

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 19, 1939

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

EARL D. ALFORD, Administrator of Estate  
of Fredrick W. Weidman, Deceased,  
Plaintiff,

vs.

DAVE McCONNELL and MARYLAND CASUALTY  
COMPANY, a corporation, Defendants.

No. 2503 Law.

JUDGMENT ON VERDICT OF JURY

Now on this 13th day of February, 1939, same being one of the term days of the regular January 1939 Term of this Court, comes on in its regular order, pursuant to the setting thereof, the above entitled, styled and numbered cause for trial; the plaintiff being present in his own proper person and by his attorneys, Gaylord R. Wilcox, Fletcher Johnson, of the firm of Johnson & Jones, and Jno. M. Goldesberry and Gerald B. Klein, of the firm of Goldesberry & Klein, and the defendant, Dave McConnell, being present in his own proper person and by his attorneys, Herbert K. Hyde and Duke Duvall, of the firm of Dudley, Hyde, Duvall and Dudley, and the defendant, Maryland Casualty Company, a corporation, being present by its attorney, W. E. Green, of the firm of Green & Farmer, and all of said parties in open court announce ready for trial, and it being called to the attention of the court, and the court being fully advised that a companion case entitled Earl D. Alford, Administrator of the estate of Mamie M. Weidman, Deceased, vs. Dave McConnell and Maryland Casualty Company, a corporation, being case No. 2502 Law, is pending in this court and is now ready for trial and has been ordered to trial in which said parties thereto are represented as above stated, and said causes of action therein alleged growing out of the same accident, the court finds that this cause No. 2503 Law, should be consolidated with Cause No. 2502 Law for trial, and it is so ordered, to which order of consolidation the defendant, Dave McConnell, objects, which objection is overruled and exceptions allowed.

Thereupon a jury is ordered called into the jury box for the trial of both of said causes, and said jury is duly examined by and under the direction of the court, qualified and sworn according to law, to try said causes of action in both of said cases so consolidated for trial, under cause No. 2502 Law, whereupon, all witnesses for both plaintiff and defendants are duly sworn, and on motion and at the request of the defendants placed under the rule requiring said witnesses to remain outside the court room during the trial of said cause;

Thereupon, plaintiff produced his first witness, and defendants, and each of them, object to the introduction of any evidence in said causes, or either of them, which objection is overruled, and exceptions allowed. Thereupon, plaintiff proceeds to introduce all his evidence in both of said causes, and rests, except plaintiff's second cause of action in cause No. 2503 Law, which cause of action is, by the plaintiff, dismissed during the trial, and is ordered dismissed by the court for the reason and upon the grounds there is no evidence tending to show that plaintiff's intestate, Fredrick W. Weidman, suffered any conscience pain or suffering between the time of the alleged accident and his death, and the trial of said case thereafter continued and proceeded as to the first and third causes of action alleged in plaintiff's petition only. Thereupon, the defendants, and each of them, demur to plaintiff's evidence offered in support of plaintiff's first and third causes of action, and moves the court for directed verdicts and judgments, which demurrer and motions are by the court overruled, and exceptions allowed.

Whereupon, defendants introduced their testimony and evidence and rest. Whereupon, plaintiff rests and the evidence in said causes is closed.

Thereupon the defendants, and each of them, renew their demurrers to the evidence and renew their motions for directed verdicts and for judgment, which demurrers and motions are by the court overruled, and exceptions allowed.

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

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TULSA, OKLAHOMA

WEDNESDAY, APRIL 19, 1939

Whereupon, opening argument on behalf of the plaintiff is made to the jury and arguments on behalf of the defendants, and each of them, being waived, and the plaintiff's closing argument being waived, and it being the hour of adjournment, said cause is recessed, and continued until February 14, 1939, at 9:30 o'clock forenoon.

Now on this 14th day of February, 1939, pursuant to adjournment and recess, said court is convened and said causes regularly called for further proceedings, and thereupon, the court duly instructs the jury in reference to the law of said causes and submits said causes to the jury for their consideration and verdict. Thereupon, the jury retires in charge of a sworn bailiff for the consideration of its verdicts in said causes under the evidence and instructions of the court, and after due consideration said jury returns into open court verdicts in cause No. 2503 Law, which said verdict on plaintiff's first cause of action, omitting the caption and formal parts thereof, is as follows, to-wit:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, against both defendants, and assess his damages at \$5000.00 DOLLARS.

CHARLES HARNED Foreman."

and said jury returned a verdict in said cause No. 2503 Law on plaintiff's third cause of action omitting the caption and formal parts thereof as follows:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, against both defendants, on his third cause of action for damages to the automobile and funeral expenses, and assess his damages at \$584.52 DOLLARS.

CHARLES HARNED Foreman."

which said verdicts of the jury are by the court ordered received and filed, and the jury excused from further consideration of said cause.

Whereupon, at the request of defendants, there being no objections, the formal entry and rendition of judgment on said verdicts of the jury is ordered withheld pending motions for new trial, and the defendants are allowed ten days from this date to file motions for new trial.

Now on this 29th day of March, 1939, same being one of the Term days of the special March 1939 Term of said court, comes on in regular order for hearing and disposition, the renewal of motion for directed verdict and motion for new trial filed herein by and on behalf of the defendant, Dave McConnell, and the motion for judgment in favor of the Maryland Casualty Company notwithstanding the verdict and the motion of the Maryland Casualty Company for a new trial, the respective parties each and all being present by their respective attorneys and said motions and each and all of them having been presented to and heard by the court, and the court not being fully advised in the premises reserves ruling thereon and takes said motions under advisement.

Now on this 6th day of April, 1939, comes on in regular order in open court for the court's ruling and decision on and final disposition of the various motions of the defendants, Dave McConnell and Maryland Casualty Company, a corporation, as above set out, which said motions were heretofore, to-wit: on the 29th day of March, 1939, taken under advisement by the court, and the court being now fully advised in the premises finds that said motions and each of them, should be overruled.

IT IS, THEREFORE, in open court on this 6th day of April, 1939, ordered, considered and adjudged that the renewal of motion for directed verdict of Dave McConnell, be, and the same hereby is, overruled, to which the defendant, Dave McConnell, excepts, and exceptions are

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

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TULSA, OKLAHOMA

WEDNESDAY, APRIL 19, 1939

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allowed; and that the motion for new trial of said defendant, Dave McConnell, be, and the same hereby is, overruled, to which the defendant, Dave Mc Connell, excepts, and exceptions are allowed.

IT IS FURTHER ORDERED, CONSIDERED AND ADJUDGED on this 6th day of April, 1939, in open court, the court being now fully advised in the premises, that the motion for judgment in favor of the Maryland Casualty Company, notwithstanding the verdict, be, and the same hereby is, overruled, to which the defendant, Maryland Casualty Company, excepts, and exceptions are allowed, and it is further ordered, considered and adjudged that the motion for a new trial of the Maryland Casualty Company, a corporation, be, and the same hereby is, overruled, to which the Maryland Casualty Company excepts, and exceptions are allowed.

IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED now on this 6th day of April 1939, in open court that the plaintiff, Earl D. Alford, as Administrator of the Estate of Frederick W. Weidman, deceased, have and recover judgment herein and judgment is hereby rendered against the defendant, Dave Mc Connell, and the Maryland Casualty Company, a corporation, and each of them, jointly and severally in favor of said plaintiff, for the use and benefit of the next of kin of said Fredrick W. Weidman, deceased, to-wit: May M. Weidman and Margaret D. Weidman, minor children and daughters of said Fredrick W. Weidman, deceased, in accordance with, and upon the verdict of the jury, on plaintiff's first cause of action herein in the sum of \$5,000.00, together with plaintiff's costs in this behalf laid out and expended; said judgment to bear six per cent interest per annum from this date until paid.

IT IS FURTHER ORDERED, CONSIDERED AND ADJUDGED now on this 6th day of April, 1939, in open court, that plaintiff have and recover judgment herein, and judgment is hereby rendered in favor of said plaintiff and against said defendants, and each of them, on plaintiff's third cause of action herein, in accordance with and upon the verdict of the jury, for the use and benefit of the estate of Fredrick W. Weidman, deceased, for the sum of \$584.52, together with plaintiff's costs in this behalf laid out and expended; said judgment to bear six per cent interest per annum from this date until paid.

For all of which let execution issue according to law.

To which judgment of the Court on each of said causes of action the defendants, and each of them, except, and exceptions are allowed.

F. E. KENNAMER  
J U D G E

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

GAYLORD R. WILCOX

JOHNSON & JONES

GOLDESBERRY & KLEIN

Attorneys for Plaintiff

By JNO. M. GOLDESBERRY

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

DUDLEY HYDE DUVALL & DUDLEY

By DUKE DUVALL

HERBERT K. HYDE

DUKE DUVALL

Attorneys for Defendant, Dave Mc Connell.

GREEN & FARMER

By W. E. GREEN

Attorneys for Defendant, Maryland Casualty Company, a corporation.

ENDORSED: Filed Apr 19 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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Court adjourned to April 20, 1939.

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

SPECIAL MARCH 1939 TERM

THURSDAY, APRIL 20, 1939

On this 20th day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

In the Matter of the Estate of Wosey Thomas, nee John,	No. 35 Civil	)	)
In the Matter of the Estate of Wosey Deere, nee John, Creek #9546 Osharsha John, now Evelyn Seber, an adult person, et al,	Plaintiffs,	)	)
vs.		)	No. 42 ( Consolidated Under Civl No. 35.
Jimmie Poweshiek, a Minors, et al,	Defendants.	)	)
Milford Thomas	Intervener.	)	)
Alexander George	Intervener.	)	)

ORDER FOR SUBSTITUTION

NOW, on this 20th day of April, 1939, it appearing to the Court from the verified motion of Jimmie Poweshiek, and evidence offered in support thereof; that he is now an adult, having arrived at the age of twenty-one (21) years on March 26, 1939, and that the guardianship over his person and estate as terminated.

IT IS THEREFORE CONSIDERED AND ADJUDGED that Jimmie Poweshiek be substituted as a party contestant and claimant herein in lieu of and instead of Creekmore Wallace, guardian of Jimmie Poweshiek, and it is further adjudged that all future proceedings in this action, insofar as said claimant is concerned be had, maintained and continued in his own name.

F. E. KENNAMER  
JUDGE

COPIES WAIVED AND APPROVED  
4-20-38

N. E. McNEILL, Atty for Milford Thomas

ENDORSED: Filed Apr 20 1939  
H. P. Warfield, Clerk  
U. S. District Court ME 9

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

Gladys Moore, Plaintiff, )  
vs. ) No. 106 - Civil  
Missouri, Kansas & Texas Railroad, )  
a corporation, Defendant. )

JOURNAL ENTRY

Now on this 20th day of April, 1939, the same being one of the judicial days of the Special March 1939 Term of this court, the defendant's motion to require plaintiff to make her complaint more definite, and to strike portions thereof, comes on for hearing, the plaintiff and defendant appearing by their respective attorneys of record,

WHEREUPON, the plaintiff, upon request, is granted leave by the court to amend her petition instanter by interlineation, by inserting in the third line of Paragraph 2, on the first page of her complaint, the words "for hire", after the word "passenger", and by inserting in the tenth line of Paragraph 2, on the second page of said complaint, the words "on the left side thereof", following the words "said auto", as they first appear in said line;

And the court having seen and heard said motion and argument of counsel thereon, and being fully advised in the premises, finds that same should be overruled.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, that the defendant's motion to require plaintiff to make her complaint more definite and to strike be, and the same is hereby overruled, to which order and ruling of the court the defendant excepts.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, that the defendant have fifteen days from this date in which to answer.

O.K. E. V. LEWIS B. A. HAMILTON  
Attorneys for Plaintiff.

F. E. KENNAMER  
JUDGE

O.K. M. D. GREEN JOHN E. M. TAYLOR & C. S. WALKER  
Attorneys for Defendant.

AND RECEIPT OF COPY IS HEREBY ACKNOWLEDGED

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, APRIL 20, 1939

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

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

O R D E R

For good cause shown, the defendant, Mutual Benefit Health & Accident Association, is hereby given ten days additional time within which to file its brief in response to plaintiff's brief in support of the motion for new trial in the above cause.

Dated this 20th day of April, 1939.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Apr 20 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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

North American Car Corporation, a corporation, Plaintiff, )  
-vs- ) No. 802 - Equity  
White Oak Corporation, a corporation, Defendant. )

ORDER CONFIRMING SALE

This matter coming on for hearing upon the report of the receiver, and it appearing to the court that an order was entered on the 6th day of February, 1939, ordering and directing the receiver to offer for sale the few remaining assets of White Oak Corporation, consisting of old books, files, papers, office paraphernalia, and five claims against the Southern Surety Company of New York, upon which it is very doubtful if any additional dividends will be paid, and the receiver having reported that a sale was made thereof to E. J. Doerner, of Tulsa, Oklahoma, and that his offer of \$5.00 therefor was the highest and best offer obtainable,

IT IS ACCORDINGLY CONSIDERED, ORDERED AND ADJUDGED that the sale made by Jas. G. Steese, receiver, under order of this court, of the following property, to-wit:

Claims numbered RP 2737, RP 2738, CO-1608, CO-1610 and CO-1653, all against the Southern Surety Company of New York in Liquidation, in the State of New York, and

An innumerable number of files, corporate records and books of account, papers, and office paraphernalia,

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

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SPECIAL MARCH 1939 TERM

THURSDAY, APRIL 20, 1939

to E. J. Doerner at and for the price of \$5.00 in cash hand paid, be and the same is hereby confirmed, ratified and approved, and the receiver be and he is hereby authorized and directed to execute such bills of sale and assignments as may be required by such purchaser, to vest in such purchaser full, absolute and complete ownership of said property and choses in action.

Dated this 20th day of April, 1939.

COPY OF ORDER RECEIVED:

F. E. KENNAMER  
United States District Judge.

GIBSON & HOLLEMAN  
Attorneys for receiver.

GIBSON & HOLLEMAN  
Attorneys for plaintiff.

ENDORSED: Filed Apr 20 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to April 24, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

On this 24th day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 24th day of April, A. D. 1939, it being made satisfactorily to appear that Elaine C. Barnes is qualified for admission to the Bar of this Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court.

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

United States of America, Plaintiff, )  
vs. ) No. 21 Civil  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of William J. Pryor, Osage Allottee No. 460, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$25.00, with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 22 Civil.  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes has been regularly served with summons in this cause more than 20 days prior to this

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

SPECIAL MARCH 1939 term

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

date, and that the defendant, Robert Stuart has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court finds that plaintiff is entitled to judgment against said defendants as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of James McKinley, Osage Allottee No. 378, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$41.00, with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

O.K. as to form  
Service of copy acknowledged.

WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney.

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 23 CIVIL  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable Alfred P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, as prayed in its complaint herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of William Bigheart, Jr., restricted, unallotted Osage Indian, have and recover judgment against the defendants, E. D. Barnes, and Robert Stuart, and each of them, in the sum of \$25.00, with interest thereon at the rate of 6% per annum from August 15, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE



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

United States of America, Plaintiff, )  
vs. ) No. 25 CIVIL  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGEMENT of the Court that plaintiff, in its own behalf and in behalf of Mary Lasley, restricted Osage Allottee No. 380, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$41.00 with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 26 CIVIL  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
 NORTHERN DISTRICT OF OKLAHOMA  
 SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, APRIL 24, 1939

to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of John Bigheart, Jr., Osage Allottee No. 785, have and recover judgment against the defendants E. D. Barnes and Robert Stuart, and each of them, in the sum of \$25.00, with interest thereon at the rate of 6 % per annum from August 15, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED.  
WHIT Y. MAUZY  
 Whit Y. Mauzy, U. S. Attorney

CHESTER A. BREWER  
 Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
 Apr 24 1939  
 H. P. Warfield, Clerk  
 U. S. District Court ME

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

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
vs.		)	No. 27 CIVIL
		)	
E. D. Barnes and Robert Stuart,	Defendants.	)	

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, as prayed in its complaint herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Rose Mason, Osage Allottee No. 327, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$36.00 with interest thereon at the rate of 6% per annum from October 1, 1934, until paid, and for all costs of this action, for which let execution issue.

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED  
WHIT Y. MAUZY  
 Whit Y. Mauzy, United States Attorney  
CHESTER A. BREWER

ALFRED P. MURRAH  
JUDGE

ENDORSED: Filed In Open Court Apr 24 1939  
 Chester A. Brewer, Assistant United States Attorney  
 H. P. Warfield, Clerk, U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 28 CIVIL  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendant as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Kenneth Strikeaxe, restricted, unallotted Osage Indian, have and recover judgment against the defendants E. D. Barnes, and Robert Stuart, and each of them, in the sum of \$13.00, with interest thereon at the rate of 6 % per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED

WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 29 Civil  
E. D. BARNES and ROBERT STUART, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein they are by the Court found to be in default, and the Court further finds that plaintiff is entitle to judgment against said defendants, as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Joseph Mason, Osage Allottee No. 326, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$38.00, with interest thereon at the rate of 6% per annum from October 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 30 CIVIL  
E. D. BARNES and ROBERT STUART, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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

defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of the heirs of Erma McKinley, deceased, unallotted Osage Indian, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$41.00, with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED

WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America,	Plaintiff,	)
		)
vs.		) No. 31 CIVIL
		)
E. D. Barnes and Robert Stuart,	Defendants.	)

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of the heirs of Don Bigheart, deceased Osage Allottee No. 788, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$25.00 with interest thereon at the rate of 6 % per annum from August 15, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED

WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

CHESTER A. BREWER

Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America,	Plaintiff,	)
		)
vs.		) No. 32 CIVIL
		)
E.D. Barnes and Robert Stuart,	Defendants.	)

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, as prayed in its complaint filed herein.

IT IS THEREFORE ORDERED AND ADJUDGED that plaintiff, in its own behalf and in behalf of the heirs of Angella McKinley, deceased Osage Allottee No. 247, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$37.00, with interest thereon at the rate of 6 % per annum from October 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court. ME

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

United States of America, Plaintiff, )  
vs. ) No. 33 CIVIL  
E. D. Barnes and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E.D. Barnes, has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver of summons, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of May Vest, unallotted Osage Indian, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$18.50, with interest thereon at the rate of 6 % per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

ALFRED P. MURRAH  
JUDGE

OK AS TO FORM SERVICE OF COPY ACKNOWLEDGED  
WHIT Y. MAUZY

Whit Y. Mauzy, United States Attorney

CHESTER A. BREWER

Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr. 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 34 CIVIL  
E. D. Barnes, and Robert Stuart, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable A. P. Murrah, Judge presiding, 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 defendant, E. D. Barnes has been regularly served with summons in this cause more than 20 days prior to this date, and that the defendant, Robert Stuart, has filed herein his general appearance and waiver:



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

United States of America, Plaintiff, )  
vs. ) CIVIL FILE NO. 51  
Manuel H. Summers, Defendant. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on to be heard in open court before the Honorable Alfred P. Murrah, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, and it being shown to the court that the above named defendant has been regularly served with summons, and a copy of the complaint in this case more than twenty (20) days prior to this date, and it further appearing that has failed to answer or otherwise plead herein, he is by the court declared to be in default, and the court finds that plaintiff is entitled to judgment as demanded in its complaint in this action.

IT IS, THEREFORE, THE ORDER AND JUDGMENT OF THE COURT that the plaintiff in its own behalf, and in behalf of the Farm Security Administration, successor to the Oklahoma Rural Rehabilitation Corporation, have and recover the following described personal property, to-wit:

One 12<sup>m</sup> plow  
One Collar, and set of check lines to work horses  
One solid black mare, 14<sup>1</sup>/<sub>2</sub>H 1150#, brand on left front shoulder

or their value of \$75.00 in lieu thereof, and the costs of this action.

Let execution issue.

ALFRED P. MURRAH  
JUDGE

OK: WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney

JOE W. HOWARD  
Joe W. Howard, Assistant United States  
Attorney.

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 62 CIVIL  
G. P. Clark, E. C. Campbell and )  
R. E. Janes, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on to be heard in open court before Honorable A. P. Murrah, Judge presiding, on the complaint 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 that the defendants, G. P. Clark, E. C. Campbell and R. E. Janes, have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered, demurred or otherwise pleaded herein, they are by the Court found to be in default.

The Court further finds that the principal amount sued for herein has been paid by said defendants but that the interest on said principal amount and the costs of this cause have not been paid, and that plaintiff is entitled to judgment for said interest and costs.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Angella McKinley, Osage Allottee No. 247, have judgment against the defendants, G. P. Clark, E. C. Campbell and R. E. Janes, and each of them, in the sum of \$6.27, the interest on said principal amount to January 6, 1939, and interest on said sum of \$6.27 at the rate of 6% per annum from January 6, 1939, until paid, and for all costs of this action.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court M E

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

SPECIALMARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

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

Alonzo Burr Whiteley,	Plaintiff,	)	
		)	
vs.		)	No. 76 - Civil
		)	
Cosden Pipe Line Company, a corporation,		)	
and Mid-Continent Petroleum Corporation,		)	
a corporation,	Defendants.	)	

O R D E R

Now, on this 29th day of March, 1939, the consolidated motion to quash and to dismiss of the defendant, Cosden Pipe Line Company, comes on to be heard, and before the same is presented, plaintiff is granted leave to file instanter an amendment to his complaint. And upon the filing of said amendment, the consolidated motion of said defendant is hereby overruled. To which action of the court said defendant excepts and exceptions is allowed. Said defendant, however, is hereby permitted, without prejudice, to raise the same questions, raised in its aforesaid consolidated motion, in its answer to be filed herein within fifteen (15) days from this date.

F. E. KENNAMER  
JUDGE

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

O.K. J. I. LOCKEWITZ  
Attorneys for Defendant

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

Alonzo Burr Whiteley,	Plaintiff,	)	
		)	
vs.		)	No. 76 - Civil
		)	
Cosden Pipe Line Company, a corporation,		)	
and Mid-Continent Petroleum Corporation,		)	
a corporation,	Defendants.	)	

O R D E R

Now, on this 29th day of March, 1939, the consolidated motion to quash and to dismiss of the defendant, Mid-Continent Petroleum Corporation, comes on to be heard, and before the same is presented, plaintiff is granted leave to file instanter an amendment to his complaint. And upon the filing of said amendment, the consolidated motion of said defendant is hereby overruled. To which action of the court said defendant excepts and exception is allowed. Said defendant, however, is hereby permitted, without prejudice, to raise the same questions, raised in its aforesaid consolidated motion, in its answer to be filed herein within fifteen (15) days from

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

this date.

F. E. KENNAMER  
JUDGE

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

O.K. J. I. LOCKEWITZ  
Attorneys for Defendant

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

United States of America, Plaintiff, )  
 )  
vs. )  
 ) CIVIL FILE NO. 99  
TULSA MILK PRODUCERS, Incorporated, )  
FRED FINK and R. D. SMITTLE, its )  
Receivers, and A. B. HASTINGS, Doing )  
Business as The Twentieth Century )  
Manufacturing Company, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on to be heard in open court before the Honorable Franklin E. Kennamer, Judge presiding, pursuant to regular assignment, plaintiff appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, and it being shown to the court that the above named defendant A. B. Hastings, doing business as the Twentieth Century Manufacturing Company, has been regularly served with summons, and a copy of the complaint in this case more than twenty (20) days prior to this date, and having failed to answer or otherwise plead herein, said defendant is declared to be in default, and it further appearing that the defendants, Tulsa Milk Producers, Incorporated, Fred Fink and R. D. Smittle, its Receivers, have made their general appearance herein, and filed a disclaimer, disclaiming any right, title, interest, equity of estate in and to the property involved herein, and further failing, neglecting and refusing to dispute the controversies at issue, the court finds that plaintiff is entitled to judgment as demanded in its complaint herein.

IT IS, THEREFORE, THE ORDER AND JUDGMENT OF THE COURT, that the plaintiff in its own behalf, and in behalf of the Farm Credit Administration, have and recover judgment on its First Cause of Action against the defendant, Tulsa Milk Producers, Incorporated, for Sixteen Thousand Seven Hundred Twenty-one and 45/100 Dollars (\$16,721.45) with interest thereon at the rate of four per cent (4%) per annum, from December 31, 1938, until paid, and a further judgment against said defendant on its Second Cause of Action, for Three Hundred Fifty-four and 65/100 (\$354.65), with interest thereon at the rate of four per cent (4%) per annum from December 31, 1938, until paid, and a further judgment against said defendant in the sum of Nine Hundred Thirty and 89/100 Dollars (\$930.89), for taxes due and unpaid, and that plaintiff have and recover a further judgment declaring its lien to be a first and prior lien, and barring the defendants Tulsa Milk Producers, Incorporated, Fred Fink and R. D. Smittle, its Receivers, and A. B. Hastings, doing business as the Twentieth Century Manufacturing Company, and all persons

claiming under them from asserting any interest, right, or title in and to the following described property, chattels and articles, to-wit:

Seventy-one icing trays for use in schools  
552 milk cases  
Seven sets of cream station equipment for receiving sour cream

Office equipment as follows:

Ten office chairs  
Three office desks  
One safe  
Two filing cabinets  
Two adding machines  
One typewriter  
One calculator  
One Comptometer  
Office Supplies for current use

Plant equipment as follows:

One receiving vat  
Two C. P. Vats  
One Jensen Pasteurizer  
One open cheese vat  
One bottle filler  
One 10 horse boiler  
One York icing machine, six ton  
One separator  
One preheater  
One bottle washer  
One milk cooler  
One receiving scales  
One brine pump and motor  
One water pump  
Four small pumps and motors  
Pipes and fittings for connection and operation of same  
4138 quarts milk bottles  
5655 small milk bottles  
Also necessary plant supplies for current operation of same

one hundred fifteen (115) milk cans and eleven (11) trucks contained in the mortgage having been heretofore sold by the Receiver herein pursuant to order of this court.

It is the further order and judgment of the court that the aforesaid described property be, and the same is hereby ordered sold as provided by law in such cases, and that the proceeds therefrom be applied upon this judgment.

Let execution issue against the defendant Tulsa Milk Producers, Incorporated, to satisfy any deficiency under this judgment.

OK: WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney  
By JOE W. HOWARD Assistant  
United States Attorney

ALFRED P. MURRAH  
JUDGE

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) No. 99 CIVIL  
TULSA MILK PRODUCERS, INC., )  
et al, Defendants. )

O R D E R

Now on this 24th day of April, A. D. 1939, this matter comes on upon the application of Frank H. Letson, Receiver herein, for authority to deposit funds of this receivership proceedings in the National Bank of Tulsa, at Tulsa, Oklahoma, and to designate said bank as such depository, and the court being fully advised in the premises finds that such application should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the National Bank of Tulsa, at Tulsa, Oklahoma, be and the same is hereby designated as the depository for receipts and disbursements against this receivership proceeding, and Frank H. Letson, Receiver herein, is authorized to use such depository.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

In the matter of the application of )  
VERA GENE PRESNELL ) No. 115 Civil  
For a Writ of Habeas Corpus )

ORDER DISCHARGING PETITIONER

Now on this 24th day of April, 1939, this matter coming on for trial on the petition of Vera Gene Presnell, being one and the same person as Vera Gene Himmaugh (sometimes spelled Jean), and Petitioner appearing in person and by her counsel, Finis M. Walker and Geo. W. Reed, Jr., and the Government being represented by Wm. Knight Powers, Assistant United States District Attorney, and evidence being introduced and heard, including a certified copy of the Judgment of the Superior Court of Creek County, Oklahoma, rendered in cause number 2957 on 23rd day of March, 1939, discharging the petitioner on Writ of Habeas Corpus on hearing on a warrant of Extradition, and the Court being well and sufficiently advised finds that the instant petition should be granted, the Writ issued, and the Petitioner discharged.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the evidence submitted is insufficient to show that Petitioner fled from the State of Illinois with intent to avoid prosecution, and it is further ordered, adjudged and decreed that the former judgment above

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

referred to rendered by the Superior Court of Creek County, Oklahoma, in res adjudicata.

It is further ordered, adjudged and decreed that Petitioner, he and she is hereby discharged.

F. E. KENNAMER  
United States District Judge

O.K. WM. KNIGHT POWERS  
GEO. W. REED, JR.  
FINIS M. WALKER

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

HELMERICH & PAYNE, INC. an Oklahoma Corporation,	Plaintiff,	)	
		)	No. 2427 - Law.
vs.		)	
L. E. DOUGLASS,	Defendant.	)	

JOURNAL ENTRY OF JUDGMENT

Now on this the 10th day of April, 1939, the same being a regular judicial day of the Special March term of the above court, the above entitled cause came on regularly for trial and plaintiff being present in the person of William Broadhurst, its secretary-treasurer and general manager, and Eugene O. Monnet, its attorney of record, and the defendant being present in person and by his attorneys, Garrett Logan, of Tulsa, Oklahoma, and R. C. Davis and Walter F. Jones, of Hutchinson, Kansas, and both sides having announced ready for trial, waived trial by jury and consented to the trial of the case by the court; and thereupon the court, having heard and considered the evidence of witnesses duly sworn and testifying before him, the argument of counsel and being fully advised in the premises and finding that plaintiff should have judgment against the defendant in the amount of \$3,000.00 together with interest thereon at 6 % per annum from this date until paid and costs;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Helmerich & Payne, Inc., an Oklahoma Corporation, have and recover judgment against the said defendant, L. E. Douglass, in the amount of \$3,000, together with interest thereon at the rate of 6 % per annum from this date, until paid, and costs of this action accruing and to accrue, for which let execution issue; to all of which said defendant excepts, which exceptions are hereby allowed.

DATED this 10th day of April, 1939, at Tulsa, Oklahoma.

F. E. KENNAMER  
JUDGE

O.K. AS TO FORM  
EUGENE O. MONNET  
Eugene O. Monnet, Attorney for Plaintiff

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

GARRETT LOGAN  
Garrett Logan

R. C. DAVIS

WALTER F. JONES  
Attorneys for Defendant

Receipt of a copy of the above and foregoing journal entry of judgment is hereby acknowledged this 16th day of April, 1939.

EUGENE O. MONNETT  
Eugene O. Monnet, Attorney for Plaintiff

GARRETT LOGAN

R. C. DAVIS

WALTER F. JONES  
Attorneys for Defendant

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

UNITED STATES OF AMERICA ) SS:  
NORTHERN DISTRICT OF OKLA. )

UNITED STATES OF AMERICA, Plaintiff, )

vs. )

Case No. 2686 Law.

HENRY WILLIAMSON and L. A. WOODWARD, )  
Defendants. )

ORDER OF JUDGMENT

And now, on this 24th day of April, 1939, this cause having been regularly assigned for trial, comes on to be heard in its regular order upon the cross petition and complaint of defendant, L. A. Woodward, against Henry Williamson.

The cross-petitioner, L. A. Woodward, appeared in open court and with his attorney, T. F. Dukes; but the defendant, Henry Williamson, failed to appear, and has failed and neglected to answer or plead herein, although he has been properly served with summons in this cause, and the said defendant, Henry Williamson is in default, and the allegations of the cross-petition are taken as true and correct. It is the further finding of the court that L. A. Woodward executed the bond in this cause as a surety for the principal, Henry Williamson, and that he has paid as a surety the sum of \$100.00 in satisfaction of the claim or demand of the plaintiff, and for costs, and that he is entitled to recover the sum of \$100.00, and is entitled to a judgment against the principal, Henry Williamson, who is primarily liable on the bond, in the above given sum of \$100.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this court that the cross-petitioner, L. A. Woodward, have judgment against the principal, Henry Williamson, in the sum of One Hundred Dollars (\$100.00), plus any further costs expended, and that the said judgment draw 6% interest until paid.

ALFRED P. MURRAH  
United States District Judge

ENDORSED: Filed in open court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2716 - Law.  
E. D. Barnes, Robert Stuart and )  
W. C. Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, W. C. Heaton, is now deceased; that the defendants, E. D. Barnes and Robert Stuart, have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against said defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Gra-tah-seah, restricted Osage Allottee No. 250, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$25000, with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be dismissed as to W. C. Heaton, deceased.

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

ALFRED P. MURRAH  
JUDGE

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2717 Law.  
E. D. Barnes, Robert Stuart and )  
W. C. Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly for hearing in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, W. C. Heaton, is now deceased; that the defendants, E. D. Barnes and Robert Stuart have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Pearl McKinley, restricted Osage Allottee No. 2209, have judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$69.00, with interest thereon at the rate of 6% per annum from October 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be and hereby is dismissed as to W. C. Heaton, deceased.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2719 Law  
E. D. Barnes, Robert Stuart and )  
W. C. Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, W. C. Heaton, is now deceased; that the defendants, E. D. Barnes and Robert Stuart have each been regularly served with summons in this cause more than 20 days prior to this date; and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of James Thomas Clem, restricted, unallotted Osage Indian, have judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$61.00 with interest thereon at the rate of 6% per annum from October 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be, and the same hereby is dismissed as to W. C. Heaton, deceased.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer,  
Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2720 Law  
E. D. Barnes, Robert Stuart and )  
W. C. Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable A. P. Murrah, Judge presiding, and plaintiff appearing by Whit Y. Mauzy, United States Attorney for said district; and it being shown to the Court that the defendant, W. C. Heaton, is now deceased; that the defendants, E. D. Barnes and Robert Stuart have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Kah-wah-ho-tsa, restricted Osage Allottee No. 373, have and recover

against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$45.05 with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be, and hereby is dismissed as to W. C. Heaton, deceased.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
April 24, 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2721 Law  
E. D. Barnes, Robert Stuart and )  
W. C. Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, W. C. Heaton, is now deceased; and that the defendants, E. D. Barnes and Robert Stuart have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Josephine Hamilton, restricted Osage Allottee No. 381, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$46.00, with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be, and hereby is dismissed, as to W. C. Heaton, deceased.

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

ALFRED P. MURRAH

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2725 LAW  
E. D. Barnes, Robert Stuart and )  
W. C. Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, W. C. Heaton, is now deceased; that the defendants, E. D. Barnes and Robert Stuart have each been regularly served with summons in this cause more than 20 days prior to this date; and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of John Thomas Baker, restricted Osage Allottee No. 2136, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$56.83, with interest thereon at the rate of 6% per annum from April 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be, and hereby is dismissed as to W. C. Heaton, deceased.

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

United States of America, Plaintiff, )  
vs. ) No. 2726 LAW  
E. D. Barnes, Robert Stuart and W. C. )  
Heaton, Defendants. )

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, APRIL 24, 1939

in open court before Honorable A. P. Murrah, Judge presiding, 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 defendant, W. C. Heaton, is now deceased; that the defendants, E. D. Barnes and Robert Stuart have each been regularly served with summons in this cause more than 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court declared to be in default, and the Court further finds that plaintiff is entitled to judgment against the defendants, E. D. Barnes and Robert Stuart, and that this cause should be dismissed as to W. C. Heaton, deceased.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Nora Standingbear, restricted Osage Allottee No. 379, have and recover judgment against the defendants, E. D. Barnes and Robert Stuart, and each of them, in the sum of \$41.00, with interest thereon at the rate of 6% per annum from November 1, 1934, until paid, and for all costs of this action, for which let execution issue.

IT IS THE FURTHER ORDER of the Court that this cause be, and hereby is dismissed as to W. C. Heaton, deceased.

ALFRED P. MURRAH  
JUDGE

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

WHIT Y. MAUZY

Whit Y. Mauzy, United States Attorney

CHESTER A. BREWER

Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed In Open Court  
Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

Dean M. Stacy,	Complainant,	}	
		}	
vs.		}	No. 1072 - Equity
		}	
The Galt-Brown Company, a corporation,	Defendant.	}	

O R D E R

Now on this the 24 day of April, 1939, comes on for disposition the above styled cause, and it appearing that this is an ancillary action to the main proceeding instituted in Federal Court for the Western District of Oklahoma, and that in said action the Receiver has made final report and that the same has been approved, and there is nothing further to be done in this cause, and that said Receiver should be discharged, and the case closed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this cause be dismissed and that the Receiver herein be discharged of any further liability.

ENDORSED: Filed Apr 24, 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

ALFRED P. MURRAH  
Judge

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 24, 1939

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

Now on this 24th day of April, A. D. 1939, 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

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, complainant, and Katie Watashe, now Roubedeaux, et al., respondents, No. 1196 Equity, the decree of the said District Court in said cause entered on January 27, 1938, was in the following words, viz:

\* \* \* \* \*

"Wherefore, it is considered, ordered and decreed by the court that the bill of complaint herein filed by the United States of America for and on its own behalf and for and on the behalf of Mahaley Watashe and George Watashe be and the same is hereby dismissed for want of equity. That the costs of filing a decree herein shall be paid by respondent, Mrs. Sam Naifeh. It is the further order of the court that the findings of fact and conclusions of law of the complainant are hereby denied."

\* \* \* \* \*

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

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

- - March 13, 1939.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the

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

SPECIAL MARCH 1939 TERM

MONDAY, APRIL 24, 1939

19th day of April, in the year of our Lord one thousand nine hundred and thirty-nine.

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

ALBERT FREGO  
Clerk of the United States Circuit Court of Appeals, Tenth Circuit.  
By E. Oliver Christianson  
Deputy Clerk

ENDORSED: Filed Apr 24 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

Court adjourned to April 25, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 25, 1939

On this 25th day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

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

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

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

MARGARET D. WEIDMAN, a minor by and through  
her duly appointed, qualified and acting  
guardian, Earl D. Alford, Plaintiff  
vs  
DAVE McCONNELL and MARYLAND CASUALTY  
COMPANY, a corporation, Defendants.

No. 77 Civil

O R D E R

Now on this 29th day of March, 1939, this cause comes on to be heard in its regular order on motions to quash and dismiss filed by the defendants herein, plaintiff appeared by John M. Goldesberry and Garylord R. Wilcox and E. C. McMichael, her attorneys and the defendant, Dave McConnell, appeared and specially and for purposes of this motion only by his attorney, Duke Duvall, and the defendant, Maryland Casualty Company, appeared specially by its attorneys, W. E. Green and J. C. Farmer, and the Court having heard argument of counsel and being fully advised finds that all motions should be overruled. It is therefore ordered, adjudged and decreed by the Court that said motions be and the same are hereby overruled, and exceptions are allowed each defendant and said defendants are granted twenty days from the date hereof in which to answer to the complaint of the plaintiff filed herein.

F. E. KENNAMER  
J U D G E



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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 26, 1939

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

United States of America, Plaintiff,

vs.

G. B. Sturgell, Martha Sturgell, The  
American National Bank of Pawhuska,  
Oklahoma, the Liberty National Bank of  
Pawhuska, Oklahoma, Osage County Savings  
and Loan Association, a Corporation, Bernice  
Morrison, United States Fidelity and Guaranty  
Company, a Corporation, and Ethel Curry,  
Defendants.

No. 49 Civil

JOURNAL ENTRY OF JUDGMENT

Now on this 26th day of April, 1939, this cause having come on regularly for hearing at the Special March, 1939, term of this court, on April 24, 1939, before Honorable A. P. Murrah, Judge presiding, 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 defendant, Osage Federal Savings and Loan Association, successor to the Osage County Savings and Loan Association, a corporation, was duly and regularly served with summons, and has filed its disclaimer herein, disclaiming any right title or interest in and to the property involved in this cause; and it further appearing to the Court that the defendant, Osage Federal Savings and Loan Association, successor to the Osage County Savings and Loan Association, a corporation, was duly and regularly served with summons, and has filed its disclaimer herein, disclaiming any right, title, or interest in and to the property involved in this cause; and it further appearing to the Court that the defendant, The First National Bank in Pawhuska, Oklahoma, successor to The American National Bank of Pawhuska, Oklahoma, has filed its disclaimer herein, disclaiming any right, title or interest in and to the property involved in this cause; and it further appearing to the Court that the defendant, The Liberty National Bank of Pawhuska, Oklahoma, has been liquidated and that all of the assets of said bank are now held and owned by C. F. Stuart and A. S. Sands, and that the said C. F. Stuart and A. S. Sands have filed their disclaimer herein, disclaiming any right, title or interest in and to the property involved in this cause; and it further appearing to the Court that the defendant, United States Fidelity and Guaranty Company, a corporation, has filed its disclaimer herein, disclaiming any right, title or interest in and to the property involved in this cause; and it further appearing to the Court that Bernice Morrison was duly and regularly personally served with summons in this cause more than 20 days prior to this date, and that said defendant has failed to answer or otherwise plead herein, the said defendant, Bernice Morrison, is by the Court found to be in default.

The Court further finds that the defendants, G. B. Sturgell, Martha Sturgell, and Ethel Curry have been duly and regularly served in this cause by publication service, said notice being published in the Tulsa Daily Legal News, a newspaper of general circulation in Tulsa County, Oklahoma, for more than 104 weeks prior to the date of said publication, and said defendants have failed to answer or otherwise plead in this cause; and are by the Court found to be in default.

The Court further finds that on July 1, 1929, the defendant, G. B. Sturgell, made, executed and delivered to L. M. Colville, guardian of Fah-pu-son-tsa, Osage Allottee No. 520, his promissory note in the sum of \$750.00, bearing interest at the rate of 7% per annum until paid, which note became due on July 1, 1932. That said note is secured by a mortgage covering the following described land located in Osage County, Oklahoma, to-wit:

Southwest Quarter of Southwest Quarter of  
Southeast Quarter; South Half of Southeast  
Quarter of Southwest Quarter of Southeast  
Quarter of Section Thirty-three (33), Town-  
ship Twenty-six (26) North, Range Nine (9) East.

The Court further finds that the entire amount of said note is past due and payable, and that said defendant, G. B. Sturgell, is indebted to plaintiff in the sum of \$750.00, with interest thereon at the rate of 7% per annum from July 1, 1937, until paid, and that said defendant, G. B. Sturgell, is further indebted to plaintiff in the sum of \$36.63 for unpaid taxes.

The Court further finds that plaintiff, in its own behalf, and in behalf of Pah-pu-son-tsa, Osage Allottee No. 520, is entitled to judgment against the defendants, G. B. Sturgell and Martha Sturgell, and each of them, foreclosing the mortgage involved in this cause, and the sale of the mortgaged property if the indebtedness above mentioned, together with court costs, is not paid at the expiration of six months from date of this judgment.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, United States of America, in its own behalf and in behalf of Pah-pu-son-tsa, Osage Allottee No. 520, have judgment foreclosing the mortgage herein, and if said indebtedness is not paid at the expiration of six months from the 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 land, to-wit:

Southwest Quarter of Southwest Quarter of  
Southeast Quarter; South Half of Southeast  
Quarter of Southwest Quarter of Southeast  
Quarter of Section Thirty-three (33), Town-  
ship Twenty-six (26) North, Range Nine (9)  
East, Osage County, Oklahoma,

the proceeds of said sale to be applied as follows:

- First - To payment of costs of sale and this suit.
- Second - Payment to plaintiff in behalf of its said ward the sum of \$750.00, with interest at 7 % per annum from July 1, 1937, until paid.
- Third - Payment of taxes in the sum of \$36.63, with interest and penalties.
- Fourth - The residue, if any, to be paid into this court, to await the further order of the Court,

and that after said sale the property the defendants, G. B. Sturgell, Martha Sturgell, The American National Bank of Pawhuska, Oklahoma, The Liberty National Bank of Pawhuska, Oklahoma, Osage County Savings and Loan Association, a corporation, Bernice Morrison, United States Fidelity and Guaranty Company, a corporation, and Ethel Curry, and all persons claiming by, through or under them since the commencement of this suit, be, and they are forever barred from claiming or asserting any right title, interest, equity or estate in or to the property hereinabove described, or any part thereof.

IT IS THE FURTHER ORDER of the Court that plaintiff recover its costs herein.

ALFRED P. MURRAH  
JUDGE

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED.  
WHIT Y. MAUZY, United States Attorney  
CHESTER A. BREWER, Assistant United States Attorney  
ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court DC

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

United States of America, Plaintiff, )  
vs. ) No. 89 CIVIL  
John Bridges, Defendant. )

D E C R E E

Now on this 26th day of April, 1939, this cause having come on for hearing, pursuant to regular assignment at the special march 1939 Term of this Court, on April 24, 1939, 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 defendant, John Bridges, was duly and regularly served with summons in this cause more than 20 days prior to this date, and that said defendant has neither answered, demurred or otherwise pleaded herein, he is by the Court found to be in default.

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

Southwest Quarter of Southwest Quarter of Section Seventeen (17); Southeast Quarter of Southeast Quarter of Section Eighteen (18), Township Twenty-four (24) North, Range Six (6) East, Osage County, Oklahoma.

That said land is restricted and under the supervision and control of the Secretary of the Interior of the United States, and that said defendant, John Bridges, should be restrained and enjoined from interfering with the possession, management and control of said land by the said Secretary of the Interior, or his proper representatives.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, John Bridges, be, and he hereby is permanently restrained and enjoined from interfering with the possession, management and control of the following described land, to-wit:

Southwest Quarter of Southwest Quarter of Section Seventeen (17); Southeast Quarter of Southeast Quarter of Section Eighteen (18), Township Twenty-four (24) North, Range Six (6) East, Osage County, Oklahoma.

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

ALFRED P. MURRAH  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court DC

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA WEDNESDAY, APRIL 26, 1939

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke-Bangert & Company, Plaintiffs, )  
vs. ) No. 123 Civil  
LST CAUSE: Joe H. Allen, et al, Defendants. )

O R D E R

Now on this 26th day of April, 1939, there comes on for hearing the application of the relators for an order permitting service of process in the above styled case to be made by one other than the United States Marshall, and being duly advised, the Court finds that it is to the interest of all parties to this action that such an order should be made; the Court further finds that Norman Burwell is a suitable and proper person to make such service.

It is therefore ordered and decreed that Norman Burwell be and hereby is appointed and designated to make service or process, ~~mesne~~ or final, in the above styled case, but it is not intended by this order to prohibit service by United States Marshalls, and it being the intention of the Court that either the said Norman Burwell or a United States Marshall may make such service.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court DC

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, Plaintiffs, )  
vs. ) No. 124 - Civil  
LST CAUSE: Mrs. J. D. Berry, et al, Defendants. )

O R D E R

Now on this 26th day of April, 1939, there comes on for hearing the application of the relators for an order permitting service of process in the above styled case to be made by one other than the United States Marshall, and being duly advised, the Court finds that it is to the interest of all parties to this action that such an order should be made; the Court further finds that Norman Burwell is a suitable and proper person to make such service.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 26, 1939

It is therefore ordered and decreed that Norman Burwell be and hereby is appointed and designated to make service or process, mesne or final, in the above styled case, but it is not intended by this order to prohibit service by United States Marshalls, and it being the intention of the Court that either the said Norman Burwell or a United States Marshall may make such service.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court DC

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

City of Sapulpa, Oklahoma, a Municipal Corporation, ex rel Charles E. Fincke and Percy O. Bangert, operating under the firm name of Fincke, Bangert & Company, )  
Plaintiffs, )  
vs. )  
1ST CAUSE: Bertha Catherine Finch, )  
et al., Defendants. )

No. 125 - Civil

O R D E R

Now on this 26th day of April, 1939, there comes on for hearing the application of the relators for an order permitting service of process in the above styled case to be made by one other than the United States Marshall, and being duly advised, the Court finds that it is to the interest of all parties to this action that such an order should be made; the Court further finds that Norman Burwell is a suitable and proper person to make such service.

It is therefore ordered and decreed that Norman Burwell be and hereby is appointed and designated to make service of process, mesne or final, in the above styled case, but it is not intended by this order to prohibit service by United States Marshalls, and it being the intention of the Court that either the said Norman Burwell or a United States Marshall may make such service.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court DC



It is therefore ordered and decreed that Norman Burwell be and hereby is appointed and designated to make service or process, mesne or final, in the above styled case, but it is not intended by this order to prohibit service by United States Marshalls, and it being the intention of the Court that either the said Norman Burwell or a United States Marshall may make such service.

F. E. KENNAMER  
Judge

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court DC

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

United States of America, Plaintiff, )  
vs. ) No. 2553 LAW  
One Gallen, More or Less, of )  
Elixir of Sulfanilamide, Defendant. )

ORDER OF CONFISCATION AND DESTRUCTION

New on this 26th day of April, 1939, this cause having come on for hearing pursuant to regular assignment at the special March, 1939, term of this court, on April 24, 1939, 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 the defendant appearing not; and it appearing to the Court that no answer or other pleading has been filed in this cause, the defendant is found to be in default.

And it further appearing to the Court that on October 20, 1937, a petition in libel was filed herein against One Gallen, more or less, of Elixir of Sulfanilamide; and it being further shown to the Court that on said date an order for monition and monition was issued herein against the said defendant, One Gallen, more or less, of Elixir of Sulfanilamide; and it being further shown to the Court that on October 28, 1937, an order was made by this Court, directing the United States Marshal for the Northern District of Oklahoma to deliver to the Food and Drugs Administration, United States Department of Agriculture, three pints of the Elixir of Sulfanilamide, the Court finds that said One Gallen, More or Less, of Elixir of Sulfanilamide was, on October 20, 1937, and is now in an adulterated condition, in violation of the Food and Drugs Act, Section Seven, paragraph two, and is misbranded, and should, therefore, be confiscated and destroyed.

IT IS THEREFORE THE ORDER of the Court that said One Gallen, more or less, of Elixir of Sulfanilamide, now in the custody of the United States Marshal for the Northern District of Oklahoma, be destroyed, and said Marshal is hereby directed and instructed to proceed to destroy said merchandise, and to report his doings under this order into this Court within 20 days from the date hereof.

IT IS THE FURTHER ORDER of the Court that plaintiff recover its costs in this cause.

ALFRED P. MURRAH  
JUDGE



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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, APRIL 26, 1939

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

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

ORDER CORRECTING RECORD

Now on this the 26th day of April, 1939, there came on to be heard the application of the appellee for an order correcting the record certified by the clerk of this court to the Circuit Court of Appeals of the United States for the Tenth Circuit in the above cause so as to speak the truth; and the court, being fully advised in the premises, is of the opinion that said order should be allowed and said record corrected, as follows:

That that part of the record appearing upon Page 11 of the transcript, with reference to a minute and entry upon the appearance docket is corrected to read, as follows, to-wit:

"And thereafter on the 11th day of October, 1938, in pursuance of the opinion that day filed in said court, the following entry was made upon the appearance docket as follows, to-wit:

'Enter order motion of defendant for directed verdict sustained.  
Verdict of jury set aside and judgment entered for the defendant,  
Exceptions allowed plaintiff.' "

It is further ORDERED that this order shall supersede any and all orders heretofore made by this court correcting the said error, and that a certified copy thereof be transmitted by the Clerk of this court to the Clerk of the Circuit Court of Appeals above mentioned, as a supplemental record in said cause, to which defendant objects and excepts, and exception is allowed.

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

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

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

FINAL ALLOWANCE OF ATTORNEY'S FEES

Now on this day there came on to be considered the application of the law firm of Mills & Cohen, for the allowance of final fee for filing the petition and procuring the appointment of receivers in the above matter; and it appearing to the court that the court has heretofore allowed a partial fee of \$750.00;

It is therefore ORDERED that an additional fee of \$500.00 be allowed, making a total fee of \$1250.00 which shall be in full for the services of the said attorneys to said estate.

It is further ORDERED that said receivers pay to said attorneys the said sum of \$500.00 out of any moneys now in their hands available for that purpose.

This the 26th day of April, 1939.

F. E. KENNAMER  
United States District Judge

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA TULSA DIVISION

FEDERAL MACHINE & SUPPLY COMPANY, and  
A. B. RYAN, Plaintiffs, )  
v. ) In Equity No. 1289  
BRADFORD MOTOR WORKS, INC., Defendant. )

STIPULATION FOR DISMISSAL OF BILL

It is stipulated and agreed by and between counsel for the parties hereto that the parties have settled their differences by defendant taking a license under the patents in suit, and plaintiffs releasing defendant from all claims for past infringement, and that the bill may be dismissed without prejudice.

CECIL L. WOOD  
Of Counsel for Plaintiffs

JO. BAILY BROWN  
Of Counsel for Defendant

SYLVAN H. ANDREWS  
Solicitor for Plaintiffs  
CHARLES R. BOSTECK  
Solicitor for Defendant

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA WEDNESDAY, APRIL 26, 1939

O R D E R

The foregoing stipulation is approved, and the bill is dismissed without prejudice this 26th day of April, 1939.

ALFRED P. MURRAH  
United States District Judge

ENDORSED: Filed Apr 26 1939  
H. P. Warfield, Clerk  
U. S. District Court B

-----  
Court adjourned to April 27, 1939

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, APRIL 27, 1939

On this 27th day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Alfred P. Murrah, Judges, present and presiding.

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

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

MISCELLANEOUS

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

ORDER FOR PETIT JURY

On this 27th day of April, A. D. 1939, 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 Fifty (50) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Special March 1939 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 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 Tuesday, the 9th day of May, 1939, 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 Special March 1939 Term of said Court.

F. E. KENNAMER  
U. S. DISTRICT JUDGE

ENDORSED: Filed Apr 27 1939  
H. P. Warfield, Clerk  
U. S. District Court

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

James T. Spencer, Administrator of the Estate of Jackson Barnett, Deceased, Plaintiff, vs. Gypsy Oil Company, a corporation, et al., Defendants. No. 39 Civil

STIPULATION

It having been agreed by counsel orally in open court during a hearing of motions presented by defendants on March 29, 1939, that all pleadings, court orders and proceedings in the original causes in the United States District Court for the Northern District of Oklahoma, entitled Jackson Barnett, an incompetent, by Fred T. Hildt, his next friend, vs. Gypsy Oil Company, et al., No. 216 Equity, and Gypsy Oil Company, et al., vs. Jackson Barnett, No. 260 Equity, and consolidated as cause No. 216 Equity, not already set out as exhibits to plaintiff's bill herein, shall be treated as exhibits to plaintiff's bill and by reference thereto treated as exhibits to the intervening complaint, in this cause filed by the United States on February 20, 1939.

NOW, THEREFORE as counsel for the respective parties in this cause, IT IS AGREED that all the pleadings, motions, stipulations as to procedure, proceedings and orders and decree of the Court made and filed in Equity Cause No. 216 and Equity Cause No. 260, and consolidated as Equity No. 216, not already set out as exhibits to plaintiff's bill herein, except any evidence, depositions, affidavits, motions for continuances and orders of the court allowing continuances, praecipes for subpoenas and subpoenas, claims for witness fees, letters, telegrams, applications for extensions of time within which to plead and orders of the court allowing further time to plead, shall be considered and treated by all parties and the court as exhibits to the bill filed herein by James T. Spencer, Administrator of the Estate of Jackson Barnett, deceased, vs. Gypsy Oil Company, et al., No. 39 Civil, and the intervening complaint of the United States filed in this cause on February 20, 1939.

Signed on this 1st day of April, 1939.

CHAS B. ROGERS Counsel for James T. Spencer, Administrator of the Estate of Jackson Barnett, deceased

WHIT Y. MAUZY U. S. District Attorney for the Northern District of Oklahoma.

JAMES B. DIGGS Counsel for Gypsy Oil Company, a corporation, and Gulf Oil Corporation.

HAROLD E. RORSCHACH Counsel for F. A. Gillespie & Sons Company

R. H. WILLS Counsel for Mid-Continent Petroleum Corporation.

GEO. S. RAMSEY Counsel for the Cushing Gasoline Company

O R D E R

The above and foregoing Stipulation is hereby approved by the Court, and the Clerk of this Court is ordered to enroll the above Stipulation with this order on the journals of the Court.

Made and ordered entered on this April 1, 1939, the same being a regular day of a term of this Court at Tulsa, Oklahoma.

ALFRED P. MURRAH  
J U D G E

ENDORSED: Filed Apr 27 1939  
H. P. Warfield, Clerk  
U. S. District Court ME

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

EFFIE HOFFMAN, Plaintiff, )  
vs. )  
PAUL L. STOETZEL, Defendant. ) No. 52 Civil  
NATIONAL BANK OF TULSA, Garnishee. )

JOURNAL ENTRY OF JUDGMENT

Now on this the 26th day of April, 1939, this cause coming on for hearing by due assignment at the regular March, 1939, term of court before the Honorable Alfred P. Murrah, Judge; thereupon the plaintiff, Effie Hoffman, appeared in person and John V. Beveridge, her attorney, and the defendant, Paul L. Stoetzel, appeared in person and by Glenn O. Young, his attorney; thereupon, both sides having announced ready for trial, the court proceeded to hear the evidence offered upon behalf of plaintiff and defendant, and having considered the same and being well and truly advised in the premises finds:

1. That on or about October 21, 1938, and subsequent thereto, plaintiff and defendant herein entered into certain written contracts, under the terms of which the defendant and one Cecil F. Simmons, of Omaha, Nebraska, agreed to pay the sum of \$2,750.00, to be used in opening and exploring a prospect hole for oil and gas, previously drilled upon the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Two (2), Township Sixteen (16) North, Range Thirteen (13) East; that pursuant to said contract and agreement they laid out and expended in the purchase of casing, materials and for labor the sum of \$1,056.85, and paid to Effie Hoffman in addition thereto the sum of \$622.00; the court further finds that at and prior to the time said contracts and agreements were entered into for said project, said plaintiff and those associated with her and acting in her behalf, that is to say; Ben P. Hoffman and George I. Hegood, had represented to said defendant and said Cecil F. Simmons that said prospect hole when drilled had contained oil and gas in commercially profitable quantities; and the court further finds that said representations were relied upon by the defendant at the time said contract was made; that upon discovering the falsity of said statements the defendant refused to advance and pay over further moneys pursuant to said contract. The court further finds that said prospect hole had not shown oil or gas in paying quantities when drilled; that on the contrary said well had been drilled to what is commonly known as the Bartlesville Sand and had shown only a puff of gas and salt water;

the court finds that defendant was justified in refusing to advance further moneys to prosecute said enterprise and that plaintiff is not entitled to damages as claimed in her petition by virtue of his abandonment thereof.

IT IS, THEREFORE, THE ORDER, JUDGMENT, AND DECREE OF THE COURT that upon plaintiff's petition for damages in the sum of \$10,000, judgment be denied for said sum or any other sum, and judgment is hereby entered for the defendant; and the costs of this proceeding are assessed against the plaintiff.

To which findings, order, judgment and decree the plaintiff then and there excepted and exceptions are allowed.

II. JOURNAL ENTRY ON CROSS PETITION

Upon the issues raised by defendant's cross-petition, the court finds that the garnishment issued and served in this cause upon the garnishee defendant, National Bank of Tulsa, should be discharged and the court further finds that the casing purchased and paid for with the moneys of the defendant Paul L. Stoetzel and now located upon said leasehold is his property and should be returned to him. Otherwise the court finds upon said cross-petition the issues are in favor of the plaintiff and against the defendant.

IT IS, THEREFORE, THE ORDER, JUDGMENT AND DECREE OF THE COURT that the garnishee defendant, National Bank of Tulsa, be and it is hereby ordered and directed to turn over forthwith to the defendant any moneys held by it by virtue of garnishment proceedings issued in this cause, and said garnishment proceedings are dismissed at the costs of the plaintiff and it is further ordered that the casing now located upon said leasehold and purchased with moneys furnished by the defendant be forthwith delivered to the defendant, Paul L. Stoetzel; that save and except as herein stated the issue upon said cross-petition be adjudged in favor of the plaintiff and against the defendant and that the defendant have his costs.

To which order, judgment and decree denying further relief upon his cross-petition, the defendant then and there excepted and exceptions are allowed and to which order, judgment and decree granting relief upon said cross-petition plaintiff objected and exceptions are allowed.

ALFRED P. MURRAH  
JUDGE

OKEH AS TO FORM;  
SERVICE OF COPY ACKNOWLEDGED.

\_\_\_\_\_  
Attorney for Plaintiff.

GLENN O. YOUNG  
Attorney for Defendant.

ENDORSED: Filed Apr 27 1939  
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

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, APRIL 27, 1939

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

United States of America,	Petitioner,	)	
		)	
vs.		)	No. 98 - Civil
		)	
119.62 acres of land, more or less, in		)	
Delaware County, State of Oklahoma; L.		)	
Keith Smith, Assignee for Benefit		)	
of Creditors of Charles Price, et al.,		)	
	Respondents.	)	

ORDER FOR PAYMENT TO COMMISSIONERS OR APPRAISERS

Now on this 27th day of April, 1939, it appears to the Court that on the 10th day of April, 1939, Lester Jordan, Lee Capehart and R. E. Crow were appointed by the Court as commissioners or appraisers in the above entitled and numbered cause, and pursuant to said appointment did serve as appraisers and fix the value of the real estate being taken by eminent domain in the above entitled proceedings and made their report herein on the 14th day of April, 1939.

It further appears to this court that the above named persons are entitled to compensation for such services rendered in the following amounts set opposite each of their names, respectively:

Lester Jordan.	\$5.00
Lee Capehart	\$5.00
R. E. Crow	\$5.00

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Lester Jordan, Lee Capehart and R. E. Crow receive for their services rendered in the above entitled and numbered cause, as appraisers, the sums and amounts set opposite each of their names, hereinabove.

F. E. KENNAMER  
\_\_\_\_\_  
JUDGE

ENDORSED: Filed Apr 27 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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

United States of America,	Plaintiff,	)	
		)	
vs.		)	No. 101 CIVIL
		)	
Henry Cunningham, Lillie Cunningham,		)	
W. H. Harvey and C. F. Lake,	Defendants.	)	

JOURNAL ENTRY OF JUDGMENT

Now on this 24th day of April, 1939, this cause came on regularly to be heard in open court, before Honorable F. E. Kennamer, Judge presiding, 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 20 days prior to this date, and that neither of said defendants has answered or otherwise pleaded herein, they are by the Court found to be in default, and the Court finds that plaintiff is entitled to judgment against said defendants as prayed in its complaint filed herein.

IT IS THEREFORE THE ORDER AND JUDGMENT of the Court that plaintiff, in its own behalf and in behalf of Ida Bighorse, restricted Osage Allottee No. 558, have and recover judgment against Henry Cunningham, Lillie Cunningham, W. H. Harvey and C. F. Lake, and each of them, in the sum of \$500.00, with interest thereon at 6% per annum on \$50.00 from January 1, 1938; on \$150.00 from March 1, 1938; on \$150.00 from January 1, 1939, and on \$150.00 from March 1, 1939, until paid, and for all costs of this action, for which let execution issue.

F. E. KENNAMER  
 JUDGE

ENDORSED: Filed Apr 27 1939  
 H. P. Warfield, Clerk  
 U. S. District Court AC

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

GLADYS MOORE,	Plaintiff,	)
		)
vs		) No. 106
		)
MISSOURI, KANSAS & TEXAS RAILROAD		)
COMPANY, a corporation,	Defendant.	)

ORDER GRANTING THE TAKING OF DEPOSITIONS

Now on this the twenty-seventh day of April, 1939, upon application of the attorney on behalf of the plaintiff for an order for the privilege of taking depositions in the above captioned case on the twenty-eighth day of April, 1939, and it appearing to the Court as a result of such application that the said defendants Missouri-Kansas & Texas Railroad, a corporation, having been served notice of the plaintiff's intent to take said depositions, said notice having been served on April 24, 1939, and it appearing to the Court that such application should be granted,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff be granted permission to take the depositions of various and sundry witnesses as described in their notice therein, served upon said defendant upon April 24, 1939.

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

ENDORSED: Filed Apr 27 1939  
 H. P. Warfield, Clerk  
 U. S. District Court ME

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

Earl D. Alford, Administrator of the Estate of Mamie M. Weidman, Plaintiff,  
vs. No. 2502 Law  
Dave McConnell and Maryland Casualty Company, a corporation, defendants.

ORDER ALLOWING SUPERSEDEAS

On this 27th day of April, 1939, this matter comes on for hearing on the application of the defendant, Maryland Casualty Company, a corporation, for terms of supersedeas in this cause.

The Court having examined the application finds the defendant is entitled to have this judgment superseded and this Court finds that in lieu of cost bond provided for by the rules of this Court and as a supersedeas in this cause that a bond in the sum of \$6000.00 shall be filed by the defendant, Maryland Casualty Company, a corporation, to supersede the judgment against it.

BE IT THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, Maryland Casualty Company, a corporation, be and it is hereby allowed and permitted to file a supersedeas bond in the sum of \$6000.00 and upon filing said bonds in said sum within 20 days from this date, that all proceedings to enforce the judgment herein as against the Maryland Casualty Company be and the same are hereby stayed until the expiration of the time for appeal in this cause and if the defendant perfects its appeal all proceedings be further stayed for the enforcement of this judgment against the Maryland Casualty Company until the expiration of the time for appeal in this cause; and if the defendant perfects its appeal, all proceedings be further stayed against said defendant until the final determination of this cause against said defendant on appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the bond above referred to provided for is in lieu of all costs bonds and supersedeas bonds provided for by the rules governing proceedings in this Court.

DONE IN OPEN COURT this the 27th day of April, 1939.

F. E. KENNAMER  
JUDGE

Copy of the above mailed to:  
Gaylor R. Wilcox, Sapulpa  
Johnson & Jones, Bristow  
Goldesberry & Klein, Tulsa

ENDORSED: Filed Apr 27 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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

EARL D. ALFORD, Admr. of estate of )  
Fredrick W. Weidman, deceased, Plaintiff, )  
vs ) No. 2503 Law  
DAVE McCONNELL and MARYLAND )  
CASUALTY CO., a corp., Defendants. )

ORDER ALLOWING SUPERSEDEAS

On this 27th day of April, 1939, this matter comes on for hearing on the application of the defendant Maryland Cas. Company, a corporation for terms of supersedeas in this cause.

The Court having examined the application finds the defendant is entitled to have this judgment superseded and this Court finds that in lieu of cost bond provided for by the rules of this Court and as a supersedeas in this cause that a bond in the sum of \$6000.00 shall be filed by the defendant Maryland Casualty Company, a corporation to supersede the judgment against it.

BE IT THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant Maryland Casualty Company, a corporation, be and it is hereby allowed and permitted to file a supersedeas bond in the sum of \$6000.00 and upon filing said bond in said sum within 20 days from this date, that all proceedings to enforce the judgment herein as against the Maryland Casualty Company be and the same are hereby stayed until the expiration of the time for appeal in this cause and if the defendant perfects it's appeal all proceedings be further stayed for the enforcement of this judgment against the Maryland Casualty Company until the expiration of the time for appeal in this cause; and if the defendant perfects it's appeal, all proceedings be further stayed against said defendant until the final determination of this cause against said defendant on appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the bond above referred to provided for is in lieu of all cost bonds and supersedeas bonds provided for by the rules governing proceedings in this court.

DONE in open court this the 27th day of April, 1939.

F. E. KENNAMER  
J U D G E

Copy of above mailed to -  
Gaylor E. Wilcox, Sapulpa  
Johnson & Jones, Bristow  
Goldesberry & Klein, Tulsa,

ENDORSED: Filed Apr 27 1939  
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. ) No. 2569 Law.  
SINCLAIR PRAIRIE OIL COMPANY, )  
A Corporation, DEFENDANT. )

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof appearing on page 10 thereof, and changing numbering of succeeding paragraph accordingly.

IT IS ORDERED that said motion be and is sustained and paragraph VII of plaintiff's bill appearing on page 10 thereof, is stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
J U D G E.

ENDORSED: Filed Apr 27 1939  
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. 2570 Law.  
STANOLIND CRUDE OIL PURCHASING )  
COMPANY, a corporation, Defendant. )

O R D E R

On hearing, plaintiff, in open court moves to amend its bill by striking paragraph VII thereof, appearing on page 9 thereof, and changing numbering of succeeding paragraph accordingly.

IT IS ORDERED , that said motion be, and is sustained and paragraph VII of plaintiff's bill appearing on page 9 thereof, it stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
J U D G E

ENDORSED: Filed Apr 27 1939  
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. 2572 Law.  
THE NATIONAL REFINING COMPANY, )  
A CORPORATION, Defendant. )

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof, appearing on page 8 thereof, and changing numbering of succeeding paragraph according

IT IS ORDERED, that said motion be and is sustained, and paragraph VII of plaintiff's bill appearing on page 8 thereof, is stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 27 1939  
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. 2573 Law.  
PHILLIPS PETROLEUM COMPANY, a )  
Corporation, Defendant. )

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof, appearing on page 9 thereof, and changing numbering of succeeding paragraph accordingly.

IT IS ORDERED that said motion be, and is sustained and paragraph VII of plaintiff's bill appearing on page 9 thereof, is stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed Apr 27 1939  
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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 27, 1939

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

UNITED STATES OF AMERICA,	PLAINTIFF,	)
		)
VS.		) No. 2577 Law.
		)
BARNSDALL OIL COMPANY, a Corporation,	DEFENDANT.	)

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof, appearing on page 9 and 10 thereof, and changing numbering of succeeding paragraphs accordingly.

IT IS ORDERED that said motion be and is sustained and paragraph VII of plaintiff's bill appearing on pages 9 and 10 thereof, is stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
J U D G E

ENDORSED: Filed Apr 27 1939  
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. 2578 Law.
		)
CONTINENTAL OIL COMPANY, a corporation,	Defendant.	)

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof, appearing on page 8 thereof, and changing numbering of succeeding paragraphs accordingly.

IT IS ORDERED, that said motion be and is sustained; and paragraph VII of plaintiff's bill appearing on page 8 thereof, is stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
J U D G E

ENDORSED: Filed Apr 27 1939  
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. 1171 Equity  
GULF OIL CORPORATION, a corporation, )  
Defendant. )

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof appearing on pages 7 and 8 thereof, and changing numbering of succeeding paragraph accordingly.

IT IS ORDERED, that said motion be, and is sustained and paragraph VII of plaintiff's bill appearing on pages 7 and 8 thereof, is stricken, and the numbering succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
J U D G E

ENDORSED: Filed Apr 27 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

Warren H. Davis and Otto Sieg, Plaintiffs, )  
vs. )  
H. F. Wilcox Oil & Gas Company, a corporation, ) No. 1228 Equity  
H. F. Wilcox Doan & Investment Company, a )  
Corporation, Apex Loan & Investment Company, )  
a corporation, and H. F. Wilcox, an )  
Individual, Defendants. )

D E C R E E

This cause coming on to be heard on this 27th day of April, 1939, before the Hon. Alfred P. Murrah, District Judge, upon the second amended bill of complaint, the motions to dismiss and exhibits attached thereto, which exhibits were presented and relief upon as evidence by said defendants, the report of proposal for dismissal of this action agreed to by the parties hereto, the affidavit of the Clerk of the Court as to mailing to each stockholder of H. F. Wilcox Oil & Gas Company notice of proposed compromise and dismissal, and no stockholder of H. F. Wilcox Oil & Gas Company appearing to show cause why said proposal should not be approved by the Court, carried out by the parties, and the cases; this case 1228 Equity and case 1269 Equity by Elizabeth S. Brewer against the same defendants; dismissed with prejudice at defendants' costs, from all of which it appears that all matters in controversy in said second amended bill of complaint and in said motions to dismiss and said exhibits attached thereto, and all claims, whether asserted in said cases or not, between the parties have been fully

compromised and settled, and that said compromise and settlement so made between the parties hereto is fair and reasonable and for the best interests of all the stockholders of H. F. Wilcox Oil & Gas Company; and the Court being fully advised, it is, therefore, ordered, adjudged and decreed by the Court;

FIRST: That the report of proposal for dismissal of this action agreed to by the parties hereto, and filed with the Clerk of this Court on the 11th day of April, 1939, be and the same is hereby approved, ratified and affirmed by the Court; and that the same be carried out by all proper orders, decrees and proceedings in this cause necessary to carry it out according to its terms, as hereinafter set out.

SECOND: That pursuant to said agreement between the parties hereto, H. F. Wilcox shall pay to H. F. Wilcox Oil & Gas Company Fifteen Thousand Dollars (\$15,000.00) and shall transfer to it fifteen thousand (15,000) shares of its common stock; and thereupon in open court H. F. Wilcox delivered to H. F. Wilcox Oil & Gas Company \$15,000.00 in cash and fifteen thousand (15,000) shares of common stock of said company, evidenced by certificates numbered 003977, 00378, and 003979 each for 5000 shares of common stock of H. F. Wilcox Oil & Gas Company, for its sole use and benefit, conditioned only upon the execution of the general release in the form hereinafter prescribed, and the execution of the option contract in the form hereinafter prescribed by said H. F. Wilcox Oil & Gas Company.

THIRD: That pursuant to said agreement between the parties hereto, H. F. Wilcox Oil & Gas Company shall make, execute and deliver to H. F. Wilcox, H. F. Wilcox Loan & Investment Corporation and Apex Loan and Investment Company, its general release in words and figures as follows:

GENERAL RELEASE

KNOW ALL MEN BY THESE PRESENTS:

That H. F. Wilcox Oil & Gas Company, a Delaware corporation, in consideration of more than Ten (\$10.00) Dollars, and other valuable considerations, to it paid by Homer F. Wilcox, the receipt whereof is hereby acknowledged, has remised, re-leased and forever discharged, and for itself, its successors and assigns, does hereby remise, release and forever discharged the said Homer F. Wilcox, H. F. Wilcox Loan & Investment Corporation, a Delaware corporation, and Apex Loan and Investment Company, an Oklahoma corporation, their heirs, executors, administrators, successors and assigns, of and from all debts, claims, demands, accountings, actions, causes of action, suits, sums of money, accounts, reckonings, contracts, controversies, agreements, doings, omissions and liabilities whatsoever, both in law and equity, which against the said Homer F. Wilcox, H. F. Wilcox Loan & Investment Corporation, a Delaware corporation, and Apex Loan and Investment Company, an Oklahoma Corporation, it ever had, now has or which its successors or assigns can, shall, or may have for or by reason of any matter, cause or thing whatsoever, from the beginning of the world to the date of these presents.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 1939.

H. F. WILCOX OIL & GAS COMPANY

By \_\_\_\_\_  
Its Vice President

ATTEST:

\_\_\_\_\_  
Secretary

And that a Vice President and the Secretary of H. F. Wilcox Oil & Gas Company be and they are hereby instructed and directed to make, execute and deliver, with the corporate seal affixed thereto said general release in the form hereinabove prescribed to H. F. Wilcox, H. F. Wilcox Loan & Investment Corporation and Apex Loan and Investment Company forthwith.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, APRIL 27, 1939

FOURTH: That pursuant to said agreement between the parties hereto H. F. Wilcox Oil & Gas Company shall make execute and deliver to H. F. Wilcox, its option contract to purchase 15,000 shares of common stock of H. F. Wilcox Oil & Gas Company, (now held in its treasury) in words and figures as follows:

OPTION CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of more than Ten (\$10.00) Dollars, and other good and valuable considerations to it in hand paid by Homer F. Wilcox, the receipt and sufficiency of which are hereby acknowledged, H. F. Wilcox Oil & Gas Company, a Delaware corporation, does hereby give and grant to Homer F. Wilcox, his heirs, executors, administrators and assigns, the right and option for a period of five years from this date, to purchase a maximum of fifteen thousand shares of its common capital stock (now held in its treasury) at and for the price of Three (\$3.00) Dollars per share, to be paid in cash when the option is exercised.

This option may be exercised from time to time by the purchase of one or more shares of stock without exhausting or destroying the right to purchase the remainder of the fifteen thousand shares, and shall remain in force until a total of fifteen thousand shares has been purchased, or five years shall have elapsed, whichever shall first occur.

The undersigned represents and warrants that it now has in its treasury not less than 15,000 shares of its stock, and that so long as this option is in force, it will keep in its treasury a sufficient number of shares of its stock to make delivery, if, as and when, the option is exercised.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 1939.

H. F. WILCOX OIL & GAS COMPANY  
By \_\_\_\_\_  
Its Vice President

ATTEST:  
\_\_\_\_\_  
Secretary

And that a Vice President and the Secretary of H. F. Wilcox Oil & Gas Company be and they are hereby instructed and directed to make, execute and deliver, with the corporate seal affixed thereto, said option contract in the form hereinbefore prescribed to H. F. Wilcox forthwith.

FIFTH: That the attorneys for plaintiffs are entitled to the reasonable fee of \$15,000.00 and that the auditor for plaintiffs is entitled to the reasonable fee of \$1250.00, and that H. F. Wilcox Oil & Gas Company pay said attorneys' fee of \$15000.00 to wit: \$7500 to Monnet & Savage and \$7500 to Felix Bodovitz & Donald L. Brown and said auditor's fee of \$1250 to G. A. Murray, forthwith.

SIXTH: That this case, No. 1228 Equity, and case No. 1269, Elizabeth S. Brewer v. H. F. Wilcox Oil & Gas Company et al, be and the same are hereby dismissed with prejudice at defendants' cost.

Done in open Court this 27th day of April, 1939, at Tulsa, Oklahoma.

COPY RECEIVED 4-27-39

E. A. MONNET  
ENDORSED: Filed Apr 28 1939  
H. P. Warfield, Clerk  
U. S. District Court H

ALFRED P. MURRAH  
District Judge

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

Edmond Burgess, Plaintiff, )  
-vs- ) No. 1299 Equity  
Alice May Bosen, NOW Morrison, Defendant. )

C R D E R

Now on this 25th day of April, 1939, the above styled cause is called for trial, the plaintiff appearing by his attorneys George H. Jennings and Miller, Lytle, Wildman and Anspaugh, and the defendant appearing by her attorney, W. V. Pryor, both sides announce ready for trial, and it was agreed by the counsel for both plaintiff and defendant in open court that the case might be submitted to the court upon the pleadings, stipulation of facts and stipulation of records, to be considered as evidence on behalf of both plaintiff and defendant and upon written briefs. To this stipulation the court gives its consent.

It is therefore ordered that the case be submitted upon the pleadings, the stipulations as to the facts and the evidence.

It is further ordered that the plaintiff be given fifteen days within which to file brief and the defendant be given ten days after receipt of the plaintiff's brief in which to file brief.

Done this the day and year above written.

ALFRED P. MURRAH  
United States District Judge

Approved: GEORGE H. JENNINGS  
MILLER, LYTLE and WILDMAN  
Attorneys for Plaintiff

W. V. PRYOR  
Attorney of Defendant

ENDORSED: Filed Apr 27, 1939  
H. P. Warfield, Clerk  
U. S. District Court B

-----  
Court adjourned to April 29, 1939.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

SATURDAY, APRIL 29, 1939

On this 29th day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

ORDER TO MARSHAL TO OPEN AND ADJOURN COURT

The First Monday in May, 1939, being the Regular Statutory day for the opening of the Regular Term of said Court at Pawhuska, Oklahoma, and the Court finds that there is insufficient business to cause said term to be held at Pawhuska;

IT IS ORDERED that the United States Marshal in and for the Northern District of Oklahoma, be, and he is hereby directed to open the Regular May 1939 Term at Pawhuska, Oklahoma, on Monday, the 1st day of May, A. D. 1939, by proclamation in the manner and form provided by law, and that said Marshal adjourn said Court Sine Die.

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

F. E. KENNAMER  
U. S. DISTRICT JUDGE

ENDORSED: Filed May 2 1939  
H. P. Warfield, Clerk  
U. S. District Court

-----  
Court adjourned to May 1, 1939.

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 1, 1939

On this 1st day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

Mrs. Paul Shortridge, Plaintiff, )  
 vs. ) Civil Action No. 5.  
 Bartlesville Hotel Company, a )  
 corporation, et al., Defendants. )

JOURNAL ENTRY

On this 1st day of May, 1939, comes on for hearing motion of the above named defendants for an order of dismissal and final award in the above entitled cause.

The Court being sufficiently advised, finds that said action should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that this action shall be and the same is hereby dismissed with prejudice and at the cost of the plaintiff. Exception allowed to plaintiff.

F. E. KENNAMER  
 UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM  
WILLIAM M. TAYLOR  
 Attorneys for Plaintiff

ROWLAND & TALBOTT  
 By L. A. ROWLAND  
 Attorneys for Defendants

ENDORSED: Filed May 1, 1939  
 H. P. Warfield, Clerk  
 U. S. District Court EA

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

United States of America, Plaintiff, )  
 vs. ) No. 20 CIVIL  
 Board of County Commissioners of Ottawa )  
 County, State of Oklahoma, and Russell Doss, )  
 County Treasurer of Ottawa County, State of )  
 Oklahoma, Defendants. )

D E C R E E

Now on this 1st day of May, 1939, this matter having come on for hearing before the Court on April 6, 1939, and plaintiff, United States of America, appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and the defendants appearing by their attorney, N. C. Barry, County Attorney of Ottawa County, Oklahoma, and the Court having heard the testimony of witnesses duly sworn and examined in open court, and the arguments of counsel, finds that Alex Beaver is a

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

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restricted Quapaw Indian, and that there was purchased for him out of restricted funds the following described real estate, to-wit:

Southwest Quarter of Northwest Quarter and Lot Four (4) of Section Eleven (11), Township Twenty-eight (28), Range Twenty-three (23); Northeast Quarter of Northeast Quarter of Section Twenty-seven (27), Township Twenty-seven (27), Range Twenty-four (24); Northwest Quarter of Northwest Quarter of Section Twenty-six (26), Township Twenty-seven (27), Range Twenty-four (24); Southeast Quarter of Southeast Quarter of Section Twenty-two (22); township Twenty-seven (27), Range Twenty-four (24); Southwest Quarter of Southwest Quarter of Section Twenty-three (23), Township Twenty-seven (27), Range Twenty-four (24), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or incumbrance except with the consent or approval of the Secretary of the Interior.

That Anna Beaver Hallam is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

South Half of Northeast Quarter; North Half of Southeast Quarter; Southeast Quarter of Southeast Quarter of Northwest Quarter of Section Twenty (20), Township Twenty-seven (27), Range Twenty-three (23); Southeast Quarter of Southwest Quarter of Section Six (6), Township Twenty-seven (27), Range Twenty-three (23); West Half of Northeast Quarter of Southwest Quarter; North Ten (10) acres and West 15.90 acres of Lot Nine (9); North Half of Northeast Quarter of Northeast Quarter of Southwest Quarter of Section Six (6), Township Twenty-seven (27), Range Twenty-three (23), Lot Fourteen (14), Block Ten (10), City of Miami, all located in Ottawa County, Oklahoma,

which property is restricted against alienation or incumbrance except with the consent or approval of the Secretary of the Interior.

That Mrs. John Beaver is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described property, to-wit:

West Half of Northwest Quarter of Northwest Quarter of Section Eight (8), Township Twenty-eight (28), Range Twenty-four (24), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Kenneth Bear is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

West Half of Southwest Quarter of Southwest Quarter and Southeast Quarter of Southwest Quarter of Southwest Quarter of Section Twenty-one (21), Township Twenty-seven (27), Range Twenty-three (23); Southeast Quarter of Southeast Quarter of Section Twenty (20), Township Twenty-seven (27), Range Twenty-three (23), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Harry Crawfish is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Southwest Quarter of Northeast Quarter of Southwest Quarter and Southeast Ten (10) acres and West 21.80 acres of Lot Four (4), Section Thirty-one (31), Township Twenty-eight (28), Range Twenty-three (23); Northeast Quarter of Northwest Quarter and East Half of Southeast Quarter of Northwest Quarter and Northwest Quarter of Southeast Quarter of Northwest Quarter and West Half of Northeast Quarter; North Half of Southwest Quarter of Southeast Quarter of Northwest Quarter of Section Nine (9), Township Twenty-seven (27), Range Twenty-three (23); West Half of Northwest Quarter of Northeast Quarter of Northwest Quarter of Section Seven (7), Township Twenty-seven (27), Range Twenty-three (23); Southwest Quarter of Northeast Quarter and Northwest Quarter of Southeast Quarter of Section Twenty-seven (27), Township Twenty-nine (29), Range Twenty-four (24); Northeast Quarter of Northwest Quarter of Section Twenty-six (26), Township Twenty-nine (29), Range Twenty-four (24); Southeast Quarter of Southwest Quarter of Section Twenty-two (22), Township Twenty-nine (29), Range Twenty-four (24); West Half of Southwest Quarter of Section Nineteen (19), Township Twenty-eight (28), Range Twenty-five (25); Lot Fourteen (14), Block One Hundred Twenty-four (124), city of Miami, all located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance, except with the consent or approval of the Secretary of the Interior.

That Tommy Crawfish is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Northeast Quarter of Southeast Quarter; East Half of East Half of Northwest Quarter of Southeast Quarter of Section Seventeen (17), Township Twenty-eight, Range Twenty-five (25); Northwest Quarter of Southwest Quarter of Section Sixteen (16), Township Twenty-eight (28), Range Twenty-five (25), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or incumbrance except with the consent or approval of the Secretary of the Interior.

That Jesse Lee and Mary Lou DeHanas are restricted Quapaw Indians, and that there was purchased for them out of their restricted funds the following described real estate, to-wit:

Southeast Quarter and Southeast Quarter of Southwest Quarter of Section Twenty-eight (28), Township Twenty-nine (29), Range Twenty-three (23); Lot Twelve (12) of the Northwest Quarter of Section Thirty (30), Township Twenty-eight (28), Range Twenty-four (24); Lot Thirteen (13) of the Southwest Quarter of Section Thirty (30), Township Twenty-eight (28), Range Twenty-four (24); Northwest Quarter of Northwest Quarter of Section Twelve (12), Township Twenty-eight (28), Range Twenty-four (24); Northwest Quarter of Northeast Quarter of Section Eleven (11), Township Twenty-eight (28), Range Twenty-four (24); North-east Quarter of Northwest Quarter of Section Eleven (11), Township Twenty-eight (28), Range Twenty-four (24); Southwest Quarter of Northeast Quarter of Section Seven (7), Township Twenty-eight (28), Range Twenty-five (25), all located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Jesse Lee DeHanas, Jr., and Mary Lou DeHanas are restricted Ottawa Indians, and that there was purchased for them out of their restricted funds the following described real estate, to-wit:

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

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Lots Thirteen (13) and Fourteen (14), Block Seventy-seven (77) City of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Alphonso Greenback is a restricted Quapaw Indian and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Lots Five (5) and Six (6) and Southwest Quarter of Southwest Quarter and West Half of Southwest Quarter of Southwest Quarter of Section Ten (10), Township Twenty-eight (28), Range Twenty-three (23); Lot Seventeen (17), Block Eight (8), City of Quapaw, all located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Lula Mae Greenback Stanley is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

North Half of Lot Seven (7), South 2' of Lot Four (4), and Lots Five (5) and Six (6), Block Twenty-eight (28) in the city of Miami; Lot Fifteen (15), Block Eight (8) in the city of Quapaw, all located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Mollie Greenback Whitecrow is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

North Half of South Half of Northeast Quarter of Northeast Quarter of Section Twenty-four (24), Township Twenty-eight (28), Range Twenty-two (22); Lots Fifteen (15) and Sixteen (16), Block One Hundred Nineteen (119), City of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Woodrow Greenback is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

South Half of Lot Ninety-two (92) and Lot Ninety-three (93), Rockdale addition to the city of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Agnes Quapaw Hoffman is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

Lots Seven (7) and Eight (8), Block Thirty (30) in the city of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Benjamin Quapaw is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Southeast Quarter of Northwest Quarter of Section Four (4),  
Township Twenty-eight (28), Range Twenty-four (24), located in  
Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Agnes and Jean Anne Q. Hoffman are restricted Quapaw Indians, and that there was purchased for them out of their restricted funds the following described real estate, to-wit:

North Half of Southeast Quarter of Southeast Quarter and Northeast  
Quarter of Southeast Quarter of Section Thirty-six (36), Township Twenty-  
eight (28), Range Twenty-two (22); North Half of Southwest Quarter of  
Section Twenty-three (23), Township Twenty-six (26), Range Twenty-Two (22);  
Southwest Quarter of Section Five (5), Township Twenty-seven (27), Range  
Twenty-three (23); Northwest Quarter of Southwest Quarter of Southeast  
Quarter of Section Five (5), Township Twenty-seven (27), Range Twenty-three  
(23), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Jean Ann Q. Hoffman is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

Northeast Quarter of Southwest Quarter and Southeast Quarter of Northwest  
Quarter of Section One (1), Township Twenty-eight (28) Range Twenty-three  
(23), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Martha Quapaw is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

West Half of Northwest Quarter of Northwest Quarter of Section Eight (8),  
Township Twenty-eight (28), Range Twenty-four (24), located in Ottawa  
County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Anna Slagle is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

East Half of Northwest Quarter of Section Eight (8), Township Twenty-eight  
(28), Range Twenty-four (24), in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Robert Thompson is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

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Southwest Quarter of Section Thirty (30), Township Twenty-nine (29), Range Twenty-two (22); Northwest Quarter of Southwest Quarter of Section Twenty-nine (29), Township Twenty-nine (29), Range Twenty-two (22); Southwest Quarter of Section Nineteen (19), Township Twenty-six (26), Range Twenty-two (22); Northwest Quarter of Southeast Quarter of Section Nineteen (19), Township Twenty-six (26), Range Twenty-two (22), located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That James Valliere is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Lot Ninety-one (91), and North Half of Lot Ninety-two (92), Rockdale addition to the city of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Helen W. Romick is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

Northeast Quarter of Northwest Quarter and South Half of Northwest Quarter of Northwest Quarter and Northeast Quarter of Northwest Quarter of Northwest Quarter of Section Eleven (11), Township Twenty-seven (27), Range Twenty-two (22); Lot One (1) of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27), Range Twenty-three (23); Northeast Quarter of Section Twelve (12), Township Twenty-seven (27), Range Twenty-two (22); Lot Ten (10) and Southeast Ten (10) acres of Lot Nine (9), Section Six (6), Township Twenty-seven (27), Range Twenty-three (23), all located in Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Robert Whitebird is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Lot Sixteen (16), Block Five (5), Shapp-Whitebird Addition to the City of Quapaw, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Dennis Wilson is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

East Half of Northwest Quarter of Section Ten (10), Township Twenty-seven (27), Range Twenty-two (22); Lot Seven, Block Twenty-one (21) in the city of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Irvin Wilson is a restricted Quapaw Indian, and that there was purchased for him out of his restricted funds the following described real estate, to-wit:

Southeast Quarter of Section Thirty-three (33), Township Twenty-eight (28), Range Twenty-two (22); East Half of Southwest Quarter of Section Thirty-three (33), Township Twenty-eight (28), Range Twenty-two (22); South Half of Northeast Quarter, less the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section Thirty-three (33), Township Twenty-eight (28), Range Twenty-two (22); Southeast Quarter of the Northwest Quarter of Section Thirty-three (33), Township Twenty-eight (28), Range Twenty-two (22); South Half of Southwest Quarter of Southwest Quarter of Northeast Quarter of Section Six (6), Township Twenty-seven (27), Range Twenty-three (23), Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Louise Wilson Jennison is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

Northwest Quarter of Northwest Quarter of Section Twenty (20), Township Twenty-eight (28), Range Twenty-four (24); Southwest Quarter of Section Seventeen (17), Township Twenty-eight (28), Range Twenty-four (24), all located in Ottawa County, State of Oklahoma.

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

That Mary Wilson Stanley is a restricted Quapaw Indian, and that there was purchased for her out of her restricted funds the following described real estate, to-wit:

Southeast Quarter of Southeast Quarter and Southeast Quarter of Southeast Quarter and Southwest Quarter of Southeast Quarter of Section Two (2), Township Twenty-eight (28), Range Twenty-four (24); Lots Five (5) and Six (6), Block Thirty-two (32) in the city of Miami, Ottawa County, State of Oklahoma,

which property is restricted against alienation or encumbrance except with the consent or approval of the Secretary of the Interior.

The Court further finds that the duly constituted taxing authorities of Ottawa County, State of Oklahoma, placed the above described real estate upon the tax rolls of said county for the year 1936. That the placing of said real estate upon the tax rolls of Ottawa County, Oklahoma, for the year 1936 was in violation of the provisions of Section 2 of the Act of Congress of June 20, 1936.

The Court further finds that the County Treasurer of Ottawa County, Oklahoma, has demanded payment of said taxes and will attempt to collect said taxes.

IT IS THEREFORE THE DECREE of the Court that the defendants, Board of County Commissioners of Ottawa County, Oklahoma, and Russell Doss, County Treasurer of Ottawa County, Oklahoma, strike from the tax rolls of Ottawa County, State of Oklahoma, for the year 1936, all of the above described real estate, and that the defendant, Russell Doss, County Treasurer of Ottawa County, Oklahoma, is hereby restrained and enjoined from demanding or accepting any taxes on said above described real estate for the year 1936, and the said defendants, and each of them are further restrained and enjoined from selling, or offering to sell any of the above described real estate for the non-payment of the purported 1936 taxes, and said defendants, and each of them are further restrained and enjoined from acting individually, jointly or officially in interfering with and hindering this plaintiff in any of its actions in connection with its policy of caring for an

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 1, 1939

protecting its said wards and the real estate involved herein.

It is the further decree of the Court that plaintiff recover its costs herein from the defendants.

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

Whit Y. Mauzy, United States Attorney  
Chester A. Brewer, Assistant United States Attorney

F. E. KENNAMER  
JUDGE

ENDORSED: Filed May 1 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

A. A. DRUMMOND, )  
VS. ) No. 105 - C.  
MADELAIN R. DRUMMOND )

:::

It appearing that the defendant has not answered herein, pending final action on plaintiff's motion to remand;

And it further appearing that plaintiff has filed an additional motion to remand setting forth no answer has been filed;

And it further appearing that defendant has made application to file said answer, notwithstanding said motion to remand has not been acted upon, and the ten day after notice of the court's action on said original motion to remand (as is provided for in Rule 12 of the New Federal Procedure Rules) has not commenced or expired.

It is therefore ordered that the defendant herein may file here answer, subject to the Court's final disposition of plaintiff's second motion to remand.

This the 1st day of May, 1939.

F. E. KENNAMER  
JUDGE OF SAID COURT

A COPY OF THIS ORDER HAS been mailed to Henry R. Duncan, Attorney for plaintiff, A. A. Drummond.

L. J. WARDLAW  
Attorney

ENDORSED: Filed May 1 1939  
H. P. Warfield, Clerk  
U. S. District Court

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 1, 1939

49

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

GLADYS MOORE,

Plaintiff, )

vs. )

No. 106 )

MISSOURI, KANSAS & TEXAS RAILROAD  
A CORPORATION,

Defendant. )

O R D E R

Now, on this 1st day of May, 1939, the motion of the defendant railroad company heretofore filed, with reference to taking depositions, coming on to be heard, the parties appearing by their respective counsel, and the court having been and heard said motion, and being fully advised in the premises,

IT IS THEREFORE CONSIDERED ORDERED, ADJUDGED AND DECREED by the court that the plaintiff be and is hereby granted permission and authority to take the deposition of defendant's brakeman, F. E. Hoog, without further cost and expenses to the plaintiff on account of lost time and expense of said witness. Said deposition to be taken by the court reporter, George Lessley, at his office in the Federal Building, on May 2, 1938, unless the parties shall otherwise agree.

IT IS FURTHER ORDERED that the defendant be, and is hereby authorized and permitted to take the deposition of the plaintiff, Mrs. Gladys Moore, at the hospital in the City of Tulsa where she is now confined, on the same date, if her physician, Dr. Wade Sisler, is of the opinion that her deposition can be safely taken; and otherwise that said deposition shall be on some reasonable date before the trial of this case.

Each party to pay the costs of the taking of their deposition.

APPROVED: M. D. GREEN C. S. WALKER J. E. M. TAYLOR  
Attys for Deft.

F. E. KENNAMER  
JUDGE

APPROVED AS TO FORM:  
ROY V. LEWIS, Copy received.

ENDORSED: Filed May 1 1939  
H. P. Warfield, Clerk  
W. S. District Court EA

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

SPECIAL MARCH 1939 TERM

MONDAY, MAY 1, 1939

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

United States of America, Plaintiff, )  
vs. ) No. 1918 LAW  
James Kastl, J. N. Swanson and )  
S. C. Ponton, Defendants. )

O R D E R

Now on this 1st day of May, 1939, this matter coming on before the Court on application of the plaintiff for an order directing payment of the judgment and court costs in this cause of action, and it being shown to the Court that Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, has heretofore been appointed Receiver in this cause, and that he has on hands sufficient funds to pay the judgment and costs of this action;

IT IS THEREFORE THE ORDER of the Court that Jno. P. Logan, Receiver, be, and he hereby is directed to pay to H. P. Warfield, Clerk of the United States District Court for the Northern District of Oklahoma, the sum of \$33.25, court costs in this cause.

IT IS THE FURTHER ORDER of the Court that said Receiver is hereby directed to pay to D. Gentry, Special Disbursing Agent, for the Osage Indian Agency, the sum of \$246.78, in full payment and satisfaction of the principal and interest in this action.

IT IS FURTHER ORDERED that upon payment of said sums the judgment in this cause be satisfied and released.

F. E. KENNAMER  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer, Assistant United States Attorney

ENDORSED: Filed May 1 1939  
H. P. Warfield, Clerk,  
U. S. District Court H

RHODA JOHNSON, and SAM JOHNSON, Executor of the estate of Eli Kay, Plaintiff, )  
vs. ) No. 2406 - Law.  
UNITED STATES OF AMERICA, Defendant. )

Now on this 1st day of May, A. D. 1939, it is ordered by the Court that the Clerk file and spread Mandate of record in the above cause, same being in words and figures as follows, 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 Rhoda Johnson et al., plaintiffs, and United States of America, defendant, No. 2406 Law, the judgment of the said district court in said cause, entered on September 13, 1937, was in the following words, viz:

\*\*\*\*\*

"The court therefore orders and decrees that the motion of the defendant for judgment be and the same is hereby sustained and further orders and decrees that the plaintiff have and recover nothing by reason of this action as against the defendant, to which the plaintiffs except."

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 Rhoda Johnson and Sam Johnson, Executors of the Estate of Eli Kay, Deceased, and L. E. Hardridge, Executor of the Estate of Lucy McNack, Deceased, agreeably to the act of Congress in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by the court that the judgment of the said district court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to said district court for a new trial.

- - March 17, 1939.

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and judgment 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 28th day of April, in the year of our Lord one thousand nine hundred and thirty-nine.

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

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

ENDORSED: Filed May 1, 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 1, 1939

BEULAH M. GAMBILL, ET AL,	Plaintiffs,	)
-vs-		)
		) No. 1213 - Equity
UNITED STATES OF AMERICA,	Defendant.	)

Now on this 1st day of May, A. D. 1939, it is ordered by the Court that the Clerk file and spread Mandate of Record in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Beulah M. Gambill, et al., plaintiffs, and United States of America, defendant, No. 1213, Equity, the decree of the said District Court in said cause, entered on May 1st, 1938, was in the following words, viz:

\*\*\*\*\*

"It is therefore ordered, adjudged and decreed that the motion of the defendant to dismiss the bill of complaint and amended bill of complaint of the plaintiffs be, and it hereby is sustained, and said cause is hereby dismissed, to which ruling of the court plaintiffs except, and exceptions are allowed."

\*\*\*\*\*

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Beulah M. Gambill and Beulah M. Gambill, Administratrix of the Estate of Fred B. McHaffie, Deceased, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said district court for a new trial.

- - March 20, 1939.

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

WITNESS, the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 29th day of April, in the year of our Lord one thousand nine hundred and thirty-nine.

COSTS OF Clerk,

\*\*\*\*\*  
\$--

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

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

SPECIAL MARCH 1939 TERM

MONDAY, MAY 1, 1939

Printing Record \$ --  
Attorney, \$ --  
\$ --  
\$ --

ENDORSED: Filed May 1 1939  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
Court adjourned to May 2, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MAY 2, 1939

On this 2nd day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 2nd day of May, A. D. 1939, it being made satisfactorily to appear that Allen H. Wilson is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of the Court. (F.E.K.J.)

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff, )

vs. )

BOARD OF COUNTY COMMISSIONERS OF OSAGE  
COUNTY, STATE OF OKLAHOMA, LIVINGSTON HALL,  
County Treasurer, of Osage County, State of  
Oklahoma, and L. D. SOUTER County Assessor  
of Osage County, State of Oklahoma, )

Defendants. )

No. 110

O R D E R

Now on this 2nd day of May, 1939, this matter comes regularly on for hearing upon the application of the defendants for additional time within which to answer; and it appearing to the Court that the matters involved herein are in process of settlement; and that no objection is made upon the part of the plaintiff to such additional time being granted.

IT IS THEREFORE ORDERED that the defendants be granted sixty (60) days from the date

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

SPECIAL MARCH 1939 TERM

TUESDAY, MAY 2, 1939

hereof within which time to answer.

F. E. KENNAMER  
JUDGE

SERVICE OF COPY ACK.  
WHIT Y. MAUZY

ENDORSED: Filed May 2 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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

D. Schmidt, Plaintiff, )  
 )  
v. )  
 )  
Joe T. Parkinson, County Treasurer of Tulsa )  
County, Oklahoma; John H. Miller, Chairman )  
of the Board of County Commissioners of )  
Tulsa County, Oklahoma; The Board of County )  
Commissioners of Tulsa County, Oklahoma; )  
R. F. Henshaw; C. W. McAllister; C. C. )  
Brissey; Paul F. Miller; The City of Broken )  
Arrow, a Municipal Corporation; J. A. Barth; )  
Jesse D. Walker; Mrs. W. F. Starnes; Stella )  
M. Routh; and Jack McKeehan, Defendants. )

Civil Action File #116.

ORDER APPOINTING GUARDIAN AD LITEM

Now on this the 2nd day of May, 1939, the verified application of Eunice McKeehan having been filed herein and presented to the Court showing that Jack McKeehan, one of the defendants in the above-styled and numbered action, is a minor aged 16 years, and showing by said application that applicant is the mother and next friend of said minor, and asking that Z.I.J. Holt, an attorney of this Bar, be appointed guardian ad litem to defend for said minor defendant in this action, and asking that a reasonable time be granted said guardian ad litem to plead or answer herein;

And it appearing to the Court from said application, and plaintiff's complaint, and the summons and service herein had upon said minor defendant that it is necessary and proper that a guardian ad litem be appointed and given time to plead or answer herein;

IT IS THEREFORE ORDERED that said Z.I.J. Holt be and he is hereby appointed guardian ad litem for the minor defendant herein, Jack McKeehan, to defend said action for said minor defendant; and it is hereby granted 10 days' from this date to plead or answer herein.

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

Service of copy of Order above acknowledged  
This 2nd day of May, 1939.

Z.I.J. HOLT

ENDORSED: Filed May 2 1939  
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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MAY 2, 1939

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	
		)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY,		)	No. 118
STATE OF OKLAHOMA, LIVINGSTON HALL, County		)	
Treasurer of Osage County, State of Oklahoma,		)	
and L. D. SOUTER, County Assessor of Osage		)	
County, State of Oklahoma,	Defendants.	)	

O R D E R

Now on this 2nd day of May, 1939, this matter comes regularly on for hearing upon the application of the defendants for additional time within which to answer; and it appearing to the Court that the matters involved herein are in process of settlement; and that no objection is made upon the part of the plaintiff to such additional time being granted.

IT IS THEREFORE ORDERED that the defendants be granted Sixty (60) days from the date hereof within which time to answer.

F. E. KENNAMER  
JUDGE

Service of copy ack-  
WHIT Y. MAUZY

ENDORSED: Filed May 2 1939  
H. P. Warfield, Clerk  
U. S. District Court B

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	
		)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY,		)	No. 120
STATE OF OKLAHOMA, LIVINGSTON HALL, County		)	
Treasurer of Osage County, State of Oklahoma, and		)	
L. D. SOUTER, County Assessor of Osage County,		)	
State of Oklahoma,	Defendants.	)	

O R D E R

Now on this 2nd day of May, 1939, this matter comes regularly on for hearing upon the application of the defendants for additional time within which to answer; and it appearing to the Court that the matters involved herein are in process of settlement; and that no objection is made upon the part of the plaintiff in such additional time being granted.

IT IS THEREFORE ORDERED that the defendants be granted sixty (60) days from the date hereof within which time to answer.

F. E. KENNAMER  
JUDGE

Service of copy ack-  
WHIT Y. MAUZY

ENDORSED: Filed May 2 1939  
H. P. Warfield, Clerk  
U. S. District Court B

Court adjourned to May 3, 1939

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

SPECIAL MARCH 1939 TERM WEDNESDAY, MAY 3, 1939

On this 3rd day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

United States of America,	Plaintiff,	)	
		)	
vs.		)	No. 13 Civil
		)	
490,995 Acres of Land, more or less; in Delaware County, Oklahoma, Lucy Proctor, et al,	Defendants.	)	

O R D E R

Now on this 3rd day of May, 1939, this matter coming on before the Court on the motion of the defendant, Stephen Stilley, to dismiss said action, and the Court, after hearing the arguments of counsel, and being fully advised in the premises, finds that said motion should be overruled.

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

F. E. KENNAMER  
 JUDGE

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

CURTIS P. HARRIS  
 Curtis P. Harris, Special Attorney, Department of Justice.

ENDORSED: Filed May 4 1939  
 H. P. Warfield, Clerk  
 U. S. District Court B

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

IRA CARTER,	Plaintiff,	)
vs		)
TRI-STATE MOTOR TRANSPORT INC., a corp.,	Defendant.	)
		)
ANNA HOLT,	Plaintiff,	)
vs		)
TRI-STATE MOTOR TRANSPORT INC., a corp.,	Defendant.	)
		)
Z. ZELMA REYNOLDS formerly Belacretax,	Plaintiff,	)
vs		)
TRI-STATE MOTOR TRANSPORT INC., a corp.,	Defendant.	)

No. 80 Civil  
 No. 81 Civil  
 No. 92 Civil

ORDER APPOINTING COMMISSIONER TO TAKE DEPOSITIONS

On this the 3rd day of May 1939, these causes come on for hearing on the application of the plaintiffs and the defendant in the above captioned causes for an Order of this Court appointing Special Commissioner to take depositions of various witnesses in the State of Missouri.

The Court, having read and considered the application on file herein, finds that the application should be granted and that George H. Lessley should be appointed a Special Commissioner of this Court with full power and authority to swear witnesses and take evidence as offered by the parties in deposition form to be used in the trial of the above captioned cases.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that Geo. H. Lessley be and he is hereby appointed Special Commissioner by this Court for taking depositions of various witnesses, the evidence of which witnesses to be used in the above cases and each of them.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that Geo. H. Lessley is hereby empowered and granted permission and authority of this Court and specially commissioned to swear and place under oath all witnesses offered by either party in the above cases and to swear witnesses with the same force and authority the same as a regularly appointed clerk of this court could do and is empowered and authorized to do all things necessary to be done in order to take, produce and perpetuate the testimony of said witnesses in deposition form to be used as evidence in the above entitled causes.

To that extent and for that purpose the said Geo. H. Lessley is given the full sanction of this Court and all of the power and authority that this Court has the legal right to grant in that connection.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a copy of this Order be filed in each of the above entitled cases and that the depositions taken by said Commissioner pursuant to this Order shall and may be used in each of the above numbered and styled causes the same as if said depositions bore the separate caption of each of said causes.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, MAY 3, 1939

IN WITNESS WHEREOF, I have hereunto executed the above and foregoing order in Tulsa this the day and year first above written.

F. E. KENNAMER  
J U D G E

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

GREEN & FARMER  
By W. E. Green  
Attorneys for Defendant

Copy delivered and acknowledged by  
B. A. HAMILTON, this May 3, 1939  
W. E. GREEN

ENDORSED: Filed May 3, 1939  
H. P. Warfield, Clerk  
U. S. District Court B.

Court adjourned to May 4, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, MAY 4, 1939

On this 4th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA, Plaintiff,  
vs. E. C. MULLENDORE, TRUSTEE OF MULLENDORE TRUST COMPANY, FRED A. DRUMMOND, ET AL, Defendants.

CIVIL NO. 14.

ORDER OF COURT PURSUANT TO PRE-TRIAL CONFERENCE

NOW, on this 3rd day of May, 1939, this matter coming on before the Court pursuant to an order setting this case for pre-trial conference, the plaintiff, United States of America, appearing by Judge Chas. B. Wilson, Special Legal Representative of the Secretary of the Interior, Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, the defendant, Fred A. Drummond, appearing by Hamilton & Kane, his attorneys, and the defendants, Geo. W. Smith and J. B. Smith, appearing by

H. P. White, their attorney. The Court after hearing statements of counsel, finds the following to be the material facts in this action:

The Southwest Quarter of Section 29, Township 26 North, Range 8 East, Osage County, Oklahoma,

constituted the homestead allotment of Mary Black DeRoin, otherwise known as May Black, Osage Allotment No. 2097;

The Northwest Quarter of Section 28, Township 28 North, Range 8 East;  
Southeast Quarter of Section 11, Township 27 North, Range 6 East;  
Southeast Quarter of Section 29, Township 26 North, Range 8 East,  
and the South Half of the Southwest Quarter of the Northeast Quarter of Section 27, Township 27 North, Range 11 East,

constituted the surplus allotment of the said allottee:

Lots 5 and 6, Block 40, Palmer Highland Addition to the City of Pawhuska, Osage County, Oklahoma,

were acquired by purchase by the said allottee during her lifetime. The deed conveying title did not contain a restrictive clause.

She was a full-blood member of the Osage tribe of Indians without a certificate of competency.

The said Mary Black DeRoin died intestate on or about May 18 or 19, 1928, seized and possessed of the above described lands.

In Probate cause No. 3280, in the County Court of Osage County, Oklahoma, Paul A. Comstock was appointed administrator of her estate. Letters of administration were issued to him on May 31, 1928. The said administrator gave notice to creditors, first notice being published June 29, 1928. The said administrator on November 4, 1929 filed a report which he designated a final report. On December 12, 1929, he filed a supplemental final report. On December 16, 1929, his final report and his supplemental report were approved and in the decree approving said final report the court determined and decreed that Frank DeRoin, husband, and Mildred DeRoin, minor child, were the sole and only heirs at law and entitled to inherit the property with which the said decedent died seized and possessed in equal undivided one-half shares.

The said Frank DeRoin was not a member of the Osage tribe of Indians, but was a member of the Otoe tribe of Indians, 5/8 degree Indian blood. That he was under guardianship of the United States of America and under the supervision of the Pawnee Indian Agency of Oklahoma.

At the time of the death of the said Mary Black DeRoin she had on deposit in the Osage Indian Agency the sum of \$34,084.25. During the four months' notice to creditors the total claims filed against her estate aggregated the sum of \$3,726.94. All of said claims were paid by the administrator with money furnished to him from the Osage Indian Agency for the specific purpose of paying same.

The said Frank DeRoin died on or about February 24, 1938.

There was no written order of the County Court directing the administrator to turn the real estate over to the heirs at the end of the ten months' period from the date of the first publication of notice to creditors.

On May 15, 1929, the said Frank DeRoin executed a farm lease on all of the real estate hereinbefore described except that located within the City of Pawhuska to Alfred A. Drummond for a period of time beginning on April 1, 1929 to and including April 1, 1946, for a rental of \$2,400.00, of which amount \$320.00 was paid in cash at the time the lease was executed and the

balance thereof to be paid at the rate of \$160.00 per year. The said Alfred A. Drummond went into possession of said real estate under said lease.

That the defendant, Geo. W. Smith, is in possession of an undivided one-half interest of the South Half of Section 29, Township 26 North, Range 8 East, under a lease contract with Alfred A. Drummond, concerning which the District Court of Osage County, Oklahoma, found as follows: "The Court further finds that the defendant, Geo. W. Smith, is the owner of a farm lease covering an undivided one-half interest in the South Half of Section 29, Township 26 North, Range 8 East, owned by Fred A. Drummond; That this lease expires upon the first day of March, 1943." That the defendant, J. B. Smith is in possession of an undivided one-half interest of the South Half of Section 29, Township 26 North, Range 8 East, under a Government or Departmental lease pleaded in his supplemental answer, executed on the 7th day of November, 1938, covering a period from the 1st day of April, 1939 to the 31st day of March, 1941 as to the one-half interest owned by Mildred DeRoin.

The lease from Frank DeRoin to Alfred A. Drummond was filed for record in the office of the County Clerk of Osage County, Oklahoma, on May 18, 1929 at 8 o'clock A.M., and is of record in Book 37 of Miscellaneous Records at Page 289 in said office.

On August 21, 1929 the said Frank DeRoin gave a note to E. L. Comstock for the sum of \$3,500.00 and upon the same date execute and delivered to E. L. Comstock a real estate mortgage in which he mortgaged an undivided one-half interest in all the real estate hereinbefore described as security for the payment of said \$3,500.00. A. W. Comstock and R. C. Drummond endorsed the said note and it was sold to E. C. Mullendore and by assignment became the property of E. C. Mullendore, trustee of the Mullendore Trust Company. On August 8, 1935, E. C. Mullendore, trustee of the Mullendore Trust Company, instituted suit in the District Court of Osage County, Oklahoma, to obtain judgment on said note and to foreclose said mortgage. That proceedings was conducted under No. 15266 in said court.

Frank DeRoin and Vena DeRoin, his wife, through attorneys, defended that cause of action. They attacked the jurisdiction of the court and pleaded various other defenses. In that same cause of action Pawhuska Motor Company intervened, asking the foreclosure of a mortgage given to it on December 18, 1929, by Frank DeRoin on one-half interest in the real estate hereinbefore described.

Judgment was rendered in that case, foreclosing the mortgage given to E. L. Comstock on which E. C. Mullendore, trustee, had filed suit as plaintiff and also foreclosing the mortgage given to the Pawhuska Motor Company. In said judgment it was provided that if the judgments in favor of the plaintiff and in favor of the Pawhuska Motor Company were not paid within a period of six months execution should issue directed to the sheriff of Osage County, Oklahoma, commanding him to advertise and sell according to law, without appraisement, the undivided one-half interest in all of said real estate and to apply the proceeds arising from said sale:

1. To the payment of the costs;
2. To the payment of taxes;
3. To the payment and satisfaction of the judgment in favor of the plaintiff;
4. To the payment and satisfaction of judgment rendered in favor of the Pawhuska Motor Company.
5. The residue to be paid to the clerk to abide further order of the court.

The judgment was not paid and no appeal was taken therefrom. After the expiration of six months execution was issued directed to the sheriff of Osage County, Oklahoma, commanding him to levy upon the said one-half interest in the said real estate, advertise and sell it without appraisement and to distribute the proceeds as provided in the judgment. Under said execution after having given the statutory notice the sheriff sold said real estate to R. C. Drummond. The sale was confirmed, the sheriff's deed issued. R. C. Drummond went into possession, subject to the lease to Alfred A. Drummond, and continued in possession until September 1, 1937

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when he conveyed the real estate to his co-defendant, Fred A. Drummond. No part of the proceeds of the sheriff's sale on foreclosure was applied on the Pawhuska Motor Company mortgage indebtedness or the judgment rendered thereon.

Fred A. Drummond has been in possession thereof, subject to the Alfred A. Drummond lease, from that date until this date and is in possession thereof at this time.

The said Fred A. Drummond did on the 3rd day of September, 1937 institute a partition suit in the District Court of Osage County, Oklahoma, against Mildred DeRoin, J. B. Smith, George W. Smith and others. Frank DeRoin was also made a defendant in that case for the reason that there had been a purported assignment of the Alfred A. Drummond lease to him. In that cause of action the district court of Osage County adjudged that the George W. Smith claim as sub-tenant of Alfred A. Drummond was good and decreed the right of the said George W. Smith to continue in possession of the said real estate as a sub-tenant of the said Alfred A. Drummond. The court decreed that the purported assignment from Alfred A. Drummond to Frank DeRoin was of no avail.

As between the plaintiff, Fred A. Drummond, and Mildred DeRoin, partition was made. In that cause of action Frank T. McCoy, Jr., was appointed guardian ad litem for Mildred DeRoin. As her guardian ad litem and after conference with officials of the Osage Indian Agency he filed an election on the part of his ward, Mildred DeRoin, to take a portion of the real estate at the value placed thereon by the commissioners.

The said Fred A. Drummond filed his election to take the remainder of the real estate at the appraisement set thereon by the commissioners.

The court approved said elections and directed the sheriff of Osage County, Oklahoma, to execute deeds to the said Mildred DeRoin and the said Fred A. Drummond for the respective portions of the land for which elections had been filed on behalf of Mildred DeRoin and by Fred A. Drummond. Said deeds were submitted to the Superintendent of the Osage Indian Agency with request that they be transmitted to the Secretary of the Interior with request for his approval.

Said partition suit was assigned serial No. 16651.

The United States was not a party to the foreclosure suit No. 15266 in the District Court of Osage County, neither was it a party to the partition suit No. 16651, in the District Court of Osage County. That at the time of the rendition of the final decree by the County Court of Osage County, Oklahoma, in the matter of the estate of May Black DeRoin, Osage allottee No. 2097, in Probate case No. 3280, there was at least \$14,508.07 held by the United States as Frank DeRoin's distributive share of the moneys belonging to said estate and that, thereafter, and on February 19, 1930, by check No. 98266, the said sum of \$14,508.07 was transmitted to the Superintendent of the Pawnee Indian Agency to be placed to the credit of the said Frank DeRoin.

It is ordered by the court that this action be submitted to the above facts and the defendants, Fred A. Drummond, Geo. W. Smith and J. B. Smith, are granted ten (10) days from this date within which to file their memorandum brief in support of their contentions and that the plaintiff, United States of America is granted ten (10) days from the date of the filing of the brief of the defendants, Fred A. Drummond, Geo. W. Smith and J. B. Smith, within which to file its brief.

IT IS THE FURTHER ORDER OF THE COURT that if the parties hereto desire to submit additional facts that the Court will receive and consider the same.

F. E. KENNAMER

U. S. District Judge.

O.K. as to form Service of copy acknowledged.

O.K. CHAS. B. WILSON

Chas. B. Wilson, Attorney for Plaintiff.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, MAY 4, 1939

WHIT Y. MAUZY  
Whit Y. Mauzy, United States Attorney

CHESTER A. BREWER  
Chester A. Brewer, Assistant U. S. Attorney.

HAMILTON & KANE  
Hamilton & Kane, Attorneys for Fred A. Drummond.

H. P. WHITE  
H. P. White, Attorney for Geo. W. Smith and J. B. Smith

ENDORSED: Filed May 4 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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

MARYLAND CASUALTY CO., of Baltimore, )  
Md. a corp., ) Plaintiff, )  
 ) )  
vs ) ) 1290 E  
 ) )  
E. A. KELLEAM, et al, ) Defendants. )

O R D E R

NOW on this the 4th day of May 1939 this cause comes on for hearing on application of the Receiver, J. M. Scott for authority to collect and receipt for funds accruing to the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 6, Township 18 North, Range 7 East of Creek County, Oklahoma, which funds have been held in suspense by the Magnolia Petroleum Company, a corporation for gas royalties for gas produced from said lease and it appearing to the Court that the said J. M. Scott, Receiver should be authorized to collect and receipt for said funds and that the said Magnolia Petroleum Company, a corporation, should be authorized to pay said funds to the Receiver as a part of the assets over which said Receiver was appointed.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the said J. M. Scott be authorized and directed to collect and receipt for, from the Magnolia Petroleum Company a corporation, of funds accruing on account of gas royalties credited to the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 6, Township 18 Range 7 East Creek County, Okla., being more specifically whatever funds are held in suspense to the account of Nell Southard and E. A. Kelleam and that the said Magnolia Petroleum Company be and the same is hereby directed to pay the funds accruing and held in suspense to J. M. Scott, Receiver, in the above entitled cause.

F. E. KENNAMER  
J U D G E

COPY MAILED TO: Glen O. Young, Sapulpa  
Heber Finch  
Pliney S Fry Newokla  
Fred S. Armstrong, Mt Smith, Ark.

Copy of Order Rec'd: GREEN & FARMER  
ENDORSED: Filed May 4 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

MARYLAND CASUALTY CO., of Baltimore,  
Md. a corp., Plaintiff, )  
vs. ) No. 1290 E  
E. A. KELLEAM, et al, Defendants. )

ORDER AUTHORIZING RECEIVER TO PAY OPERATING COSTS OF LEASE

NOW on this 4th day of May 1939 this cause comes on for hearing on application of J. M. Scott, Receiver for authorization to pay operating costs and expenses of the lease which he is operating under receivership in the above captioned cause.

It appearing to the Court that there is due J. M. Scott individually by J. M. Scott Receiver the sum of \$1443.57 operating costs properly chargeable to the interest of the defendants E. A. Kellam and Nell Southard covering the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 6, Township 18 North, Range 7 East, Creek County, Oklahoma and further that J. M. Scott individually should be reimbursed by J. M. Scott, Receiver the sum of \$25.00 for bond premium advanced by J. M. Scott individually.

It is therefore ordered, adjudged and decreed that J. M. Scott receiver be authorized and directed to pay J. M. Scott individually the sum of \$1443.57 operating expense properly chargeable to the interest of the defendants E. A. Kelleam and Nell Southard covering the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 6, Township 18 North, Range 7 East, Creek County, Oklahoma, and

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that J. M. Scott, Receiver, be authorized and directed to pay J. M. Scott, individually the sum of \$25.00 bond premiums advanced by J. M. Scott, individually.

F. E. KENNAMER  
JUDGE

Copy mailed to  
Glen O. Young, Sapulpa  
Heber Finch, Sapulpa  
Pliney S. Fry, Wewoka  
Fred S. Armstrong, Ft. Smith, Ark.

Copy received: GREEN & FARMER

ENDORSED: Filed May 4 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

MARYLAND CASUALTY CO., of Baltimore )  
Md. a corp., Plaintiff, )  
vs. ) No. 1290 E  
E. A. KELLEAM, ET AL, Defendants. )

ORDER AUTHORIZING JAMES E. BURK TO PAY RENT

NOW on this 4th day of May, 1939, on application of J. M. Scott, Receiver and for good cause shown it is hereby ordered, adjudged and decreed that J. M. Scott, Receiver be authorized and directed to collect from James E. Burk, Agent of properties under the control and in the custody of said Receiver secured as follows, to-wit:

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

SPECIAL MARCH 1939 term

TULSA, OKLAHOMA

THURSDAY, MAY 4, 1939

Lots 29 and 30 Block 7 Colle Hills Addition to the City of Oklahoma  
City, Okla.,

Lots 7 and 8 Block 2 Belle Verne Addition to the city of Oklahoma City,  
Okla.,

all rentals due said Receiver and the said James E. Burk is directed to pay to J. M. Scott,  
Receiver, said rentals.

Copy mailed to

F. E. KENNAMER  
JUDGE

Glen O. Young Sapulpa  
Heber Finch  
Pliny S. Fry - Wewoka  
Fred S. Armstrong - Ft. Smith

ENDORSED: Filed May 4 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

Court adjourned to May 8, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1939

On this 8th day of May, A. D. 1939, the District Court of the United States for  
the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to  
adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

ROSIE HELL STAND, Plaintiff, )  
vs. ) No. 2423 - Law.  
THE UNITED STATES OF AMERICA, Defendant. )

Now on this 8th day of May, A. D. 1939, it is ordered by the Court that the Clerk  
file and spread the Mandate of Record in the above styled cause, same being in words and figures  
as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

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

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1939

District of Oklahoma, before you, or some of you in a cause between Rosie Bell Stand, plaintiff, and United States of America, defendant, No. 2423 Law, the judgment of the said district court in said cause, entered on January 11, 1938, was in the following words, viz:

\* \* \* \* \*

"It is therefore the order and judgment of the court that Rosie Bell Stand, plaintiff, do have and recover of and from the defendant, The United States of America, the sum of Fifty-seven and 50/100 (\$57.50) Dollars per month for each and every month from and after the 17th day of August, 1922 (the date of the death of said deceased soldier) to the date of this judgment, said monthly payments to continue thereafter until the full 240 payments have been made as conditioned in said War Risk Insurance contract, less the whole number of months intervening between May 28th, 1919 and August 17th, 1922, and said payments be reckoned by the Veterans' Administration and paid in conformity with this judgment.

"It is the further order and judgment of this court that out of the money herein awarded the plaintiff, Harry Seaton and A. E. Williams, jointly, be and they are hereby awarded 10% of all money paid from August 17th, 1922 to the date of this judgment, and that Harry Seaton be and he is hereby awarded 10% of all money paid as a result of this judgment after the date hereof, and that said attorney fees hereby awarded be deducted from the amount awarded and paid direct."

\* \* \* \* \*

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

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

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

- - March 3, 1939.

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

WITNESS the Honorable CHARLES E. HUGHES, Chief Justice of the United States, the 6th day of May, in the year of our Lord one thousand nine hundred and thirty-nine.

COSTS OF  
Clerk,  
Printing Record  
Attorney

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\$-----  
\$-----  
\$-----  
\$-----  
\$-----

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

ENDORSED: Filed May 8 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MAY 8, 1939

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

THOMAS KAPSEMALIS,	Plaintiff,	)
		)
vs.		) No. 2551 - Law
		)
IRENE TAYLOR, nee DOUGLAS, et al.,	Defendants.	)

JOURNAL ENTRY OF JUDGMENT

BE IT REMEMBERED that heretofore on the 14th day of February, 1939, the above styled and numbered cause came on regularly for hearing before the court, the Plaintiff, THOMAS KAPSEMALIS, being present in person and by his attorneys, Glenn O. Young, and R. K. Robertson, the defendant, A. A. MOULDER, being present in person and by his attorney, T. L. Blakemore, the defendant, John L. Maynard, Executor of the Last Will and Testament of Charles E. Douglas, Deceased, appearing as such executor and as his own attorney, and the defendants, Irene Taylor, and Irene Taylor, Administratrix with Will Annexed of the Estate of Alice M. Douglas, Deceased, and Robert I. Taylor, appearing in person and by their attorney, A. N. Boatman;

All parties hereto having heretofore waived a jury and agreed to submit the issues of this case to the court without the intervention of a jury, and all parties having announced ready for trial;

The Plaintiff introduced his evidence and rested his cause, and THEREUPON, the defendants and each of them, interposed a demurrer to the evidence of plaintiff, and after due consideration thereof, the Court found that said demurrers were well taken and should be sustained.

Upon request of plaintiff the Court withheld entering final judgment, in order to enable the parties hereto to file suggested findings of fact and conclusions of law, and brief in support thereof, setting forth their respective positions in this cause, and each side thereupon was given ten (10) days from the 14th day of February, 1939 to file said suggested findings of fact and conclusions of law and brief;

NOW ON THIS 8th day of May, 1939, the court having examined the Suggested Findings of Fact and Conclusions of Law, does enter herein Findings of Fact and Conclusions of Law, as requested by the Plaintiff, and

IT IS BY THE COURT ORDERED, ADJUDGED, AND DECREED that the demurrers of the defendants, and each of them, to the evidence of plaintiff, be and they are hereby sustained, to which findings, conclusions, order and judgment of the Court, the plaintiff requested and was allowed an exception.

F. E. KENNAMER  
JUDGE

I hereby acknowledge that a true copy of the above and foregoing Journal Entry of Judgment has been served upon me this 6th day of May, 1939.

GLENN O. YOUNG  
ATTORNEY FOR PLAINTIFF

ENDORSED: Filed May 8 1939  
H. P. Warfield, Clerk  
U. S. District Court H

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

Lem Bennett, Plaintiff, )  
vs. )  
The Travelers Insurance Company, a corporation, ) No. 2629 - Law  
and Mid-Continent Petroleum Corporation, a )  
corporation, Defendants. )

ORDER SUSTAINING SEPARATE DEMURRERS

Now, on this 7th day of September, 1938, this cause came on upon regular setting for hearing on the separate demurrer of The Travelers Insurance Company, and upon the separate demurrer of the Mid-Continent Petroleum Corporation.

The plaintiff appeared by his attorney, B. A. Hamilton; the Mid-Continent Petroleum Corporation appeared by its attorney, I. L. Lockewitz, and The Travelers Insurance Company appeared by its attorneys, Bridges & Parry; and the court, having heard arguments of counsel, requests all parties to submit briefs on said separate demurrers for the consideration of the court.

And now, on this 8th day of May, 1939, this cause came on for decision on the separate demurrers above shown, and the court, having heard and considered arguments and having fully examined briefs submitted by counsel, and being otherwise fully advised in the premises, finds that the separate demurrers of The Travelers Insurance Company and Mid-Continent Petroleum Corporation should each be sustained, to which finding the plaintiff excepts.

It is, therefore, considered and adjudged by the court that the separate demurrer of The Travelers Insurance Company herein filed be and it is hereby sustained, to which the plaintiff, excepts.

It is further considered and adjudged by the court that the separate demurrer of the Mid-Continent Petroleum Corporation herein filed be and it is hereby sustained, to which the plaintiff excepts.

It is further ordered that the plaintiff be granted fifteen (15) days from this date within which to amend.

COPIES MAILED TO:  
B. A. HAMILTON, Attorney for Plaintiff.  
and  
I. L. LOCKEWITZ, Attorney for Defendant,  
Mid-Continent Petroleum Corp.  
May 9, 1939.  
RICHARD K. BRIDGES  
Attorney for the Defendant,  
The Travelers Insurance Co.

F. E. KENNAMER  
U. S. DISTRICT JUDGE

ENDORSED: Filed May 16 1939  
H. P. Warfield, Clerk  
U. S. District Court M E

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, et al, )  
Defendants. )

ORDER PERMITTING IVERSON TOOL COMPANY TO INTERVENE

Now on this 8th day of May, 1939, the above matter comes on for hearing upon the application of Iverson Tool Company praying for permission to intervene herein and claiming certain personal property under chattel mortgage herein which is now in the hands of the Receivers for the Gilmort Oil Company; applicant appears by Duff & Manatt, its attorneys, and presents its motion to the court from which the court finds that due notice has been given to the attorneys for the Receivers by mailing copy of the motion to intervene together with copy of the proposed Petition in Intervention, and the court having examined the petition in intervention, and the court having examined the petition in intervention and the motion praying for permission to intervene and being fully advised in the premises finds:

That said motion should be granted and the said applicant should be permitted to intervene herein and try its title to the personal property described in the Petition in Intervention

It is, therefore, ORDERED, ADJUDGED AND DECREED, by the Court, that the Iverson Tool Company be and it is hereby granted the right to intervene herein and set up its claim to the personal property described in its Petition in Intervention which is submitted together with the motion, and

It is further ORDERED, ADJUDGED AND DECREED, by the Court that the said intervener is authorized to try and all issues with the Receivers of the Gilmort Oil Company which may arise out of the claim of the Iverson Tool Company for possession of the personal property described in its motion and Petition in Intervention.

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

OK: DUFF & MANATT  
Attorneys for Intervener

ENDORSED: Filed May 8 1939  
H. P. Warfield, Clerk  
U. S. District Court H

-----  
Court adjourned to May 9, 1939

On this 9th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

MISCELLANEOUS - ORDER EMPANELING PETIT JURY.

On this 9th day of May, A. D. 1939, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Special March 1939 Term of this court at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned as follows:

Earl Yeargain	Carl Grahma
Bert Maning	G. W. Bell
G. R. Ramsey	John Warren
Jack Robinson	R. C. Trout
Fred Hill	L. O. Judd
Evan Durell	Manard Hunley
Victor J. Place	Payton Hurt
R. E. Johnson	Geo. E. Sprayberry
George Linde	Frank Arnold
J. D. Standridge	Grant Laxman
Earnest Ault	Ed Wensel
W. M. Metzger	Chas. Veelker
Barnice B. Brown	J. H. Shaver
Homer Odell	Bill Wood
Sam Bishop	Jim Ball
Cecil Henry	R. L. Lowe
Milburn R. Condray	A. B. Capps
B. E. Whitehand	Oscar Rush
W. S. Hewitt	W. B. Snider
Wake D. Frank	Claude Fries
Lon Jordan	Roy Radley
Everett P. Moss	M. D. Wisdom
J. M. Adkison	J. C. Wells
Murchell Hollinghead	Ted Kennedy
W. O. Tomson	Walter Sharp

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

G. R. Ramsey	W. P. Tomson
Jack Robinson	L. O. Judd
Victor J. Place	Geo. E. Sprayberry
George Linde	R. L. Lowe
Earnest Ault	W. B. Snider
Homer Odell	M. D. Wisdom
Cecil Henry	Ted Kennedy

are excused from service as Jurors for the term.

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

Fred Hill

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MAY 9, 1939

and of those not served

Manard Hunley

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 1939 Term of Court.

ENDORSED: Filed In Open Court  
May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court

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

G. E. ROUGHTON,

Plaintiff,

Vs.

No. 2 Civil

SECURITIES PRODUCTION CORPORATION,  
a Corporation, et al,

Defendants.

JOURNAL ENTRY OF DISMISSAL

Now on this the 9th day of May, 1939, the plaintiff having filed his dismissal with prejudice as to each, all and every of the defendants, and it being shown to the court that all matters involved in said suit have been settled, it is by the court ordered that said cause be and it is hereby dismissed against each, all and every of the defendants, with prejudice.

WITNESS MY HAND, this May 9, 1939.

F. E. KENNAMER

Judge

Service of copy unacknowledged.

APPROVED: DISNEY & RAYNOLDS By Robert W. Reynolds  
Attorneys for Plaintiff

APPROVED: E. J. LUNDY, Attorney for Defendants.

ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

G. C. ROUGHTON, Plaintiff, )  
Vs. ) No. 3 Civil  
UTILITIES PRODUCTION CORPORATION, a Corporation, et al, Defendants. )

JOURNAL ENTRY OF DISMISSAL

Now on this the 9th day of May, 1939, the plaintiff having filed his dismissal with prejudice as to each, all and every of the defendants, and it being shown to the court that all matters involved in said suit have been settled, it is by the court ordered that said cause be and it is hereby dismissed against each, all and every of the defendants, with prejudice.

WITNESS my hand, this May 9, 1939.

F. E. KENNAMER  
JUDGE

SERVICE OF COPY ACKNOWLEDGED:  
APPROVED: DISNEY & RAYNOLDS, By Robert W. Reynolds  
Attorneys for Plaintiff.  
APPROVED: E. J. LUNDY, Atty for Defendants.  
ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

G. C. ROUGHTON, Plaintiff, )  
Vs. ) No. 4 Civil  
UTILITIES PRODUCTION CORPORATION, a Corporation, et al, Defendants. )

JOURNAL ENTRY OF DISMISSAL

Now on this the 9th day of May, 1939, the plaintiff having filed his dismissal with prejudice as to each, all and every of the defendants, and it being shown to the Court that all matters involved in said suit have been settled, it is by the Court ordered that said cause be and it is hereby dismissed against each, all and every of the defendants, with prejudice.

Witness my hand, this May 9, 1939.

F. E. KENNAMER  
JUDGE

Service of copy acknowledged:  
APPROVED: DISNEY & RAYNOLDS, by Robert W. Reynolds  
Attorneys for Plaintiff  
APPROVED: E. J. LUNDY, Attorney for Defendants.  
ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

G. C. ROUGHTON, Plaintiff, )  
vs. ) No. 8 Civil  
UTILITIES PRODUCTION CORPORATION, a Corporation, Defendants. )

JOURNAL ENTRY OF DISMISSAL

Now on this the 9th day of May, 1939, the plaintiff having filed his dismissal with prejudice as to each, all and every of the defendants, and it being shown to the court that all matters involved in said suit have been settled, it is by the court ordered that said cause be and it is hereby dismissed against each, all and every of the defendants, with prejudice.

WITNESS MY HAND, this May 9, 1939.

F. E. KENNAMER  
Judge

Service of copy acknowledged:  
APPROVED: DISNEY & RAYNOLDS By Robert W. Reynolds  
Attorneys for Plaintiff  
APPROVED: E. J. LUNDY, Attorney for Defendants.  
ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

G. C. ROUGHTON, Plaintiff, )  
Vs. ) No. 9 Civil  
UTILITIES PRODUCTION CORPORATION, a Corporation, et al, Defendants. )

JOURNAL ENTRY OF DISMISSAL

Now on this the 9th day of May, 1939, the plaintiff having filed his dismissal with prejudice as to each, all and every of the defendants, and it being shown to the court that all matters involved in said suit have been settled, it is by the court ordered that said cause be and it is hereby dismissed against each, all and every of the defendants, with prejudice.

WITNESS MY HAND, this May 9, 1939.

F. E. KENNAMER  
Judge

Service of copy acknowledged:  
APPROVED: DISNEY & RAYNOLDS, By Robert W. Reynolds  
Attorneys for Plaintiff  
APPROVED: E. J. LUNDY, Attorney for Defendant.  
ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, PETITIONER )  
FOR CONDEMNATION, Plaintiff, )

vs )

No. 138 CIVIL

CERTAIN PARCELS OF LAND IN THE TOWN OF DRUMRIGHT, )  
COUNTY OF CREEK, STATE OF OKLAHOMA, The Long-Bell )  
Lumber Company, a Corporation organized under the )  
Laws of the State of Missouri, Edna I. Metz, et )  
al, Defendants. )

JUDGMENT ON DECLARATION OF TAKING.

Now on this 9th day of May, 1939, this matter coming on before the Court, and it appearing to the Court that on May 9th, 1939, the United States of America, petitioner for condemnation, filed its petition for condemnation of certain lands hereinafter described; and it further appearing to the Court that the United States of America has filed in this action a declaration of taking, and has deposited in the registry of the court a sum of money estimated by the acquiring authority to be a just compensation for the lands hereinafter described, in the sum of \$3,500.00;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the fee simple title to the following described land, to-wit:

Lot Fifteen (15); and the North Twenty-three and Five Tenths (23.5) feet of Lot Sixteen (16), Block One (1), Fulkerson's Second Addition to the Town of Drumright, Creek County, Oklahoma. Also the South One and Five Tenths (1.5) feet of Lot Sixteen (16), and all of Lot Seventeen (17), Block One (1), Fulkerson's Second Addition to the town of Drumright, Creek County, Oklahoma,

is vested in the United States of America.

IT IS THE FURTHER JUDGMENT AND DECREE of the Court that possession of the above described land be delivered to the United States of America on the 9th day of May, 1939.

IT IS THE FURTHER JUDGMENT of the Court that notice of entry of this judgment, and as to the date provided therein for delivery of possession be served upon the defendants, Long-Bell Lumber Company, a Corporation organized under the laws of the State of Missouri, and Edna I. Metz, by mailing a copy of said notice to said defendants.

F. E. KENNAMER  
JUDGE

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

CHESTER A. BREWER  
Chester A. Brewer,  
Assistant United States Attorney

ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court B

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

G. C. ROUGHTON, Plaintiff, )  
vs. ) No. 2645 Law  
UTILITIES PRODUCTION CORPORATION, a Corporation, et al., Defendants. )

JOURNAL ENTRY OF DISMISSAL

Now on this the 9th day of May, 1939, the plaintiff having filed his dismissal with prejudice as to each, all and every of the defendants, and it being shown to the court that all matters involved in said suit have been settled, it is by the court ordered that said cause be and it is hereby dismissed against each, all and every of the defendants, with prejudice.

WITNESS MY HAND, this May 9, 1939.

F. E. KENNAMER  
JUDGE

Service of copy acknowledged.  
APPROVED: DISNEY & RAYNOLDS, By Robert W. Raynolds  
Attorneys for Plaintiff

APPROVED: E. J. LUNDY, Attorney for Defendants.

ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

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

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

O R D E R

Now on this 6th day of February, 1939 comes on for hearing the claims of T. H. Conroy, O. B. Marrs, Lawrence Stewart, Lawrence Stewart, Jr., L. S. McKee, C. H. Grundish and S. B. Thomas, for work and labor performed for the Gilmort Oil Company or the Receivers of the Gilmort Oil Company subsequent to March 24th, 1938, being the date L. L. Wiles and Wilbur Holleman were duly appointed Receivers of the Gilmort Oil Company. T. H. Conroy, O. B. Marrs, Lawrence Stewart, and Lawrence Stewart, Jr. being represented by their attorney, Robert J. Woelsey, L. S. McKee being represented by his attorney, C. A. Warren, C. H. Grundish being represented by his attorneys, Powell, Clayton and G. S. Hilford, S. B. Thomas being represented by his attorney, T. D. Evans, the Receivers, L. L. Wiles and Wilbur Holleman, appearing in person and by their attorneys, Lawrence Mills and Harold Stuart, the Court being fully advised in the premises finds:

That S. B. Thomas' claim in the sum of \$20.18 for work performed in the office of the Gilmort Oil Company, Kennedy Building, Tulsa, Oklahoma, that he worked at said office for five days following March 24th, 1938 the date the Receivers were appointed; that the Receivers never employed S. B. Thomas, that he did not receive his letter notifying him that he would not be employed

until March 29th; that S. B. Thomas, in good faith, remained in the offices and continued the work he had previously been doing; that he in good faith believed he was working for the Receivers during this five day period.

The Court further finds that T. H. Conroy, O. B. Marrs, Lawrence Stewart, Lawrence Stewart, Jr., L. S. McKee and C. H. Grundish were working in Atoka County, that the United States District Court for the Northern District of Oklahoma never assumed jurisdiction over the property where these claimants worked, that they had no agreement with the Receivers to work for them, that they expected to be paid out of dry hole or bottom hole money which they had been informed was put up by a third party not the Receivers, that they received no pay from the Receivers and that all the money they received was paid by a third party, not the Receivers.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the claim of S. B. Thomas be and the same is hereby allowed in the sum of \$20.18.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claims of T. H. Conroy, O. B. Marrs, Lawrence Stewart, Lawrence Stewart, Jr., L. S. McKee and C. H. Grundish be and the same are hereby denied.

F. E. KENNAMER  
DISTRICT JUDGE

ENDORSED: Filed May 9 1939  
H. P. Warfield, Clerk  
U. S. District Court EA

Court adjourned to May 10, 1939

On this 10th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

CHARLES L. MITCHELL, a minor, by and through )  
his next friend and father, L. L. MITCHELL, )  
Plaintiff, )  
vs. ) NO. 83 - Civil.  
TULSA CITY LINES, INC., a Corporation, )  
Defendant. )

JOURNAL ENTRY

Now on this 10th day of May, 1939, this cause comes on for trial pursuant to agreement of the parties at which time plaintiff appeared by his father and next friend, L. L. Mitchell, and his Attorneys B. A. Hamilton and H. E. Chambers and the defendant appeared by its Attorneys

Pierce & Rucker at which time a jury was waived and the cause was presented to the court and evidence taken; and the court after having heard the evidence and being otherwise well and sufficiently advised in the premises finds the issues in favor of the plaintiff and fixes the damages in the sum of Four Hundred (\$400.00) Dollars.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiffs have and recover of the defendant the sum of Four Hundred (\$400.00) Dollars, and the costs of this action.

F. E. KENNAMER  
JUDGE

OK and COPY RECEIVED  
B. A. HAMILTON  
Attorney for Plaintiff

TRUMAN B. RUCKER  
Attorney for Defendant

ENDORSED: Filed May 10 1939  
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 10th day of May, 1939, upon the application of J. H. Mc Birney, Successor Trustee, to Exchange National Bank of Tulsa, Oklahoma, for authority to sell real estate; and it appearing that among the assets coming into the hands of the trustee was a note executed by Millard H. Moore and Ruth A. Moore, for the principal sum of Three Thousand Dollars (\$3,000.00) upon which there was due the principal sum of Two Thousand Seven Hundred Forty Five & 21/100 Dollars (\$2,745.21), which said note was secured by a first real estate mortgage covering the following described real estate, to-wit:

Lot Twenty Four (24), Block Seventeen (17), Oak Cliff Addition to the City of Tulsa, Tulsa County, Oklahoma;

and it appearing that because of the inability of said trustee to collect said note, he instituted cause No. 59189 in the District Court of Tulsa County, Oklahoma, against the makers of the note, for the recovery of judgment upon said note and for the foreclosure of said real estate mortgage; and it further appearing that judgment was entered in said cause on the 16th day of December, 1937, against Millard H. Moore and Ruth A. Moore, for the principal sum of Two Thousand Seven Hundred Forty Five & 21/100 Dollars (\$2,745.21), together with interest to the date of judgment in the amount of One Thousand Four Hundred Thirty & 83/100 Dollars (\$1,430.52), plus the sum of Four Hundred Sixty Eight & 72/100 Dollars (\$468.72) advanced for insurance and taxes, and an attorney's fee of Two Hundred Eighty Five Dollars (\$285.00), as well as for the foreclosure of said real estate mortgage; that said real estate was offered for sale by the Sheriff

of Tulsa County, pursuant to appropriate proceedings therefor, and was purchased by J. H. McBirney, as Successor Trustee, he bidding the sum of Two Thousand Two Hundred Fifty Dollars (\$2,250.00) therefor, which said sum was credited upon said judgment, and that the said J. H. McBirney, Successor Trustee, is the present owner of the said real estate above described; and it further appearing that said real estate is improved by a dwelling house located at No. 1920 North Main Street in the City of Tulsa, and is presently rented by said trustee for the sum of Twenty five Dollars (\$25.00) per month; and it further appearing that said house is in a bad state of repair, needing a new roof, as well as painting and redecorating, and that it will probably cost the sum of Five Hundred Dollars (\$500.00) to repair and redecorate said house; and it further appearing that the trustee has an offer from Mrs. Ella A. Maness for the purchase of said house, for the sum of Two Thousand Three Hundred Dollars (\$2,300.00), payable Six Hundred Dollars (\$600.00) in cash and the balance at Twenty Five Dollars (\$25.00) per month, plus interest upon said unpaid balance at the rate of six per cent (6%) per annum, payable monthly, but the entire unpaid balance to be payable within three years; and it further appearing that the reasonable value of said real estate is Two Thousand Three Hundred Dollars (\$2,300.00) and that Mrs. Ella A. Maness has offered to pay that sum therefor, upon the terms as herein set out, accepting said real estate and the improvements thereon in their present state and condition; and it further appearing that no real estate brokerage commission is to be paid as the said sale is to be made directly; and it further appearing that the Advisory Committee appointed and designated by this court upon whom notice shall be given of sales of real estate herein, has been duly notified of said offer, and after considering the same the members of the said Committee have approved the said sale for said consideration and upon said terms and have recommended that the said trustee sell said real estate for said consideration and upon said terms; and it further appearing that the said trust estate is in liquidation, and that it is for the best interest of said trust estate to sell said real estate for said consideration and upon said terms; and it further appearing that the trustee herein has recommended the sale of said real estate for said consideration, and for other good cause,

IT IS ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized and empowered to sell to Mrs. Ella A. Maness the following described real estate, to-wit:

Lot Twenty Four (24) in Block Seventeen (17), Oak Cliff Addition to the City of Tulsa, Tulsa County, Oklahoma,

for the sum of Two Thousand Three Hundred Dollars (\$2,300.00), payable as follows: Six Hundred Dollars (\$600.00) in cash, payable upon execution and delivery of deed, and the unpaid balance to be payable at the rate of Twenty Five Dollars (\$25.00) per month, plus interest at the rate of six per cent (6%) per annum upon the unpaid balance, payable monthly, the entire unpaid balance to be payable within three (3) years.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, execute and deliver to Mrs. Ella A. Maness, trustee's special warranty deed, conveying the property above described upon payment by Mrs. Ella A. Maness of the sum of Six Hundred Dollars (\$600.00) in cash, and execution and delivery by Mrs. Ella A. Maness of note for the principal sum of One Thousand Seven Hundred Dollars (\$1,700.00), the unpaid balance, payable at the rate of Twenty Five Dollars (\$25.00) per month, plus interest at the rate of six per cent (6%) per annum, payable monthly, upon the unpaid balance, and first and prior real estate mortgage covering the property above described to secure the payment of said unpaid balance.

IT IS FURTHER ORDERED that the sale of said real estate by J. H. McBirney, Successor Trustee, to Mrs. Ella A. Maness, be and the same is hereby ratified, confirmed and approved.

ENDORSED: Filed May 10 1939  
H. P. Warfield, Clerk  
U. S. District Court H

F. E. KENNAMER  
United States District Judge

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA WEDNESDAY, MAY 10, 1939

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

UNITED STATES OF AMERICA, Plaintiff, )  
vs. ) NO. 1170 Equity.  
GULF REFINING COMPANY, A CORPORATION, )  
Defendant. )

O R D E R

On hearing, plaintiff in open court moves to amend its bill by striking paragraph VII thereof, appearing on page 7 thereof, and changing numbering of succeeding paragraphs accordingly.

IT IS ORDERED, that said motion be and is sustained and paragraph VII of plaintiff's bill appearing on page 7 thereof, is stricken, and the numbering of succeeding paragraphs of the bill changed accordingly.

Dated this 25th day of April, A. D. 1939.

F. E. KENNAMER  
JUDGE

ENDORSED: Filed May 10 1939  
H. P. Warfield, Clerk  
U. S. District Court AC

Court adjourned to May 11, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, MAY 11, 1939

On this 11th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

J. H. MORRIS, Plaintiff, )  
vs. ) No. 36 Civil  
WILLIAMS BROTHERS CORPORATION, a corporation, )  
Defendant. )

O R D E R

Now, on this 11th day of May, 1939, it appearing to the Court that plaintiff has



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

SPECIAL MARCH 1939 term

TULSA, OKLAHOMA

MONDAY, MAY 15, 1939

On this 15th day of May, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special March 1939 Term at Tulsa, met pursuant to adjournment Honorable F. E. Kennamer and Honorable Alfred P. Murrah, Judges, present and presiding.

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

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

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

WILLARD OLLER, Plaintiff,
vs. No. 15 Civil
THE CARTER OIL COMPANY, a corporation, Defendant.

O R D E R

NOW on this 15th day of May, 1939, the above cause coming on pursuant to regular setting, plaintiff appeared not, either in person or by counsel;

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that the said cause be and the same is hereby dismissed for lack of prosecution without prejudice, at plaintiff's cost.

F. E. KENNAMER
JUDGE

ENDORSED: Filed May 17 1939
H. P. Warfield, Clerk
U. S. District Court ME

VERDICT

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

W. L. JONES, Plaintiff,
vs. Case No. 78 Civil
GORDON INTERSTATE TRANSPORTATION COMPANY, and A. O. & T. Inc. a corporation, Defendant.

We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths, find for the plaintiff, and assess damages at Twenty Five Hundred DOLLARS against both defendants.

JAS. M. ADKISON
Foreman

ENDORSED: Filed In open court
May 15 1939
H. P. Warfield, Clerk
U. S. District Court H