

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

SPECIAL MARCH 1938 TERM

FRIDAY, SEPTEMBER 16, 1938

On this 16th day of September, 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

G. C. ROUGHTON, Plaintiff,)
vs.)
UTILITIES PRODUCTION CORPORATION, a corporation,) No. 2645 - Law. ✓
and UTILITIES OIL PRODUCTION CORPORATION, a)
corporation, Defendants.)

ORDER EXTENDING TIME FOR FILING AMENDED PETITION.

Now, on this 16th day of September, 1938, for cause shown, it is ordered that plaintiff herein have ten (10) days from this date within which to file amended petition in said cause.

F. E. KENNAMER
United States District Judge.

ENDORSED: Filed Sep 16 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, Plaintiff,)
vs.)
H. T. Tyler and Vassie Tyler, et al, Defendants.) No. 2706 - Law. ✓

ORDER OF DISMISSAL

Now on this 16th day of September, 1938, this matter coming on before the Court, and it appearing that the full amount sued for in said cause, plus interest and the court costs have been paid, and that said cause should be dismissed;

IT IS THE ORDER of the Court that said cause be, and the same hereby is dismissed.

F. E. KENNAMER
JUDGE

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

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

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

A. E. Taron,	Plaintiff,)	
)	
vs.		)	No. 2727 - L.
)	
Crystal White Laundry & Dry Cleaning Company, a corporation, and the Band Box Corporation, a corporation,	Defendants.)	

O R D E R

Now on this 16th day of September, 1938, for good cause shown,

IT IS ORDERED, that the time within which the defendant, The Band Box Corporation, may plead or answer to the petition of the plaintiff is hereby extended until October 8, 1938.

F. E. KENNAMER
 District Judge

Service Acknowledged 9-16-38
 REMINGTON ROGERS,
 Attorney for Defendant, the Band Box Corporation.

ENDORSED: Filed Sep 16 1938
 H. P. Warfield, Clerk
 U. S. District Court AC

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

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

O R D E R

This cause coming on to be heard on this the 16th day of September, 1938, on the verified application of T. P. Farmer, Receiver for Exchange National Company, for an order authorizing, directing and empowering him to execute and deliver to one Bird R. Warren a quit claim deed covering

Lots 6 and 7 in Block 1 Ingram Lewis Addition to the City of Tulsa,
 Tulsa County, State of Oklahoma, according to the recorded plat thereof,

upon the payment by said person to the said receiver of the sum of \$50.00 in cash, and the Court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained.

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED, that said applica-
 tion be and the same is hereby sustained, and the said T. P. Farmer as said receiver, be and he is
 hereby directed, authorized and empowered forthwith to make, execute and deliver unto Bird R. Warren
 a quit claim deed covering the above described premises upon the payment to him of the sum of \$50.00,
 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 fully and effectually to accomplish the letter and spirit of the
 application and this order.

F. E. KENNAMER
 United States District Judge

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

 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.)	

O R D E R

THIS CAUSE COMING on to be heard on this the 16th day of September, 1938, on the
 application of T. P. Farmer, as receiver for Exchange National Company, for an order authorizing,
 directing and empowering him to make, execute and deliver a release of that certain judgment which,
 as said receiver, he has against Robert D. Fry, insofar as the same is a lien against, or in any manner
 affects the following described premises, to-wit:

Lots 23, 24, 25, 26, 27 and 28, in Block 6 in Overlook Park Addition
 to the City of Tulsa, Tulsa County, State of Oklahoma, according to the
 Amended Plat thereof,

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

IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application
 be and the same is hereby sustained, and the said T. P. Farmer, Receiver of the Exchange National
 Company, be and he is hereby directed, authorized and empowered to forthwith to make, execute and
 deliver a release of said aforescribed judgment, insofar as the same is a lien against, or in any
 manner affects, the aforescribed premises, and the said T. P. Farmer, as said receiver, be and he
 is directed, authorized and empowered, to do all 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 Sep 16 1938
 H. P. Warfield, Clerk
 U. S. District Court B

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

SPECIAL MARCH 1938 TERM

FRIDAY, SEPTEMBER 16, 1938

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

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

ORDER AUTHORIZING ADVERTISING AND SALE OF PROPERTY

THIS CAUSE COMING on to be heard on this the 16th day of September, 1938, on the verified application of T. P. Farmer, Receiver for Exchange National Company, for authority to advertise and sell to R. W. Ferguson, if he should be the highest and best bidder at the sale, for the sum of \$1800.00 cash, the following described premises;

East Half of the West Half of Southwest Quarter and East Half of West Half of Southwest Quarter of Southwest Quarter and Southeast Quarter of Southwest Quarter of Section 32, Township 25 North, Range 24 East, 90 acres, Delaware County, State of Oklahoma,

and to pay from the purchase price so received a five per cent commission to the real estate agent who consummated said sale, to-wit, C. W. Newburn, and to advertise and sell the same in accordance with the laws of the United States applicable thereto, and the Court having read said application and finding that it has authority to entertain the same and enter an order thereon and being fully advised in the premises, finds that said application should be sustained.

IT IS THEREFORE BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said T. P. Farmer be and he is directed, authorized and empowered to advertise and sell according to the laws of the United States, the above described premises, to the highest bidder at said sale, and should the said R. W. Ferguson be the highest bidder sell the same to said purchaser for the sum of \$1800.00 in cash and pay therefrom a five per cent commission to C. W. Newburn, the real estate agent, and the said T. P. Farmer, be and he is hereby directed, authorized and empowered to do all other things necessary and proper in orderfully and effectually to consummate said sale, and to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

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

Court adjourned to September 19, 1938

On this 19th day of September, 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

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

IN RE APPOINTMENT OF)
)
 OFFICIAL COURT STENOGRAPHER.)

O R D E R

In accordance with Rule 80, sub-division (b) of the Rules of Civil Procedure for the District Courts of the United States, adopted by the Supreme Court of the United States pursuant to the Act of Congress of June 19, 1934, Chapter 651, George H. Lessley is hereby designated as an Official Court Stenographer for the United States District Court for the Northern Judicial District of the State of Oklahoma, and he shall be entitled to charge for his services as such \$10.00 per day for reporting such proceedings as he may be employed to report, to be paid by the party or parties so employing him, and he shall be entitled to charge for transcripts of any such proceedings the sum of thirty (30) cents per folio for the original transcript, and ten (10) cents per folio for each carbon copy thereof, said fees to be paid by the party or parties ordering the same, and such amounts properly paid by parties for the service of such Official Court Stenographer may be, upon application of the party or parties, taxed as costs in the case in the discretion of the trial judge.

Dated at Tulsa, Oklahoma, September 19th, 1938.

F. E. KENNAMER
 United States District Judge

ENDORSED: Filed Sep 19 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 SELL REAL ESTATE

On this 19th day of September, 1938, upon the application of J. H. McBirney,

Successor Trustee, for authority to sell real estate, and it appearing that the said trustee is the owner of the real estate hereinafter described, having acquired the same by deed from Katherine E. DePuy; and it appearing that among the assets coming into the hands of the trustee was a real estate mortgage note executed by John M. DePuy, upon which there was due the principal sum of One Thousand Nine Hundred Fifteen & 60/100 Dollars (\$1,815.60), which said note was secured by a real estate mortgage covering the property hereinafter described; and it further appearing that the said John M. DePuy departed this life, leaving said Katherine E. DePuy as his sole heir and beneficiary, who succeeded to the ownership of said real estate; and it further appearing that there was no personal liability against the said Katherine E. DePuy, and that the only method of obtaining payment of said note was from said real estate, and that after the institution of suit for the foreclosure of said mortgage, said real estate was conveyed to said trustee; and it further appearing that the said trustee has expended the approximate sum of One Hundred Fifty Dollars (\$150.00) in repairing and decorating the said improvements located on said real estate, which said improvements consist of a one-story frame, composition roof, cement block foundation, house, with a small basement, six rooms and bath, and that the said trustee has received the sum of Three Hundred Seventeen & 01/100 Dollars (\$317.01) as rentals from said real estate; and it further appearing that the said trustee has an offer from Goldie Dean Epperson for the purchase of said real estate for the sum of Two Thousand Three Hundred Dollars (\$2,300.00), payable Six Hundred Dollars (\$600.00) in cash, and the balance of One Thousand Seven Hundred Dollars (\$1,700.00) to be paid at the rate of Thirty Dollars (\$30.00) per month, including interest at the rate of six per cent (6%) per annum on the unpaid balance, but the entire balance to mature and be payable within three years from date; and it further appearing that the said real estate has a value in the approximate sum of the amount offered for the purchase thereof; that said trust estate is in liquidation, and that it is to the best interest of said trust and its beneficiaries to sell said real estate; and it further appearing that the said trustee has not had an offer of a greater sum or more favorable terms for said real estate, and that the said trustee has recommended the sale of said real estate for the consideration herein stated; and it further appearing that Paul H. Johnson a real estate broker in the City of Tulsa, arranged the sale of said real estate herein described, and is entitled to compensation for his said services; that the customary compensation therefor is five per cent (5%) upon the purchase price of said real estate; and that said sum is reasonable compensation for said services and the same should be paid by said trustee; and it further appearing that the Advisory Committee, appointed and designated by this court, upon whom notice shall be given of such sales of real estate, have considered the said offer and have approved the same, and have recommended that the said trustee sell said real estate for said consideration and upon said terms, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to sell to Goldie Dean Epperson, the following described real estate, to-wit:

The South Thirty-four (34) feet of Lot Four (4) in Block Four (4) of Kirkwood Place Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

for the sum of Two Thousand Three Hundred Dollars (\$2,300.00), payable Six Hundred Dollars (\$600.00) in cash, and the balance of One Thousand Seven Hundred Dollars (\$1,700.00) Payable at the rate of Thirty Dollars (\$30.00) per month, which shall include interest on the unpaid balance, at the rate of six per cent (6%) per annum, but all of the said unpaid balance to mature and be payable within three years from date.

IT IS FURTHER ORDERED that upon payment of said sum of Six Hundred Dollars (\$600.00) by Goldie Dean Epperson, the execution and delivery of an installment note evidencing the indebtedness of One Thousand Seven Hundred Dollars (\$1,700.00), the unpaid balance of the purchase price, payable at Thirty Dollars (\$30.00) per month including interest at the rate of six per cent (6%) per annum, and the execution and delivery of a first real estate mortgage covering the real estate above described securing the unpaid balance of said purchase price, that J. H. McBirney, Successor Trustee, execute and deliver his trustee's special warranty deed transferring and conveying the said real estate to the said Goldie Dean Epperson.

of administrative costs and compliance with paragraphs "First" and "Second" hereof shall be opposed the total of face amount of outstanding bonds, plus amounts in Schedule "II", plus amounts in Schedule "I remaining undischarged under paragraph "Second" hereof.

It is further ordered, adjudged and decreed that the physical properties of Sapulpa Gas Company, heretofore sold to I. E. Nelson, Trustee, shall stand subject to taxes accrued and accruing and that said I. E. Nelson, Trustee, is hereby strictly enjoined promptly upon the consummation of any sale of the physical properties to cause said taxes to be paid in cash out of the first proceeds of any such sale; provided that the obligation of said I. E. Nelson, Trustee, to make payment of said taxes shall be strictly limited to the amount thereof exclusive of all penalties and interest for delinquency and said penalties and interest upon said taxes are hereby forever disallowed and discharged insofar as the properties sold in this cause are concerned. It is further ordered that from and after the date of this order John F. Hayden, Trustee in Bankruptcy, and his sureties be and they are hereby forever acquitted and discharged of any obligation to make payment of any such taxes out of funds or properties received and held pursuant to the order of appointment of said John F. Hayden.

Jurisdiction is hereby retained for the purpose of acting upon the claim or claims of Oklahoma Natural Gas Company and to allow or disallow the same, to extend Schedule "I and/or Schedule "II" to include any amount that may be subsequently allowed or to allow said claim or claims and classify same for payment subsequent to but not prior to the classifications set forth in this order as the court subsequently shall determine.

It is further ordered that from and after the entry of this order each and every person or corporation other than those referred to in this order be and they are hereby forever barred of any interest in and to the properties sold herein to I. E. Nelson, Trustee, or the proceeds thereof, and all persons including those named herein, are hereby forever restrained from interference with the possession thereof in the hands of I. E. Nelson, Trustee, or his assigns upon any account existing or claimed to exist prior to the date of this order.

It is further ordered that each and every previous order or decree made and entered herein purporting to allow claims upon the property sold in this cause to I. E. Nelson, Trustee, or order fixing the priority or manner or time of payment thereof be and the same is hereby amended to conform herewith.

Dated at Tulsa, Oklahoma, this 19th day of September, 1938.

F. E. KENAMER
United States District Judge.

Approved:

MILLER, LYTTLE & WILDMAN,
By L. O. LYTTLE
Attorneys for John F. Hayden, Trustee

Service Waived

HARRY O. GLASSER,
HARRY O. JANICKE
Attorneys for I. E. Nelson, Trustee

Service of Copy waived

EVERETT S. COLLINS
County Attorney of Creek County, Oklahoma
By Kenneth Hughes, Assistant County Attorney

Service Waived

CHAS. A. COAKLEY R. B. McDERMOTT
Attorneys for respondent, Sapulpa Gas Company

Service of Copy waived.

(SCHEDULE I and II attached to original)

ENDORSED: Filed Sep 19 1938
H. P. Warfield, Clerk
U. S. District Court B

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

B. E. DOZIER, ET AL., Complainants,)
vs.) No. 1275 Equity ✓
Sapulpa Gas Company, Respondent.)

O R D E R

For good cause shown it is hereby ordered that the above styled action be and the same is hereby dismissed for the reason that the issues presented therein have become moot by reason of action taken by this court in No. 3581 Bankruptcy and 1266 Equity of the files of this court.

Dated at Tulsa, Oklahoma this 22 day of September, 1938.

F. E. KENNAMER
United States District Judge

O.K. SERVICE WAIVED
MILLER, LYTTLE & WILDMAN By LYTTLE

Service waived:
COAKLEY & McDERMOTT
By R. B. McDERMOTT

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

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

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

PARTIAL ALLOWANCE OF FEES FOR ATTORNEY FOR PETITIONING CREDITOR

Now on this 19th day of September, 1938, there came on to be heard the petition of Lawrence Mills, attorney for the petitioning creditor who procured the appointment of the receivers in the above matter, for a partial allowance of attorney's fees for said services; and the court being fully advised in the premises, is of the opinion that said allowance should be made.

It is therefore ORDERED that said Lawrence Mills be allowed the sum of \$500.00 to be paid from any moneys in the hands of the receivers as partial allowance upon said attorney's fees, and said receivers are authorized and directed to pay said sum to said petitioner and to charge the same to the costs of the administration of said estate.

F. E. KENNAMER
Judge of the United States Court

ENDORSED: Filed Sep 19 1938
H. P. Warfield, Clerk
U. S. District Court B

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.)

ORDER OF REFERENCE

Now on this 12th day of September, 1938, there came on for hearing the report of L. L. Wiles and Wilbur Holleman as Receivers for the defendant, Gilmort Oil Company, on the claims of creditors filed with the Receivers, and

The Receivers appearing by their counsel, Lawrence Mills and E. J. Doerner, and various claimants and intervenors appearing by their respective counsel, and

It appearing to the Court that the Receivers gave notice to creditors to file claims as required by the order of this Court dated May 18th, 1938, and

It further appearing to the Court that various persons, firms and corporations have filed claims with said Receivers pursuant to such notice, all of which more fully appears from the report of the Receivers on claims of creditors, and

It further appearing that various persons, firms and corporation have, by permission of the Court, intervened in said cause and filed their respective petitions of intervention and to which there has been filed various answers and cross petitions, all as more fully appears from the records of this Court, and

It further appearing from the report of said Receivers and petitions of intervention and answers and cross petitions filed thereto that various persons, firms and corporations are claiming liens against the properties and assets of the said Gilmort Oil Company and that there is a conflict as to claims of priority of said liens, and

It further appearing that the issues raised by the Bill of Complaint, by claims filed with the Receivers and by the petitions of intervention and cross petitions are complicated and that various accounts will have to be taken and settled in said hearing, and

It further appearing to the Court that it is necessary that this order be made in order for the Court to fairly and within a reasonable time dispose of other business before the Court, and

It further appearing that the Receivers have recommended the appointment of a Special Master to hear and report to the Court the issues raised in this cause, to hear and report on the claims, liens and priorities of the various claimants, and

It further appearing that no objections have been filed to said recommendation and all parties appearing by counsel in Court having agreed to an Order of Reference,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that this cause be and the same is hereby referred to W. L. Coffey as Special Master in Chancery of this Court and said Special Master is hereby vested with power and authority to audit claims filed with the Receivers and those involved in the Bill of Complaint and in petitions of intervention and cross petitions filed in this cause, to hear all testimony in support of said claims, petitions of intervention and cross petitions, to fix a place or places for said hearing and to adjourn the said hearings from time to time and 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 depositions of non-resident witnesses, and to receive

and consider all depositions taken by either party 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; that he shall check all physical evidence offered by either side, including personal inspection of any property, whether real or personal, involved in said suit, if, in his discretion, it may be of benefit in determining any questions in said cause, to make all needed computations and shall have all the powers as are conferred on Masters 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 to writing and that said Special Master shall report the same to this Court together with all exhibits and depositions of non-residents offered together with a report to the Court of his 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.

The 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 this cause, including the claims filed with the Receivers, petitions of intervention and cross petitions.

The Order of Reference is hereby extended to all petitions of intervention, cross-petitions, filed in this case as reflected by the records in this cause with the same force and effect as if an individual Order of Reference had been made as to each of said petitions in intervention.

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

F. E. KENNAMER
DISTRICT JUDGE.

ENDORSED: Filed Sep 19 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to September 20, 1938.

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA TUESDAY, SEPTEMBER 20, 1938

On this 20th day of September, 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 FOR MONTH OF AUGUST, 1938

THIS CAUSE coming on for hearing before me, F. E. KENNAMER, JUDGE OF SAID COURT, on this the 20th day of September, 1938, upon application of the receiver herein for an order approving his report for the month of August, 1938, filed herein; and the court, being fully advised in the premises and having examined said report, finds that the receiver has fully and faithfully accounted for all moneys 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 August, 1938, be and the same is hereby in all matters and things approved.

DATED this 20th day of September, 1938.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Sep 20 1938
H. P. Warfield, Clerk
U. S. District Court AC

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, a corporation, Defendant.)

ORDER DIRECTING RECEIVERS TO FILE ANSWER TO THE APPLICATION OF C. M. SHELDON, O. H. SHELDON AND W. W. SHELDON FOR RELEASE OF DRILLING MACHINE AND EQUIPMENT AND DIRECTING THE SPECIAL MASTER TO SET SAID APPLICATION FOR HEARING UPON THE FILING OF SAID ANSWER

On this 12th day of September, 1938, this matter came on for hearing pursuant to order of this court made on the 6th day of September, 1938, permitting the filing of the application by C. M. Sheldon, O. H. Sheldon and W. W. Sheldon, for release of drilling machine and equipment; and attorneys for receivers having stated to the court that they needed additional time in which to investigate the subject matter of said application, and upon the suggestion of counsel for applicants that the receiver should answer said application,

IT IS ORDERED by the court that the receivers herein file their answer within twenty days from this date, and that upon filing the said answer, the Special Master appointed herein set said matter for hearing.

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

F. E. KENNAMER
Judge

----- Court adjourned to September 22, 1938

On this 22nd day of September, A. D. 1938, the District Court of the United States of 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

FRANK MELROY,	Plaintiff,)	
)	
versus		)	No. 2639 - Law.
)	
SUN OIL COMPANY, a corporation, and)	
HARTFORD ACCIDENT & INDEMNITY COMPANY,)	
a corporation,	Defendants.)	

O R D E R

For good cause shown, the defendants above named is given an additional extension 10 days' time within which to file their memorandum brief herein.

Dated this 22 day of September, 1938.

F. E. KENNAMER
 U. S. DISTRICT JUDGE

SERVICE OF COPY HEREBY ACKNOWLEDGED 7-22-38
 OK BA A. HAMILTON
 Atty for Plaintiff

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

EAGLE OIL CO. A CORPORATION,	Plaintiff,)	
)	
-vs-		)	No. 1251 - Equity.
)	
SINCLAIR PRAIRIE OIL CO. A CORP. ET AL,)	
	Defendants.)	

Now on this 22nd day of September, A. D. 1938, it is ordered by the Court that Decree for Defendants be entered, as per journal entry to be filed. (F. E. K. Judge).

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 Equity

SAPULPA GAS COMPANY, ET AL,

Respondents.)

O R D E R

For good cause shown it is hereby ordered that the certain meter deposits of customers of Sapulpa Gas Company subject to which the properties of said corporation were sold herein to I. E. Nelson, Trustee, be and the same are hereby fixed as a lien upon the properties remaining in the hands of said I. E. Nelson, Trustee, according to the terms of this order hereinafter expressed, to-wit:

(a). Said lien shall be limited to customers of Sapulpa Gas Company connected to its service lines and having on deposit with the operators of said lines an amount of money, remaining unexpended to the security of accounts for gas purchased, upon the date of confirmation of the sale to I. E. Nelson, Trustee, September 8, 1938.

(b) The lien of said customers' deposits shall be strictly limited to the principal amount thereof exclusive of interest.

(3). Certificates or other evidence of said deposits shall be payable at their face principal amount by I. E. Nelson, Trustee, upon the entry of a final order of disposition and distribution of proceeds of said property to the depositor or his assigns and the said certificates or other evidence of deposit is hereby expressly made the subject of assignment to the extent of its face principal amount.

(d). Said I. E. Nelson, Trustee, is hereby granted an offset against each and every of the said customers' claims for meter deposits in any amount disclosed by the books of Sapulpa Gas Company, John F. Hayden, Trustee, or I. E. Nelson, Trustee, remaining unpaid for gas purchased from the said lines under the operation of any persons above named, and any assignee of any certificate or other evidence of such deposit is hereby expressly charged with notice of any such amount so remaining unpaid.

(e). It is further ordered that each and every claim for interest upon any meter deposit existing in favor of any person be and the same is hereby disallowed.

Jurisdiction is hereby reserved hereafter from time to time upon the further order of this court to supervise the distribution and payment of amounts found to be due to customers for meter deposits and to make such further orders affecting the time and manner of such payment as to the court shall seem proper.

Dated at Tulsa, Oklahoma this 22 day of September, 1938.

O.K. MILLER, LYTLE & WILDMAN, by LYTLE, service waived F. E. KENNAMER
COAKLEY & McDERMOTT BY R. B. McDERMOTT " " United States District Judge

ENDORSED: Filed Sep 22 1938

H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to September 23, 1938.

On this 23rd day of September, 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.

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:

GEORGE F. BELL, Plaintiff,)
)
 -vs-) No. 2593 - Law. ✓
)
 AMERICAN STEEL & WIRE CO., Defendant.)

Now on this 23rd day of September, A. D. 1938, it is ordered by the Court that defendant's amended demurrer to Plaintiff's petition as amended be and it is hereby overruled. Exceptions allowed. Twenty (20) days to answer. (F.E.K. Judge).

 IN THE UNITED STATES DISTRICT COURT WITHIN AND 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 ALLOWING DEFENDANT ADDITIONAL TIME IN
 WHICH TO ANSWER

On application of the defendant and for good cause shown,

IT IS ORDERED:

That the defendant be and it is hereby given ten (10) days additional time, and until the 7th day of October, 1938, in which to answer the petition of the plaintiff herein.

F. E. KENNAMER
 JUDGE

SERVICE ACKNOWLEDGED

O.K. MONNET & SAVAGE, Attorneys for Plaintiff.
 O.K. BOHANON & ADAMS, Attorneys for Defendant,
 By B. B. Baufast, Jr.,
 1405 Ramsey Tower, Oklahoma City, Okla.

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

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

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

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

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

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:

- 720 U. S. vs. Harve Nave,
- 721 U. S. vs. Leo Vann,
- 724 U. S. vs. Frank Williams, J. H. Noel and Jimmie Brown
- 727 U. S. vs. Wes Baker, Myrtle Baker, Virgil Johnson and Rosa Hunter,
- 729 U. S. vs. Ed "Bunk" Fisher,
- 730 U. S. vs. Calvin Thomas,
- 731 U. S. vs. Toy West
- 734 U. S. vs. Elbridge Brew and John Brew,

JOHN R. PEARSON
U. S. Commissioner

Subscribed and sworn to before me this 15th day of September, 1938.

(SEAL)

LORENA FEATHERSTON
Notary Public

My commission expires:
Jan. 17, 1940.

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

F. E. KENNAMER
United States District Judge

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

MISCELLANEOUS - ORDER APPROVING ADDITIONAL PER DIEM - W. 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 26th day of September, 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 July and August,

JOHN E. McAFFEE, Plaintiff,)
)
 -vs-) No. 2684 - Law.
)
 PHILLIPS PETROLEUM COMPANY,)
 a corporation, Defendants.)

Now on this 26th day of September, A. D. 1938, it is ordered by the Court that Plaintiff be granted an additional fifteen (15) days within which to file amended complaint. (F.M.K. Judge).

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

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

ORDER AUTHORIZING EXECUTION OF QUIT CLAIM DEED

THIS CAUSE COMING on to be heard on this the 26th day of September, 1938, on the verified application of T. P. Farmer, Receiver for Exchange National Company, for an order authorizing him to execute and deliver a quit claim deed to Stella Goins, covering the following described premises:

Lot 3 in Block 23, Original Town, of Skiatook, Oklahoma, Tulsa County, State of Oklahoma,

upon the delivery to him of the sum of \$25.00, and the court having read said application and finding that it has jurisdiction to entertain the same and enter an order thereon, and being fully advised in the premises, finds that said application should be sustained;

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED, that said application be and it is hereby sustained, and the said T. P. Farmer, be and he is directed, authorized and empowered to make, execute and deliver a quit claim deed covering the above described premises to Stella Goins, upon the payment to him of the sum of \$25.00, and the said T. P. Farmer, be and he is 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 Sep 26 1938
 H. P. Warfield, Clerk
 U. S. District Court B

THE DILLON CO. A CORP., Plaintiff,)
-vs-) No. 1030 - Equity. ✓
THE CONTINENTAL SUPPLY CO., Defendant.)

Now on this 26th day of September, A. D. 1938, it is ordered by the Court that the Clerk be and he is hereby directed to file and spread Mandate of Record in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, SS:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between The Dillon Company, a corporation, plaintiff and The Continental Supply Company, a corporation, defendant, No. 1030, Equity, the decree of the said District Court in said cause entered on March 5, 1937, was in the following words, viz:

* * * * *

"It is therefore adjudged and decreed, that the bill of plaintiff be, and the same is hereby, dismissed upon the merits, at plaintiff's cost. To which decree, ruling and judgment of the court, plaintiff excepts and an exception in its behalf is hereby allowed. That defendant have and recover of and from plaintiff its costs herein laid out and expended to which plaintiff excepts and an exception in its behalf is hereby allowed."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by The Dillon Company, a corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and thirty-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 Continental Supply Company, a corporation, appellee, have and recover of and from The Dillon Company, a corporation, appellant, its costs herein.

-- August 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,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said cause be remanded to the District Court in and for Tulsa County, State of Oklahoma, from which it came, and that plaintiff recover the costs in this court against said garnishee, American Surety Company of New York, a corporation; to all of which said garnishee, American Surety Company of New York, a corporation, is allowed an exception.

F. E. KENNAMER
 JUDGE

SERVICE OF COPY WAIVED: BAILEY E. BELL.

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

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

United States of America,	Complainant,	) No. 1230 Equity ✓
+))	
vs.		
Chas. A. Nichols, Florence Nichols, Walter F. Nichols and Grace Nichols,	Respondents.)

O R D E R

Now on this 27th day of September, 1938, this cause came on before the Court, and it appearing that heretofore and on September 6, 1938, a sale of the property involved in this foreclosure proceedings was held at the east front door of the County Court House in Rogers County, Oklahoma; and it further appearing to the Court that notice of said sale was not properly advertised according to law, and that said sale should be vacated; and it further appearing to the Court that on January 18, 1938, at a regular term of this court, in an action therein pending, wherein the United States of America was complainant, and the parties named in the above caption were respondents said complainant recovered judgment against said respondents in the sum of \$1590.00, with interest at 10% per annum from August 1, 1933, and costs of said suit in the sum of \$43.40, and all accruing costs of sale, and further decreeing foreclosure of the mortgage given to secure said indebtedness, covering the following described land:

Southeast Quarter of Northwest Quarter of Northwest Quarter;
 Southwest Quarter of Northeast Quarter of Northwest Quarter;
 Northwest Quarter of Southeast Quarter of Northwest Quarter;
 East Half of Southwest Quarter of Northwest Quarter of Section
 Eighteen, Township Twenty North, Range Fifteen East, Rogers County,
 Oklahoma.

And whereas, on said date in said court in said judgment, and as a part thereof, it was further decreed that in case said respondents should fail for six months from date of the judgment, to pay same in full, with interest and costs, an order of sale shall issue to the United States Marshal commanding him to advertise and sell said above described real estate, without appraisal, according to law, free, clear and discharged of and from all liens and indebtedness of said respondents in said cause, of whatsoever nature and kind, and apply the proceeds of said sale to the satisfaction of said judgment as follows:

First - Payment of cost of sale and said suit.
Second - Payment to complainant herein the sum of \$1590.00 with interest
at 10% per annum from August 1, 1933, until paid.

The residue, if any, to be paid into this court to await the further orders of the Court.

And whereas, said judgment remains wholly unpaid, and no appeal has been taken therefrom, and no supersedeas bond has been filed, and it being shown to the Court that six months have elapsed since the date of said judgment;

NOW, THEREFORE, it is by the Court ordered that the sale heretofore held on September 6, 1938, at the east front door of the County Court House of Rogers County, Oklahoma, be, and the same hereby is vacated; and it is further ordered that the United States Marshal for the Northern District of Oklahoma is hereby commanded to advertise and sell, according to law, without appraisal, the lands and tenements hereinabove described, subject to legal tax liens that may exist against said lands, and apply the proceeds of said sale as herein directed. Said Marshal will make due return of this order and his acts herein as ordered, showing the manner in which he executed the same, within 60 days from date hereof.

IN WITNESS WHEREOF I have hereunto set my hand at Tulsa, Oklahoma, in said County and State, this 27th day of September, 1938.

F. E. KENNAMER
JUDGE

O.K. as to form, service of copy waived.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

Court adjourned to September 28, 1938.

On this 28th day of September, 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 and Hon. Alfred P. Murrah, Judges, present and presiding.

H. P. Warfield, Clerk, United States 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 OKLAHOMA

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

WEDNESDAY, SEPTEMBER 28, 1938

WARREN H. DAVIS, Plaintiff,)
)
-vs-) No. 1228 - Equity.
)
H. F. WILCOX OIL & GAS CO. ET AL, Defendants.)

Now on this 28th day of September, A. D. 1938, it is ordered by the Court that special appearances and objections to jurisdiction of Defendants H. F. Wilcox Oil and Gas Company, Apex Loan and Investment Company, H. F. Wilcox and H. F. Wilcox Loan and Investment Company be and they are hereby overruled. Exceptions allowed. It is further ordered by the Court that Defendants be and they are hereby given fifteen days to plead. (A.P.M. Judge).

ELIZABETH S. BREWER, Plaintiff,)
)
-vs-) No. 1269 - Equity.
)
H. F. WILCOX OIL & GAS CO. ET AL, Defendants.)

Now on this 28th day of September, A. D. 1938, it is ordered by the Court that ruling on special appearance and motion to quash of defendants, Apex Loan & Investment Company and Homer F. Wilcox be and the same is hereby passed. (A.P.M. Judge).

Court adjourned to September 29, 1938

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, SEPTEMBER 29, 1938

On this 29th day of September, 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

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

ORDER ALLOWING CLAUDE DRILLING COMPANY TO FILE CLAIM.

NOW on this 29th day of September, 1938, this matter comes on to be heard on application of The Claude Drilling Company for leave to file its claim against the Gilmort Oil Company, a Corporation with the receivers of the said Gilmort Oil Company, and the Court having considered said application and being fully advised finds that the said Claude Drilling Company

to the evidence as a whole, and filed its motion for a directed verdict; thereupon, both the plaintiff and the defendant, in open court, waived a jury, and submitted the case to the Court without the intervention of a jury, and the defendant made its demurrer to the evidence and motion for judgment; plaintiff made her motion for judgment.

Now the Court, on the 17th day of May, 1938, overruled the demurrer of the defendant and motion for judgment, to which exceptions are allowed, and sustained plaintiff's motion for judgment.

The Court further finds the issues in this case in favor of the plaintiff, Dorothy Lawrence, guardian of Arvel Lawrence, and against the defendant, United States of America. That due proof of the permanent and total disability of the insured, Arvel Lawrence, was received in the Veterans Administration October 30, 1934.

The Court further finds that at the time the policy forming the basis of this action lapsed for non payment of premiums, on June 7, 1933, the insured, Arvel Lawrence, had Four Thousand Seven Hundred Fifty-five Dollars and Ninety-six cents (\$4,753.96) of insurance in full force and effect; the Court further finds that Arvel Lawrence was totally and permanently disabled on that date.

The Court finds:

1. That Arvel Lawrence enlisted in the United States Army on the 6th day of May, 1918, and was honorably discharged on June 8, 1919.
2. That there was issued to the said Arvel Lawrence an insurance policy under the War Risk Act in the sum of Ten Thousand Dollars (\$10,000.00). That thereafter the said Ten Thousand Dollar policy lapsed for non payment of premiums. That on February 24, 1927, said insurance policy was reinstated for Five Thousand Dollars (\$5,000.00) on the life of Arvel Lawrence, with Dorothy Lawrence beneficiary under the same, the policy being No. K-5057115. That the premiums were paid on this said policy up to January 1, 1932. That thereafter the United States Government, after deducting Two Hundred Thirty-two Dollars (\$232.00) loan and Twelve Dollars and four cents (\$12.04) accrued interest from the cash surrender value of the policy, and applying the balance to the purchase of an extended insurance policy of Four Thousand Seven Hundred Fifty-five and Ninety-six cents (\$4,755.96), said policy was extended to June 7, 1933.
3. That in the application for reinstatement of the policy herein sued upon, made by the insured on February 1, 1927, and which was granted by defendant, he did not commit fraud in withholding the information that in January, 1925, he had been diagnosed having and treated for general paresis; that in the subsequent reinstatements of the policy herein sued upon, the insured did not commit fraud in withholding information in his application for reinstatement, which was granted by the defendant, that in January, 1925, he had been diagnosed as having and was treated for general paresis, there being no substantial evidence introduced tending to show that the insured, Arvel Lawrence, intentionally made any false statement as to any treatment he may have had for such disease.
4. The Court further finds that under the terms of said policy there was due and payable on said policy the sum of Five Dollars and Seventy-five Cents (\$5.75) per month on each One Thousand Dollars (\$1,000) of insurance in full force and effect from and after the time Arvel Lawrence became totally and permanently disabled, or a total monthly payment of Twenty-seven Dollars and Thirty-five Cents (\$27.35) on said policy of Four Thousand Seven Hundred Fifty-five Dollars and Ninety-six Cents (\$4,755.96), and that this amount is due and payable from and after April 30, 1934.
5. The Court finds that while the said policy of Four Thousand Seven Hundred Fifty-five Dollars and Ninety-six Cents (\$4,755.96) was in full force and effect Arvel Lawrence became totally and permanently disabled by becoming a person of unsound mind, and that it was reasonably certain on June 7, 1933, that said disability would follow him throughout his life, and that he was not able to follow a substantial and gainful occupation with reasonable regularity.

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

United States of America, Plaintiff,)
 vs.) No. 2669 Law ✓
 L. A. Harrell, H. E. Gamble and)
 Roy R. Douglas, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the above named defendants has been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that plaintiff is entitled to judgment as prayed in its petition herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Carl Ponca, restricted Osage Allottee No. 201, have judgment against the defendants, L. A. Harrell, H. E. Gamble and Roy R. Douglas, and each of them, in the sum of \$100.00 with interest thereon, at the rate of 6% per annum from October 1, 1937, until paid, and for all costs of this action.

F. E. KENNAMER
 JUDGE

O.K. AS TO FORM. SERVICE OF COPY WAIVED.

WHIT Y. MAUZY
 United States Attorney

CHESTER A. BREWER
 Assistant United States Attorney

ENDORSED: Filed Oct 3 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, Plaintiff,)
 -vs-) No. 2678 Law ✓
 W. E. Rains, L. A. Harrell and L. L.)
 Martin, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the

default of the defendants L. A. Harrell and L. L. Martin; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said District; and it being shown to the Court that the defendants, L. A. Harrell and L. L. Martin have each been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that plaintiff is entitled to judgment against said defendants as prayed in its petition herein.

It being further shown to the Court that the defendant, W. E. Rains has not been served with summons in this cause of action for the reason that he is a non-resident of the State of Oklahoma, the Court finds that said cause should be dismissed as to said defendants, W. E. Rains.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Me-hun-kah, restricted Osage Allottee No. 349, have judgment against the defendants, L. A. Harrell and L. L. Martin, and each of them, in the sum of \$75.00, with interest thereon at the rate of 6% per annum from November 1, 1936, until paid, and for all costs of this action.

IT IS THE FURTHER ORDER of the Court that said cause be, and the same hereby is dismissed as to the defendant, W. E. Rains.

F. E. KENNAMER
 JUDGE

O.K. AS TO FORM. SERVICE OF COPY WAIVED.

WHIT Y. MAUZY
 United States Attorney

CHESTER A. BREWER
 Assistant United States Attorney

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

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

United States of America,	Plaintiff,)
)
vs.		) No. 2679 Law.
)
Chas. Martin, L. A. Harrell and R. P. Martin,)
	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the above named defendants has been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that plaintiff is entitled to judgment as prayed in its petition herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf, and in behalf of Patricia Butler, restricted Osage Allottee No. 296, have judgment against the defendants, Chas. Martin, L. A. Harrell and R. P. Martin, and each of them, in the sum of \$75.00, with interest thereon at the rate of 6% per annum from November 1, 1936, until paid, and for all costs of this action.

F. E. KENNAMER
 JUDGE

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

CHESTER A. BREWER
 Assistant United States Attorney

ENDORSED: Filed Oct 3 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,	Plaintiff,)
)
vs.		) No. 2680 Law.
)
Joe Butcher, W. B. Dilbeck and)
Velda Lott,	Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants, Joe Butcher and Belda Lott; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendants, Joe Butcher, and Velda Lott have each been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that plaintiff is entitled to judgment against said defendants as prayed in its petition herein.

It being further shown to the Court that the defendant, W. B. Dilbeck has not been served with summons in this cause of action for the reason that he is a non-resident of the State of Oklahoma, the Court finds that this cause of action should be dismissed as to the defendant, W. B. Dilbeck.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Charles H. Roan, restricted, unallotted Osage Indian, have judgment against the defendants, Joe Butcher and Velda Lott; and each of them, in the sum of \$50.00, with interest thereon at the rate of 6% per annum from November 1, 1936, until paid, and for all costs of this action.

IT IS THE FURTHER ORDER of the Court that said cause be, and the same is hereby dismissed as to the defendant, W. B. Dilbeck.

F. E. KENNAMER
JUDGE

OK AS TO FORM.
SERVICE OF COPY WAIVED.
WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2682 - Law. ✓
)	
W. E. Rains, L. A. Harrell and)	
J. L. Rice,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of plaintiff and the default of the defendants, L. A. Harrell and J. L. Rice; and plaintiff appearing by Whit Y. Mauzy United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that the defendants, L. A. Harrell and J. L. Rice have each been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that plaintiff is entitled to judgment against said defendants as prayed in its petition herein.

It being further shown to the Court that the defendant, W.E. Rains, has not been served with summons in this cause for the reason that he is a non-resident of the State of Oklahoma, the Court finds that said cause should be dismissed as to said defendant, W. E. Rains.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Margaret King, heir of Perry King, deceased Osage Allottee No. 297, have judgment against the defendants, L. A. Harrell and J. L. Rice, and each of them, in the sum of \$225.00, together with inter st thereon at the rate of 6% per annum from November 1, 1932, until paid, and for all costs of this action.

IT IS THE FURTHER ORDER of the Court that said cause be, and the same is hereby dismissed as to the defendant, W. E. Rains.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM. SERVICE OF COPY WAIVED.
WHIT Y. MAUZY CHESTER A. BREWER
United States Attorney Assistant United States Attorney

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

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2685 Law.
)	
Harry Thomas, Joe LaBenske and H. N. Cook,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on for hearing on regular assignment, before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants, and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the above named defendants has been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred nor otherwise pleaded herein, they are by the Court declared to be in default.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Pearl Bigheart, unallotted Osage Indian, have judgment against the defendants Harry Thomas, Joe LaBenske and H. N. Cook, and each of them, in the sum of \$44.27, with interest on the sum of \$1144.27 from June 5, 1938 to July 2, 1938, at the rate of 6% per annum, and interest on the sum of \$44.27 from July 2, 1938, until paid, and at the rate of 6% per annum, and for all costs of this action.

F. E. KENNAMER
 JUDGE

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

CHESTER A. BREWER
 Assistant United States Attorney

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

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2688 - Law.
)	
L. A. Harrell, H. E. Gamble and Jess Rains,	Defendants.)	

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district,

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

United States of America, Plaintiff,)
vs.) No. 2705 Law.
Geo. Whiles, W. E. Witty and)
J. E. Gallatin, Defendants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 3rd day of October, 1938, this cause came on to be heard in open court before Honorable F. E. Kennamer, Judge presiding, on the petition of the plaintiff and the default of the defendants; and plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the above named defendants has been regularly served with summons in this cause more than 30 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court declared to be in default, and the Court finds that plaintiff is entitled to judgment as prayed in its petition herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Marvin Other, restricted, unallotted Osage Indian, have judgment against the defendants, Geo. Whiles, W. E. Witty and J. E. Gallatin, and each of them, in the sum of \$87.50, with interest thereon at the rate of 6 % per annum from October 1, 1936, until paid, and for all costs of this action.

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

F. E. KENAMER
JUDGE

CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Oct 3 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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 3, 1938

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

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

ORDER AUTHORIZING ADVERTISING AND SALE OF PROPERTY

THIS CAUSE COMING on to be heard on this the 2rd day of October, 1938, on the verified application of T. P. Farmer, Receiver for Exchange National Company, for authority to advertise and sell to W. I. Parrott, if he should be the highest and best bidder at the sale, for the sum of \$2700.00 the following described premises:

Lots 1 and 2, except the South 7 acres of the Southwest Quarter of said Lot 2, and all of the Northeast Quarter Southwest Quarter Northeast Quarter and Northwest Quarter Southeast Quarter Northeast Quarter lying North of the A & O Railway Company right-of-way, all in Section 5, Township 24 North, Range 24 East, Delaware County, Oklahoma,

and to pay from the purchase price so received a five per cent commission to the real estate agent who conclusively proves that he consummated said sale, and to advertise and sell the same in accordance with the laws of the United States applicable thereto, and the Court having read said application and finding that it has authority to entertain the same and enter an order thereon and being fully advised in the premises, finds that said application should be sustained.

IT IS THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED that said application be and the same is hereby sustained, and the said T. P. Farmer, be and he is directed, authorized and empowered to advertise and sell according to the laws of the United States, the above described premises to the highest bidder at said sale, and should the said W. I. Parrott be the highest bidder, sell the same to said purchaser for the sum of \$2700.00, accepting \$1000.00 in cash and a mortgage for the balance due two years from date, bearing interest at the rate of 6% per annum, and thereafter, make, execute and deliver to said purchaser a deed covering the above described premises, and pay unto the real estate agent the five per cent commission as his fee for consummating such purchase and sale, and the said T. P. Farmer, be and he is hereby further directed, authorized and empowered to do all other things necessary and proper in order fully and effectually to accomplish the letter and spirit of the application and this order.

F. E. KENNAMER
United States District Judge

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

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

SECURITIES AND EXCHANGE COMMISSION,)
Plaintiff,)
vs.)
E. R. PERRY, S. L. DEDMAN AND M. P.) IN EQUITY NO. 1231
PERRY, INDIVIDUALLY AND AS TRUSTEES)
OF SEMINOLE PROVIDENT TRUST: FOREMAN)
AND COMPANY, INC., AND JOHN E. AHLBORG,)
Defendants.)

JUDGMENT

This cause came on to be heard at this term and was presented by counsel; and it appearing from the evidence that at the time of the filing of the Bill of Complaint herein the defendants, E. R. Perry, S. L. Dedman, M. P. Perry, individually and as trustees of Seminole Provident Trust, Foreman and Company, Inc., a corporation, and John E. Ahlberg, and each of them, were engaged and about to engage in acts and practices constituting violations of Section 17 (a) of the Securities Act of 1933 (15 U.S.C.A. 77Q (a)), it is this 3rd day of October, 1938, ORDERED, ADJUDGED, and DECREED as follows:

That the defendants above named, and each of them, their officers, agents, servants, employees, and all persons acting, through or under them, be and they are hereby permanently enjoined in the sale of units of beneficial interest in Seminole Provident Trust or any other security by use of the mails or by use of any means or instruments of transportation or communication in interstate commerce, from directly or indirectly:

Sending or distributing any prospectus, letter, circular, advertisement, or communication, offering for sale such units of beneficial interest which

- (a) Fails to state that E. W. Jones, Inc. has cancelled its contract of sale with E. R. Perry, S. L. Dedman, and M. P. Perry, which contract was held in trust for the purchasers of units in Seminole Provident Trust, or
- (b) Fails to state that Seminole Provident Trust has not available sufficient funds to purchase a share in the properties covered by the contract with E. W. Jones, Inc. sufficient to assure that each purchaser of a unit of beneficial interest in said trust will receive a 1/8000th equitable interest in said properties, or
- (c) Fails to state the true earnings of the properties covered by said contract with E. W. Jones, Inc. as compared with the total amount of monthly disbursements paid to unitholders in said trust, or
- (d) Fails to correctly state the total remuneration paid to underwriters, brokers, dealers, and salesmen for the sale of such units;

or employing any device, scheme, or artifice to defraud similar to the one above set forth; or obtaining money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, similar to those above set forth or of similar purport or object, or to engage in any transaction, practice or course of business, which

operates or would operate as a fraud or deceit upon the purchasers of securities, similar to that
above set forth.

F. E. KENNAMER
District Judge.

O.K. AS TO FORM
SERVICE OF COPY WAIVED

H. S. FRENCH
Attorney for Securities and Exchange Commission

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

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

United States of America, Complainant,)
)
vs.) No. 1247 Equity ✓
)
Arthur Hall, Respondent.)

D E C R E E

Now on this 3rd day of October, 1938, this matter coming on before the Court on regular assignment, and the complainant, 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 respondent, Arthur Hall, appearing neither in person nor by attorney, and upon examination of the files herein it appearing to the Court that said respondent has been duly and regularly served with subpoena in equity in this cause but has failed to answer or otherwise plead herein, he is by the Court found to be in default, and the Court being fully advised in the premises finds that complainant is entitled to the relief sought in its bill of complaint.

IT IS THEREFORE THE DECREE of the Court that the United States of America have and recover judgment against the respondent, Arthur Hall in the sum of \$35.00 and in the event that said judgment is not paid forthwith the Court orders and directs that said respondent, Arthur Hall, replace the four room house involved in this cause of action, now located on the Southwest Corner of the Southwest Quarter of the Southwest Quarter of Section Twenty, Township Twenty-nine North, Range Twenty-three East, Ottawa County, Oklahoma, on the Northwest Quarter of the Northwest Quarter of Section Thirty-four, Township Twenty-nine North, Range Twenty-three East, Ottawa County, Oklahoma, said land last above hereinabove described being the allotment of Ruth Goodeagle, deceased Quapaw Indian.

IT IS THE FURTHER DECREE of the Court that the respondent, Arthur Hall, be, and he is hereby permanently restrained and enjoined from interfering with the possession, management and

control of the premises hereinabove described.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM.
SERVICE OF COPY WAIVED.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

IN THE DISTRICT COURT OF THE UNITED STATES 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.)	

PLAINTIFFS' EXCEPTIONS TO FINDINGS OF FACT AND CONCLUSIONS OF
LAW

Now on this 3rd day of October, 1938, the court makes and files its findings of fact and conclusions of law in the above cause; and the plaintiffs, and each of them, object and except to the findings of fact, as follows:

- (1) Failure of the court to make the findings of fact, and each of them, requested by the plaintiffs.
- (2) Plaintiffs object and except to the findings as a whole for the reason that undisputed facts supporting plaintiffs' theory of the case are not included.
- (3) Plaintiffs object and except specifically to findings Nos. 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 19, and 21.

The plaintiffs further object and except to the conclusions of law, as follows:

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 3, 1938

(1) The court failed to find the law in favor of the plaintiffs and against the defendants.

(2) The plaintiffs specifically object and except to conclusions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

All of which objections are by the court overruled and exception allowed. Whereupon judgment was rendered by the court in favor of the defendants and against each of the plaintiffs, to which plaintiffs and each of them object and except, and exceptions are allowed.

F. E. KENNAMER
United States District Judge

Service of copy waived:
LAWRENCE MILLS, Atty for Pltffs.

PRESTON C. WEST, Attorney for Sinclair Prairie Oil Company.

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

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

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

D E C R E E

The hearing in this cause having heretofore been concluded and the issues thereon submitted to the Court for decision, and the Court having made its findings of fact and conclusions of law thereon in writing and directing the judgment to be entered, and having caused the same to be filed herein:

Now, on this 3rd day of October, 1938, IT IS CONSIDERED, ORDERED AND DECREED, BY THE COURT, pursuant to said findings of fact and conclusions of law thereon, that the plaintiffs, Elda Audrey Haskell and Eagle Oil Company, take nothing by their respective petitions, and that their prayers for relief be and each of them are hereby denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the defendant Sinclair Prairie

Oil Company has a good and valid oil and gas mining leasehold estate in and to

The South Half of the Southwest Quarter and the South Half of the Northeast Quarter of the Southwest quarter of Section 10, Township 17 North, Range 12 East, Tulsa County, Oklahoma,

entitling it to operate the same for oil and gas mining purposes so long as the production of oil, gas, and casinghead gas, or either of them, therefrom is profitable, and that its title and estate, and its right to produce said products, or either of them, from said land so long as the same can be profitably produced be, and the same is hereby, quieted as against all claims of the said plaintiffs, and each of them, and the plaintiffs, Elda Audrey Haskell and Eagle Oil Company, and each of them, and any one claiming by, through or under them, or either of them, are hereby perpetually enjoined from in any manner interfering with the right of Sinclair Prairie Oil Company to operate said lands for oil, gas, and casinghead gas, so long as the same may be profitable.

To which judgment and decree the plaintiffs, and each of them, severally except, and their exceptions are allowed.

F. E. KENNAMER
J U D G E

SERVICE OF COPY WAIVED:

LAWRENCE MILLS, Atty for Pltffs.

PRESTON C. WEST, Attorney for Sinclair Prairie Oil Company

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

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

United States of America, Plaintiff,)
)
vs.)
) No. 1280 Equity
L. C. Shimonek and Dora Shimonek, H. E.)
Fee, Evalyn Fee, L. M. Greiner, P. M.)
Greiner, Joseph D. Mitchell and Mary)
E. Kuhlman, Respondents.)

D E C R E E

Now on this 3rd day of October, 1938, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judgepresiding; the complainant, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the above named respondents has been regularly served with subpoena in equity in this cause more than 60 days prior to this date; that the respondents, H. E. Fee, Evalyn Fee, P. M. Greiner, Joseph D. Mitchell and Mary E. Kuhlman have each filed a disclaimer herein disclaiming any right, title or interest in the property involved in this cause of action; that neither of the respondents, L. C. Shimonek, Dora Shimonek and L. M. Greiner, has appeared, answered or demurred herein, and the Court finds that said respondents are in default.

The Court further finds that complainant, United States of America, in its own behalf and in behalf of Ho-tah-moie, restricted Osage Allottee No. 350, is entitled to a judgment against the respondents, L. C. Shimonek and Dora Shimonek, and each of them in the sum of \$5,000.00 with interest thereon at the rate of 7% per annum from July 19, 1937, until paid, together with unpaid advalorem taxes for the years 1932 to 1937 inclusive, in the sum of \$721.50, with interest and penalties, paying taxes for the years 1932 and 1933 in the sum of \$112.35, with interest and penalties, and for all costs of this action.

The Court further finds that complainant is entitled to a further judgment foreclosing the mortgage herein, and the sale of the mortgaged property if said indebtedness is not paid at the expiration of six months from the date of this judgment, and to have a Receiver appointed to take charge of said property, collect the rets thereon until the sale thereof, and report same into this court to await the further orders of the Court.

IT IS THEREFORE THE JUDGMENT AND DECREE of the Court that the complainant, United States of America, in its own behalf and in behalf of Ho-tah-moie, restricted Osage Allottee No. 350, have judgment against the respondents, L. C. Shimonek and Dora Shimonek, and each of them, in the sum of \$5,000.00, with interest thereon at the rate of 7% per annum from July 19, 1937, until paid, together with unpaid advalorem taxes for the years 1932 to 1937 inclusive, in the sum of \$721.50, with interest and penalties, paying taxes for the years 1932 and 1933 in the sum of \$112.35, with interest and penalties, and all costs of this suit.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that complainant, United States of America, in its own behalf and in behalf of Ho-tah-moie, restricted Osage Allottee No. 350, have judgment foreclosing the mortgage herein, filed of record September 6, 1930, and recorded in Book 58 at page 186, and if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, without appraisalment, the following described property, located in Osage County, Oklahoma, to-wit:

A part of Lots 4 and 5 in Block 60 in the original townsite of Pawhuska, Oklahoma, described as follows: Beginning at a point on the west line of said Lot 4 in said Block 60, 10 feet south of the Northwest corner of said Lot 4, thence in a southeasterly direction on a line to a point 20 feet south of the northeast corner of said Lot 4, a distance of 28 feet, thence south to a point on the south line of said Lot 5 in said block 30 feet east of the southwest corner of Lot 5, thence in a westerly direction to the southwest corner of said Lot 5, thence northerly along the west line of said Lots 4 and 5 to the place of beginning, being a lot 30 feet wide at the south and 28 feet at the north about 90 feet long,

the proceeds of said sale to be applied as follows:

- First - To payment of costs of said sale and this suit.
- Second - Payment to complainant in behalf of its said ward the sum of \$5,000.00 with interest at 7% per annum from July 19, 1937, until paid.
- Third - Payment of unpaid advalorem taxes in the sum of \$721.50, with interest and penalties, and paying taxes in the sum of \$112.35, with interest and penalties.
- Fourth - The residue, if any, to be paid into this court to await the further orders of the Court.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that after the sale of the above described property the respondents, L. C. Shimonek, Dora Shimonek, H. E. Fee, Evalyn Fee, L. M. Greiner, P. M. Greiner, Joseph D. Mitchell and Mary E. Kuhlman, and all persons claiming by, through or under them since the commencement of this action be, and they are forever barred from claiming

or asserting any right, title, interest, estate or equity in or to said property or any part thereof.

IT IS FURTHER ORDERED that C. A. Farrell be, and he hereby is appointed Receiver to take charge of the property involved in this cause, collect the rents thereon until the sale thereof, and report same into this court to await the further order of the Court.

IT IS FURTHER ORDERED that the original note and mortgage involved herein be merged in this judgment.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM. SERVICE OF COPY WAIVED.

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

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

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

United States of America, Complainant,)
vs.) No. 1285 Equity
Buford Wagoner, Respondent.)

D E C R E E

Now on this 3rd day of October, 1938, this matter coming on before the Court on regular assignment, and the complainant, 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 respondent, Buford Wagoner, appearing neither in person nor by attorney, and it being shown to the Court that said respondent has been regularly served with subpoena in equity in this cause more than 60 days prior to this date, and that said respondent has failed to answer, demur or otherwise plead to the bill of complaint herein, he is by the Court found to be in default.

The Court further finds that the following described land was inherited by and belongs to the heirs of Wah-to-sah-grah, deceased Osage Allottee No. 375:

Northeast Quarter of Section Six, Township Twenty-three North, Range Six East, Osage County, Oklahoma.

That said land is restricted and under the supervision and control of the Secretary of the Interior, and that said respondent, Buford Wagoner, should be restrained and enjoined from interfering with the possession, management and control of said land by the Secretary of the Interior, or his proper representatives.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the respondent, Buford Wagoner be, and he hereby is permanently restrained and enjoined from interfering with the possession management and control of the

Northeast Quarter of Section Six, Township Twenty-three North, Range Six East, Osage County, Oklahoma.

IT IS THE FURTHER ORDER of the Court that this decree shall be, and is sufficient authority for the United States Marshal for the Northern District of Oklahoma to dispossess the said Buford Wagner of said premises, and to deliver possession thereof to the Superintendent of the Osage Indian Agency in behalf of the heirs of Wah-to-sah-grah, deceased Osage Allottee No. 375, said land to remain in the possession, management and control of said Superintendent of the Osage Indian Agency.

IT IS THE FURTHER ORDER of the Court that complainant, United States of America, recover its costs herein.

F. E. KENRAMER
JUDGE

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

CHESTER A. BREWER
Assistant United States Attorney

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

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

United States of America, Complainant,)
)
vs.)
)
Andrew Blackwell Post No. 142,) No. 1286 Equity
American Legion of Hominy, Oklahoma,)
a Corporation, and Alfred A. Drummond,)
Respondents.)

D E C R E E

Now on this 3rd day of October, 1938, this cause came on regularly to be heard in open court before Honorable F. E. Kennamer, Judge presiding, and the complainant, United States of America, being represented by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district; and it being shown to the Court that each of the respondents in this cause has been regularly served with subpoena in equity more than 60 days prior to this date; that the respondent, Alfred A. Drummond, has filed a disclaimer, disclaiming any right, title or interest in the property involved herein; that the respondent, Andrew Blackwell Post No. 142, American Legion of Hominy, Oklahoma, a corporation, has neither answered, demurred or otherwise pleaded herein, and it therefore by the Court found to be in default, and the Court being fully advised in the premises finds that complainant is entitled to judgment as prayed in its bill of complaint filed herein.

IT IS THEREFORE ADJUDGED AND DECREED by the Court that the complainant, United States of America, in its own behalf and in behalf of the heirs of Wiley Whitewing, deceased Osage Allottee No. 686, have judgment against the respondent, Andrew Blackwell Post No. 142, American Legion of Hominy, Oklahoma, a corporation, for the sum of \$4815.00, with interest thereon at the rate of 7% per annum, payable semi-annually, from April 5, 1938, until paid, and a further judgment foreclosing the mortgage herein, filed of record April 12, 1929, and recorded in Book 54 of

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

SPECIAL MARCH 1938 TERM

MONDAY, OCTOBER 3, 1938

mortgage records, at page 416, and if said indebtedness is not paid at the expiration of six months from date of this judgment an order of sale issue out of this court to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, without appraisal, the following described property, located in Osage County Oklahoma, to-wit:

Lots Eight and Nine of Block Twenty of the original town of Hominy, Osage County, Oklahoma, according to the original survey thereof on file in the office of the County Clerk of Osage County, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - To payment of cost of sale and this action.
- Second - Payment to complainant in behalf of its said wards of the sum of \$4815.00, with interest at 7% per annum, payable semi-annually from April 5, 1938, until paid.
- Third - The residue, if any, to be paid into this court to await the further orders of the Court.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that after the sale of the above described property the respondents, Andrew Blackwell Post No. 142, American Legion of Hominy, Oklahoma, a corporation, and Alfred A. Drummond, and all persons claiming by, through or under them since the commencement of this action be, and they are forever barred from claiming or asserting any right, title, interest, equity or estate in or to said property or any part thereof.

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

F. E. KENNAMER
JUDGE

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

CHESTER A. BREWER
Assistant United States Attorney

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

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

United States of America,	Complainant,)
)
vs.		) No. 1291 Equity
)
Harry Thomas,	Respondent.)

D E C R E E

Now on this 3rd day of October, 1938, this cause came on before the Court on regular assignment, and the complainant, 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 respondent, Harry Thomas, appearing neither in person nor by attorney, and it being shown to the Court that said respondent, Harry Thomas, was duly

and regularly served with subpoena in equity more than 60 days prior to this date, and that said respondent, has neither answered, demurred nor otherwise pleaded herein, he is by the Court found to be in default.

The Court further finds that Pearl Bigheart restricted, unallotted Osage Indian, is the owner of the following described property, to-wit:

Lot Fifteen (15), Block Fifteen (15) original townsite of
Fairfax, Osage County, Oklahoma.

That said land is restricted and under the supervision and control of the Secretary of the Interior and that said respondent, Harry Thomas, should be restrained and enjoined from interfering with the possession, management and control of said land by the Secretary of the Interior, or his proper representatives.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the respondent, Harry Thomas, do, and he hereby is permanently restrained and enjoined from interfering with the possession, management and control of the following described land, to-wit:

Lot Fifteen (15), Block Fifteen (15), original Townshite of Fairfax,
Osage County, Oklahoma.

IT IS THE FURTHER ORDER of the Court that complainant, United States of America, recover its costs herein.

F. E. KENNAMER
JUDGE

O.K. AS TO FORM.
SERVICE OF COPY WAIVED.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

Court adjourned to October 4, 1938

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

TUESDAY, OCTOBER 4, 1938

On this 4th 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT
 OF OKLAHOMA

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

ORDER OVERRULING DEMURRER

Now on this 23rd day of September, 1938, being one of the regular judicial days of this court, comes regularly on for decision the defendant's amended demurrer to the plaintiff's petition as amended, and the court having had the same fully briefed by counsel for plaintiff and defendant and being fully advised in the premises finds that said demurrer should be overruled.

IT IS, THEREFORE, ORDERED AND ADJUDGED that said demurrer be and the same is hereby overruled, to which the defendant excepts, which exception is allowed, and the defendant is given twenty days from this date to file an answer.

F. E. KENNAMER
 JUDGE

O.K. SERVICE WAIVED.
JOHN LADNER
 Attorneys for Plaintiff.

GEO. S. RAMSEY
 Attorneys for Defendant

ENDORSED: Filed Oct 4 1938
 H. P. Warfield, Clerk
 U. S. District Court EA

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

Elizabeth Daniel Wallace and William)
 M. Daniel, Plaintiff,)
)
 vs.)
) No. 1244 Equity
)
 Richard T. Daniel, Jr., Samuel P. Daniel,)
 Gertrude P. Daniel, Floyd Rheam, Arthur)
 J. Devlin, and Howard C. Johnson, Bank Com-)
 missioners of the State of Oklahoma, Defendants.)

ORDER APPROVING CLAIM OF MARGARET JENNINGS AND DIRECTING THE
 RECEIVER TO PAY THE SAME.

NOW, on this 8th day of September, 1938, the above matter comes on to be heard upon the petition of intervention filed herein by Margaret Jennings. The intervener appearing by her attorney, George H. Jennings, and the receiver herein appearing by Yancey, Spillers and Bush, and thereupon the Court having heard the evidence, and being fully advised in the premises, finds:

That in cause number 20,585 of the causes pending in the Common Pleas Court of the County of Tulsa, State of Oklahoma, the intervener, Margaret Jennings, did, by the consideration of the Court, on the 5th day of September, 1935, recover judgment against the defendants, R. T.

Daniel, Jr., and Gertrude P. Daniel, for the sum of Seven-hundred dollars (\$700.00), with interest, thereon at the rate of eight per-cent (8%) per annum from the first day of November, 1933, and for the sum of Seventy dollars (\$70.00) attorney fees, and for the costs of said action, and that thereafter execution was issued in said cause, directed to the Sheriff of Tulsa County Oklahoma, and returned by said Sheriff, not satisfied, for the reason that neither of the defendants therein had property subject to execution. That thereafter garnishment proceedings were instituted in said action against Sam P. Daniel, the then trustee of the estate herein involved, and that on the 7th day of December, 1935, a judgment was entered therein directing the said Trustee to pay the said judgment aforesaid; that pursuant to said judgment the said Sam P. Daniel, paid thereon the sum of Three-hundred-seventy dollars (\$370.00).

That in cause number 58729 of the causes pending in the District Court of Tulsa County, Oklahoma, Floyd Rheam, the then trustee of the estate herein involved, was, on the 22nd day of September, 1937, by the judgment of said Court ordered and directed to pay the judgment so rendered in favor of the intervener herein; and that thereafter and on the 4th day of January, 1938, the intervener herein caused to be filed a certified copy of the judgment so rendered in the Common Pleas Court aforesaid, which said judgment was docketed under cause number 65375 of the causes pending therein, and said judgment was duly entered upon the judgment docket of said Court; that the said Floyd Rheam paid to the intervener the sum of Fifty dollars (\$50.00) pursuant to the judgment above-mentioned, and that there is due and owing to the intervener the sum of Six Hundred Seven and 55/100 Dollars (\$607.55).

The Court finds that said judgment is final and amounts to an equitable lien against the assets of the trust which should be paid by the receiver herein.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that said claim be, and the same is hereby approved and allowed as an equitable lien against the assets now in the hands of the receiver, said lien to operate in all respects as set forth in the judgment aforesaid.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that the receiver, W. O. Buck, be, and he is hereby authorized and ordered to pay the amount so due to the intervener aforesaid, out of any funds coming into his hands as such receiver, or out of the corpus of the trust property which has come into his hands as such Receiver; such payments to be made under proper orders of the Court as the administration progresses.

F. E. KENNAMER
JUDGE

Oked: GEORGE JENNINGS
Attorney for Intervenor.

G. C. SPILLERS
Attorney for Receiver.

SERVICE OF COPY WAIVED THIS 3RD DAY OF OCTOBER, 1938.

GEORGE JENNINGS, Attorney for Intervenor.

ENDORSED: Filed Oct 4 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

Silva C. Robinson, Plaintiff,)

-vs-

The Exchange National Bank of Tulsa, Oklahoma, a corporation, and the National Bank of Tulsa, Oklahoma, a corporation, Defendants.

No. 1287 - E ✓

ORDER MAKING R. M. MOODY PARTY TO THIS ACTION

Now on this 4th day of October, 1938, being one of the regular judicial days of this court, comes on for argument the suggestion and plea of the defendants as set forth in paragraph 6 of their answer that R. M. Moody is a necessary party to this cause, and in view of said suggestion and plea of said defendants the plaintiff moves the court that the court permit and order said R. M. Moody to be made a party defendant herein.

IT IS, THEREFORE, ORDERED AND ADJUDGED that said R. M. Moody be made a party defendant herein and that the plaintiff be given permission to amend her bill by interlineation by adding the name of said R. M. Moody as a defendant in the caption of said bill and by alleging in the body of said bill the following: "The defendant, R. M. Moody, claims some right, title or interest in the subject matter involved in this action, but whatever it is the same is inferior to the rights of the plaintiff"; and that proper process may be issued and served upon said R. M. Moody unless he enters his appearance herein within 5 days from this date.

F. E. KENNAMER
District Judge

O.K. SERVICE OF COPY OF THIS ORDER WAIVED.

JOS T. HULL
JOHN LADNER

EMBOSSED: Filed Oct 4 1938
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to October 5, 1938.

On this 5th 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 DISTRICT COURT OF THE UNITED STATES 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 ALLOWING DEFENDANT ADDITIONAL TIME IN WHICH
TO ANSWER

On application of the defendant and for good cause shown,

IT IS ORDERED:

That the defendant Sayre Oil Corporation, be and it is hereby granted an extension of time to and including the 12th day of October, 1938, within which to file its answer herein.

ENTERED this 5th day of October, 1938.

F. E. KENNAMER
United States District Judge

SERVICE OF COPY WAIVED:
O.K. BOHANON & ADAMS
MONNET & SAVAGE
Attys for Pltf.

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

Court adjourned to October 6, 1938

On this 6th 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 DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA THURSDAY, OCTOBER 6, 1938

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

W. C. McBRIDE, Inc., a corporation, Plaintiff,)
vs.) Civil Action File No. 1
Moore Oil Company, a corporation, et al,)
Defendants.)

ORDER GRANTING EXTENSION OF TIME TO ANSWER OR FILE
COUNTER-CLAIM

It appearing that plaintiff herein consents to defendant's motion for additional time in which to answer or file counter-claim,

It is ordered that defendant, Moore Oil Company, a corporation, be and it is hereby granted an additional thirty days from this date in which to file answer or file counter-claim if defendant desires to do so.

Dated at Tulsa, Oklahoma this 6th day of October, 1938.

F. E. KENNAMER
United States District Judge

O.K. AND SERVICE OF COPY WAIVED

RAMSEY, MARTIN & LOGAN
By VILLARD MARTIN

SERVICE OF COPY WAIVED
COAKLEY & McDERMOTT
By M. HOOK

ENDORSED: Filed Oct 6 1938
H. P. Warfield, Clerk
U. S. District Court ME

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

GEORGE F. SHORT, Plaintiff,)
vs.) 2702 Law
S. D. FALLEY and THE CENTRAL MUTUAL)
INSURANCE COMPANY of CHICAGO, Defendants.)

ORDER OVERRULING MOTION TO QUASH

This cause coming on for hearing upon the defendant, S. D. Falley's motion to quash service of summons upon the Seventh day of September, 1938, and the plaintiff being represented by his attorney George L. Sneed, Jr., and the defendant, S. D. Falley being represented by his attorney, Emmett V. Rosser, the defendant, S. D. Falley, did then and there present for the Court's consideration the following arguments in support of its motion to quash, to-wit:

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, OCTOBER 6, 1938

1. That the attempted service made under the provision of Section 10285 O.S. '31 (47 Okl. Stat. Anno. 7), was not legal process in this case because that statute applied only to cases wherein a non-resident owner of a motor vehicle actually drove such vehicle upon the highway of Oklahoma in person, whereas in this case the non-resident operated the motor vehicle through an agent.

2. That there was a failure to comply with the terms of said statute even if it were applicable for:

a. The return receipt was not actually signed by the defendant S. D. Falley, nor had he authorized any person to sign his name to such a return receipt.

b. The defendant was not given twenty days from the date of receipt of notice, but only 20 days from the date of service upon him by service upon the Sec. of State.

all as more fully set out in the brief filed by said defendant, S. D. Falley in support of said motion to quash.

WHEREUPON, the court took the matter under advisement and directed the plaintiff to file an answer brief within ten days. Plaintiff did thereafter and within the time allotted file an answer brief and the defendant, S. D. Falley did thereafter file his reply brief.

THIS CAUSE COMING ON FOR DECISION on this the fifth day of October, 1938, and this court having studied the briefs filed herein and being otherwise fully advised in the premises is of the opinion that:

1. Paragraph (1) of Section 10285 O.S. '31, which is as follows, to-wit:

"The acceptance by a non-resident of the rights and privileges conferred by Section 10137, as evidenced by his operating a motor vehicle thereunder, upon the roads and streets of this state for any private use or purpose, or the operation by a non-resident of a motor vehicle on a public road, highway or street in the state for business or commercial purposes, shall be deemed equivalent to an appointment by such non-resident of the Secretary of State of this state, or his successor in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against him, growing out of any accident or collision in which said non-resident may be involved while operating a motor vehicle on such public road, highway, or street, and said acceptance or operation shall be a signification of his agreement that any such process against him which is so served shall be of the same legal force and validity as if served upon him personally."

was meant to apply and does apply to cases wherein the motor vehicle was operated by a non-resident owner through his agent or servant upon the highways of this state, as well as those cases wherein the operation was done in person by said non-resident.

2. That there is sufficient compliance with the provisions of Section 10285 O.S. '31 (47 Okl. Stat. Anno. 7), relating to the manner of giving notice to the defendant thereunder, if, as was herein done, a registered letter was sent to the defendant at his regular address and a return receipt, taken in the ordinary course of the delivery of registered mail, is returned to the sender and filed with the papers in this case along with the affidavit of compliance with the statute by the person mailing the notice, even though it be shown that the receipt was not signed by the defendant and that he had not authorized the person who did sign to receipt for

registered mail addressed to him.

3. That portion of paragraph 2 of Section 10285 C.S. '31 which provides that:

"Such service of said notice to be made upon the defendant shall be made at least twenty days before the answer day provided for in such process"

applies only to service of notice by an officer; and, that it is sufficient compliance with the act to give the regular time of twenty days in which to plead or answer after service upon the Secretary of State provided notice is "forthwith sent by registered mail" to said defendant as provided in said act.

IT IS THEREFORE ORDERED, ADJUDGE AND DDECREEED thatthe motion to quash be, and the same is hereby overruled. Defendant to answer in ten days.

F. E. KENNAMER
United States District Judge

Service of copy acknowledged:

EMMETT V. ROSSER, JR.
By N. D. H.

GEORGE L. SNEED, JR.

ENDORSED: Filed Oct 6 1938
H. P. Warfield, Clerk
U. S. District Court ME

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

E. C. Woodruff, Trustee for Eva May)
Woodruff, and Mollie Davis, nee Jones,)
Creek Roll No. 7721, Plaintiffs,) No. 1237 Equity. ✓
vs.)
A. Simon and Mabel Simon, Defendants.)
United States of America, Intervener.)

ORDER APPROVING MARSHAL'S SALE

Now on this 17th day of October, 1938, this matter having come on before the Court on October 6, 1938, on application of the United States of America for confirmation of sale, and the United States of America appearing in its own behalf and in behalf of Mollie Davis, Nee Jones, restricted Creek Allottee appearing opposite Roll No. 7721, by its attorneys, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the plaintiff, E. C. Woodruff, appearing by his attorney, A. J. Kreite, and it appearing to the Court that heretofore, on September, 6, 1938, the property involved herein was sold, pursuant to the due and legal notice of sale, at the west front door of the County Court House in the City of Tulsa, Oklahoma, at 2 o'clock P.M., for the sum of \$500.00, and upon application for confirmation of sale, the Court upon its own motion, opened said sale for further bids, and after bids were made on said property the Court directed and ordered that said property be sold to Mollie Davis, nee Jones, restricted Creek Allottee appearing opposite Roll No. 7721, hers being the highest and best bid therefor, in the sum of \$1100.00; and the Court having examined the proceedings of said sale under the writ and order of

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

THURSDAY, OCTOBER 6, 1938

sale issued herein, finds that said proceedings have been performed in all respects in conformity to law, and that no exceptions have been filed, and no objections made to said sale.

The Court further finds that the plaintiffs, E. C. Woodruff, trustee for Eva May Woodruff, and Mollie Davis, nee Jones, Creek Allottee No. 7721, each owned a participating interest in the mortgage foreclosed in this cause of action. That E. C. Woodruff, trustee for Eva May Woodruff, owned an interest in said mortgage in the sum of \$207.00, with interest thereon at the rate of 10% per annum from January, 1, 1933, until paid, and an attorney's fee of \$20.70. That Mollie Davis, nee Jones, Creek Allottee No. 7721, owned an interest in the sum of \$2,000.00, with interest thereon at the rate of 7% per annum, payable semi-annually, from July 1, 1932 to January 1, 1933, and interest on the sum of \$2,000.00 at the rate of 10% per annum from January 1, 1933, until paid.

The Court further finds that the parties hereto have agreed that the sale herein should be confirmed, and a Marshal's deed issued to the said Mollie Davis, nee Jones, Creek Allottee No. 7721, upon payment by the said Mollie Davis, nee Jones, to E. C. Woodruff, trustee for Eva May Woodruff, of the sum of \$100.00.

The Court further finds that the payment hereinabove mentioned has been made.

IT IS THEREFORE ORDERED by the Court that said sale and the proceedings thereunder be, and the same are hereby approved and confirmed in all things.

IT IS THE FURTHER ORDER of the Court that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser of said property, Mollie Davis, nee Jones, Creek Allottee appearing opposite Roll No. 7721, a good and sufficient Marshal's deed covering the premises so sold.

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.

Attorneys for Plaintiff,
Mollie Davis, nee Jones.

KRIETE & KRIETE
Attorney for E. C. Woodruff,
Trustee for Eva May Woodruff.

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

Court adjourned to October 7, 1938

On this 7th 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 in court 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 OKLAHOMA. ✓

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

At Tulsa in said District on this 7th day of October, A. D. 1938, it is Ordered by the Court that the Marshal in and for the Northern District of Oklahoma, be and he is hereby directed to open the District Court of the United States at Miami on Monday, November 7, 1938, at 9:00 o'clock A.M. by proclamation in the manner and form provided by law and the said Marshal adjourn said Court until the Second Monday in November, being November 14, 1938.

Said Marshal shall make due return hereof how he has executed this Order.

F. E. KENNAMER
 U. S. DISTRICT JUDGE

ENDORSED:

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

HARTFORD ACCIDENT AND INDEMNITY COMPANY, a corporation,	Plaintiff,)	
-vs-		)	NO. 1064 IN EQUITY
PETROLEUM ROYALTIES COMPANY OF OKLAHOMA, a corporation; PETROLEUM ROYALTIES COMPANY, a trust estate, et al.,	Defendants.)	

J U D G M E N T

This cause came on to be heard on the 14th day of September, 1937, at the Special March 1937 Term of this Court at Tulsa, and was argued by counsel, and Findings of Fact and Conclusions of Law filed separately; and thereupon upon consideration thereof, and pursuant thereto, it is ORDERED, ADJUDGED AND DECREED as follows, to-wit:

I.

That the defendant, Petroleum Royalties Company, a Trust Estate, is indebted to the plaintiff, Hartford Accident and Indemnity Company in the sum of \$24,213.18, with interest thereon at the rate of six per cent. (6%) per annum from August 26, 1935, until paid, and all the costs of this action, and in the sum of \$1,500.00 attorneys' fees and which amounts the said

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

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

FRIDAY, OCTOBER 7, 1938

defendant is directed to pay forthwith to the said plaintiff, and if the same be not done let execution issue therefor.

II.

That the defendant, Petroleum Royalties Company of Oklahoma, a corporation, is likewise indebted to said plaintiff in the same principal amount, with interest as aforesaid, costs and attorneys' fee, and is directed to pay the same forthwith to the said plaintiff, and if the same be not done let execution issue therefor.

DATED this the 6th day of October, 1938.

ALFRED P. MURRAH
DISTRICT JUDGE

SERVICE OF COPY WAIVED

H. R. WILLIAMS
Attorney for Plaintiff

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

Court adjourned to October 8, 1938

SPECIAL MARCH 1938 TERM

TULSA, OKLAHOMA

SATURDAY, OCTOBER 8, 1938

On this 8th 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 DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

Hartford Accident and Indemnity Company,)
a corporation, Plaintiff,)

vs.)

No. 1064 IN EQUITY ✓

Petroleum Royalties Company of Oklahoma,)
a corporation, Petroleum Royalties)
Company, a trust estate, et al., Defendants.)

ORDER FIXING AMOUNT OF SUPERSEDEAS BOND

Upon application of the defendant, Petroleum Royalties Company, a trust estate, the amount of the supersedeas bond to be filed by said defendant in the event said defendant desires to appeal from the judgment rendered herein on October 6, 1938, and desires to secure a

stay of execution pending such appeal, is fixed at \$35,000.00.

Dated this 7th day of October, 1938.

ALFRED P. MURRAH
District Judge.

COPY RECEIVED:
H. R. WILLIAMS, Attorney for Plaintiff.

Copy of service waived by defendant, Petroleum Royalties Company, a Trust Estate.

Q. M. DICKASON
Atty for such Defendant.

ENDORSED: Filed Oct 8 1938
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to October 10, 1938

On this 10th 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

United States of America, Plaintiff,)
vs.) No. 2658 Law.)
Board of County Commissioners of)
Osage County, Oklahoma, et al, Defendants.)

O R D E R

Now on this 10th day of October, 1938, this matter coming on before the Court, and it appearing that the time within which the plaintiff may file its brief in said cause will expire on October 17, 1938, and it further appearing to the Court, for good cause shown, that additional time should be granted for the filing of said brief;

IT IS THE ORDER of the Court that the United States of America, be, and

hereby is granted 30 days additional time from October 17, 1938, within which to file its brief in said cause.

F. E. KENKAMER
 JUDGE

O.K. AS TO FORM
 SERVICE OF COPY ACKNOWLEDGED.
 COPY MAILED TO DEF.

WHIT Y. MAUZY
 UNITED STATES ATTORNEY

CHESTER A. BREWER
 Assistant United States Attorney

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

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

JOHN E. McAFEE,	Plaintiff,)	
)	
-vs-		)	No. 2684 Law. ✓
)	
Phillips Petroleum Company, a Delaware Corporation,	Defendant.)	

O R D E R

Upon the application of the plaintiff, and for good cause shown, said plaintiff is allowed an extension of fifteen days from this date in which to file his amended petition along with brief herein.

Dated this 10th day of October, 1938.

F. E. KENKAMER
 JUDGE

SERVICE OF COPY WAIVED.
 J. B. UNDERWOOD

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

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

A. E. Taron,	Plaintiff,)	
)	
vs.		)	No. 2727-L ✓
)	
Crystal White Laundry & Dry Cleaning Company, a corporation, and the Band Box Corporation, 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 1933 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 10, 1938

The Court, after hearing the statements of counsel, and examining the files, and being fully advised in the premises, finds the facts in this cause of action to be as follows:

That the lands involved herein, while restricted and non-taxable, were purchased for one Aaron Hicks, Cherokee of seven-eighths Indian blood, appearing opposite Roll No. 18694, with funds held in trust for the said Aaron Hicks by the Secretary of the Interior, said funds having come into his hands as funds in lieu of an allotment to the said Aaron Hicks, said lands having been, on or about the 27th day of March, 1915, purchased from one Sealy Elk, full-blood Cherokee Indian, appearing opposite Roll No. 21007, and which said lands were restricted and inalienable on March 27, 1915, save and except that the restrictions were removed therefrom by the Secretary of the Interior, as by law provided, solely for the purpose of consummating the conveyance thereof to the said Aaron Hicks. That said lands were conveyed to the said Aaron Hicks by the said Sealy Elk upon the form of deed commonly known as the Carney-Lacher deed, continuing restrictions and restricting the sale thereof save and except with the consent and approval of the Secretary of the Interior, during the lifetime of the grantee thereof, or at any time prior to April 26, 1931.

The Court further finds that on May 31, 1925, A. M. Duncan, the then County Treasurer of Mayes County, Oklahoma, executed a re-sale tax deed, conveying the lands involved herein to Mayes County, Oklahoma, for a consideration of \$178.50, which deed is of record in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 159, at page 403.

The Court further finds that on October 7, 1935, M. E. DeLozier, the then Chairman of the Board of County Commissioners of Mayes County, Oklahoma, executed a county deed to Earl Ward, conveying the lands involved herein, which said deed is of record in the office of the county clerk of Mayes County, Oklahoma, in deed records book 180, at page 536.

The Court further finds that on February 17, 1936, Earl Ward and Gladys Ward, his wife, executed a quit claim deed covering the lands involved herein to J. W. Littlefield and Ozella Littlefield, which deed is of record in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 186, at page 202.

The Court further finds that the said Earl Ward purchased the lands involved herein and accepted said county deed in good faith, and in the acquisition of said deed he expended the sum of \$25.50. That said amount was received by the Board of County Commissioners of Mayes County, Oklahoma, and the lands involved herein were purchased by said respondents, J. W. Littlefield and Ozella Littlefield, and said amount so paid by the said Earl Ward, should be refunded to the respondents, J. W. Littlefield and Ozella Littlefield.

Based upon the above findings of fact the Court concludes, as a matter of law, that the lands involved herein were not subject to taxation by Mayes County, Oklahoma on the 31st day of May, 1925, the date on which said purported re-sale tax deed was executed, or prior thereto. That said resale tax deed, dated May 31, 1925, from A. M. Duncan, County Treasurer, to Mayes County, Oklahoma, recorded in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 159, at page 403, is void and of no force and effect. That the County deed, dated October 7, 1935, from M. E. DeLozier, Chairman of the Board of County Commissioners of Mayes County, Oklahoma, to Earl Ward, which deed is recorded in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 180, at page 536, is void and of no force and effect. That the quit claim deed dated February 17, 1936, from Earl Ward and Gladys Ward, his wife, to J. W. Littlefield and Ozella Littlefield, which deed is of record in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 186, at page 202, is void and of no force and effect. That the title to the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW4) of Southwest Quarter (SW4) of Section Nineteen (19), Township Twenty-three North (23N), Range Twenty East (20E), Mayes County, Oklahoma, should be quieted in Aaron Hicks, Cherokee Indian, appearing opposite Roll No. 18694.

dated May 23, 1935, from A. M. Duncan, County Treasurer, to Mayes County, Oklahoma, and recorded in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 159, at page 408, is void and of no force and effect and should be canceled of record.

That the County deed, dated October 7, 1935, from M. E. DeLozier, Chairman of the Board of County Commissioners of Mayes County, Oklahoma, to Earl Ward, recorded in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 180, at page 536, is void and of no force and effect and should be canceled of record.

That the quit claim deed dated February 17, 1936, from Earl Ward and Gladys Ward, his wife, to J. W. Littlefield and Ozella Littlefield, which deed is recorded in the office of the County Clerk of Mayes County, Oklahoma, in deed records book 186, at page 202, is void and of no force and effect, and should be canceled of record.

IT IS THE FURTHER DECREE of the Court that the title to the East Half ($E\frac{1}{2}$) of the Northwest Quarter (NW4) of the Southwest Quarter (SW4) of Section Nineteen (19), Township Twenty-three North (23N), Range Twenty East (20E), Mayes County, Oklahoma, be, and hereby is quieted in Aaron Hicks, and that the respondents, Board of County Commissioners of Mayes County, Oklahoma, Joan O. Baker, County Assessor of Mayes County, Oklahoma, J. W. Littlefield, County Treasurer of Mayes County, Oklahoma, Earl Ward, Gladys Ward, J. W. Littlefield and Ozella Littlefield, and each of them, are enjoined and restrained from asserting any right, title or interest therein, and the said Board of County Commissioners of Mayes County, Oklahoma, the County Assessor of Mayes County, Oklahoma, and the County Treasurer of Mayes County, Oklahoma, are perpetually enjoined from placing said lands upon the tax rolls of Mayes County, Oklahoma, so long as said lands may be restricted.

IT IS THE FURTHER ORDER of the Court that the respondents and cross petitioners J. W. Littlefield and Ozella Littlefield have and recover from the Board of County Commissioners of Mayes County, Oklahoma, the sum paid to the said County Treasurer of Mayes County, Oklahoma, for the county deed covering said lands, amounting to \$25.50, and the costs of said cross petitioner herein.

IT IS THE FURTHER DECREE of the Court that the complainant, United States of America, recover its costs herein against said respondents, and each of them.

F. E. KENAMER
JUDGE

O.K. AS TO FORM
SERVICE OF COPY ACKNOWLEDGED.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

R. A. WILKERSON
Attorney for J. W. Littlefield
and Ozella Littlefield

ENDORSED: Filed Oct 10 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 APPROVING REPORT OF RECEIVER

This cause coming on for hearing before me, F. E. Kennamer, Judge of said Court, on this, the 10th day of OCTOBER, 1938, on the application of the Receiver for an order approving his report for the month of September, 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 September, 1938, be and the same is hereby in all matters and things approved.

F. E. KENNAMER
J U D G E

SERVICE COPY WAIVED

10/10/38 G. C. SPILLERS

ENDORSED: Filed Oct 10 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 DIRECTING RECEIVER TO CHANGE MANAGEMENT OF THE
ALEXANDER HOTEL

This cause coming on for hearing before me, F. E. KENNAMER, judge of the said court, on the application of W. O. BUCK, receiver herein, instructing receiver as to what procedare to take with reference to the Alexander Hotel; and the court being fully advised of the premises is of the opinion that before the said hotel is closed, a new manager should be placed in charge thereof, in which event if the said hotel continues to run at a loss, the receiver will apply to this court for further instructions.

Done in open court this the 10th day of Oct., 1938.

F. E. KENNAMER
Judge

SERVICE OF COPY RECEIVED 10/10/38
G. C. SPILLERS

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

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

R. E. CAMPBELL, Plaintiff,

v.

THE BOARD OF EDUCATION OF THE CITY OF TULSA
OF THE STATE OF OKLAHOMA, also known as INDEPEND-
ENT SCHOOL DISTRICT NO. 22, TULSA COUNTY, OKLAHOMA:
FRANK NEWKIRK, as Treasurer of the Board of
Education of the City of Tulsa, of the State of
Oklahoma; and the EXCISE BOARD OF TULSA COUNTY,
and W. N. WETZEL, D. H. BOULT, and C. R. GILMORE,
as members of the Excise Board of Tulsa County,
Defendants.

In Equity No. 1293 ✓

J U D G M E N T

This cause coming on to be heard upon the Bill and the Answer, and the Court having heard the evidence and the arguments of counsel, and having heard the evidence and the arguments of counsel, and having filed herein its findings of fact and conclusions of law, thereupon, on consideration thereof,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

That the bonds and matured and unpaid semi-annual coupons owned and held by the plaintiff herein constitute legal and binding obligations of the defendant, The Board of Education of the City of Tulsa, of the State of Oklahoma, and that the defendants, and each of them, be and they are hereby forever enjoined from denying or questioning the validity of said bonds and said interest coupons.

That defendants, The Board of Education of the City of Tulsa of the State of Oklahoma, and Frank Newkirk, as Treasurer of The Board of Education of the City of Tulsa of the State of Oklahoma, and each of them, be and they are hereby enjoined from refusing to pay the matured and unpaid semi-annual interest coupons on said bonds held by the plaintiff; that defendants The Board of Education of the City of Tulsa of the State of Oklahoma, and Frank Newkirk, as Treasurer of The Board of Education of the City of Tulsa of the State of Oklahoma, and each of them, be and they hereby are enjoined from refusing to pay the interest on an principal of said bonds held by the plaintiff as and when the same hereafter become due, according to the tenor thereof.

That defendant, The Board of Education of the City of Tulsa of the State of Oklahoma, be and it is hereby enjoined from refusing to perform its legal duty to make annually an itemized statement of the estimated needs of said The Board of Education required to pay the interest maturing annually on said bonds, and to create a sinking fund sufficient to pay the principal thereof at maturity.

That defendants, Excise Board of Tulsa County, and W. N. Wetzel, D. H. Boulit and C. R. Gilmore, as members of said Excise Board, and each of them, be and they hereby are enjoined from refusing to levy and collect the annual tax authorized and directed by law to be levied and collected for the payment of the interest on said bonds held by the plaintiff including the interest hereafter accruing on said bonds, and for the creation of a sinking fund sufficient to pay the principal of said bonds at the maturity thereof.

That defendants herein, and each of them, be and they are hereby enjoined from using, applying or appropriating any funds in the Sinking Fund created to pay the principal of and interest on the bonds issued by Consolidated School District Number One, Tulsa County,

State of Oklahoma, hereinbefore described, held by the plaintiff, and that the defendants herein, and each of them, be and they are hereby enjoined from diverting the said Sinking Fund to any other purpose or purposes whatsoever.

That plaintiff have and recover judgment against the defendant, The Board of Education of the City of Tulsa of the State of Oklahoma, in the amount of Thirty Dollars (\$30.00) on each of the one hundred ten (110) matured and unpaid semi-annual interest coupons owned and held by the plaintiff herein, together with interest thereon at six per cent per annum from the respective due dates of said matured and unpaid semi-annual interest coupons, aggregating the sum, including interest to this date of Three Thousand Seven Hundred Ninety-nine and 95/100 Dollars (\$3,799.95) with interest thereon at six per cent per annum from date until paid, together with the costs of this action.

DATED this 10th day of October, 1938.

F. E. KENNAMER
DISTRICT JUDGE

O.K. ROSCOE E. HARPER
Attorneys for Plaintiff

O.K. C. H. ROSENSTEIN
Attorney for Defendants, The Board of Education of the City of Tulsa of the State of Oklahoma, and Frank Newkirk, Treasurer of The Board of Education.

O.K. DIXIE GILMER, COUNTY ATTORNEY
By JOHN H. CONWAY
Assistant County Attorney, ATTORNEY FOR TULSA COUNTY EXCISE BOARD, and W. N. Wetzel, D. H. Boullet, and C. R. Gilmore, as members of the Excise Board of Tulsa County.

I waive service and I have served all others parties affected with copies hereof, Oct. 14, 1938.

ROSCOE E. HARPER

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

Court adjourned to October 12, 1938

On this 11th 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:

SPECIAL MARCH 1938 TERM TULSA, OKLAHOMA WEDNESDAY, OCTOBER 12, 1938

On this 12th 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:

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

On this 12th day of October, 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-five (45) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Special March 1938 Term of this Court to be held at Tulsa, 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 by Registered Mail said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, the 24th day of October, 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 January 1938 Term of said Court.

F. E. KENNAMER

U. S. DISTRICT JUDGE

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

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.)

O R D E R

On application of the defendant, and for good cause shown, it is

ORDERED:

That the defendant shall have an extension of time to and including the 19th day of October, within which to file its answer herein.

ENTERED this the 13th day of October, 1938.

F. E. KENNAMER
United States District Judge

The undersigned Attorneys for the Plaintiff acknowledge receipt of a copy of the foregoing order, and agree to such being entered.

MONNET & SAVAGE
Attorneys for Plaintiff.

BOMANON & ADAMS
Attorneys for Defendant.

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

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

UNITED STATES OF AMERICA, Plaintiff)
versus) No. 1175 Equity
SKELLY OIL COMPANY, a corporation, Defendant.)

ORDER TRANSFERRING CAUSE TO LAW SIDE

Now on this 18th day of November, 1937, the above entitled matter coming on in its regular course for hearing on motion of defendant to transfer this cause to the law side of this Court's docket, the Court having heard argument in support thereof and being fully advised in the premises, finds that said motion should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that this matter was hereby transferred to the law side of this Court's docket, and that all further proceedings herein be accordingly conducted.

And it further appearing to the Court that plaintiff desires to file an amendment to its petition herein, the plaintiff is hereby granted time in which to file said amendment to its petition, and the defendant Snelly Oil Company upon being notified by the plaintiff of the filing of said amendment, shall be and it is hereby granted ten (10) days from the filing of said amendment in which to further plead to plaintiff's petition, or twenty (20) days thereafter in which to file its answer to said petition.

F. E. KENNAMER
J U D G E

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

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

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

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

In Equity No. 1195.

O R D E R

NOW, on this 13th day of October, 1938, this matter came on for hearing in open Court upon the Application of Lon R. Stansbery, Receiver of and for the property involved herein, asking for the authority and direction of this Court, to enter into a certain Lease Agreement with R. L. Green, covering the portion of the property involved herein occupied by the hospital and nurses' home, and approving and confirming said Lease Agreement, a copy of which is attached to and included in said Application, and the Court duly considered said matter in the opinion that said Application should be granted;

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

United States, Plaintiff,)
vs.) No. 1282 Equity
Rilla Hassenberger, et al, Defendants.)

ORDER APPROVING MARSHAL'S SALE

Now on this 14th day of October, 1938, comes the plaintiff, the United States in its own behalf and in behalf of Donnie Whitehorn, Osage allottee No. 159, by its attorney, Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and moves the Court to confirm a sale of real estate by the United States Marshal for said district, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said District, on the 27 day of July, 1938, said sale being of the following described property, to-wit:

Lot Ten (10), Block Eight (8), Central Park Place, Addition to Tulsa, Oklahoma,

And the Court having examined the proceedings of said sale by United States Marshal under said writ and order, finds that said proceedings have been performed in all respects in conformity to law, and that no exceptions have been filed and no objections made to said sale.

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

It is further ordered by the Court that John P. Logan, United States Marshal, for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by said return,

Donnie Whitehorn, Osage allottee No. 159,

a good and sufficient Marshal's deed for the premises so sold, restrictions against alienation of said land without the approval of the Secretary of the Interior to be retained.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY WAIVED.

CHESTER A. BREWER
Assistant United States Attorney

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

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

United States, Plaintiff,)
vs.) No. 1236 Equity
William T. Brook, et al, Defendants.

ORDER APPROVING MARSHAL'S SALE

Now on this 14th day of October, 1938, comes the plaintiff, the United States in its own behalf and in behalf of Herbert Brokey, Jr., restricted unallotted Osage Indian, by its attorney, Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and moves the Court to confirm a sale of real estate by the United States Marshal for said district, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said District, on the 27 day of July, 1938, said sale being of the following described property, to-wit:

Southwest Quarter of Northwest Quarter; Southeast Quarter of Northwest Quarter of Section 35, Township 27, Range 9, Osage County, Oklahoma,

And the Court having examined the proceedings of said sale by United States Marshal under said writ and order, finds that said proceedings have been performed in all respects in conformity to law, and that no exceptions have been filed and no objections made to said sale.

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

It is further ordered by the Court that Jno. P. Logan, United States Marshal, for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by said return, Herbert Brokey, Jr., restricted unallotted Osage Indian, a good and sufficient Marshal's deed for the premises so sold, restrictions against alienation of said land without the approval of the Secretary of the Interior to be retained.

F. E. KENNAMER
Judge

O.K. SERVICE OF COPY WAIVED

CHESTER A. BREWER
Assistant United States Attorney

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

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

Hartford Accident and Indemnity
Company, a corporation, Plaintiff,)

vs.)

Petroleum Royalties Company of Oklahoma,
a corporation, Petroleum Royalties
Company, a Trust Estate, R. R. Hays, J. G.
Catlett and Richard Hughes, Trustees of said
Trust Estate, Defendants.)

No. 1064 In Equity

O R D E R

NOW on this 15th day of October, 1938, comes on for hearing the motion of defendant, Petroleum Royalties Company, a Trust Estate, and its Trustees, R. R. Hays, J. G. Catlett and Richard Hughes, moving the court to stay execution and proceedings for the enforcement of the judgment herein, pending the disposition by this court of a motion for new trial, or in the alternative that defendant be allowed an additional period of 20 days within which to make said supersedeas bond heretofore allowed by the court, the plaintiff appeared by its attorney, Wallace E. Robertson, and the defendant, Petroleum Royalties Company, a Trust Estate, and its Trustees, R. R. Hays, J. G. Catlett and Richard Hughes appeared by their attorney, Q. M. Dickason, the court being advised in the premises finds that the relief called for in said motion of said defendant should be granted and that the execution and proceedings for the enforcement of the judgment rendered herein should be stayed during the pendency and until the hearing of the motion for new trial filed by the defendant, Petroleum Royalties Company, a Trust Estate and its Trustees, R. R. Hays, J. G. Catlett and Richard Hughes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the execution and proceedings for the enforcement of the judgment rendered herein be stayed pending the disposition by this court of motion for new trial filed herein by the defendant, Petroleum Royalties Company, a Trust Estate, and its Trustees, R.R. Hays, J. G. Catlett and Richard Hughes.

ALFRED P. MURRAN
District Judge

Receipt of copy of the foregoing order
acknowledged this the 15th day of October, 1938.

H. R. WILLIAMS,
Attorney for Plaintiff.

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

Court adjourned to October 17, 1938

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

DISTRICT OF OKLAHOMA

SPECIAL TERM 1938 TERM

TULSA, OKLAHOMA

MONDAY, OCTOBER 17, 1938

WHEREUPON, the Court ordered said case to proceed to hearing. Plaintiff introduced his evidence and rested and the defendants introduced their evidence and rested. Whereupon the Court was considering the evidence and argument of counsel, of the plaintiff and defendants, at which time in open court, the plaintiff and defendants pronounced that they had compromised and settled their dispute and litigation for the sum of \$600.00, to be paid by the defendants to the plaintiff; and both sides, in open court, requested the Court to approve the compromise settlement for the plaintiff and against the defendants for said sum.

The Court, having heard and considered the request of the parties, determined to grant the request of the parties and render judgment for the plaintiff on request of the parties and plaintiff, in open court, announces that he realizes said settlement is a final settlement and amounts to a final adjudication in his favor, and that he has no other and further claim of any kind, sort or description against the defendants or either of them. And this Court expressly finds that it has jurisdiction of this action and of the parties herein.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of and from the defendants and each of them, the sum of \$600.00 and that on settlement of the plaintiff in open court, it is ordered, adjudged and decreed that this judgment is a final judgment of any and all claims or causes of action which plaintiff may have against the defendants or either of them.

DONE in open court this the 17th day of October, 1938.

F. E. KENNAMER
J U D G E

O.K. HAMILTON & CLENDINNING
Attorneys for plaintiff

GREEN & FARMER
Attorneys for defendants

Service of copy waived

GREEN & FARMER, Defts. Attorneys

HAMILTON & CLENDINNING, Pltfs attorneys

EMDORSED: Filed Oct 17 1938
H. P. Warfield, Clerk
U. S. District Court B

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

LOY COVINGTON PAGE,

Plaintiff,

vs

EQUITY MUTUAL INSURANCE CO., and
W. A. WILLS, INC., a corp.,

Defendants.

)
)
) No. 2643 Law.
)
)

JOURNAL ENTRY OF JUDGMENT

NOW on this the 17th day of October, 1938, this cause comes on for hearing pursuant to agreement of the parties - Plaintiff appeared in person and by his attorneys of record, E. A.

UNITED STATES DISTRICT COURT
DISTRICT OF OKLAHOMA
TULSA, OKLAHOMA

October 17, 1938

Hamilton & Glendinning and the defendants appeared by and thru their duly authorized agents and attorneys of record W. E. Green and J. C. Farmer and waived the right of trial to a jury and agreed to submit this case to the trial to the jury - and both sides demanded a jury for trial and requested the court to proceed to trial.

WHEREUPON the Court ordered said cause to proceed to hearing. Plaintiff introduced his evidence and rested and the defendants introduced their evidence and rested. Whereupon the Court, after hearing the evidence and argument of counsel, of the plaintiff and defendants at which time, in open court, the plaintiff and defendants announced that they had compromised and settled their dispute and litigation for the sum of \$600.00, to be paid by the defendants to the plaintiff; and both sides, in open court, requested the Court to approve the compromise settlement for the plaintiff and against the defendants for said sum.

The Court, having heard and considered the request of the parties, determined to grant the request of the parties and render judgment for the plaintiff on request of the parties, and plaintiff, in open court, announces that he realizes said settlement is a final settlement and accords to a final adjudication in his favor, and that he has no other and further claim of any kind, sort or description against the defendants or either of them. And this Court expressly finds that it has jurisdiction of this action and of the parties herein.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of and from the defendants and each of them, the sum of \$600.00 and that on statement of the plaintiff, in open court, it is ordered, adjudged and decreed that this judgment is a final judgment of any and all claims or causes of action which plaintiff may have against the defendants or either of them.

DONE in open court this the 17th day of October, 1938.

F. E. KENNAMER
J U D G E

OK & SERVICE OF A COPY WAIVED.

HAMILTON & GLENDINNING
Attorneys for Plaintiff

GREEN & FARMER
Attorneys for Defendants

RECORDED: Filed Oct 17 1938
H. P. Warfield, Clerk
U. S. District Court B

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

GEORGE F. SHORT, Plaintiff,)
-vs-) No. 2702 - Law.
S. D. FALLEY, ET AL, Defendants.)

O R D E R

This matter coming on before me the undersigned Judge of the District Court of the United States in and for the Northern District of Oklahoma on this 17th day of October, 1938, upon the consolidated motions of S. D. Falley, one of the defendants, to require the plaintiff to give security for costs; to require the plaintiff to submit to a physical examination to determine the extent of his alleged injuries; and to direct the plaintiff to file a Bill of Particulars or Amended Complaint making his petition more definite and certain; and the said defendant being represented by one of his attorneys, Emmett V. Rosser, Jr., and the plaintiff being represented by his attorney, George L. Sneed, Jr., and this Court having examined the petition or complaint of the plaintiff and the consolidated motions of this said defendant and having been advised by the parties hereto of an agreement reached upon said consolidated motions and being fully informed in the premises, finds:

1. That this defendant's motion to require the plaintiff to give security for costs should be overruled.
2. That the motion of this defendant, S. D. Falley, for an order directing that the plaintiff submit himself to a physical examination to determine the extent and permanency of the injuries he alleges to have suffered by virtue of the claimed motor vehicle collision he sustained.
3. That this defendant's motion to require this plaintiff to file a bill of particulars or amended petition making his petition or complaint more definite and certain should be sustained in part and overruled in part.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of this defendant, S. D. Falley, to require the plaintiff to give security for costs be, and the same is hereby overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion of this defendant to direct the plaintiff to submit himself to a physical examination to determine the extent and the permanency of the injuries he alleges to have suffered by virtue of the claimed motor vehicle collision be and same is hereby sustained and in this connection

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff, George F. Short present himself to Dr. William W. Walker in the Kennedy Building, Tulsa, Oklahoma, on the 19th day of October, 1938, at 1:30 o'clock P.M., of that day as soon thereafter as said plaintiff can be examined by the said Dr. William A. Walker, for a general physical and mental examination.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion of the defendant, S. D. Falley, to require the plaintiff herein to file a bill of particulars or amended complaint making his said complaint more definite and certain be sustained in part and overruled in part as follows, to-wit:

UNITED STATES DISTRICT COURT
DISTRICT OF OKLAHOMA

TULSA, OKLAHOMA

WEDNESDAY, OCTOBER 17, 1938

1. That the plaintiff state which bridge he refers to in his affidavit and
to what it is known as at least the bridge that all day '38 about seven miles
south of the city of Bartlesville, Oklahoma, he and the same is hereby sustained.

2. That the requirement that the plaintiff state where he was at the time that
the said collision happened with respect to the Suggs car, his own vehicle and
the highway or bridge, he and the same is hereby sustained.

3. That the requirement that the plaintiff state in which direction he was
driving at the time he stopped his motor vehicle to repair the battery and
whether his motor vehicle was on the bridge at the time, or off the bridge,
and upon which side of the bridge his car was at the time he stopped the same
for repair, he and the same is hereby sustained.

4. That the requirement that the plaintiff state in detail the parts of his
body which were bruised and injured as alleged in a general way in Paragraph
7, on Page 3 of his petition be and the same is hereby overruled.

5. That the requirement that the plaintiff state what kind of car, make and
model, he was driving at the time of the collision which he alleges to have
been worth \$125.00 before the collision and only \$5.00 after the alleged
collision, he and the same is hereby sustained.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff be given thirty
days, the 17th day of October, 1938, time in which to amend his complaint or file a
petition to dismiss and that this defendant, S. D. Falley, be given fifteen days from this date in which
to file answer.

F. E. KENNAMER
Justice Kennamer

BY: GEORGE L. SNEED, JR.
AND: EMMETT V. ROSSER, JR.

The undersigned acknowledges that he is one of the attorneys of record for George
F. Suggs and that he was served with a copy of this Order on this 17th day of October, 1938.

GEORGE L. SNEED, JR.

BY: COPY WAIVER

EMMETT V. ROSSER, JR.

RECORDED: Filed Oct 17 1938
R. E. Warfield, Clerk
U. S. District Court AC

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

OKLAHOMA CITY, OKLAHOMA, this 17th day of October, 1938.

STEPHEN V. DILLON, Plaintiff,)
vs.) No. 1091 - Equity.
SMITH SEPARATOR CORP. A CORP., Defendant.)

Now on this 17th day of October, 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

(SEAL)

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

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Stephen V. Dillon, plaintiff, and Smith Separator Corporation, a corporation, defendant, No. 1091 Equity, the decree of the said District Court in said cause entered on December 20, 1936, and January 29, 1937, respectively, were in the following words, viz:

Clerk's Note:

Copies of Decrees above referred to attached to and made a part of the original Mandate but omitted herefrom.

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 Smith Separator Corporation, a corporation, agreeably to the Act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the April Term, in the year of our Lord one thousand nine hundred and thirty-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 decrees of the said district court in this cause be and the same are hereby reversed; that this cause be and the same is hereby remanded to the said district court with directions to vacate the interlocutory and final decrees and dismiss the bill of complaint without prejudice and that Smith Separator Corporation, a corporation, appellant, have and recover of and from Stephen V. Dillon, appellee, its costs herein and have execution therefor as at law.

-- August 15, 1938.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 17th day of October, in the year of our Lord one thousand nine hundred and thirty-eight.

COSTS OF APPELLANT:
Clerk,.....\$38.65
Printing Record,\$ None
Attorney.....\$10.00
\$48.65

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

Re. Cash Equity Continued:

UNITED STATES CIRCUIT COURT OF APPEALS TENTH CIRCUIT

Cash taxed in favor of appellant, in the case of Smith Separate Corporation, Plaintiff, vs. Stephen V. Dillon, Defendant. No. 1095

Filing record and docketing cause,	5 00
Filing 32 copies of printed record	6 00
Filing and entering 1 appearance for appellant,	50
Filing and entering 1 appearance for appellee	50
Clerk, preparing record for printer, etc.,	- --
Printer, for printing record,	- --
Filing 17 papers	4 25
Entering 2 orders, 2 folios,	- 40
Filing briefs for appellant,	10 00
Filing briefs for appellee	5 00
Filing opinion	- 25
Filing and entering decree,	1 25
Filing petition for a rehearing	- --
Issuing mandate to District Court	5 00
Filing receipt for mandate	- 25
Filing receipt for balance of deposit	- 25
Attorney's docket fee,	20 00

58 65

ATTEST:

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

ENDORSED: Filed Oct 17 1938
R. P. Marfield, Clerk
U. S. District Court H

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

SERGEY V. BILLYN, Plaintiff,)
 vs.) No. 1091 EQUITY ✓
 SMITH SEPARATE CORPORATION, a corporation, Defendant.)

DECREE ON MANDATE

This cause coming on for hearing before me, F. E. Kennamer, Judge of said Court, on the motion of the defendant for an order of this Court spreading the mandate of record and entering a decree hereon in accordance with the mandate and the opinion of the Circuit Court of

Appeals herein, and the Court having read the mandate and the opinion herein, and being fully advised in the premises, finds that a final decree should be entered herein vacating the interlocutory decree entered herein on December 12, 1936, Order Correcting Date of Decree, Final Decree, Perpetual Injunction, and all findings of fact and conclusions of law, discharging the bondsman, ordering the Clerk to return the money deposited by the defendant with the Clerk of this Court dismissing this cause without prejudice for want of jurisdiction, and taxing costs against the plaintiff.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT that the findings of fact, the interlocutory decree of December 12, 1936, order correcting date of entry of decree, final decree, and perpetual injunction be and the same are hereby vacated, set aside and held for naught.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the bondsman of the defendant be and it is hereby discharged from further liability herein, and the Clerk of this Court is hereby ordered to return to the defendant forthwith all monies or checks deposited by the defendant with the Clerk of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the defendant have and recover of and from the plaintiff herein all costs herein in the sum of \$206.35 to satisfy which let execution issue, returnable according to law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that this cause be dismissed without prejudice.

F. E. KENNAMER
 JUDGE

ENDORSED: Filed Oct 24 1936
 H. P. Warfield, Clerk
 U. S. District Court

 IN THE DISTRICT COURT OF THE UNITED STATES 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 Eq. ✓
and)	
ELDA AUDREY HASKELL,	Plaintiff,)	
)	
vs.)	
)	
SINCLAIR PRAIRIE OIL COMPANY,)	
a corporation,	Defendant.)	

BILL OF COSTS AND DISBURSEMENTS.

Paid by Sinclair Prairie Oil Company:

To George H. Lesslie, Court Reporter,

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

V. D. LAMASTER, Plaintiff,
vs. O. R. HOWARD, Defendant.
Case No. 2632 Law.

JOURNAL ENTRY OF JUDGMENT

On this the 13th day of October, 1938, came being one of the regular judicial days of the 1938 Special March term of this court, came on to be heard the motion of the defendant hereinbefore filed, for a new trial, plaintiff appearing by his attorney, B. A. Hamilton and the defendant appearing by his Attorneys W. D. Abbott and A. E. Ross.

And it appearing to the court that on the 15th day of June, 1938, this case came on for trial in its regular order, as per previous assignment before Franklin E. Kennamer, at Tulsa, judge of the United States District Court for the Northern District of Oklahoma and a jury duly empaneled and sworn, plaintiff there appearing in person and by his attorney, B. A. Hamilton and defendant appearing by his attorneys W. D. Abbott and A. E. Ross, both plaintiff and defendant announced ready for trial, whereupon evidence was introduced, on behalf of both parties. At the close of the day, the court recessed until the following day, to wit: June 16, 1938, when the trial was resumed and concluded. And the Jury, having heard the evidence and the argument of counsel and having been duly instructed by the court, retired to the jury room and after due deliberation, returned into open court with their verdict, finding the issues in this case in favor of the plaintiff and against the defendant, said verdict being in words and figures follows:

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff and assess his damages at Nine thousand dollars, plus \$340.00 for doctor bills and less \$40.00 for compensation already paid, making a total of \$9300.00.

CHARLES D. LASH

Whereupon Court orders the plaintiff to file herein a remittitur in the sum of \$6050.00, which said remittitur is filed instanter.

Now therefore it is by the court considered, ordered, adjudged and decreed that the plaintiff V. D. Lamaster, have and recover of and from the defendant O. R. Howard, the full sum of \$3250.00 and the court costs herein accrued.

It is further ordered that the motion of the defendant for a new trial be and the same is hereby over-ruled.

O.K. SERVICE ACCEPTED THIS 19th day of October, 1938. F. E. KENNAMER
B. A. HAMILTON, Attorney for Plaintiff JUDGE
CHARLES SKALNICK

O.K. W. D. ABBOTT, JR., Attorney for defendant.
ENDORSED: Filed Oct 19 1938
H. P. Warfield, Clerk
U. S. District Court H

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

HELMERICH & PAYNE, INC.,

Plaintiff,

vs.

No. 2621 Law.

J. H. STANS, G. C. BURTON and
I. A. HARRISON,

Defendants.

ORDER OF DISMISSAL

Now, on this 19th day of October, 1938, this matter coming on before the court, and it appearing that the amount sued for in said cause, together with the court costs, have been paid, it is ordered that said cause should be dismissed;

IT IS, WHEREFORE, THE ORDER of the court that said cause be and the same hereby is dismissed.

AND IT IS SO ORDERED.

F. E. KENNEMER
U. S. District Judge.

C. E. WHITE Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

Service of copy waived.

ENDORSED: Filed Oct 19 1938
H. P. Warfield, Clerk
U. S. District Court

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

Helmerich & Payne, Inc., an
Oklahoma corporation,

Plaintiff,

vs.

No. 2713 - Law.

Sage Oil Corporation, a Texas
corporation,

Defendant.

O R D E R

On application of the defendant, and for good cause shown, it is

ORDERED:

That the defendant shall have an extension of time to and including the 1st day of November, 1938, within which to file its answer herein.

ENTERED this 19th day of October, 1938.

F. E. KENNAMER
United States District Judge.

The undersigned Attorneys for the Plaintiff acknowledge receipt of a copy of the foregoing order, and agree to such being entered 10-19-38.

MONNET & SAVAGE
Attorneys for Plaintiff.

BOHANNON & ADAMS
Attorneys for Defendant.

ENDORSED: Filed Oct 19 1938
H. P. Warfield, Clerk
U. S. District Court B

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

A. E. TARON,)
Plaintiff,)
)
v.)
) No. 2727 - L. ✓
CRYSTAL WHITE LAUNDRY & DRY)
CLEANING COMPANY, a corporation,)
and THE BAND BOX CORPORATION,)
a corporation,)
Defendants.)

ORDER REMANDING CASE

On this 19th day of October, 1938, this cause coming on to be heard upon the motion of plaintiff to remand said cause to the District Court of Tulsa County, Oklahoma from which Court said cause was removed. The plaintiff appeared by his counsel Ownby & Warren, and the defendant The Band Box Corporation, a corporation, appeared by its counsel Remington Rogers, and the Court having heard argument of counsel and being fully advised in the premises finds that said motion to remand should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Motion of the Plaintiff to remand said cause to the District Court of Tulsa County, Oklahoma be and the same is hereby sustained and said cause is ordered remanded to said Court, to all of which the defendants and each of them except and their exceptions are by the Court allowed.

Service of Copy acknowledged
OK OWNBY & WARREN
Attorney for plaintiff.

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

OK REMINGTON ROGERS
Attorney for defendant The Band Box Corporation.

ENDORSED: Filed Oct 19 1938
H. P. Warfield, Clerk
U. S. District Court H

IN THE NORTHERN DISTRICT COURT OF THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Complainant,
vs.
C. A. Mayo, et al., Respondents.
No. 1222 Equity

ORDER APPROVING MARSHAL'S SALE

Now on this 19th day of October, 1938, this matter being come on before the Court on October 8, 1938, on application of the complainant, United States of America, for confirmation of sale, and the United States of America appearing in its own behalf and in behalf of Nellie Davis, nee Jones, restricted Creek Allottee, appearing opposite Roll No. 7721, by its attorneys, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said District, and the respondents, C. A. Mayo and Allene T. Mayo, appearing by their attorney, Hughey Baker, and it appearing to the Court that heretofore, and on September 6, 1938, the property involved herein was sold, pursuant to the writ and legal notice of sale, at the west front door of the Tulsa County Court House in the City of Tulsa, Oklahoma, at 2 o'clock P.M., for the sum of \$500.00;

And upon application for confirmation of sale, the Court, upon its own motion, opened said sale for further bids, and after bids were made on said property the Court directed and ordered that said property be sold to C. A. Mayo, Jr., his being the highest and best bid therefor, in the sum of \$2,775.00; and the Court having examined the proceedings of said sale, under the writ and order of sale issued herein, finds that proceedings have been performed in all respects in conformity to law, and that no exceptions have been filed and no objections made to said sale.

IT IS THEREFORE ORDERED by the Court that said sale and the proceedings thereunder, to-wit: the same are hereby approved and confirmed in all things.

IT IS THE FURTHER ORDER of the Court that Jas. P. Logan, United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser of said property, C. A. Mayo, Jr., a good and sufficient Marshal's deed covering the premises so sold.

F. E. KENNAMER
JUDGE

C.K. AS T. FERM.
Service of copy acknowledged.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney
Attorney for Complainant
United States of America.

MR. HUGHEY BAKER
Attorney for C. A. Mayo
and Allene T. Mayo.

RECORDED: Filed Oct 19 1938
H. P. Worfield, Clerk
U. S. District Court B

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

National Life Insurance Company,
Plaintiff,
vs. No. 1045 Equity
Fred M. F. Smith, also known as Fred B.
Smith, also known as Fred Smith, et al.,
Defendants.

C O R D E R

Now, on this 19th day of October, 1938, comes the plaintiff and moves in open court for an order of direction for the sale of the lands involved in the above-entitled and numbered cause by the special master therein for the reason that the lands involved are situated both in Craig and Mayes Counties, and it appearing to the court that the said lands involved in said suit being situated both in Craig and Mayes Counties, Oklahoma, and the greater portion thereof being in Craig County, State of Oklahoma, the order of sale should direct the said special master herein to advertise the said lands in a newspaper printed and of general circulation in both Craig and Mayes Counties, and commanding that the said lands be sold at the court house in Vinita, Craig County, State of Oklahoma.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Clerk of this Court, in the order of sale to be issued herein, shall direct the special master herein to advertise said lands for sale by a notice duly published in a newspaper printed and of general circulation in Craig County, State of Oklahoma, and in a newspaper printed and of general circulation in Mayes County, State of Oklahoma, and directing the sale of said lands to be held at the court house in the City of Vinita, in Craig County, State of Oklahoma, and to be sold in one parcel.

F. E. KENNAMER
District Judge

Approved and receipt of copy acknowledged
this 19 day of October, 1938.

J. L. PINKERTON & HESS CRESWELL
Attorneys for First National Bank &
Trust Company, Tulsa, Oklahoma.

MONNET & SAVAGE
C. J. ROBERTS
Attorneys for Plaintiff

Issued: 10-19-38

ENDORSED: Filed Oct 19 1938
H. P. Warfield, Clerk
U. S. District Court OK

Court adjourned to October 21, 1938

On the 21st day of October, A. D. 1938, the District Court of the Northern District of Oklahoma, sitting in Special March 1938 Term at Tulsa, Oklahoma, in adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

H. P. Marshall, Clerk, U. S. District Court.
Walter Y. Manzy, United States Attorney.
John E. Logan, United States Marshal.

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

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

United States of America, Petitioner,)

vs.)

No. 2691 - Law. ✓

178 Acres of land, more or less, in the County of Delaware, State of Oklahoma;

Carlisle Stillee, et al, Respondents.)

PUBLICATION ORDER

Now on this 21 day of October, 1938, it appearing from the affidavit of Carlisle Stillee, attorney for petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following, defendants, to-wit:

F. J. Myers; L. W. Hubbard; Mildred E. Hubbard; Earl Compedge, administrator of the estate of Ed Compedge, deceased; Nina L. Huffman; A. H. Clausing; Polly Cochran; William Cochran; the unknown heirs, executors, administrators; devisees, trustees and assigns, immediate and remote, of Ed Compedge, deceased; the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote, of Nancy Cochran, deceased; 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 notified by publication notice.

IT IS, THEREFORE, ORDERED That the petitioner's application for appointment of commissioners to appraise the land sought to be condemned be heard by this Court on the 27 day of December, 1938, 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 The Grove Sun, a weekly newspaper of general circulation in Delaware County, Oklahoma, on the 27 day of Oct., 1938, on the 3 day of Nov., 1938; on the 10 day of Nov., 1938; on the 17 day of Nov., 1938; on the 24 day of Nov., 1938 and on the 1 day of Dec., 1938, notice directing the aforesaid non-resident defendants 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 newspaper, that the notice herein directed has been printed and published in said newspaper as hereby directed.

RECORDED: Filed Oct 23 1938
H. P. Marshall, Clerk
U. S. District Court

F. E. KENNAMER
JUDGE

On this 24th 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:

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 24th day of October, A. D. 1938, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Special March 1938 Term of Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

George Linde	J. F. Elam
Frank Baker	J. A. Moore
D. C. Teter	A. G. Evans
Bill Wood	H. C. Bates
R. G. Sallee	Edd Tro
U. G. Park	J. R. Tucker
T. H. Wilson	J. A. Tuck
W. B. Wolf	Joe O. Crow
Dan Curley	J. C. Loper
J. L. Williams	C. W. Joedeman
C. H. Craig	A. J. Love
Thos. L. Ensich	Fred L. Barton
S. P. Hazen	F. H. Kooyer
W. D. Rodgers	J. W. Owen
J. W. Henderson	E. L. Morgan
R. H. Waller	W. C. Nantz
Howard Waddell	Shannon Johnson
Chas. Baltz	R. L. Butts
George Costley	Newt. Williams
John White	Cleo Fox
R. R. Fretwell	John L. Jones
J. M. Garrison	Frank L. Dobel
R. H. Murphy	Sherman Storts
Lawrence Rutherford	J. E. Montgomery
Perry Jickefoose	G. L. Ash
J. A. Knighten	Walter E. Backstrom

Joe Sweet

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

W. B. Wolf	Edd Tro
Thos. L. Ensich	A. J. Love
S. P. Hazen	Fred L. Barton
J. W. Henderson	F. H. Kooyer
R. H. Waller	W. C. Nantz
R. R. Fretwell	Shannon Johnson
J. M. Garrison	Newt. Williams
J. F. Elam	Cleo Fox

John L. Jones

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

W. D. Rodgers R. H. Murphy
R. L. Butts Sherman Storts
G. L. Ash

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

Thereupon, the balance of said array are accepted as Petit Jurors for this Special March 1938 Term of Court.

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

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

WILLIAM M. TAYLOR, Receiver of Foraker)
Townsite Gas Co., Plaintiff,)
vs.) No. 2545 - Law. ✓
TOWN OF FORAKER, a Municipal)
Corporation, Defendant.)

ORDER OF DISMISSAL

On this 24 day of October, 1938, upon oral motion of plaintiff and for good cause shown,

It is hereby ORDERED, ADJUDGED and DECREED that the above entitled and numbered cause be and the same is hereby dismissed, without prejudice.

F. E. KENNAMER
United States District Judge

OK LEANDER HALL
Atty. for Deft.

OK WILLIAM M. TAYLOR, Receiver

Receipt of copy is hereby acknowledged
William M. Taylor, Receiver

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

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2670 - Law. ✓
)	
H. T. Tyler, Vassie Tyler, John E. Abboud and Daniel Lay,	Defendants.)	

ORDER OF DISMISSAL

Now on this 24th day of October, 1938, this matter coming on before the Court, and it appearing that the amount sued for in said cause, together with 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.

F. E. KENNAMER
JUDGE

O.K. Service of copy waived.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

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

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

New York Life Insurance Company,	Plaintiff,)	
)	
vs.		)	No. 936 Equity. ✓
)	
Secretary of the Interior, and John R. Pearson, Executor of the Estate of Wayne M. Penn, deceased,	Defendants.)	

ORDER EXTENDING TIME FOR LODGING RECORD ON APPEAL AND DOCKETING ACTION.

Now on this 24th day of October, 1938, for good cause shown it is ordered that the defendant, Secretary of the Interior, in the above entitled cause be, and he hereby is granted an extension of 90 days from this date in which to prepare and file his record on appeal, and to docket said cause in the United States Circuit Court of Appeals for the Tenth Circuit.

F. E. KENNAMER
JUDGE

O.K. SERVICE OF COPY WAIVED.

WHIT Y. MAUZY
United States Attorney

CHESTER A. BREWER
Assistant United States Attorney

Service of copy acknowledged.

SETTLE & CLAMMER
Attorneys for New York Life Insurance Company.

FRANK T. McCOY and JOHN T. CRAIG
Attorneys for John R. Pearson

SAM CANTERBURY & IRWIN M. FULOP
Attorneys for Intervener.

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

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

MARYLAND CASUALTY CO., of Baltimore, Md.,)
a corp, Plaintiff,)
vs.)
E. A. KELLEAM, NELL SOUTHARD, et al., Defendants.)

No. 1290 - E. ✓

"O R D E R"

NOW on this the 24th day of October, 1938, on application of the plaintiff, Maryland Casualty Company, and for good cause shown, said Maryland Casualty Company is hereby permitted to file an amendment to the Bill of Complaint heretofore filed in said cause.

Service of a copy waived: W. E. Green & J. C. Farmer
attorneys for Plaintiff

F. E. KENNAMER
J U D G E

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