity ✓
Alice May Bosen, now Morrish, Defendant.)

O R D E R

NOW, on this 15th day of December, 1938, on application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, for an extension of time within which to plead or intervene by the United States and it appearing that the United States has been served in said cause by service of summons and a copy of the pleadings made on the Superintendent of the Five Civilized Tribes, at Muskogee, Oklahoma, and that the United States is asking for time to plead or intervene in said cause and the Court being fully advised in the premises, finds that said request should be granted.

IT IS THEREFORE THE ORDER of the Court that the United States be and hereby is granted an extension of thirty (30) days from December 28, 1938, within which to plead or intervene in said cause.

AND IT IS SO ORDERED.

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

Service of copy acknowledged.

C. A. BREWER, ASST. U. S. ATTY.

ENDORSED: Filed Dec 15 1938
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to December 16, 1938.

SPECIAL MARCH 1938 term

TULSA, OKLAHOMA

FRIDAY, DECEMBER 16, 1938

On this 16th day of December, 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

MAY MAIN, Plaintiff,)
vs.) No. 2729-Law
TULSA CITY LINES, INC., A CORPORATION, Defendant.)

No. 2729 Law - Continued.

O R D E R

On this 15th day of December, 1938, came on for hearing the motion of the defendant for specific findings of fact, and conclusions of law; and came on for hearing the motion of the defendant for a new trial; the plaintiff was represented by her Attorney John Ward, and the defendant by its Attorneys Truman B. Rucker and A. M. Covington, and the court having heard argument of counsel and being fully advised in the premises, does find that said motions and each of them, should be and are hereby overruled, to which the defendant did object and except.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant's motion for specific findings of fact, and the defendant's motion for new trial, be and are hereby overruled, exception allowed to the defendant.

F. E. KENNAMER
JUDGE

TRUMAN B. RUCKER
OK as to Form and copy received.
Attorney for Defendant.

RECEIVED COPY DEC. 13, 1938
WARD JUSTUS & WARD
BY JNO. L. WARD, Attys for Deft.

ENDORSED: Filed Dec 16 1938
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to December 19, 1938

On this 19th day of December, 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. Maury, 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

JAMES T. SPENCER, administrator of the Estate
of JACKSON BARNETT, Deceased, Plaintiff,

vs.

GYPSY OIL COMPANY, et al, Defendants.

No. 39 Civil

O R D E R

IT IS HEREBY ORDERED that the time in which the defendant, F. A. Gillespie &

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 20, 1938

Thereafter, plaintiff and defendant each having submitted written memorandum of authorities to the Court, and the Court having considered the same and being fully advised in the premises, finds all of the issues in favor of plaintiff; that there was in force and effect under the group insurance policy of the defendant, at the time of the death of Ben Shanks insurance upon his life in the total amount of Forty-Seven Hundred Dollars (\$4700.00), which was due and payable upon his death, which occurred on the 12th day of February, 1938, to plaintiff as his beneficiary; and that no part of same has been paid.

NOW THEREFORE, on this 20th day of December, 1938, it is by the Court ORDERED, ADJUDGED, AND DECREED that plaintiff have and recover of and from the defendant the sum of \$4700.00, together with interest thereon at the rate of six per cent (6%) per annum from the 12th day of February, 1938, together with her costs herein expended. To which order, judgment, and decree of the Court the defendant excepted and exceptions are allowed.

F. E. KENNAMER
JUDGE

OK AS TO FORM
SERVICE OF COPY ACKNOWLEDGED.
BRIDGES & PARRY, Attys for Deft.

OK AS TO FORM and SERVICE OF COPY ACKNOWLEDGED.
STANLEY D. CAMPBELL
Atty for Plaintiff.

ENDORSED: Filed Dec 22 1938
H. P. Warfield, Clerk
U. S. District Court H

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

THE CHAUTAUQUA COUNTY MACHINE SHOP COMPANY,)
a corporation, Plaintiff,)
vs.) No. 1229 Equity
A. D. SIMON, PEARL B. WHITESCARVER, and PEARL B.)
WHITESCARVER, executrix of the estate of J. S.)
Whitescarver, deceased, Defendants.)

JOURNAL ENTRY

Now on this the 22nd day of March, 1938, the same being a day of the regular term of this court, this cause comes on for hearing, the plaintiff appearing by Carl Ackarman, its attorney, and the defendant, A. D. Simon, appearing by A. S. Sands and A. B. Campbell, his attorneys; and the defendant, Pearl B. Whitescarver, and Pearl B. Whitescarver, executrix of the estate of J. S. Whitescarver, deceased, appearing by Eben L. Taylor and D. F. Rainey, her attorneys; and the intervener, The First National Bank of Sedan, Kansas, appearing by Carl Ackarman, its attorney; and the intervener, Elizabeth Borroum, appearing by A. S. Sands and A. B. Campbell, her attorneys.

And thereupon, a jury is waived and said cause is tried to the court upon the pleadings filed herein and the evidence adduced in support thereof, and the court after having heard all of the evidence and being fully advised in the premises finds that the allegations of the plaintiff's petition are each and all true and correct, and that there is due and owing to the said plaintiff, The Chautauqua County Machine Shop Company, the sum of \$107.20, with interest

thereon at the rate of six per cent (6%) per annum from this date until paid, and that the allegations of the intervening Petition of The First National Bank of Sedan, Kansas, are each and all true and correct, and that there is due and owing from the defendants, A. D. Simon and Pearl B. Whitescarver, the sum of \$490.80, with interest thereon at the rate of eight per cent (8%) per annum from this date until paid; and that the mortgage given to secure said indebtedness, covering the following described oil and gas leases in Osage County, Oklahoma, described as follows:

All of the working interest in and to,
An oil mining lease, dated March 8, 1920, made, executed and delivered by the principal chief of the Osage tribe of Indians, to A. D. Simon and W. E. Sykes, covering the Northeast Quarter of Section 36, Township 29 North, Range 11 East of the Indian Meridian, in Osage County, Oklahoma, the whole of said lease being afterwards assigned to A. D. Simon.

All of the working interest in and to,
An oil mining lease dated March 16, 1922, made, executed and delivered by the principal chief of the Osage tribe of Indians, to A. D. Simon, covering the Northwest Quarter of Section 31, Township 29 North, Range 12 East of the Indian Meridian, in Osage County, Oklahoma.

is a good and valid mortgage, and that the amount due and owing by said parties to The First National Bank of Sedan, Kansas, is a first and prior lien upon all of the property above described, and that the terms of the said mortgage have been broken, and that the intervener, The First National Bank of Sedan, Kansas, is entitled to have its lien foreclosed and the property described in said mortgage sold and the proceeds thereof applied to the payment of said indebtedness.

The court further finds that said property is now in the hands of a receiver, Vernon Whiting.

WHEREFORE, IT IS BY THE COURT ORDERED, ADJUDGED, AND DECREED that the plaintiff, The Chautauqua County Machine Company, have judgment against the defendant, A. D. Simon, Pearl B. Whitescarver, and Pearl B. Whitescarver, executrix of the estate of J. S. Whitescarver, deceased, for the sum of \$107.20, with interest thereon at the rate of six per cent (6%) per annum from March 22, 1938, until paid; and that the intervener, The First National Bank of Sedan, Kansas, have and recover judgment against the defendants, A. D. Simon, Pearl B. Whitescarver, and Pearl B. Whitescarver, executrix of the estate of J. S. Whitescarver, deceased, for the sum of \$490.80, with interest thereon at the rate of eight per cent (8%) per annum from March 22, 1938, until paid; and that the mortgage given to secure the indebtedness of the said intervener, The First National Bank of Sedan, Kansas, covering the property above described be foreclosed and the property sold as provided by law, and out of the proceeds therefrom there be paid the judgment of the said intervener, and the costs of this action, the taxes if any there be, and the residue be brought into court to abide its further orders.

IT IS FURTHER ORDERED that as the judgment of the intervener, The First National Bank of Sedan, Kansas, is a first and prior lien upon the said property, that the receiver of said property pay the amount of said judgment.

IT IS FURTHER ORDERED that the execution of the said judgment of the intervener, The First National Bank of Sedan, Kansas, for the sale of the said property be and the same hereby

assessment now appearing upon the taxing records of Tulsa County for said property be and the same is hereby abated and the collection of taxes based thereon strictly enjoined, and the defendants herein are directed forthwith to substitute for said erroneous assessment of the sum of Ninety Thousand Dollars (\$90,000.00) in lieu thereof for each of the years herein stated.

It is further ordered and adjudged that taxes upon said property shall be calculated upon the new valuation herein enjoined and that the defendants and each of them be and they are hereby directed to accept payment thereof in full satisfaction of the claim of the taxing units of Tulsa County, Oklahoma for the years above set forth.

Dated at Tulsa, Oklahoma, this 20th day of December, 1938.

F. E. KENNAMER
United States District Judge

APPROVED IN SUBSTANCE AND IN FORM:

G. C. SPILLERS, Atty for Rec.

C. A. ROSENSTEIN, Atty for Board of Education, City of Tulsa.

H. O. BLAND, City Atty.

A. C. SAUNDERS, Atty for G. R. DANIEL

RECD COPY ACCK .

DIXIE GILMER, CO. ATTY.

COPY RECEIVED THIS 20th day of December, 1938.

G. C. SPILLERS, Attorney for Receiver

C. A. ROSENSTEIN,

Attorney for Board of Education of Tulsa, Oklahoma.

DIXIE GILMER

County Attorney, Tulsa County, Okla.

H. O. BLAND

City Attorney of Tulsa, Oklahoma.

ENDORSED: Filed Dec 20 1938

H. P. Warfield, Clerk

U. S. District Court H

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

ELIZABETH DANIEL WALLACE, ET AL,

Plaintiffs,)

vs.)

No. 1244 Equity)

RICHARD T. DANIEL, JR., et al,

Defendants.)

ORDER ALLOWING COMPENSATION TO RECEIVER, AND ATTORNEY FOR RECEIVER

This cause coming on for hearing before me, F. E. Kennamer, Judge of the said Court, on the application of the Receiver, W. O. Buck, and his attorney, G. C. Spillers, for compensation for services rendered herein, on this, the 13th day of December, 1938; and the Court having heard the testimony of witnesses sworn and examined in open court, and being fully advised in the premises, finds that W. O. Buck, as Receiver and G. C. Spillers as attorney for the Receiver, have rendered valuable services herein for the parties at interest; that they have been

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 20, 1938

paid no compensation, and are now entitled to reasonable compensation for services rendered to date hereof.

The Court further finds that the sum of \$1100.00 would be reasonable compensation for the receiver, and \$1100.00 would be reasonable compensation for the attorney.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that W. O. Buck, Receiver herein, and G. C. Spillers, attorney, be and they are hereby allowed the sum of \$1100.00 each as full compensation for services rendered herein, payable as follows: \$400.00 to be paid by the Receiver to himself, and \$400.00 to G. C. Spillers, his attorney, on account, forthwith, and charged to the account of the Receiver, The balance to be paid by the life tenant, Gertrude F. Daniel, and the Reamindermen, at the rate of \$75.00 per month to W. O. Buck as Receiver and \$75.00 per month to G. C. Spillers, attorney, the monthly payments to commence on or before the 15th day of January, 1939, and to continue each subsequent consecutive month thereafter until the said balance due on said fees is fully paid and satisfied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Receiver pay the monthly payroll upto and including December 15, 1938, and make his final report herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Receiver immediately deliver possession of the properties in the Receivership herein to Gertrude F. Daniel, life tenant, provided, however, this Court hereby retains jurisdiction of this proceeding and to the properties involved in this Receivership until the said sum of \$700.00 each respectively to the Receiver, W. O. Buck and to his attorney, G. C. Spillers, are fully paid and satisfied.

DONE in open Court this the 13th day of December, 1938.

F. E. KENNAMER
JUDGE

OK A. C. SAUNDERS
Atty for G. P. Daniel

ENDORSED: Filed Dec 20 1938
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to December 22, 1938.

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

Arthur Miller, Plaintiff,)
vs.) No. 19 Civil
United States of America, Defendant.)

O R D E R

Now on this 22nd day of December, 1938, on application of the above named defendant, United States of America, by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, for an extension of time within which to file its answer in the above entitled cause; and it appearing to the Court, for good cause shown, that said request should be granted;

IT IS THEREFORE ORDERED that the defendant, United States of America, be and hereby is granted an extension of ten days from December 22, 1938, within which to file its answer in said cause.

O.K.
SERVICE OF COPY ACKNOWLEDGED.
WHIT Y. MAUZY
United States Attorney

F. E. KENAMER

CHESTER A. BREWER
Assistant United States Attorney

GLENN O. YOUNG
Attorney for Plaintiff

ENDORSED: Filed Dec 22 1938
H. P. Warfield, Clerk
U. S. District Court EA

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

MARY E. HOLLAND, Plaintiff,)
vs.) No. 40
WOLVERINE PETROLEUM CORPORATION, SHELL)
PETROLEUM CORPORATION, WALTER MORRISON and)
JAMES D. OAKLEY, Defendants.)

ORDER OVERRULING MOTION TO REMAND

This matter comes on to be heard on this the 6th day of December, 1938, upon the motion of the plaintiff herein to remand this cause to the state court; and all parties being present by their counsel, and the court being fully advised in the premises, the court finds that said motion to remand should be in all things denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of the plaintiff herein to remand this cause to the State court be, and the same is hereby overruled and denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of the plaintiff herein to remand this cause to the state court be, and the same is hereby overruled and denied. To all of which plaintiff excepts.

OK and SERVICE OF COPIES ACKNOWLEDGED:

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

H. M. CURNUTT
Attorney for plaintiff

R. D. HUDSON
W. E. HUDSON
Attorneys for defendants Shell Petr. Co.

ENDORSED: Filed Dec 22 1938
H. P. Warfield, Clerk
U. S. District Court H

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

MARY E. HOLLAND, Plaintiff,)
vs.)
No. 40)
WOLVERINE PETROLEUM CORPORATION,)
SHELL PETROLEUM CORPORATION,)
WALTER MORRISON and)
JAMES B. OAKLEY, Defendants.)

ORDER SUSTAINING SEPARATE DEMURRERS OF DEFENDANTS
MORRISON AND OAKLEY

Now, on this the 6th day of December, 1938, this matter comes on to be heard upon the separate demurrers of the defendants, Walter Morrison and James B. Oakley. Plaintiff appeared by her counsel, H. M. Curnutt, and the defendants Morrison and Oakley appeared through their counsel, G. W. Cunningham and W. D. Simms; and the court having heard the argument of counsel upon said demurrers, and being fully advised in the premises, finds that said demurrers should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the separate demurrers of the defendants, Walter Morrison and James B. Oakley, be, and the same are hereby sustained, and this cause of action is dismissed as against the said defendants, Walter Morrison and James B. Oakley, at the cost of the plaintiff herein. To all of which action of the court in sustaining said separate demurrers and in dismissing said cause as against said defendants, the said plaintiff in open court duly excepted, and said exception is by the court allowed.

OK and service of copies acknowledged:
H. M. CURNUTT, Atty for Pltf.
R. D. HUDSON, Attorneys for defendant Shell Petr. Co.
W. E. HUDSON, Attorney for Deft. Shell Pet.

F. E. KENNAMER
U. S. District Judge

ENDORSED: Filed Dec 22 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to December 27, 1938.

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 27, 1938

On this 27th day of December, 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 AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Mildred L. Mudd Staten, Administratrix of the Estate of Alex Mudd, Deceased, Plaintiff, Case No. 1592 Law
vs
United States Fidelity & Guaranty Company, et al, Defendants.

EXTENSION OF TIME

Upon the application of the Hon. W. T. Rye, Referee in the above case for an extension of time, and upon his showing the mass of evidence, exhibits and pleadings involved, and upon his statement that said cause is being pushed with all speed,

IT IS THEREFORE by the court ordered that the said Referee is hereby given an extension of sixty days from December 22nd, 1938 in which to file his report.

F. E. KENNAMER
JUDGE

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

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

Sinclair Prairie Oil Company, a corporation, Plaintiff, NO. 2652 Law
vs.
Missouri-Kansas-Texas Railroad Company, a corporation, Defendant.

ORDER

Now on this 27th day of December, 1938, this cause comes on to be heard, come the parties by their respective attorneys of record and agree in open court that this cause may be submitted to the Court upon the pleadings and agreed statement of facts filed herein, and the parties hereto waiving trial by jury, it is ordered that this cause be submitted upon the pleadings and agreed statement of facts, and typewritten briefs to be filed as follows:

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

SPECIAL MARCH 1938 TERM

TUESDAY, DECEMBER 27, 1938

Plaintiff to file its brief within thirty (30) days from this date, and defendant to have thirty (30) days from service of plaintiff's brief within which to file answer brief, and the plaintiff to have ten (10) days thereafter in which to file reply brief, and this cause is taken under advisement by the Court.

DATED THIS 27th DAY OF DECEMBER, 1938.

F. E. KENNAMER

Judge of the United States District
Court within and for the Northern
District of Oklahoma

Service of copy acknowledged.

Dec. 27th, 1938

SUMMERS HARDY, Atty for Pltf.

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

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

United States of America,	Petitioner,)	
)	
vs.)	
)	No. 2691 - Law
138 Acres of Land, more or less, in the County)	
of Delaware, State of Oklahoma; Curtis Stilley,)	
et al.,	Respondents.)	

ORDER APPOINTING COMMISSIONERS

On this the 27th day of December, 1938, the above cause came on for hearing upon the petition of the United States of America for an order appointing Commissioners in said cause, and it appearing to the Court that the United States has the power to acquire by eminent domain the lands hereinafter described, in that the acquisition of said lands is necessary for the United States in carrying on for public purposes and uses the Delaware County Rehabilitation of Indians, Subsistence Farming Project of the Department of Agriculture, under and by virtue of Section 202 of Title 2 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), and Executive Order No. 7027, issued pursuant thereto, all other Acts of Congress and Executive Orders supplementary and amendatory thereof and made in pursuance of said Acts of Congress and Executive Orders, and all other Acts of Congress and Executive Order as more particularly set out in the petition filed herein.

Said lands are described as follows, to-wit:

The South Twenty (20) acres of Lot Two (2), (less 1 acre in the Northwest corner); and Lot Three (3), (less one acre in the Southwest corner); and the East Half of Lot Four (4); and the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$); and the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-one (31), Township twenty-one (21) North, Range Twenty-three (23) East of the Indian Meridian, Delaware County, Oklahoma, containing 138 acres, more or less.

The petitioner has been unable to acquire said property by a private purchase and has heretofore instituted the above entitled proceedings for the taking of said lands by eminent domain.

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, DECEMBER 27, 1938

20

hereinafter described, in that the acquisition of said lands is necessary for the United States in carrying on for public purposes and uses the Delaware County Rehabilitation of Indians, Subsistence Farming Project of the Department of Agriculture, under and by virtue of Section 202 of Title 2 of the Emergency Relief Appropriation Act of 1935, (49 Stat. 115) and Executive Order No. 7027, issued pursuant thereto, all other Acts of Congress and Executive Orders supplementary and amendatory thereof and made in pursuance of said Acts of Congress and Executive Orders, and all other Acts of Congress and Executive Orders as more particularly set out in the petition filed herein.

Said lands are described as follows, to-wit:

The West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-two (22), Township Twenty-one (21) North, Range Twenty-two (22) East of the Indian Meridian, Delaware County, Oklahoma, containing 20 acres, more or less;

The petitioner has been unable to acquire said property by a private purchase and has heretofore instituted the above entitled proceedings for the taking of said lands by eminent domain. It further appears that all those persons who are now living and claim any interest in said lands adverse to the United States and which persons are respondents in this proceeding have been duly served according to law with notice of the hearing on the petition for the appointment of the commissioners. And it is proper at this time for the Court to enter his order appointing commissioners in this cause.

The Court finds that the respondents named in the petition filed herein, are the heirs, administrators, successors, executors and assigns of the owners of said premises, and that the persons named have certain interest in and to the properties involved herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, That

LEE CAPEHART

LESTER JORDON

R. A. CROW

disinterested freeholders of the County of Delaware, State of Oklahoma, are not interested in any like question, be, and they are hereby appointed as commissioners to inspect said real property hereinabove described, and consider the fair cash market value of the estate therein taken, and award such fair cash market value to the respondents in this cause as the former owners of said lands.

The estate taken for said public uses and purposes is the full fee simple title thereto, subject to and excepting all existing public roads, public utility easements and rights-of-way.

Said commissioners are hereby authorized, empowered, and directed to forthwith take the oath prescribed by law, and to immediately inspect said property and make their report as provided by law.

IT IS FURTHER ORDERED, That two representatives of the joint respondents, and two representatives of the United States be allowed to be present with the said commissioners at the time the premises involved are viewed, for the sole purpose of answering any questions that may be asked said persons by the commissioners.

F. E. KENAMER
J U D G E

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

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

I. E. NELSON, ET AL, Complainants,)
vs.) No. 1266 In Equity
SAPULPA GAS COMPANY, Respondents.)

ORDER EXTENDING TERM

For good cause shown it is hereby ordered that the special March, 1938 term of this court be and the same is hereby extended for all purposes of this cause until March 1, 1939.

Dated at Tulsa, Oklahoma this 27 day of December, 1938.

F. E. KENNAMER
United States District Judge

Service of copy acknowledged.

R. B. McDERMOTT

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

Court adjourned to January 29, 1939.

On this 29th day of December, 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, U. S. District Court, 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.

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 29 day of December, 1938.

Present, the Honorable F. E. Kennamer, Judge

William M. Simms, United States Commissioner, in and for the Northern District of Oklahoma, having present an account for his official services for the months of September, October and November 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

diems claimed in the cases herein below 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.

- 12 - U. S. vs. Francis Stonebarger
- 15 - U. S. vs. Bert Mayhew
- 16 - U. S. vs. Riley Humble
- 17 - U. S. vs. Louie Hemphill - Versel Hemphill
- 18 - U. S. vs. Bliss Elders - John York - Everett Webster

And two per diems in each of the foregoing cases is hereby specially approved and allowed by the Court on this 29 day of December, 1938.

F. E. KENNAMER
Judge of the District Court

ENDORSED: Filed Dec 29 1938
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM OF JOHN R. PEARSON

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:

- 738 United States v. Fount Dixon
- 742 United States vs. Huron Sheppard
- 748 United States vs. Clara King and Rachel Lunsford

JOHN R. PEARSON
U. S. Commissioner

Subscribed and sworn to before me this 6th day of December, 1938.

My commission expires:
Jan. 17, 1940

LORENA FEATHERSTON
Notary Public.

(SEAL)

Two per diems in the above listed cases are hereby allowed.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Dec 29 1938
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM OF NORMAN C. BARRY.

At the Special March 1938 term of the District Court of the United States within and for the Northern District of Oklahoma, at the City of Tulsa, on the 29 day of December, 1938.

Present: the Honorable F. E. Kennamer, Judge.

Norman C. Barry, United States Commissioner in and for the Northern District of

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

George F. Bell, Plaintiff,)
 vs)
 American Steel & Wire Company, Defendant.) No. 2593 Law

O R D E R

On motion of counsel for plaintiff, the above and foregoing cause is dismissed, at Plaintiff's cost.

Dated thsi 29th day of December, 1938.

F. E. KENNAMER
 JUDGE

APPROVED AND SERVICE OF COPY ACKNOWLEDGED:

JOHN LADNER
 Counsel for Plaintiff.

ENDORSED: Filed Dec 29 1938
 H. P. Warfield, Clerk
 U. S. District Court EA

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

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

ORDER AUTHORIZING TRUSTEE TO ADJUST INDEBTEDNESS

On this 29th day of December, 1938, upon the application of J. H. McBirney, Successor Trustee, for authority to settle, adjust and compromise the indebtedness of L. J. Martin, evidenced by a real estate mortgage note upon which the principal sum of One Thousand Six Hundred Seventy Two & 40/100 Dollars (\$1,672.40), plus interest, is due; and it appearing that among the assets coming into the hands of the said trustee is a note executed by L. J. Martin, upon which the principal sum of One Thousand Six Hundred Seventy Two & 40/100 Dollars (\$1,672.40) and interest to December 15, 1938, in the amount of Seven Hundred Twenty Nine & 57/100 Dollars (\$729.57) is due, and that said indebtedness is entitled to a credit of Two Hundred Ninety Nine & 73/100 Dollars (\$299.73) on account of payments and rentals made; and it further appearing that said loan is secured by a real estate mortgage covering

Lot Four (4) in Block Fourteen (14), Martin's Second Addition to the City of Tulsa, Tulsa County, Oklahoma;

and it further appearing that the said lot is improved with a one-story frame building, 28' x 34',

containing five (5) rooms, without basement and without furnace, but with a garage 12' x 18', containing a dirt floor; and it further appearing that the said house is located upon the above described lot, and designated as number 2811 E. Tecumseh Street, in the City of Tulsa; and it further appearing that the said improvements are in need of sewer repairs, painting and carpenter work, and that the approximate sum of Two Hundred Dollars (\$200.00) will be required to make said repairs; and it further appearing that L. J. Martin has offered to pay the sum of One Thousand Seven Hundred Dollars (\$1,700.00) in cash, as payment in full for said indebtedness, and for the release of said real estate mortgage; and it further appearing that the said house will not sell for the sum of One Thousand Seven Hundred Dollars (\$1,700.00) in cash, and that the only possible sale of said house and lot for a fair consideration is upon terms of payment extending over a period of ten years; and it further appearing that the reasonable value of said property, if sold on terms, in its present state, is approximately One Thousand Seven Hundred Dollars (\$1,700.00) and it further appearing that the members of the Advisory Committee, appointed and designated by this court to counsel and advise with said trustee, and upon whom notice of proposals and applications should be made, have been duly notified and informed of said proposal, and have considered the same and have recommended that the said trustee accept said proposal; and it further appearing that the said trust is in liquidation, and that it is for the best interest of said trust estate to accept said settlement and compromise, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to settle, compromise and adjust the indebtedness of L. J. Martin, represented by a real estate mortgage note upon which the principal sum of One Thousand Six Hundred Seventy Two & 40/100 Dollars (\$1,672.40) is due, as well as interest to December 15, 1938, in the amount of Seven Hundred Twenty Nine & 57/100 Dollars (\$729.57) is also due, said indebtedness being entitled to a total credit of Two Hundred Ninety Nine & 73/100 Dollars (\$299.73), which said note is secured by a real estate mortgage covering:

Lot Four (4) in Block Fourteen (14), Martin's Second Addition to the City of Tulsa, Tulsa County, Oklahoma,

for the sum of One Thousand Seven Hundred Dollars (\$1,700.00) in cash, to be paid by L. J. Martin.

IT IS FURTHER ORDERED that upon payment of said sum of One Thousand Seven Hundred Dollars (\$1,700.00) by said L. J. Martin, that J. H. Mc Birney, Successor Trustee, execute and deliver proper release of said real estate mortgage covering

Lot Four (4) in Block Fourteen (14), Martin's Second Addition to the City of Tulsa, Tulsa County, Oklahoma,

and surrender and cancel the said real estate mortgage note evidencing said indebtedness.

*
F. E. KENNAMER
United States District Judge

ENDORSED: Filed Dec 29 1938
H. P. Warfield, Clerk
U. S. District Court AC

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 1295 Equity
V. B. BRIGGS and FRANK COST, Defendants.)

ORDER OF DISMISSAL

NOW, on this 29th day of December, 1938, this matter coming on before the Court, and it appearing that the defendants have vacated the land described in this cause and the court costs have been paid and that said cause should be dismissed;

IT IS, THEREFORE, the order of the court that said cause be and the same hereby is dismissed.

AND IT IS SO ORDERED.

F. E. KENNAMER
U. S. District Judge

O.K. SERVICE OF COPY ACKNOWLEDGED.
WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Dec 29 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to December 30, 1938

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA FRIDAY, DECEMBER 30, 1938

On this 30th day of December, 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

It is this day ordered in pursuance of Section 12 of the Judicial Code that the Regular Miami 1938 Term of said Court at Miami, Oklahoma, be adjourned Sine Die.

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

FRIDAY, DECEMBER 30, 1938

MISCELLANEOUS - ORDER DISCHARGING PETIT JURY.

On this 30th day of December, A. D. 1938, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged for this Special March 1938 Term of Court at Tulsa, Oklahoma. (F.E.K. Judge).

MISCELLANEOUS

It is this day ordered in pursuance of Section 12 of the Judicial Code, that the Special March 1938 Term of said Court at Tulsa, Oklahoma, be adjourned Sine Die.

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, JANUARY 3, 1939

On this 3rd day of January, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 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

In the Matter of the Estate of)
Wosey Deere, nee John, Deceased,) CONSOLIDATE FILE 35.

O R D E R

NOW, on this 3 day of Jan., 1939, for good cause shown the claimants, Evelyn Seber, nee Wolfe, and Creekmore Wallace, guardian of the person and estate of Jimmie Poweshiek, and Jimmie Poweshiek, are hereby granted an extension of 10 days from this date within which to answer to the petition of intervention filed herein by Alexander George, and within which to respond to the petition for determination of heirship of Milford Thomas.

F. E. KENNAMER
District Judge

SERVICE OF COPY ACKNOWLEDGED:

GEORGE H. JENNINGS, Atty for Evelyn Seber and Creekmore Wallace, Gdn.

ENDORSED:

Filed Jan 3 1939
H. P. Warfield, Clerk
U. S. District Court EA