

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 14, 1939

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

SINCLAIR PRAIRIE OIL COMPANY, A Corporation,	Plaintiff,)	
)	
vs.		)	No. 2652 Law
)	
Missouri-Kansas-Texas Railroad Company, a corporation,	Defendant.)	

O R D E R

Now on this 14 day of February, 1939, pursuant to stipulation of the parties hereto, it is considered, ordered and adjudged by the court that defendant have fifteen days additional time from February 14, 1939, within which to file and serve its answer brief herein.

F. E. KENNAMER
JUDGE.

ENDORSED: Filed Feb 14 1939
H. P. Warfield, Clerk
U. S. District Court

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2658 Law.
)	
Board of County Commissioners of Osage County, Oklahoma, and Livingston Hall, County Treasurer of Osage County, Oklahoma,	Defendants.)	

ORDER OVERRULING MOTION TO DISMISS

Now on this 14th day of February, 1939, this matter coming on before the Court on the motion of the defendants to dismiss this cause of action, 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 defendants appearing by their attorneys, Ladd H. Gambill, Gray and Palmer and Sim T. Carman, and plaintiff and the defendants having presented argument and having filed their briefs, and the Court being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same hereby is overruled, to which ruling of the Court defendants except, and exceptions are allowed, and defendants are given 40 days from February 17, 1939, within which to answer to plaintiff's complaint herein.

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

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

REGULAR JANUARY 1939 TERM

TUESDAY, FEBRUARY 14, 1939

O.K. SIM T. CARMAN
CHAS. R. GRAY
LADD H. GAMBILL
Attorneys for Defendants.

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America, Plaintiff,)
)
vs.)
) No. 2659 Law.
Board of County Commissioners of Osage County,)
Oklahoma, and Livingston Hall, County Treasurer)
of Osage County, Oklahoma, Defendants.)

ORDER OVERRULING MOTION TO DISMISS

Now on this 14th day of February, 1939, this matter coming on before the Court on the motion of the defendants to dismiss the cause of action, 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 defendants appearing by their attorneys, Ladd H. Gambill, Gray and Palmer and Sim T. Carman, and plaintiff and the defendants having presented argument, and having filed their briefs, and the Court being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same hereby is overruled, to which ruling of the Court defendants except, and exceptions are allowed, and defendants are given 40 days from February 17, 1939, within which to answer to plaintiff's complaint herein.

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 ATTORNEYS FOR PLAINTIFF.

SIM T. CARMAN
CHAS. R. GRAY
LADD H. GAMBILL
Attorneys for Defendants.

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 2683 Law.
)	
Board of County Commissioners of Osage)	
County, Oklahoma, and Livingston Hall,)	
County Treasurer of Osage County, Oklahoma,)	
Defendants.)	

ORDER OVERRULING MOTION TO DISMISS

Now on this 14th day of February, 1939, this matter coming on before the Court on the motion of the defendants to dismiss this cause of action, 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 by their attorneys, Ladd H. Gambill, Gray and Palmer and Sim T. Carman, and plaintiff and the defendants having presented argument and having filed their briefs, and the Court being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same hereby is overruled, to which ruling of the Court, defendants except, and exceptions are allowed, and defendants are given 40 days from February 17, 1939, within which to answer to plaintiff's complaint herein.

F. E. KENNAMER
JUDGE

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

CHESTER A. BREWER
Chester A. Brewer, Assistant United States Attorney.
ATTORNEYS FOR PLAINTIFF.

SIM T. CARMAN
CHAS. R. GRAY
LADD H. GAMBILL
ATTORNEYS FOR DEFENDANTS.

ENDORSED: Filed Feb 23 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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 14, 1939

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

United States of America,	Plaintiff,)	
)	
vs.)	
		)	No. 2695 Law
Board of County Commissioners of Osage County,)	
Oklahoma, and Livingston Hall, County Treasurer)	
of Osage County, Oklahoma,	Defendants.)	

ORDER OVERRULING MOTION TO DISMISS

Now on this 14th day of February, 1939, this matter coming on before the court on the motion of the defendants to dismiss this cause of action, 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 defendants appearing by their attorneys, Ladd H. Gambill, Gray and Palmer and Sim T. Carman, and plaintiff and the defendants having presented argument and having filed their briefs, and the Court being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the court that said motion be, and the same hereby is overruled, to which ruling of the Court defendants except, and exceptions are allowed, and defendants are given 40 days from February 17, 1939, within which to answer to plaintiff's complaint herein.

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
ATTORNEYS FOR PLAINTIFF.

SIM T. CARMAN
CHAS. R. GRAY
LADD H. GAMBILL
Attorneys for Defendants.

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America,	Plaintiff,)	
)	
vs.)	
		)	No. 2699 Law
Board of County Commissioners of Osage)	
County, Oklahoma, and Livingston Hall,)	
County Treasurer of Osage County, Oklahoma,)	
Defendants.)	

ORDER OVERRULING MOTION TO DISMISS

Now on this 14th day of February, 1939, this matter coming on before the Court on the motion of the defendants to dismiss this cause of action, 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 defendants appearing by their attorneys, Ladd H. Gambill, Gray and Palmer and Sim T. Carman, and plaintiff and defendants having presented argument and having filed their briefs, and the Court being fully advised in the premises, finds that said motion should be overruled,

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same hereby is overruled, to which ruling of the Court defendants except, and exceptions are allowed, and defendants are given 40 days from February 17, 1939, within which to answer to plaintiff's complaint herein.

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
ATTORNEYS FOR PLAINTIFF

SIM T. CARMAN
CHAS. R. GRAY
LADD H. GAMBILL
ATTORNEYS FOR DEFENDANTS.

ENDORSED: Filed Feb 23 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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 14, 1939

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs.)	
		)	No. 2709 Law
Board of County Commissioners of Osage County,)	
Oklahoma, and Livingston Hall, County Treasurer)	
of Osage County, Oklahoma,	Defendants.)	

ORDER OVERRULING MOTION TO DISMISS

Now on this 14th day of February, 1939, this matter coming on before the Court on the motion of the defendants to dismiss this cause of action, 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 defendants appearing by their attorneys, Ladd H. Gambill, Gray and Palmer and Sim T. Carman, and plaintiff and defendants having presented argument and having filed their briefs, and the Court being fully advised in the premises, finds that said motion should be overruled.

IT IS THEREFORE THE ORDER of the Court that said motion be, and the same hereby is overruled, to which ruling of the Court defendants except and exceptions are allowed, and defendants are given 40 days from February 17, 1939, within which to answer to plaintiff's complaint herein.

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
ATTORNEYS FOR PLAINTIFF.

SIM T. CARMAN
CHAS. R. GRAY
LADD H. GAMBILL
ATTORNEYS FOR DEFENDANTS.

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 15, 1939

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

MARIE KINDER,	PLAINTIFF,)	
)	
VS.		)	No. 2723 Law
)	
THE GUARANTY MINING & ROYALTY COMPANY, a corporation,	DEFENDANT.)	

February 15, 1939, this cause came on to be heard pursuant to call. The defendant was present and announced ready for trial. No one appeared on behalf of plaintiff. The cause was dismissed at the cost of the plaintiff.

It is, therefore, ordered and adjudged that defendant recover its costs expended herein.

F. E. KENNAMER

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

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

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

ORDER AUTHORIZING GIVING OF A QUIT CLAIM DEED

This cause coming on to be heard the 15 day of February, 1939 on the verified application of T. P. Farmer, receiver of the Exchange National Company for an order authorizing and empowering the said receiver to execute a quit claim deed to the following described real estate and it appearing to the court that the Exchange National Company in truth and in fact owns no interest in or to the following described real estate although a mortgage still appears of record which purports to give said company some interest in such property and the court finding all the material allegations in such application are true, finds that said application should be granted.

IT IS THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED, that the receiver of the Exchange National Company be, and the same is hereby authorized to give a quit claim deed to the following property, to-wit:

The north half (N $\frac{1}{2}$) of lot nine (9) Block Eleven (11) North Tulsa
Addition to the City of Tulsa, Tulsa County, Oklahoma, according to
the recorded plat thereof.

to the present owner or owners of record of the aforesaid real estate.

ENDORSED: Filed Feb 15 1939 H. P. Warfield, Clerk U. S. District Court B	<u>F. E. KENNAMER</u> United States District Judge
--	---

Court adjourned to February 16, 1939

324

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
 NORTHERN DISTRICT OF OKLAHOMA
 REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA THURSDAY, FEBRUARY 16, 1939

On this 16th day of February, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

Madelaine R. Drummond,	Plaintiff,)	
)	
-vs-		)	No. 48 - Civil
)	
Addie G. Drummond and A. A. (Jack) Drummond,	Defendants.)	

O R D E R

Now on this 16th day of February, 1939, the defendants request and are given permission to withdraw their Motions to Dismiss plaintiff's complaint, and it is ordered that the defendants be granted an additional time of twenty (20) days from this date in which to file an Answer.

F. E. KENNAMER

 JUDGE

ENDORSED: Filed Feb 16 1939
 H. P. Warfield, Clerk
 U. S. District Court B

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

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

O R D E R

On oral application in open Court of George H. Leslie for the balance due for reporting and transcribing the proceedings before the Special Master, W. L. Coffey, in the above entitled cause, the Court finds that the sum of \$1,561.25 is the correct amount, less \$500.00 previously paid.

IT IS HEREBY ORDERED that the Receivers, L. L. Wiles and Wilbur Holleman, pay to George H. Leslie ELEVEN HUNDRED FIFTY-ONE DOLLARS AND TWENTY-FIVE CENTS (\$1151.25) in full settlement for reporting the proceedings to date and transcribing the same.

F. E. KENNAMER

 J U D G E

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

THURSDAY, FEBRUARY 16, 1939

O.K. W. L. COFFEY Special Master.
E. J. DOERNER, Atty for Receiver

ENDORSED: Filed Feb 16 1939
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 17, 1939.

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 17, 1939

On this 17th day of February, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

United States of America,	Plaintiff,)
)
vs.		) No. 49 Civil
)
G. B. Sturgell, Martha Sturgell and Ethel)
Curry,	Defendants.)

ORDER FOR SERVICE BY PUBLICATION

Now on this 16th day of February, 1939, on application of the plaintiff, and by proper showing, it appearing to the undersigned Judge of the United States District Court for the Northern District of Oklahoma that the defendants, G. B. Sturgell, Martha Sturgell and Ethel Curry have not been served with process in this cause; that proper summons has been regularly issued therein, directed to said defendants in the Northern District of Oklahoma, and that the United States Marshal for said district has made return showing that said defendants can not be found in this district, and that proper service by order of this Court should be directed to each of said defendants, as provided by law, Section 118, Title 28, U.S.C.A., directing them to appear on a day certain to plead or answer to the complaint as hereinafter ordered.

IT IS THEREFORE THE ORDER of the Court that the defendants, G. B. Sturgell, Martha Sturgell and Ethel Curry appear and plead or answer to the complaint in this cause, wherein the plaintiff seeks judgment foreclosing a mortgage covering the following described land, to-wit:

Southwest Quarter (SW4) of Southwest Quarter (SW4) of Southeast Quarter (SE4); South Half (s2) of Southeast Quarter (SE4) of Southwest Quarter (SW4) of Southeast Quarter (SE4) of Section Thirty-three (33), Township Twenty-six (26), Range Nine (9), Osage County, Oklahoma.

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

1327

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 17, 1939

Lots Nine (9), Ten (10), Eleven (11), and Twelve (12),
Block Eleven (11), Tinker's Addition to the City of
Hominy, Osage County, Oklahoma,

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

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

It is further ordered by the Court that Jno. P. Logan, United States Marshal,
for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by
said return, Frank Lohowa, full-blood restricted Osage Allottee No. 683, a good and sufficient
Marshal's deed for the premises so sold, restrictions against alienation of said land without
the approval of the Secretary of the Interior to be retained.

F. E. KENNAMER

JUDGE

O.K. SERVICE OF COPY ACKNOWLEDGED.

CHESTER A. BREWER

Assistant United States Attorney

ENDORSED: Filed Feb 17 1939
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to February 20, 1939

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 20, 1939

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

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

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

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

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

ORDER DISMISSING AND QUASHING PROCEEDINGS

On this 20th day of February, 1939, Whit Y. Mauzy, United States Attorney

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

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 20, 1939

for the Northern District of Oklahoma, and Curtis P. Harris, Special Attorney, Department of Justice, present to the Court petitioner's application for Order of Dismissal, and after due consideration thereof, and the Court being fully advised in the premises, finds that the United States of America is entitled to an Order of the Court as prayed for in said application. The Court finds that the petitioner herein has acquired no vested rights as against the real estate or the party respondent. Parties respondent have no vested rights as against the petitioner by reason of these eminent domain proceedings.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all of the proceedings had in the above entitled cause are hereby dismissed, quashed, and set aside.

F. E. KENNAMER
J U D G E

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

Court adjourned to February 21, 1939

REGULAR JANUARY 1939 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 21, 1939

On this 21st day of February, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

IN THE 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 March, 1939, being the Regular Statutory day for the opening of the Regular Term of said Court at Vinita, Oklahoma, and the Court finds that there is insufficient business to cause said term to be held at Vinita,

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 March 1939 Term at Vinita, Oklahoma, on Monday, the 6th day of March, A. D. 1939, by proclamation in the manner and form provided bylaw, 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 Mar 8 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

ORDER DIRECTING SPECIAL MARCH 1939 TERM

It appearing that the accumulation of business in this District is of such a nature and volume as to require that a Special March Term of this Court be held at Tulsa, Oklahoma, in said District beginning Monday, March 6th, A. D. 1939 at 9 o'clock A.M.

IT IS THEREFORE ORDERED that a Special March Term of this Court be held at Tulsa, in said District, beginning on the 6th day of March A. D. 1939, at 9 o'clock A.M., to be designated as the Special March 1939 Term for the transaction of any business which might be transacted at a Regular term, and to continue until adjourned by the Court.

IT IS FURTHER ORDERED that the spreading of this Order upon the records of the Court and the publication thereof, shall be deemed sufficient notice of such Special Term.

DATED this 21st day of February, A. D. 1939.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Feb 21 1939
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to February 23, 1939

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA THURSDAY, FEBRUARY 23, 1939

On this 23rd day of February, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 23rd day of February, A. D. 1939, it being made satisfactorily to appear that Burdette C. Smith and Harold C. Harper are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are declared admitted to the Bar of the Court.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA THURSDAY, FEBRUARY 23, 1939

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

J. D. SIMMS, TRUSTEE, Plaintiff,)
vs.) No. 79 Civil
Louis P. Andrews, Deputy Collector of)
Internal Revenue, and H. C. Jones, Collector)
of Internal Revenue, Defendants.)

O R D E R

This matter coming on for hearing on this 23rd day of February, 1939, before Honorable F. E. Kennamer, Judge of said Court, plaintiff appearing by his counsel and defendants by their counsel, and the Court having considered the verified petition filed herein, and the arguments made by counsel for both plaintiff and defendants, and being fully advised in the premises, finds that the United States Attorney for the Northern District of Oklahoma, in behalf of the defendants, announced in open court that no sale under the notice heretofore issued of the land described as follows, to-wit:

East Half $E\frac{1}{2}$ of the Southwest Quarter ($SW\frac{1}{4}$) and the Southeast Quarter ($SE\frac{1}{4}$), less Ten (10) acres in the southeast corner of Section Seven (7), Township Nineteen (19) North, Range Fourteen (14) East, Tulsa County, Oklahoma,

would be held, pending final determination of this case on the issues involved, and that the said United States Attorney for the Northern District of Oklahoma further announced in open court that no proceeds derived from the Page notes would be covered into the Treasury of the United States, and that the Page notes would not be disposed of, or otherwise encumbered.

IT IS THEREFORE THE ORDER of the Court that no further action be taken herein, pursuant to the notice heretofore issued by the Collector of Internal Revenue with reference to the following described property, to-wit:

East Half ($E\frac{1}{2}$) of the Southwest Quarter ($Sw\frac{1}{4}$) and the Southeast Quarter ($SE\frac{1}{4}$), less Ten (10) acres in the southeast corner of Section Seven (7), Township Nineteen (19) North, Range Fourteen (14) East, Tulsa County, Oklahoma,

pending a final determination of the issues involved in this cause of action.

IT IS THE FURTHER ORDER of the Court that no funds now held by the Collector of Internal Revenue, or hereafter collected by the Collector of Internal Revenue, on the Page notes, be covered into the Treasury of the United States, pending final determination of the issues involved in this cause of action, and that same be held by him subject to the further order of the Court.

O.K. AS TO FORM. SERVICE OF COPY ACKNOWLEDGED.
WHIT Y. MAUZY

F. E. KENNAMER
JUDGE

Whit Y. Mauzy, United States Attorney
CHESTER A. BREWER

Chester A. Brewer, United States Attorney Assistant
HAROLD E. RORSCHACH

ATTORNEYS FOR DEFENDANTS.

GOLDESBERY & KLEIN ATTORNEYS FOR PLAINTIFF.
By JNO. M. GOLDESBERY

ENDORSED: Filed Mar 10 1939
H. P. Warfield, Clerk
U. S. District Court B

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

Stella May Boone and K. B. Turner,)
Trustee for Stella May Boone, Plaintiffs,)
-vs-)
The Cloco Gasoline Company, a corporation,) No. 2663 Law
The Mid-Continent Petroleum Corporation,)
a corporation, The Iron Mountain Oil)
Company, a corporation, and Sinclair)
Prairie Oil Company, a corporation, Defendants.)

ORDER OF DISMISSAL

This cause coming on for hearing this 23 day of February, 1939, upon the stipulation for dismissal with prejudice of this cause of action, it is hereby ordered, adjudged and decreed that the above entitled case be dismissed, with prejudice, at the cost of defendants.

F. E. KENNAMER
JUDGE

SERVICE OF COPY ACKNOWLEDGED

RALPH W. GARRETT
Atty for Defendant

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District Court ME

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

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

ORDER CONFIRMING SALE

THIS CAUSE COMING on to be heard on this the 23rd day of February, 1939, it being one of the regular court days of this court, on the motion of T. P. Farmer, Receiver for Exchange National Company, for an order approving and confirming the sale conducted by him on the 11th day of February, 1939, wherein he sold unto J. F. Abel and Jim Abel for the consideration of \$800.00, the following described premises, to-wit:

Southwest Quarter of Northwest Quarter and Southeast Quarter
of Northwest Quarter of Northwest Quarter and North Half of
Northwest Quarter of Southwest Quarter and Southwest Quarter of
Northwest Quarter of Southwest Quarter of Section 1, Township
23 North, Range 13 East, Washington County, Oklahoma, containing
80 acres, more or less,

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

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

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

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

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

Service of a copy of the foregoing instrument acknowledging this the 23rd day of February, 1939.

T. AUSTIN GAVIN
Attorney for Receiver.

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District Court H

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

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

ORDER CONFIRMING SALE

THIS CAUSE COMING on to be heard on this the 23rd day of February, 1939, it being one of the regular court days of this court, on the motion of T. P. Farmer, Receiver for Exchange National Company, for an order approving and confirming the sale conducted by him on the 11th day of February, 1939, wherein he sold unto O. C. Olsen, for the consideration of \$500.00, the following described premises, to-wit:

South Half of Northwest Quarter of Northeast Quarter and
South Half of Northeast Quarter of Northwest Quarter and
Northeast Quarter of Southeast Quarter of Northwest Quarter
of Section Thirty-one (31), Township Twenty-five (25),
North, Range Fourteen (14) East, Washington County, Oklahoma,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA THURSDAY, FEBRUARY 23, 1939

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that said motion be, and the same is hereby sustained; and

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

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

F. E. KENNAMER
United States District Judge

Service of a copy of the above and foregoing instrument acknowledged this 23rd day of February, 1939.

T. AUSTIN GAVIN
Attorney for Receiver

ENDORSED: Filed Feb 23 1939
H. P. Warfield, Clerk
U. S. District CourtH

IN THE UNITED STATES DISTRICT COURT IN AND FOR NORTHERN DISTRICT OF OKLAHOMA
THE LINCOLN NATIONAL LIFE INSURANCE COMPANY,)
Plaintiff,)
vs.) No. 873 Equity
EXCHANGE NATIONAL COMPANY,)
Defendant.)

ORDER AUTHORIZING EXECUTION OF OIL AND GAS MINING LEASE

THIS CAUSE COMING on to be heard on this the 23rd day of February, 1939, on the verified application of T. P. Farmer, Receiver for Exchange National Company, for authority to execute an oil and gas mining lease for a period of ten years from February 16th, 1939, unless oil and gas, or either of them is found in paying quantities, for the consideration of an annual rental of \$20.00, in favor of W. B. Pine, of Okmulgee, Oklahoma, covering the

South Half of the Southeast Quarter of the Southeast
Quarter of Section 35, Township 11 North, Range 15 East,
McIntosh County, Oklahoma,

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 term TULSA, OKLAHOMA THURSDAY, FEBRUARY 23, 1939

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

FRED W. SEYMOUR, Trustee, Plaintiff,)
-vs-) No. 1277 In Equity
GILMORT OIL COMPANY, a corporation,)
et al, Defendants.)

ORDER AUTHORIZING AND DIRECTING W. L. COFFEY, SPECIAL
MASTER, TO RECEIVE ADDITIONAL EVIDENCE ON
CLAIM OF W. D. JARRETT

Now on this 23 day of February, 1939 there is presented to the court the application of the claimant, W. D. Jarrett for an order authorizing and directing the Special Master heretofore appointed in this matter, W. L. Coffey, to receive additional evidence particularly as to the service upon the defendant, Gilmort Oil Company, a corporation or the receivers for said corporation heretofore appointed by this court, to-wit: Wilbur J. Holleman and L. L. Wiles, of notice of the filing of claimant's materialman's or mechanic's lien in the office of the Court Clerk of Tulsa County Oklahoma in accordance with law.

And the Court being satisfied that it will be just and equitable to receive further evidence in order to permit the Master's record to show the full proceedings had with reference thereto.

IT IS BY THE COURT ORDERED that the said W. L. Coffey special master be and he hereby is authorized and directed to receive such further evidence as to the service of notice of the filing of said lien claim as may be in accordance with justice.

And it appearing that the claimants who have heretofore filed claims with said Special Master are numerous and that it would be inadvisable to require personal service of this order upon them.

It is further ordered that a copy of this order be served upon the various claimants in this cause by mailing copy thereof to their respective attorneys and that service be made upon Fred W. Seymour, Trustee, plaintiff and Gilmort Oil Company, a corporation, defendant, and upon Wilbur J. Holleman and L. L. Wiles, receivers by delivering a copy of the application and this order upon their attorneys of record.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Feb. 23. 1939
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to February 24, 1939

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA FRIDAY, FEBRUARY 24, 1939

On this 24th day of February, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA FRIDAY, FEBRUARY 24, 1939

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

I. E. Nelson, et al, Complainants,)
vs.) No. 1266 In Equity
Sapulpa Gas Company, et al, Respondents.)

O R D E R

For good cause shown it is hereby ordered that I. E. Nelson, Trustee, be and he is hereby permitted and instructed to file upon the civil dockets of this court his certain action against Oklahoma Natural Gas Company, and all proper and necessary parties and public officials, for declaratory judgment of and affecting application and validity of Section 8 of Article 8 of the Constitution of the State of Oklahoma to the certain sale of the physical assets formerly of Sapulpa Gas Company to Oklahoma Natural Gas Company proposed in this action for confirmation.

John F. Hayden, is further directed to advance out of any funds in his hands such cost deposits as shall be required by the clerk of this court and any United States Marshall for costs incurred in connection with the service of process issued in the action above allowed.

Dated at Tulsa, Oklahoma this 24th day of February, 1939.

F. E. KENNAMER
United States District Judge

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

Court adjourned to February 25, 1939.

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA SATURDAY, FEBRUARY 25, 1939

On this 25th day of February, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

United States, Plaintiff,)
vs.) No. 1260 Equity
Albert Jackson and Rae Jackson, Defendants.)

ORDER APPROVING MARSHAL'S SALE

Now on this _____ day of February, 1939, came the plaintiff, the United States in its own behalf and in behalf of James G. Blaine, Osage Allottee No. 431, by its attorney, Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and moves the Court to confirm a sale of real estate by the United States Marshal for said district, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said District, on the 7 day of January, 1939, said sale being of the following described property, to-wit:

Lot Seven (7), Block Five (5), original town of Pawhuska, Osage County, Oklahoma.

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

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

It is further ordered by the Court that Jno. P. Logan, United States Marshal, for the Northern District of Oklahoma, make and execute to the purchaser of said land, as shown by said return, James G. Blaine, Osage Allottee No. 431, a good and sufficient Marshal's deed for the premises so sold, restrictions against alienation of said land without the approval of the Secretary of the Interior to be retained.

F. E. KENNAMER
 JUDGE

OK: CHESTER A. BREWER
 Assistant United States Attorney

ENDORSED: Filed Feb 25 1939
 H. P. Warfield, Clerk
 U. S. District Court H

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

United States,	Plaintiff,)	
)	
vs.		)	No. 1261 Equity
)	
S. C. Hill and Mrs. C. A. Hill,	Defendants.)	

ORDER APPROVING MARSHAL'S SALE

Now on this _____ day of February, 1939, comes the plaintiff, the United States in its own behalf and in behalf of Cynthia Daniels, full-blood restricted unallotted Osage Indian, by its attorney, Chester A. Brewer, Assistant United States Attorney for the Northern District of Oklahoma, and moves the Court to confirm a sale of real estate by the United States Marshal for said District, under a writ of execution and order of sale issued out of the office of the Clerk of the United States District Court for said district, on the 20 day of December, 1938, said sale being of the following described property, to-wit:

Lots Twenty-five (25), Twenty-six (26), and Twenty-seven (27), in Block Nine (9), of Tallchief Addition to the town of Fairfax, Osage County, Oklahoma, according to the recorded plat thereof.

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

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA SATURDAY, FEBRUARY 25, 1939

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

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

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

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

F. E. KENNAMER
JUDGE

OK CHESTER A. BREWER
Assistant United States Attorney

ENDORSED: Filed Feb 25 1939
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to March 3, 1939

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA FRIDAY, MARCH 3, 1939

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

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

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

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT
SITTING AT DENVER, COLORADO
TWENTY-SECOND DAY, JANUARY TERM, WEDNESDAY, MARCH 1st, A. D. 1939

PRESENT: Honorable Robert E. Lewis, Senior Circuit Judge,
Honorable Oris L. Phillips, Circuit Judge.

And other officers as noted on the twenty-third day of January, 1939.

Before Honorable Robert E. Lewis and Honorable Oris L. Phillips,
Circuit Judges.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA FRIDAY, MARCH 3, 1939

United States of America, Appellant,)
1851 vs.) Appeal from the District Court of the
Dorothy Lawrence, Guardian of Arvel) United States for the Northern District
Lawrence, Incompetent, Appellee.) of Oklahoma.

This cause came on to be heard on the motion of appellant to dismiss the appeal herein and was submitted to the court.

On consideration whereof, it is now here ordered by the court that said motion be and the same is hereby granted and that the appeal in this cause be and the same is hereby dismissed out of this court.

It is further ordered by the court that the clerk of this court forthwith transmit to the clerk of the United States District Court for the Northern District of Oklahoma a certified copy of this order.

A true copy as of record,

TESTE: ALBERT TREGO
Clerk.

(SEAL)

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

Court adjourned to March 4, 1939.

REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA SATURDAY, MARCH 4, 1939

On this 4th day of March, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1939 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, absent from the District, Honorable Alfred P. Murrah, Judge, present and presiding.

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

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
REGULAR JANUARY 1939 TERM TULSA, OKLAHOMA SATURDAY, MARCH 4, 1939

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

ORDER DIRECTING SPECIAL TERM

It appearing that the accumulation of business in this District is of such a nature and volume as to require that a Special Term of this Court be held at Miami, Oklahoma, beginning Monday, April 3, 1939 at 9 o'clock A.M.

IT IS THEREFORE ORDERED that a Special Term of this Court be held at Miami, in said District, beginning on the 3rd day of April, 1939, at 9 o'clock A.M., for the transaction of any business which might be transacted at a Regular Term, and to continue until adjourned by the Court.

IT IS FURTHER ORDERED that said Special Term shall be known as the Special April 1939 Term.

IT IS FURTHER ORDERED that the spreading of this order upon the court records shall be deemed sufficient notice of such Special Term.

ALFRED P. MURRAH
DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 58 Civil
ROBERT STUART AND GEORGE W. SMITH, Defendants.)

ORDER OF DISMISSAL

NOW, on this 4th day of March, 1939, this matter coming on before the Court, and it appearing that the amount sued for in said cause, together with the court costs, have been paid and that said cause should be dismissed;

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

AND IT IS SO ORDERED.

OK WHIT Y. MAUZY
United States Attorney

ALFRED P. MURRAH
U. S. District Judge.

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

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

REGULAR JANUARY 1939 TERM

SATURDAY, MARCH 4, 1939

of Oklahoma.

ALFRED P. MURRAH
JUDGE

OK WHIT Y. MAUZY
U. S. Atty

ENDORSED: Filed Mar 4 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.)

TULSA MILK PRODUCERS, Incorporated,)
FRED FINK and R. D. SMITTLE, its)
Receivers, and A. B. HASTINGS, Doing)
Business as The Twentieth Century Manu-)
facturing Company, Defendants.)

CIVIL FILE NO. 99

ORDER APPOINTING RECEIVER

Now on this 4th day of March, 1939, this matter coming on before the Court upon application of the Plaintiff for the appointment of a receiver to take charge of the following described property:

All of Lots Two (2) and Three (3) in Block Eighteen (18)
Burgess Hills Addition to the City of Tulsa,

together with the following: -

Seventy-one icing trays for use in schools
One hundred 10 gallon milk cans
One 5 gallon milk can
Eight 2 gallon milk cans
552 Milk cases
Seven sets of cream station equipment for receiving sour cream
Office equipment as follows:

Ten office chairs
Three office desks
One sage
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

Trucks:

One Chevrolet panel sedan, del. 1936 model
One Ford panel, 1936 model
One International truck C-1, 1936 model
One International truck 1½ ton, 1936 model
One International truck 1/2 ton panel, 1937 model
One International truck panel C-1, 1936 model
One International truck, 1933 model
One International truck, 1933 model
One International truck panel, 1934 model
One International truck panel B-2, 1931 model

together with all improvements, machinery, appliances and equipment thereunto belonging and used in connection therewith; and it appearing to the court that the defendant, Tulsa Milk Producers, Incorporated, have abandoned and surrendered said property into a receivership proceedings in the State Court, and that the receivers therein appointed with the approval of the court, have consented to a releasal and surrender of such property to a receiver appointed herein, and it further appearing that the property is inadequate to satisfy the indebtedness of plaintiff,

IT IS, THEREFORE, THE ORDER OF THE COURT, that Frank H. Letson be, and he is hereby appointed Receiver in this cause, to take charge of the above described property pending and awaiting the further order of the Court.

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

ALFRED P. MURRAH
JUDGE

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

VIDAL ZUNIGA, Plaintiff,)
vs.) No. 2260 LAW
UNITED STATES OF AMERICA, Defendant.)

ORDER OVERRULING MOTION FOR ANEW TRIAL

Now on this 4th day of March, 1939, this matter coming on before the Court on defendant's motion for a new trial, the defendant, 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 plaintiff appearing by his attorney Benj. E. Cook, and the Court being fully advised in the premises, finds that said motion should be overruled.

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

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 Mar 4 1939
H. P. Warfield, Clerk
U. S. District Court EA

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 2686 Law.
HENRY WILLIAMSON and L. A. WOODWARD,)
Defendants.)

ORDER OF DISMISSAL

NOW, on this 4th day of March, 1939, this matter coming on before the Court and it appearing that the amount sued for in said cause, together with the court costs, have been paid and that said cause should be dismissed;

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

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

C. E. BOND and NELLIE BOND, Plaintiffs,)
vs.)
EUCHEE TOM, SAM JACK, DANIEL LEE VADEN) NO. 1257 EQUITY
ET AL., Defendants.)
UNITED STATES OF AMERICA, Intervener.)

O R D E R

NOW, on this 4th day of March, 1939, on application of the intervener, United States of America, and for good cause shown, the Court finds that the time for preparing, serving, filing and lodging of the record in the Circuit Court of Appeals for the Tenth Circuit should be extended to April 25, 1939.

IT IS, THEREFORE, THE ORDER of the Court that the time for preparing, serving, filing and lodging of the record in this case in the Circuit Court of Appeals for the Tenth Circuit be and it hereby is extended to April 25, 1939.

AND IT IS SO ORDERED.

ALFRED P. MURRAH
U. S. District Judge

SERVICE OF COPY ACKNOWLEDGED
CHESTER A. BREWER, Asst. U. S. Atty.

ENDORSED: Filed Mar 4 1939
H. P. Warfield, Clerk
U. S. District Court ME

MISCL: ADJOURN COURT SINE DIE.
It is this day ordered in pursuance to Sec. 12 of the Judicial Code, that the Regular January 1939 Term of Court at Tulsa, be adjourned Sine Die.

Court adjourned to March 6, 1939.

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, MARCH 6, 1939

On this 6th day of March, 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 - DESIGNATION OF EXAMINER OR OFFICER.

DISTRICT COURT OF THE UNITED STATES NORTHERN DISTRICT OF OKLAHOMA
SITTING AT TULSA, OKLAHOMA

CLYDE L. JOHNSON, an examiner or officer of the Immigration and Naturalization Service serving within the territorial jurisdiction of the above-entitled court, is hereby designated under the provisions of the Act of June 8, 1926, to conduct preliminary hearings upon petitions for naturalization to such court, and to make findings and recommendations thereon, for the final action of the court. This designation shall remain in force until revoked.

Dated March 6, 1939.

F. E. KENNAMER
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Mar 6 1939
H. P. Warfield, Clerk
U. S. District Court

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

Mildred L. Mudd Station, Adminis-)
tratrix of the Estate of Alex Mudd,)
Deceased, Plaintiff.)
vs) No. 1292 Law
United States Fidelity and Guaranty)
Company, a corporation, et al. Defendants.)

J U D G M E N T

Now on this 6th day of March, 1939, the report of the referee or special master, Hon. William T. Rye, having been filed herein, plaintiff appearing by her attorneys, J. W. Bashore Esq., and W. M. Thomas, Esq., and the defendants Nannie Martin Caldwell, Administratrix of the estate of Jasper S. Martin, deceased, appearing by her attorney Cary Caldwell, Esq., and the defendant United States Fidelity and Guaranty Company, a corporation, appearing by its attorney, Bower Broadus, and the court being duly advised the said report is approved in all particulars.

IT IS, THEREFORE, ORDERED AND DECREED that the plaintiff, Mildred L. Mudd Station, Administratrix of the estate of Alex Mudd, deceased, do have and recover of Nannie Martin Caldwell, Administratrix of the estate of Jasper S. Martin, deceased, and of the United States Fidelity and Guaranty Company, and each of them, the sum of Twenty Five Hundred Dollars (\$2500.00) without interest and without cost, to which none of the parties to the said action except.

It further appearing to the court that there has been paid into the court the sum of Five Hundred Dollars (\$500.00) for costs, and that William T. Rye is entitled to fees for his services herein, -

IT IS FURTHER ORDERED AND DECREED that the accrued court costs be paid out of said deposit, and that the said special master for himself and for the work of his court reporter receive the sum of \$495.00.

The balance of said costs on deposit, if any, to be paid to the defendant United States Fidelity and Guaranty Company.

Due proof being had that the said judgment has been paid to the plaintiff by the United States Fidelity and Guaranty Company said judgment is hereby released and discharged.

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

APPROVED: W. M. THOMAS
J. W. BASHORE
Attorney for Plaintiff

APPROVED: GARRY CALDWELL
Attorney for defendant Nannie
Martin Caldwell, Administratrix
OF THE Estate of Jasper S. Martin, Deceased.

APPROVED: BOWER BROADBUSH
Attorney for United States Fidelity
and Guaranty Company, a corporation

APPROVED: WILLIAM T. RYE
Special Master

ENDORSED: Filed Mar 6 1939
H. P. Warfield, Clerk
U. S. District Court ME

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

Lorene Hanna, by her next friend,)
Vada Bell Hanna, Plaintiff,)
vs.) No. 2664 Law
The Goodyear Tire and Rubber Company,)
a corporation, Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this, the 6th day of March, 1939, the matter comes on to be heard before me, the undersigned, District Judge within and for the United States District Court for the Northern District of Oklahoma, upon the Stipulation of the parties entered into on the 6th day of March, 1939, and the plaintiff appearing in person and by her counsel of record, J. J. Smith, and the defendant appearing through its counsel of record, Roy Coyne and Frank Nesbitt;

Thereupon, the court proceeded to hear the testimony of the plaintiff together with the statements of counsel, and the court being fully advised in the premises finds that the sum of Twelve Hundred and No/100 Dollars (\$1,200.00) is an amount which fairly, and reasonably compensates the plaintiff for any and all injuries which she might have sustained at the hands of the defendant, and that the stipulation entered into between the parties is hereby approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff have and recover judgment against the defendant in the sum of Twelve Hundred and No/100 Dollars (\$1,200.00) together with the costs of this suit.

F. E. KENNAMER
 DISTRICT JUDGE

ENDORSED: Filed Mar 6 1939
 H. P. Warfield, Clerk
 U. S. District Court H

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

United States of America,	Petitioner,)	
)	
vs.		)	No. 2691 - Law
)	
138 acres of land, more or less, in the)	
County of Delaware, State of Oklahoma;)	
Curtis Stilley, et al.,)	
)	
Tract No. 78, 20 acres of land, more or)	
less in Delaware County, State of Oklahoma;		)	No. 2711 - Law
John A. Wood, also known as J. A. Wood, et al.,)	
	Respondents.)	

ORDER FOR PAYMENT TO COMMISSIONERS

Now on this 6th day of March, 1939, it appears to the Court that on the 27th day of December, 1938, Lester Jordan, Lee Capehart and R. E. Crowe were appointed by the Court as appraisers in the above entitled and numbered causes, and pursuant to said appointment did serve as appraisers and fix the value of the real estate being taken by eminent domain and filed their report herein on the 5th day of January, 1939.

It further appears to this Court that the aboe named 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. Crowe	\$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 cases, as appraisers, the sums and amounts set opposite each of their names, hereinabove.

ENDORSED: Filed Mar 6 1939
 H. P. Warfield, Clerk
 U. S. District Court

F. E. KENNAMER
 JUDGE

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 6, 1939

JOSEPHINE JUMP, nee STRIKEAXE,
ET AL.,

Plaintiffs.)

vs.)

No. 1221 - Equity.)

C. L. ELLIS, SUPT. OSAGE INDIAN
AGENCY,

Defendant.)

Now on this 6th day of March, A. D. 1939, it is ordered by the Court that the Clerk file and spread of record the Mandate 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

(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 Josephine Jump, nee Strikeaxe, et al., plaintiffs, and C. L. Ellis, Superintendent of the Osage Indian Agency, defendant, No. 1221, Equity, the decree of the said district court in said cause, entered on the 8th day of March, 1938, was in the following words, viz:

* * * * *

"It is, therefore, ordered, adjudged and decreed that the defendant's, or respondent's, motion to dismiss be, and the same hereby is sustained, and said cause be, and the same hereby is dismissed, to which orders and rulings of the court said plaintiff duly excepts, which exceptions are duly 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 Josephine Jump, nee Strikeaxe, and Joe S. McGuire, Guardian of James Strikeaxe, an incompetent, full-blood Osage Indian, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

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

On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said district court in this cause be and the same is hereby affirmed; and that C. L. Ellis, Superintendent of the Osage Indian Agency, appellee, have and recover of and from Josephine Jump, nee Strikeaxe, et al., appellants, his costs herein.

- - October 26, 1938.

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

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 6, 1939

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

COSTS OF	APPELLEE:
Clerk,	\$6.25
Printing Record.	\$None
Attorney,	\$20.00
	<u>\$26.25</u>

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

UNITED STATES CIRCUIT COURT OF APPEALS
TENTH CIRCUIT

Costs taxed in favor of appellee, in the case of Josephine Jump, nee Strikeaxe,
et al. vs. C. L. Ellis, Superintendent of the Osage Indian Agency, No. 1725

Filing record and docketing cause,	---
Filing copies of printed record,	---
Filing and entering 2 appearances for appellee	1 00
Filing and entering appearance for	---
Clerk, preparing record for printer, etc	---
Printer, for printing record,	---
Filing 1 paper	- 25
Entering order, folio	---
Filing briefs for appellee,	5 00
Filing briefs for	---
Filing opinion,	---
Filing and entering judgment or decree,	---
Filing petition for a rehearing,	---
Issuing mandate to District Court,	---
Filing receipt for mandate	---
Filing receipt for balance of deposit	---
Attorney's docket fee,	<u>20 00</u>
	<u>26 25</u>

ATTEST:

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

ENDORSED: Filed Mar 6 1939
H. P. Warfield, Clerk
U. S. District Court H

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

United States of America,	Complainant,)
)
vs.		) No. 1276 - Equity
)
Orie Johnson,	Respondent.)

O R D E R

Now on this 6th day of March, 1939, on application of Whit Y. Mauzy, United
States Attorney for the Northern District of Oklahoma, for an extension of time for the complainant,

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

SPECIAL MARCH 1939 TERM

MONDAY, MARCH 6, 1939

the United States of America, to file its reply brief in the above entitled cause, and for good cause shown, the Court finds that said application should be granted.

IT IS THEREFORE THE ORDER of the Court that, said complainant, the United States of America, be, and hereby is granted an extension of time of 30 days from March 6, 1939, within which to file its reply brief in said cause.

F. E. KENNAMER
JUDGE

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

WHIT Y. MAUZY,
United States Attorney

ENDORSED: Filed Mar 6 1939
H. P. Warfield, Clerk
U. S. District Court B

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

Federal Machine and Supply Co.)
and A. B. Ryan,)
Complainants,)
vs.) No. 1289 in Equity
Bradford Motor Works, Inc.,)
Defendant.)

ORDER GRANTING LEAVE TO FILE AMENDED ORIGINAL BILL OF COMPLAINT

Defendant consenting thereto, it is, upon motion of plaintiff's solicitor and counsel,

ORDERED:

- 1. That the within amended original bill of complaint be and the same is herewith filed.
- 2. That a subpoena ad respondendum need not issue under said bill.
- 3. That defendant shall appear and answer said bill within twenty (20) days from the date hereof.

Dated, Tulsa, Oklahoma, March 6, 1939.

F. E. KENNAMER
U. S. District Judge

Defendant consents to the entry of the foregoing order, without admission and reserving all rights to object to sufficiency or effort. February 25, 1939.
CHAS. R. BOSTICK
Counsel and solicitor for Defendant

JO BAILEY BROWN, of Counsel

ENDORSED: Filed Mar 6 1939
H. P. Warfield, Clerk
U. S. District Court B

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 6, 1939

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

United States of America,	Petitioner,)	
)	
vs.)	
		)	No. 13 - Civil
490.995 acres of land, more or less, in)	
Delaware County, State of Oklahoma; Lucy)	
Procotor, et al.,	Respondents.)	

ORDER FOR PAYMENT TO COMMISSIONERS.

Now on this 6th day of March, 1939, it appears to the Court that on the 23rd day of January, 1939, Lester Jordan, Lee Capehart and R. E. Crow were appointed by the Court as 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 26th day of January, 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 Mar 6 1939
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to March 7, 1939.

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 7, 1939

On this 7th day of March, 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:

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 7, 1939

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 AND PERSONAL PROPERTY

On this 7th day of March, 1939, upon the application of J. H. McBirney, Successor Trustee herein, for authority to sell real estate and personal property; and it appearing that the said J. H. McBirney, Successor Trustee, is the owner of

Lot Four (4), in Block Four (4) in Orcutt Addition to the City
of Tulsa, Tulsa County, Oklahoma,

as well as the furniture and furnishings located in the building thereon; and it further appearing that said real estate is improved by a two-story brick veneer house, 28' x 48', containing one apartment upstairs and one apartment downstairs, each apartment having five rooms, with a breakfast room and bath, and said real estate being further improved with a double-car garage and servants quarters, 28' x 20', said lot being located at No. 1516 South Trenton in the City of Tulsa, Oklahoma, having a frontage of fifty feet on Trenton Avenue and a depth of one hundred forty feet; and it further appearing that the said trustee acquired title to said real estate by virtue of compromise of indebtedness, evidenced by a certain promissory note executed by C. J. Felton and W. Faye Felton, upon which the principal sum of Ten Thousand Seventy Two & 95/100 Dollars (\$10,072.95) was due, which said note was secured by a real estate mortgage covering the property above described; that title to the said property was acquired by the said J. H. McBirney, as receiver of the Exchange National Company in Equity No. 873, United States District Court for the Northern District of Oklahoma, but in fact said assets constitute a part of this said trust, and that upon the appointment of J. H. McBirney as trustee herein, he took control, charge and possession of said real estate as a portion of the assets of this said estate, and the court finds and adjudges that said real estate above described are and constitute a part of the assets of this said trust.

The Court further finds that the books and records of said trust estate disclose an investment in said real estate of Ten Thousand Seventy Two & 95/100 Dollars (\$10,072.95) which sum is subject to a credit of Three Thousand Three Hundred Thirty Two & 42/100 Dollars (\$3,332.42), being the net amount of rents received from said property by said trustee.

The court further finds that the said trustee is the owner of the furniture located in said apartments, and that the said real estate and furniture and furnishings have been appraised for the sum of Eight Thousand Dollars (\$8,000.00).

The court further finds that the trustee has an offer from J. H. Hall of the sum of Seven Thousand Dollars (\$7,000.00) in cash, for the purchase of said real estate, improvements and furniture and furnishings; that the said offer is the highest and best cash offer obtained by said trustee; that the said offer and arrangement for said sale was made by Farmer and Duran, real estate brokers in the City of Tulsa, Oklahoma, who are entitled to a payment of a five per cent (5%) commission for their said services.

The court further finds that the Advisory Committee appointed and designated by this court to counsel and advise with said trustee, and upon whom notices shall be served with respect to transactions herein, have been duly notified of said offer and have considered the same, and have recommended that said trustee sell said real estate, furniture and furnishings for said cash consideration.

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

SPECIAL MARCH 1939 TERM

TUESDAY, MARCH 7, 1939

The court further finds that this said trust estate is in liquidation and that it is probably to the best interest of said trust estate and its beneficiaries that the said real estate, improvements, furniture and furnishings be sold to said J. H. Hall for said cash consideration of Seven Thousand Dollars (\$7,000.00), and for other good cause,

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

Lot Four (4), in Block Four (4) in Orcutt Addition to the City of Tulsa, Tulsa County, Oklahoma,

as well as the improvements thereon, together with the furniture and furnishings located therein, to J. H. Hall for the sum of Seven Thousand Dollars (\$7,000.00) in cash.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be authorized to pay to Farmer and Duran the sum of Three Hundred Fifty Dollars (\$350.00) as a real estate brokerage commission for their services in arranging said sale.

IT IS FURTHER ORDERED that J. H. McBirney, Successor Trustee, be and he is hereby authorized to execute and deliver his trustee's deed, transferring and setting over to J. H. Hall said real estate, as well as to execute and deliver trustee's bill of sale, transferring said furniture and furnishings to J. H. Hall, upon receipt by said J. H. McBirney of the sum of Seven Thousand Dollars (\$7,000.00) in cash.

IT IS FURTHER ORDERED that the sale of said real estate above described, as well as the personal property, by J. H. Mc Birney, Successor Trustee, to J. H. Hall, be and the same is hereby ratified, confirmed and approved.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Mar 7 1939
H. P. Warfield, Clerk
U. S. District Court B

Court adjourned to March 8, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 8, 1939

On this 8th day of March, 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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 8, 1939

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

United States of America,	Libelant,)	
)	
vs.)	
		)	CIVIL FILE NO. 103
One 1934 Model Plymouth Sedan)	
Automobile, Motor No. PE-152,769; Henry)	
Siegfried,	Claimant,)	

ORDER FOR MONITION

Now on this 8th day of March, 1939, it appearing to the court that the above named automobile, described herein as a

1934 Model Plymouth Sedan automobile, Motor No. PE-152,769,

was seized at Third and Olympia Streets, City of Tulsa, Oklahoma, on November 9, 1938, by C. E. Tucker and D. M. Sikes, Police Officers of the City of Tulsa, by virtue of the authority of their said offices, while being used by Henry Siegfried for the deposit and concealment of whiskey with intent to defraud the United States of the tax due upon said whiskey; it further appearing that thereupon said automobile was appraised at Two Hundred Twenty-five Dollars (\$225.00), as provided by Section 3460 of the Revised Statutes (26 USCA 1624) and proceedings for forfeiture being thus instituted thereunder; it further appearing that claimant Henry Siegfried filed his bond for Two Hundred Fifty Dollars (\$250.00) conditioned that in case of condemnation of such vehicle, obligators would pay all costs and expenses thereof, and that thereupon the Collector of Internal Revenue reported and transmitted such proceedings to the United States Attorney in conformity with said statute, whereupon said Attorney instituted libel action herein; and it further appearing that libelant requests the issuance of a monition notifying claimant Henry Siegfried of this proceeding, unless notice thereof be waived.

IT IS, THEREFORE, ORDERED that a monition issue as prayed for in said libel and that same be served upon Henry Siegfried, unless notice thereof be waived, and any other person that might claim any interest in said automobile requiring them to appear in said court, on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile should not be forfeited to libelant under provisions of the Internal Revenue Laws of the United States.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma be so directed to detain the above described property in his possession until the further order of this court and to make his return herein as required by law as to service of monition.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Mar 8 1939
H. P. Warfield, Clerk
U. S. District Court H

THOUSAND (\$5,000.00) DOLLARS, together with interest thereon at six per cent. per annum from the 1st day of March, 1936, and it is further ORDERED, ADJUDGED and DECREED by the Court that said Plaintiff have and recover judgment on the second cause of action set out in said petition in the sum and amount of TWO THOUSAND (\$2,000.00) DOLLARS, with interest thereon at six per cent. per annum from March 1, 1936, and judgment is hereby rendered for said amount and for the costs of this action, for all of which let execution issue; and to which finding and judgment of the Court the Defendant then and there duly excepted.

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

OK: D. F. RAINEY
Attorneys for Plaintiff

OK: AS TO FORM BUT OBJECTED TO AS TO SUBSTANCE.
GREEN & FARMER, By W. E. Green
Attorneys for Defendant.

ENDORSED: Filed Mar 10 1939
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to March 15, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA WEDNESDAY, MARCH 15, 1939

On this 15th day of March, 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 FOR PETIT JURY

On this 15 day of March, 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 therules of this Court, the names of Thirty six persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Special April 1939 Term of this Court to beheld at Miami, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Miami, Oklahoma, in the Northern District of Oklahoma, on Monday, the 3rd day of April, 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 April 1939 Term of said Court.

ENDORSED: Filed Mar 15 1939
H. P. Warfield, Clerk
U. S. District Court

F. E. KENNAMER
U. S. DISTRICT JUDGE

Court adjourned to March 20, 1939.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 20, 1939

On this 20th day of March, 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 FOR THE NORTHERN DISTRICT OF THE STATE OF OKLAHOMA, SITTING AT TULSA, OKLAHOMA.

The British American Oil Producing Company,)
a corporation, for its own use and benefit)
and for the use and benefit of Chatham Oil) No. 2457.- Law
Company, a corporation, its Assignee, Plaintiff,)
-vs-)
Lloyd Lynd,) Defendant.)

JOURNAL ENTRY OF JUDGMENT

This cause comes on regularly for trial this 16th day of January, 1939, at Tulsa, Oklahoma, plaintiff appearing by its attorneys William J. Zeman and Mayo E. McKeown, and defendant appearing by his attorneys R. M. Williams and Murray Gordon, both parties having heretofore in writing waived a jury.

Thereupon, plaintiff moves the Court for leave to file an amended reply, said leave being granted, and defendant moves the Court for leave to file motion for judgment on the pleadings, without prejudice to trial, and is by the Court granted leave to file said motion over the objections thereto of plaintiff. The Court hears argument on said motion for judgment on the pleadings and reserves its ruling thereon, and directs the party to proceed to the trial of said cause on its merits. Plaintiff introduces its evidence and rests, and defendant introduces his evidence and rests, and after hearing argument of counsel the case is closed. The Court after carefully considering said evidence and hearing the argument of counsel finds that judgment herein should be entered in favor of the defendant and against the plaintiff, and in support thereof, makes the further finding of law and facts, namely.

1. That no contract existed by and between The British American Oil Producing Company and the defendant Lloyd Lynd whereby the said defendant, either as principal or as agent, ever agreed to become a partner or to participate in the drilling of the oil well referred to in plaintiff's petition, or ever agreed to pay any part of the costs thereof.

2. That plaintiff, having procured and having accepted the benefits thereof, was bound by the judgment of the District Court of Oklahoma County entered in cause No. 90128 by the terms of which judgment defendant was given the right to either accept the lease bonus therein fixed or to participate in the drilling of said well, and that defendant did not elect, under said judgment, to participate in the drilling of said well, but did elect to accept the bonus money upon being notified of the right to elect so to do.

3. That by reason of the assignment from the plaintiff, The British American Oil Producing Company to Chatham Oil Company referred to in plaintiff's petition, the plaintiff, prior to the filing of this suit, divested itself of all its right, title and interest in and to the subject matter of this action, and is not the real party in interest.

4. That the said defendant, Lloyd Lynd, was at all times acting as the agent of Bessie Lynd.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that judgment be entered for the defendant and against the plaintiff, and that as a part of said judgment, defendant have and recover of the plaintiff all costs herein expended.

F. E. KENNAMER
United States District Judge

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

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

CLIFTON C. VORIS, Plaintiff,)
vs) No. 2531 Law
THE AETNA LIFE INSURANCE CO., of)
Hartford, Conn., a corp., Defendant.)

"ORDER ALLOWING SUPERSEDEAS"

On this 20th day of March 1939, this matter comes on for hearing on the application of the defendant, The Aetna Life Insurance Company for terms of supersedeas in this cause and the Court having examined the application finds that the defendant is entitled to terms of supersedeas and this Court finds that in lieu of cost bond provided for by the rules and as a supersedeas in this cause that a bond in the sum of \$8500.00 shall be filed by the defendant.

BE IT THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant be and is hereby allowed and permitted to file a supersedeas bond in the sum of \$8500.00 and upon filing said bond in said sum that all proceedings to enforce the judgment herein be 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 until the final determination of this cause on appeal.

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

DONE in open court this the 20th day of March, 1939.

F. E. KENNAMER
J U D G E

Copy of the above mailed to D. F. Rainey, Okmulgee, Oklahoma, this 20th day of March, 1939.

ENDORSED: Filed Mar 20 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 MONDAY, MARCH 20, 1939

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

Sinclair Prairie Oil Company, Plaintiff,)
vs.) No. 2652 - Law
Missouri-Kansas-Texas Railroad Company,)
Defendant.)

O R D E R

Now on this 20th day of March, 1939, on hearing after due notice, of defendant's motion for leave to file instant supplemental brief herein, leave is accordingly granted.

F. E. KENNAMER
JUDGE

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

Court adjourned to March 21, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA TUESDAY, MARCH 21, 1939

On this 21st day of March, 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. Menzy, 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

MISCELLANEOUS ORDER

Now on this 21st day of March, 1939, the same being one of the regular judicial days of the Special March A. D. 1939 Term of said court, this matter comes on before the court upon the application of the United States Marshal in and for said district, for an order of court allowing payment of per diem to the bailiff of said court for the period of time in which Honorable Alfred P. Murrah presides over said court, sitting at Tulsa, Oklahoma.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the United States Marshal in and for said Northern District of Oklahoma, be and he hereby is ordered and directed to make payment of per diem to the bailiff of said court in said District during the time in which the Honorable Alfred P. Murrah, presides over said Court at Tulsa, Oklahoma.

ENDORSED: Filed Mar 21 1939
H. P. Warfield, Clerk
U. S. District Court EA

ALFRED P. MURRAH
JUDGE

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

United States of America,	Plaintiff,)	
)	
vs.		)	No. 1248 Equity
)	
Dora May Henry, et al,	Defendants.)	

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER

Now on this 20th day of March, 1939, this matter coming on before the Court on the report of W. H. Rudrauff, Receiver, and it being shown to the Court that the said W. H. Rudrauff was appointed Receiver of the property involved in this cause, on March 21, 1938, and for the purpose of managing said property, collecting the rents and caring for said property; and said Receiver having filed his report showing that he has collected the sum of \$37.00, from which he has paid out 75 cents, leaving a balance in his hands of \$36.25, subject to disbursement by order of the Court, the Court finds that said report should in all things be approved, allowed and accepted.

IT IS THEREFORE THE ORDER of the Court that said Receiver's report be, and the same hereby is approved, allowed and accepted, and said Receiver is directed to pay the funds remaining in his hands, in the sum of \$36.25, to the Superintendent of the Osage Indian Agency.

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

ALFRED P. MURRAH
 JUDGE

O.K. AS TO FORM
 SERVICE OF COPY ACKNOWLEDGED

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

ENDORSED: Filed Mar 21 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. 1260 Equity
)	
Albert Jackson, et al,	Defendants.)	

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER.

Now on this 20th day of March, 1939, this cause coming on before the Court on the report of W. H. Rudrauff, Receiver, and it being shown to the Court that the said W. H. Rudrauff was appointed Receiver of the property involved in this cause on March 24, 1938, for the purpose of managing said property, collecting the rents and caring for said property; and said Receiver having filed his report, showing that he has collected the sum of \$420.00, from which he has expended the sum of \$231.90 for repairs on said property, leaving a balance in his hands of \$188.10 subject to disbursement by order of the Court, the Court finds that said report should be in all things approved, allowed and accepted.

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

B. B. BLAIR, ET AL, Plaintiffs,)
vs.) No. 1270 Equity
ATLAS SUPPLY COMPANY, ET AL., Defendants.)

APPLICATION OF SAM SCHNEIDER OIL COMPANY FOR LEAVE TO FILE
CLAIM OUT OF TIME.

Comes now Sam Schneider Oil Company, by its attorneys, FIST, Dewberry and Bragg, and respectfully shows to the court that it has a claim of \$78.26 in the above entitled cause; said claimant's place of business is in the County of Reno, State of Kansas, and that it had not been advised of its right to participate in the fund involved in this action until recently, and therefore did not file a claim.

That it presents its claim herewith and asks leave of the court to file same out of time since this matter has not yet been tried.

SAM SCHNEIDER OIL COMPANY
By FIST, DEWBERRY & BRAGG
Its Attorneys

JOE T. DEWBERRY
801 World Bldg.,
Tulsa, Okla.

Copy served on Ramsey, Martin & Logan,
Attorneys for Plaintiffs.
This 21 day of March, 1939.
RAMSEY, MARTIN & LOGAN by Logan

FIST, DEWBERRY & BRAGG,
By _____
Member of Firm.

O R D E R

On this 21st day of March, 1939, the above and foregoing application was presented to the Court, and upon consideration thereof, IT IS ORDERED by the court that said Sam Schneider Oil Company be, and is hereby permitted to file its claim as presented to the court.

Dated this 21st day of March, 1939.

ALFRED P. MURRAH
JUDGE

ENDORSED: Filed Mar 21 1939
H. P. Warfield, Clerk
U. S. District Court EA

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

United States of America, Plaintiff,)
 vs.) No. 1274 Equity
 W. V. Russell, et al, Defendant.)

ORDER APPROVING RECEIVER'S REPORT AND DISCHARGING RECEIVER

Now on this 20th day of March, 1939, this matter coming on before the Court on the report of W. H. Rudrauff, Receiver, and it being shown to the Court that the said W. H. Rudrauff, Receiver, was appointed Receiver of the property involved in this cause, on June 9, 1938, for the purpose of managing said property, collecting the rents and caring for said property; and said Receiver having filed his report showing that he made no collections as said Receiver; the Court finds that said report should be approved.

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

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

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 Mar 21 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. 1286 Equity
 Andrew Blackwell Post No. 142, American)
 Legion of Hominy, Oklahoma, A Corporation,)
 and Alfred A. Drummond, Defendants.)

ORDER APPOINTING RECEIVER

Now, on this 20th day of March, 1939, this matter coming on before the Court on the application of the plaintiff herein for the appointment of a Receiver in this cause to take the place of W. H. Rudrauff, who has filed his report and been discharged as Receiver in said cause, and it being shown to the Court that it is necessary that another Receiver be appointed to take charge of the property involved in this cause, collect the rents thereon and care for said property until the sale thereof;

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

WEDNESDAY, MARCH 22, 1939

On this 22nd day of March, 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. Alfred P. Murrah, Judge, present and presiding.

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

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

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

R. E. CAMPBELL, Plaintiff,
vs. THE BOARD OF EDUCATION OF THE CITY OF TULSA, OF THE STATE OF OKLAHOMA, ET AL., Defendants.
In Equity No. 1293

ASSIGNMENT OF JUDGMENT

KNOW ALL MEN BY THESE PRESENTS, THAT,

WHEREAS, the plaintiff in the above entitled action, R. E. CAMPBELL, did, on October 10, 1938, recover a judgment and decree against the defendants in the above entitled action which said judgment and decree included as a part thereof a money judgment against the defendant, The Board of Education of the City of Tulsa of the State of Oklahoma, (also known as Independent School District Number 22 Tulsa County, Oklahoma) for the sum of \$3799.95, with interest thereon at six per cent per annum from October 10, 1938; and

WHEREAS, thereafter and on or about the 7th day of January, 1939, R. E. CAMPBELL did assign to Clara Lackey Bailey an undivided one-eleventh (1/11th) interest in and to the judgment which he had obtained in the above entitled cause, including an undivided one-eleventh (1/11th) interest in the aforesaid money judgment against the defendant, The Board of Education of the City of Tulsa, of the State of Oklahoma; and

WHEREAS, the Board of Education of the City of Tulsa of the State of Oklahoma desires to purchase the interest of Clara Lackey Bailey in the above mentioned money judgment as an investment for its Sinking Fund.

NOW, THEREFORE, for and in consideration of the sum of Three Hundred forty five and 45/100 Dollars (\$345.45), to me in hand paid, receipt of which is hereby acknowledged, I the undersigned, CLARA LACKEY BAILEY, Assignee of R. E. Campbell, the plaintiff in the above entitled cause, do hereby sell, assign, convey and deliver to the defendant, The Board of Education of the City of Tulsa of the State of Oklahoma, (as an investment for its Sinking Fund) all my right, title, interest and estate in and to the aforesaid money judgment so rendered in the above entitled cause in favor of the plaintiff, R. E. Campbell, in and to which said judgment an undivided one-eleventh (1/11th) interest was thereafter assigned to me, together with all my rights, remedies and lien thereunder, or by virtue thereof, without recourse against me.

IN WITNESS WHEREOF, I have caused these presents to be executed this the 18th day

RECEIPT OF COPY ACKNOWLEDGED:
 O.K. GUY H. WOODWARD, By R.S.F.
 RAY S. FELLOWS
 Attorneys for Defendant

ENDORSED: Filed Mar 23 1939
 H. P. Warfield, Clerk
 U. S. District Court H

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

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

ORDER AUTHORIZING TRUSTEE TO SETTLE INDEBTEDNESS OF TANKERSLEY
 INVESTMENT COMPANY, DAN TANKERSLEY AND EARL TANKERSLEY

On this 23rd day of March, 1939, upon the verified application of J. H. Mc Birney, Successor Trustee to the Exchange National Bank, of all of the notes, bonds, mortgages, liens, obligations and property held as security for the payment of first lien participation certificates issued by the Exchange National Company under the trust agreement of July 19, 1928, between said Exchange National Company and Exchange National Bank of Tulsa, Oklahoma; and it appearing that among the assets of said trust estate are notes executed by Tankersley Investment Company, a corporation, Earl Tankersley and Dan Tankersley, in the total principal sum of One Hundred Forty Thousand Dollars (\$140,000.00), which said notes were secured by a first real estate mortgage covering the following described premises, to-wit:

Lots Three (3), Four (4), Five (5), and Six (6), in Block Two (2), including the vacated Ten (10) foot strip adjoining said lots and being on the East side of Trenton Avenue, in Forest Park Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

as well as first mortgage upon all of the furniture, furnishings, fixtures and equipment within the building upon the above described premises, and that said property is known as Trenton Terrace Apartments in the City of Tulsa, Oklahoma; and it further appearing that said notes have been merged in a judgment entered in cause No. 61934, for the principal sum of One Hundred Thirty Five Thousand and Five Hundred Dollars (\$135,500.00), together with interest, attorney's fees and costs, and subject to a credit as therein prescribed; and it further appearing that notice of the hearing upon this application has been sent to each of the members of the Advisory Committee, appointed and designated by this court, upon whom notice of such applications shall be given, as required by an order entered herein on the 20th day of March, 1939; and it appearing that the said members of the Advisory Committee, so appointed and designated, have filed herein their written acknowledgment of service of copy of said order and have stated therein their approval of said proposed settlement and their recommendation to the said trustee, J. H. Mc Birney, to compromise and settle said indebtedness; and it appearing that the said trustee can obtain the sum of Ninety Thousand Dollars (\$90,000.00), in cash, as well as a note executed by Tankersley Investment Company, a corporation, for the principal sum of Twenty Two Thousand Five Hundred Dollars (\$22,500.00),

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

THURSDAY, MARCH 23, 1939

secured by mortgage upon the real estate, improvements, furniture, fixtures, and chattels of the said Tankersley Investment Company, a corporation, said mortgage to be subject to a first and prior lien and mortgage held by The RFC Mortgage Company to secure the payment of the sum of Ninety Thousand Dollars (\$90,000.00); and it further appearing that the said Tankersley Investment Company, a corporation, is obtaining a loan from the RFC Mortgage Company in the principal sum of Ninety Thousand Dollars (\$90,000.00), which said sum is to be used as a cash payment of the consideration for the settlement involved herein; and it further appearing and the court so finds, that The RFC Mortgage Company, in approving and making said loan to the Tankersley Investment Company for the principal sum of Ninety Thousand Dollars (\$90,000.00), has approved a plan of settlement and of the payment of said funds by Tankersley Investment Company of the indebtedness due applicant herein, and that the said The RFC Mortgage Company would not have made said loan unless said plan of payment had been approved by it and unless settlement is made in accordance therewith, which said settlement, as above recited, provides for the settlement of the indebtedness due applicant herein for the sums and upon the terms herein provided; and the court further finds that the acceptance of the consideration herein provided by said trustee is necessary in order for Tankersley Investment Company, a corporation, to obtain said loan from The RFC Mortgage Company; and it further appearing that J. H. McBirney, Successor Trustee, has been paid by the receiver of said property the sum of Twenty One Thousand Nine Hundred Thirty Six & 06/100 Dollars (\$21,936.06), and had on hand in addition thereto the sum of Four Thousand Nine Hundred Sixty One & 98/100 Dollars (\$4,961.98) as of the 23th day of February, 1939; and it further appearing that the said Tankersley Investment Company was required, under said plan, to defray the necessary expenses of obtaining said loan from The RFC Mortgage Company, as well as to pay and discharge the unpaid court costs in said cause No. 61934, District Court of Tulsa County, Oklahoma; and it further appearing that the Advisory Committee, appointed by this court to counsel and advise said trustee, has recommended the settlement of said indebtedness for the sum hereinbefore mentioned and for the consideration herein described; and it further appearing that said trust estate is in liquidation and it is to the best interest of said trust and to the first lien participation certificate holders that said indebtedness be adjusted for the consideration shown herein, for the reason that the said property is large in value and it will be difficult to liquidate said property for cash, and for other good cause.

IT IS ORDERED that J. H. McBirney, Successor Trustee to Exchange National Bank of Tulsa, Oklahoma, be and he is hereby authorized and empowered to settle and adjust the indebtedness of Tankersley Investment Company, Dan Tankersley and Earl Tankersley, evidenced by notes in the principal sum of One Hundred Forty Thousand Dollars (\$140,000.00), which said notes have been merged in a judgment entered in cause No. 61934, District Court of Tulsa County, Oklahoma, for the principal sum of One Hundred Thirty Five Thousand Five Hundred Dollars (\$135,000.00), together with accrued interest to January 11, 1937, in the amount of Thirty Four Thousand Thirty & 86/100 (\$34,030.86) and the further sum of Two Thousand Five Hundred Dollars (\$2,500.00) attorney's fees, which said judgment was entitled to a credit in the amount of Seven Thousand Three Hundred Sixty Three & 57/100 (\$7,363.57), but said judgment to bear interest at the rate of ten per cent (10%) per annum, until paid, for the sum of Ninety Thousand Dollars (\$90,000.00) in cash and a negotiable note in the principal sum of Twenty Two Thousand Five Hundred Dollars to be executed and delivered by Tankersley Investment Company, a corporation, to be due and payable monthly in an amount not less than Two Hundred Fifty Dollars (\$250.00) each month, and to bear interest at the rate of four and one-half per cent (4½%) per annum, payable annually, and to be secured by a second real estate and chattel mortgage covering the property and assets of the makers of said note, to-wit, the real estate above described and all of the personal property, including the furniture, furnishings and equipment located in the building upon said real estate, as well as the retention by said trustee of all funds and sums paid to him by the receiver, as well as all other sums due and payable on account of said notes and mortgage referred to herein, the use and occupancy of said real estate and chattel property, as well as all rentals and income obtained by said trustee from said real estate, as well as all rentals due from the use and occupancy of said real estate up to the date of the payment to the said trustee of said sum of Ninety Thousand Dollars (\$90,000.00).

said trustee to bear the operating expenses of said apartment up to the time of his receipt of the said sum of Ninety Thousand Dollars (\$90,000.00), the said Tankersley Investment Company to pay all taxes from and after the year 1938, as well as to defray all expenses of obtaining said loan from The RFC Mortgage Company, and to pay and discharge all court costs in connection with said cause No. 61934, District Court of Tulsa County, Oklahoma.

IT IS FURTHER ORDERED that upon the payment of said sum of Ninety Thousand Dollars (\$90,000.00), and the execution and delivery of said note for the principal sum of Twenty Two Thousand Five Hundred Dollars (\$22,500.00), and the mortgage referred to above, and the retention by said trustee of all rents, funds and sums as above set forth, J. H. McBirney, Successor Trustee be and he is hereby authorized and empowered to execute and deliver proper releases of real estate mortgage covering the property above described, as well as a chattel mortgage covering the furniture, furnishings, fixtures and equipment held by him as security for the payment of said notes in the principal sum of One Hundred Forty Thousand Dollars (\$140,000.00), as well as to surrender and cancel said notes executed by Tankersley Investment Company, a corporation, Dan Tankersley and Earl Tankersley, as well as to satisfy and discharge the said judgment entered in said cause No. 61934, District Court of Tulsa County, Oklahoma, and to execute and deliver all proper and necessary instruments of conveyance, divesting him of all title, right, interest or equity in and to said real estate and personal property, and to re-vest title thereto in Tankersley Investment Company, a corporation.

~~FRANKLIN E. KENNAMER~~
United States District Judge

ENDORSED: Filed Mar 23 1939
H. P. Warfield, Clerk
U. S. District Court H

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

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

O R D E R

Now on this 23 day of March, 1939 on application in open court by George Leslie for reporting and transcribing the proceedings before Judge Franklin E. Kennamer regarding claims against the Receivers incurred after March 24th, 1939 in the above entitled cause and for good cause shown,

IT IS HEREBY ORDERED that the Receivers of the Gilmort Oil Company pay the sum of ONE HUNDRED NINETEEN DOLLARS AND Thirty-five Cents (\$119.35) to George Leslie.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Mar 23 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 23 day of March, 1939, this matter came on for hearing in open Court upon the application of L. L. Wiles and Wilbur Holleman, Receivers of and for the Gilmort Oil Company, a corporation, for authority to make and file in Cause No. 64,912, of the District Court of Tulsa County, Oklahoma, styled "Leah M. Young Kramm vs. E. E. Fackler, et al.", a Disclaimer of all right, title and interest in and to the following described lands situated in Tulsa County, Oklahoma,

South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirteen (13), and the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-four (24), all in Township Eighteen (18) North, Range Twelve (12) East.

on which lands the said Gilmort Oil Company was heretofore the owner of an interest in an Oil and Gas Lease which has since been abandoned; and the Court having duly considered said application and the evidence offered in support thereof is of the opinion that the same should be granted and allowed;

IT IS THEREFORE, ORDERED, CONSIDERED AND ADJUDGED that L. L. Wiles and Wilbur Holleman, Receivers of and for the Gilmort Oil Company, a corporation, be, and they hereby are, authorized and directed to make, execute and file in the above proceeding now pending in the District Court of Tulsa County, Oklahoma, a Disclaimer of all right, title and interest in and to the above described lands.

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

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Mar 23 1939
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to March 27, 1939

On this 27th day of March, 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:

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff,)
vs.) No. 63 Civil
MRS. M. A. CRABTREE, ET AL, Defendants.)

ORDER OF DISMISSAL

NOW, on this 22nd day of March, 1939, this matter coming on before the Court on application of Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, to dismiss said cause and the Court being advised in the premises finds that said cause should be dismissed.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that this cause be and the same hereby is dismissed.

AND IT IS SO ORDERED.

ALFRED P. MURRAH
U. S. District Judge

O.K. WHIT Y. MAUZY
United States Attorney

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

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

James Ruark, Plaintiff,)
vs.) No. 2559 - Law
Missouri-Kansas-Texas Railroad Company,)
a corporation, Defendant.)

JOURNAL ENTRY

Now on this 27th day of March, 1939, the same being one of the judicial days of the Special March, 1939 Term of this court, sitting at Tulsa, Oklahoma, come the parties to the above

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

SPECIAL MARCH 1939 TERM

MONDAY, MARCH 27, 1939

entitled and numbered cause by their counsel, and file and present stipulation for dismissal of this case, with prejudice, at costs of the defendant, a settlement having been effected, and the Court having seen the same, and being fully advised in the premises, finds that the case should be dismissed accordingly.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED BY THE COURT that this case be, and it is hereby dismissed, with prejudice, at the costs of defendant.

ALFRED P. MURRAH
JUDGE

O.K. FRANK NESBITT
Attorneys for Plaintiff.

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

ENDORSED: Filed Mar 27 1939
H. P. Warfield, Clerk
U. S. District Court M E

Court adjourned to March 28, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, MARCH 28, 1939

On this 28th day of March, 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

I. E. NELSON, TRUSTEE,

Plaintiff,)

v.)

Civil Action No. 97)

T. L. Blakemore, City Attorney for the City of
Sapulpa, Oklahoma, Oklahoma Natural Gas Company,
a corporation, et al.,)

Defendants.)

ORDER EXTENDING TIME TO PLEAD OR ANSWER

For good cause shown, the defendant, Oklahoma Natural Gas Company, is hereby granted an extension of time for a period of twenty (20) days from this date within which to plead to and answer the complaint of the plaintiff.

DATED this 28th day of March, 1939.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Mar 28 1939
H. P. Warfield, Clerk
U. S. District Court

Court adjourned to March 29, 1939

On this 29th day of March, 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. 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:

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

R. W. GIBBS, Plaintiff,)
-vs-) No. 73 - Civil
James B. Slemons; John H. Higginson)
and J. B. Chilcoat, Defendants.)

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the District Court of Creek County Oklahoma, coming on for hearing this 29th day of March, 1939, pursuant to regular setting, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that the motion should be sustained.

IT IS THEREFORE ORDERED, that the motion of the plaintiff to remand this case to the District Court of Creek County, Oklahoma, be, and the same is hereby granted, and this cause be and the same is hereby remanded to the District Court of Creek County, Oklahoma, for further proceedings.

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

O.K., and receipt of a copy of this order acknowledged:
JARMAN, BROWN, LOONEY & WATTS, by
NED LOONEY
Attorneys for James B. Slemons and John H. Higginson, Defendants.

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

SPECIAL MARCH 1939 TERM

WEDNESDAY, MARCH 29, 1939

O.K., and receipt of a copy of this order acknowledged:
WALKER & LEWIS, by
DON LEWIS
Attorneys for J. B. Chilcoat, Defendant.

ENDORSED: Filed Mar 30 1939
H. P. Warfield, Clerk
U. S. District Court EA

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, et al, Defendants.)

O R D E R

On this 29th day of March, 1939, this matter comes on for hearing on plaintiff's motion to amend his original complaint by interlineation to allege that plaintiff at the time he filed said original complaint, he is and was a bona fide resident of the State of California.

The Court being fully advised in the premises and upon consideration thereof,

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that plaintiff be and he is hereby given permission to forthwith amend by interlineation that portion of paragraph 2 of said complaint relating to plaintiff's residence and it is alleged that at the time of the filing of said complaint "the plaintiff is and was at all times hereinafter mentioned a bona fide citizen and resident of the State of California".

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Mar 29 1939
H. P. Warfield, Clerk
U. S. District Court H

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

Mary Collins, Administratrix of the Estate of)
Melvin E. Collins, deceased, Plaintiffs,)
vs.) No. 95 Civil
Sinclair Refining Company, a corporation,)
and Allied Steel Products Corporation, a)
corporation, Defendants.)

O R D E R

Now on this 29th day of March, 1939, the motion of defendant, Sinclair Refining Company for more definite statement and motion to dismiss is overruled, with leave to said defendant to renew motion to dismiss in its answer to be hereinafter filed.

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

SPECIAL MARCH 1939 TERM

WEDNESDAY, MARCH 29, 1939

38

And on this date motion of Allied Steel Products Corporation, for more definite statement, and to dismiss is over-ruled with leave for said defendant to include motin to dismiss in its answer to be hereinafter filed,

And said defendants and each of them are hereby granted Twenty (20) days from this date in which to file answer herein.

F. E. KENNAMER
J U D G E

O.K. ROY F. FORD & WOODSON E. NORVELL
Attorneys for Plaintiff.

O.K. SUMMERS HARDY
Atty for Sinclair Ref. Co.

HUDSON & HUDSON
Attorneys for Defendants.

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

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

Mary Mayes Smith, Plaintiff,)
vs.) No. 1689 Law.
United States of America, Defendant.)

ORDER OVERRULING MOTION TO RECONSIDER, REINSTATE AND GRANT MOTION
FOR NEW TRIAL.

Now on this 29th day of March, 1939, this matter coming on before the Court on the motion of the plaintiff to reconsider, reinstate and grant motion for a new trial; plaintiff appeari by her attorney, C. E. Baldwin, and the defendant, United States of America, appearing by Whit Y. Mausy, United States Attorney for the Northern District of Oklahoma, and Chester A. Brewer, Assistant United States Attorney for said district, and Daniel Dillon, Attorney Department of Justice and the Court after hearing the argument 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 of the Court plaintiff excepts, and exceptions are allowed.

F. E. KENNAMER
J U D G E

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

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

C. E. BALDWIN
Attorney for Plaintiff.

ENDORSED: Filed Mar 30 1939
H. P. Warfield, Clerk, U. S. District Court B

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

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

ORDER SUSTAINING MOTION TO SUPPRESS DEPOSITION.

On this 29th day of March, 1939, the above cause comes on for hearing on the motion of defendant to suppress the deposition of Walter R. Jarrett heretofore filed in said cause, the plaintiff appearing by John Webster and the defendant appearing by Harry D. Turner, and the Court being advised in the premises finds that said motion should be sustained.

IT IS, THEREFORE, ORDERED that said motion to suppress deposition be, and the same is hereby, sustained, and, accordingly, said deposition is suppressed and ordered stricken from the files herein, to which ruling the plaintiff excepts.

F. E. KENNAMER
J u d g e.

O.K. RITTENHOUSE, WEBSTER & RITTENHOUSE
Attorney for Plaintiff,
O.K. RAYBURN L. FOSTER
HARRY D. TURNER
Attorneys for Defendant

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

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

United States of America, Petitioner,)
vs.) No. 2711 - Law
Tract No. 78, 20 acres of land, more or less,)
in the County of Delaware, State of Oklahoma;)
John A. Wood, et al., Respondents.)

J U D G M E N T

This day comes the petitioner, the United States of America, by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Curtis P. Harris, Special Attorney for the Department of Justice, and move this Court to enter judgment vesting title in the United States of America in and to the property hereinafter described. Thereupon, the Court proceeded to hear and pass upon the motion, the Petition for Condemnation, Report of Commissioners, and all other matters herein, and finds that:

(1) Each and all of the allegations in said Petition for Condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the purposes set forth in said petition.

(2) In said Petition for Condemnation a statement of the authority under which and the public use for which said lands were taken was set forth;

(3) The Petition for Condemnation was filed at the request of Henry A. Wallace, Secretary of Agriculture, the person duly authorized by law to acquire the lands described in said document for the purposes therein set forth and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings;

(4) A proper description of the lands sought to be taken sufficient for the identification thereof is set out in said Petition for Condemnation, a statement of the estate or interest in said lands taken for said public use is set out therein, and a plat showing the lands taken is attached thereto;

(5) Due, proper, and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said Petition for Condemnation, as required by law. The Court finds that the returns as filed by the United States Marshals are true and correct, and that same are in accordance with law and the orders of this court. The Publication Notice and the Affidavit of the Publisher, as filed herein, are in all respects in accordance with the law and in such cases made and provided, and same are hereby approved by this Court.

(6) The Court finds that after due and legal notice, as required by law, commissioners to appraise and fix the value of the real estate involved in these proceedings were duly appointed on the 27th day of December, 1938, and said commissioners duly qualified on the 5th day of January, 1939, by taking and filing herein their oath of office as such.

(7) Said duly qualified commissioners, after inspection of the premises and consideration of the value thereof, filed their report herein on the 5th day of January, 1939, and said report and proceedings are in all respects regular and in accordance with law,

(8) More than sixty days have elapsed since the filing of the Report of Commissioners, and no written exceptions thereto have been filed by either party, nor has either party filed any written demand for a trial by jury. The Report of Commissioners filed herein should be confirmed and approved in all respects;

The Court having fully considered the Petition for Condemnation, and all proceedings had herein, Title II of an Act of Congress approved June 16, 1933 (48 Stat. 200), an Act of Congress approved April 8, 1935 (49 Stat. 115), Executive Order No. 6252 dated August 19, 1933, Executive Order No. 6983 dated March 8, 1935, Executive Order No. 7027 dated April 30, 1935, Executive Order No. 7028 dated April 30, 1935, Executive Order No. 7064, dated June 7, 1935, Executive Order No. 7520 dated December 31, 1936, Executive Order No. 7557 dated February 19, 1937, and Public Resolution No. 47 - 75th Congress (Chapter 401-First Session) approved June 29, 1937, Weeks Law (36 Stat. 961), and the Clarke-McNary Act (43 Stat. 653,) and all statutes supplemental or amendatory thereof, and all other statutes in such cases made and provided, and all executive orders and other delegations of authority made pursuant to these statutes, as more particularly set out in the petition filed herein, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it, and that the alleged public purpose and use, as set out in the Petition for Condemnation, is hereby adjudged to be in truth and in fact, a public purpose and use within the meaning and purport of the above designated Acts of Congress and executive orders.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein is hereby confirmed and approved in all respects, and that upon depositing the amount of Fifty and no/100 Dollars (\$50.00), with the Clerk of this Court there will vest in the United States of America title in fee simple in and to the lands hereinafter described, subject and excepting therefrom all existing public roads, public utility easements and rights-of-way.

Master has heretofore been paid ONE THOUSAND DOLLARS (\$1,000.00) as a partial allowance.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Special Master be and he is hereby allowed a total fee of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00) out of which said sum said Special Master is to pay any expenses incurred by him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Receivers of the Estate of the Gilmort Oil Company, L. L. Wiles and Wilbur Holleman, be and they are hereby directed to pay forthwith to said W. L. Coffey the additional sum of FIVE THOUSAND FIVE HUNDRED DOLLARS (\$5,500.00) in full settlement and in payment of the allowance by this Court of said Special Master's fee and to take appropriate credit therefor.

Done at Tulsa, Oklahoma this 29th day of March, 1939.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Mar 29 1939
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to March 30, 1939

On this 30th day of March, 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.
John P. Logan, United States Marshal.
Whit Y. Mauzy, United States Attorney.

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

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

United States of America, Libelant,)
vs.) No. 102 - Civil
One 1936 Model Chevrolet Sedan Automobile,)
Motor No. 5,633,373; Donald Wayne Bronaugh,)
and Floyd E. Fullerton, Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 30th day of March, 1939, this cause came on to be heard in open court before Honorable Alfred P. Murrah, Judge presiding, pursuant to regular assignment libelant appeared by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States Attorney for said District, claimants Donald Wayne Bronaugh and Floyd E.

Fullerton appearing by their attorney, Lawrence Jones, and it being shown to the court that said 1936 Model Chevrolet Sedan Automobile, Motor No. 5,633,373, was lawfully seized from claimant Donald Wayne Bronaugh, and the court having heard the evidence of libelant and the evidence offered by the claimant, and being fully advised in the premises, finds that the United States of America is entitled to a forfeiture of all rights, interest or claims in and to said automobile which the said Donald Wayne Bronaugh may have thereto.

The court further finds that the claimant Floyd E. Fullerton is the owner of said automobile and had no knowledge of the use thus being made of it by the claimant Donald Wayne Bronaugh, and is entitled to the return of said automobile upon the payment of all storage charges and such filing fees as attach to instruments filed by said claimant Floyd E. Fullerton.

IT IS, THEREFORE, THE ORDER AND JUDGMENT OF THE COURT, that a forfeiture of said automobile be and the same is hereby allowed as against the said Donald Wayne Bronaugh, the driver thereof.

IT IS THE FURTHER ORDER AND DECREE OF THE COURT that the claim of the said Floyd E. Fullerton, be and the same is hereby sustained, and the United States Marshal for the Northern District of Oklahoma, is hereby directed to deliver said automobile over to the said Floyd E. Fullerton upon his payment of all storage charges, and such fees as are charged against the filing of proceedings by him incident to the seizure of the aforesaid automobile.

ALFRED P. MURRAH
JUDGE

OK AS TO FORM, SERVICE OF COPY ACKNOWLEDGED.

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

JOE W. HOWARD
Joe W. Howard, Assistant United States Attorney
ATTORNEYS FOR LIBELANT

ENDORSED: Filed Mar 30 1939
H. P. Warfield, Clerk
U. S. District Court EA

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

United States of America, Libelant,)
vs.)
) CIVIL FILE NO. 103
)
Onell 1934 Model Plymouth Sedan)
Automobile, Motor No. 5,633,759;)
Henry Siegfried, Claimants.)

JOURNAL ENTRY OF JUDGMENT

Now on this 30th day of March, 1939, this cause came on to be heard in open court before Honorable Alfred P. Murrah, Judge presiding, pursuant to regular assignment, Libelant appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Joe W. Howard, Assistant United States District Attorney for said district, claimant Henry Siegfried, appearing by his attorney, S. J. Clendenning, and it being shown to the court that said 1934 Model

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

FRED W. SEYMOUR, TRUSTEE,)
Plaintiff,)
-vs-)
GILMORT OIL COMPANY, a)
corporation, et al,)
Defendants.)
No. 1277 - E

O R D E R

This cause coming on to be heard this 30 day of March, 1939, upon application of Dowell Incorporated for permission to amend certain lien statements filed in the District Court of Tulsa County, Oklahoma, against Gilmort Oil Company on said leasehold estates involved in this cause, by correcting the verification of the same and showing that the same have been executed by a proper officer of the company; and this court upon due consideration finds that said leave should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that permission be given to the Dowell Incorporated to amend the aforementioned lien statements by correcting the verification as required by law and showing their execution by a proper officer of the company, and that the exhibits heretofore introduced in evidence in this cause by the said Dowell Incorporated be likewise amended to correspond with the amendments to the original lien statements as herein directed and that said liens be considered as valid and subsisting liens for all purposes in the Master's report herein filed.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Mar 30 1939
H. P. Warfield, Clerk
U. S. District Court B

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

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

O R D E R

Now on this 30th day of March, 1939, came on for hearing the application of L. L. Wiles and Wilbur Holleman, Receivers of and for the Gilmort Oil Company, a corporation, for authority to sell one 1935 Ford Standard Coupe, Motor No. 18-1397125, Title No. A-105768, and the Court having been fully advised in the premises finds: That this 1935 Ford Standard Coupe has a value of no more than TWENTY-FIVE DOLLARS (\$25.00); that unless the same is disposed of before April 1st, 1939, an automobile license tag for this year will have to be purchased; that the automobile is in great need of repair which will necessitate the expending of moneys from this receivership; that the said Ford Coupe should be sold without notice for not less than TWENTY-FIVE DOLLARS (\$25.00).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that L. L. Wiles and Wilbur Holleman, Receivers of and for the Gilmort Oil Company, a corporation, be and they are hereby

authorized and directed to sell, without notice, the hereinabove 1935 Model Ford Standard Coupe at once for a sum not less than TWENTY-FIVE DOLLARS (\$25.00).

Done in Open Court the day and year first above set forth.

F. E. KENNAMER
DISTRICT JUDGE

ENDORSED: Filed Mar 30 1939
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to April 1, 1939.

On this 1st day of April 1939 the District Court of the United States in and 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 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)	
)	
-vs-		)	No. 7 Civil
)	
Board of County Commissioners of Osage County, Okla., et al,	Defendants.)	

O R D E R

Now, on this 31st day of March, 1939, this matter coming on for hearing upon application for additional time to file answer herein;

It is, therefore, ordered and decreed by the court that the defendants be, and they are, hereby allowed until April 20th, 1939, to file their answer herein.

ALFRED P. MURRAH
District Judge

OK _____
Attorney for Plaintiff.
OK CHAS. R. GRAY _____
Attorney for Defendants.

COPIES RECEIVED: WHIT Y. MAUZY.

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

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

United States of America, Plaintiff,)
vs.) No. 90 Civil
M. E. Tate, Defendant.)

ORDER OF DISMISSAL

Now on this 1st day of April, 1939, this matter coming on before the Court, and it appearing that the defendant, M. E. Tate, has vacated the land involved in said cause, and the court costs have been paid, and that said cause should be dismissed;

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

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 Apr 1 1939
H. P. Warfield, Clerk
U. S. District Court H

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

United States, Plaintiff,)
-vs-) No. 2698
Board of County Commissioners of Osage)
County, Okla., and Livingston Hall,)
County Treasurer of Osage County, Oklahoma,)
Defendants.)

O R D E R

Now on this 31st day of March, 1939, this matter coming on for hearing upon application for additional time to file answer herein;

It is, therefore, ordered, and decreed by the court that the defendants be, and they are, hereby allowed until April 20th, 1939, to file their answer herein.

ALFRED P. MURRAH
District Judge

O.K. CHAS. R. GRAY
Attorneys for Defendants.

COPIES RECEIVED: WHIT Y. MAUZY

ENDORSED: Filed Apr 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
TULSA, OKLAHOMA

SPECIAL MARCH 1939 TERM

SATURDAY, APRIL 1, 1939

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

United States of America, Plaintiff,)
)
-vs-) No. 2699
)
Board of County Commissioners of Osage)
County, Okla., et al, Defendants.)

O R D E R

Now, on this 31st day of March, 1939, this matter coming on for hearing upon application for additional time to file answer herein;

It is, therefore, ordered and decreed by the court that the defendants be, and they are, hereby allowed until April 20th, 1939, to file their answer herein.

ALFRED P. MURRAH
DISTRICT JUDGE

OK CHAS. R. GRAY
Attorney for Defendants.

COPIES RECEIVED: WHIT Y. MAUZY

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

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

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

O R D E R

NOW on this 1st day of April, 1939, upon application in open court made, and for good cause shown, the Court finds that the time for filing objections to the Report of the Honorable W. L. Coffey, Special Master in this cause, which was filed in the Clerk's office on the 21st day of March, 1939, should be enlarged and it further appearing to the Court that the time for filing Objections to the Report of the Special Master has not expired.

It is, therefore, by the Court ORDERED and DECREED that the time within which any and all parties to this cause, including Intervenor and Claimants, may file Objections to the Report of the Special Master heretofore filed in this cause be and the same hereby is enlarged and extended to and including the 10th day of April, 1939.

It further appearing to the Court that the parties, claimants and Intervenor herein are numerous, it is ORDERED that Notice and Service of this Order be dispensed with and that the filing hereof in the office of the Clerk of this Court be and constitute Notice and Service of this Order.

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

ALFRED P. MURRAH
Judge

Court adjourned to April 3, 1939

On this 3rd 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 FOR THE NORTHERN DISTRICT OF OKLAHOMA

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

ORDER DENYING APPLICATION FOR LEAVE TO MAKE ADDITIONAL PARTY DEFENDANT

On this 29th day of March, 1939, plaintiff having brought on to be heard its application for leave to make R. B. Millard an additional party defendant in this action, and defendant appearing in objection thereto and the court having considered the application and pleadings herein,

IT IS ORDERED that plaintiff's application in such respect be, and the same is hereby, denied, to which plaintiff excepts and an exception in its behalf is hereby allowed.

F. E. KENNAMER
DISTRICT JUDGE

COPY ACKNOWLEDGED: HARRY O. GLASSER

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

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 day 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 properly 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:

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

SPECIAL APRIL 1939 TERM

MONDAY, APRIL 3, 1939

On this 3rd day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special April 1939 Term at Miami, met pursuant to adjournment, Hon. Alfred E. Murrah, Judge, present and presiding.

Benj. B. Ballenger, Deputy Clerk, U. S. District Court.
Whit Y. Mauzy, United States Attorney.
John P. Logan, United States Marshal.

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

MISCELLANEOUS - ORDER FOR ADDITIONAL PETIT JURORS.

On this 3rd day of April, A. D. 1939, it appearing to the Court that there are not sufficient jurors in the panel, it is ordered that the Marshal of said District summon from the bystanders nine good and lawful men, duly qualified, to serve as petit jurors for this Special April 1939 Term of said Court.

Thereupon, the Marshal returns the names of Claude W. Corbett, C. E. Durham, Claude Fox, Wm. B. Grisham, Pink P. Harvey, Todd N. Kirk, David F. Ogden, O. L. Saunders and Edgar H. Yarbrought, who are examined by the Court, and all are accepted as petit jurors for this Special April 1939 Term of Court.

MISCELLANEOUS - ORDER EMPANELEING PETIT JURY.

On this 3rd day of April, 1939, comes the Marshal and makes return on the Venire heretofore issued out of this court for Petit Jurors for this Special April 1939 Term of Court, at Miami, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

- | | |
|------------------|--------------------|
| Arthur F. Hall | William H. Adams |
| O. T. Roberts | H. K. Hudson |
| H. L. Freeman | Charley Schoonover |
| Arch Stewart | Roy E. Parr |
| D. F. Fournier | F. M. Brewster |
| W. G. Lane | C. A. Kibby |
| Bert Nichols | George Sutter |
| A. M. Andrew | Floyd Hand |
| S. A. Miller | John C. Whitsel |
| Floyd Soderstrom | J. M. Pitts |
| Will Gamm | Fred L. Mason |
| Joseph Dronot | Carl Harbison |
| F. A. Pershall | A. H. Smith |
| Ed Yoder | Doyal Winfield |
| J. W. Penn | Joe Mayor |
| O. S. Mullen | H. M. Maher |
| N. B. Kerr | W. L. Sexton |
| Frank Kohler | Henry Robinson |

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

- | | |
|---------------|----------------|
| H. L. Freeman | F. M. Brewster |
| H. K. Hudson | C. A. Kibby |
| Roy E. Parr | H. M. Maher |

are excused from service as Jurors for the term.

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

W. G. Lane
 Will Gann
 Joseph Dronot
 F. A. Pershall
 J. W. Penn

George Sutter
 John O. Whitsel
 J. M. Pitts
 Fred L. Mason
 Joe Mayor

be and they are hereby stricken from the jury roll.

Thereupon, the balance of said array are accepted as Petit Jurors for this Special April 1939 Term of Court.

ENDORSED: Filed In Open Court
 Apr 3 1939
 H. P. Warfield, Clerk
 U. S. District Court.

 Court adjourned to April 3, 1939.

On this 4th 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:

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

Fred W. Seymour, Trustee,	Plaintiff,)	
)	
-vs-		)	No. 1277 Equity
)	
Gilmort Oil Company, et al,	Defendants.)	

ORDER OF COURT

And now on this 4th day of April, 1939, this matter comes on before the Court upon the application of Halliburton Oil Well Cementing Company, one of the intervenors herein, for an order of court dispensing with the service of the objections to the Report of the Special Master herein upon the other parties to this proceeding, and it appearing to the court that there are a great many parties to this proceeding and a great number who have filed claims herein, and it further appearing to the court that the rights of none of the parties hereto will be prejudiced by failure of any parties filing such objections to such report serving such objections upon the other parties, and it further appearing to the Court that the hearing upon all objections to the said Report has been by order of this court set for hearing before the court on April 17th, 1939.

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

DISTRICT OF OKLAHOMA

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 4, 1939

It is therefore ordered by the court that the service of objections to the Report of the Special Master herein by any of the parties herein filing objections to such Report, upon the other parties to this proceeding, may be dispensed with, and that motion for hearing of such objections and notice thereof to the other parties herein, may also be dispensed with, and that all of the objections filed herein to such Report of the Special Master, may be heard by the Court on the 17th day of April, 1939, without the service of such objections and of such motion, upon the other parties to this proceeding.

F. E. KENNAMER

JUDGE.

ENDORSED: Filed Apr 4 1939
H. P. Warfield, Clerk
U. S. District Court DC

Court adjourned to April 8, 1939.

SPECIAL APRIL 1939 TERM

MIAMI, OKLAHOMA

FRIDAY, APRIL 7, 1939

On this 7th day of April, A. D. 1939, the District Court of the United States for the Northern District of Oklahoma, sitting in Special April 1939 Term at Miami, met pursuant to adjournment, Hon. Alfred P. Murrah, Judge, present and presiding.

Benj. B. Ballenger, Deputy 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

JAMES T. SPENCER, Administrator of the Estate of Jackson Barnett, Deceased,	Plaintiff,)
)
-vs-)
)
GYPSY OIL COMPANY, a corporation, et al.,	Defendants.)

NO. 39 - Civil.

JOURNAL ENTRY

This cause came on for hearing on this 29th day of March, 1939, the same being a regular day of a Term of this Court, at Tulsa, Oklahoma, before the Honorable Alfred P. Murrah, Judge, upon the following motions, set on that date, for hearing, to-wit:

(1) Upon the motions of defendants, Gypsy Oil Company, and ~~Mid-Continent~~ Corporation, Cushing Gasoline Company, and Mid-Continent Petroleum Corporation, to quash, set aside and hold for naught the process, and service of process, in the above entitled cause on each of said defendants; and,

On the presentation of said motions and the grounds thereof, the plaintiff requested leave to amend the process by serving forthwith, in open court, on each of said defendants, a copy of the exhibits attached to the complaint, which leave was granted, and said service made, instantly, and thereupon, the Court overruled said motions and granted said defendants, and each of them, exception to the ruling of the Court.

(2) Thereupon, the defendant, Mid-Continent Petroleum Corporation, presented its separate motion to dismiss the action for lack of jurisdiction over the subject matter, and for lack of jurisdiction over the parties, and for want of diversity of citizenship, and to dismiss because of improper venue, all of which said motion of said Mid-Continent Petroleum Corporation is overruled, and said defendant is granted an exception.

(3) Thereupon, came on for hearing the motion of Cushing Gasoline Company to dismiss for lack of jurisdiction of the subject matter - for lack of jurisdiction over the persons, and for want of diversity of citizenship; which motion, by the court, is overruled, and the defendant is given an exception.

(4) Thereupon, came on to be heard all of the other respective grounds of the motions of the Gypsy Oil Company, and the Gulf Oil Corporation; and each and all of the other respective grounds of said motions of said respective defendants are overruled, to which each of said defendants except, except as to that part of each of said motions - "to dismiss the above action because the complaint fails to state a claim against this defendant, upon which relief can be granted," - on which the Court withholds ruling at this time, and grants leave to thereafter present, or renew, such grounds.

(5) Thereupon, on motion of the plaintiff, the Court ordered that F. A. Gillespie be made a party defendant, and that process issue, and that the Marshal serve the same upon the defendant.

(6) Thereupon, came for hearing the motion of the defendant, F. A. Gillespie and Sons Company, to quash service of summons, which motion is sustained, and the plaintiff is granted leave to have issued forthwith an alias summons, and the marshal is directed to serve the same upon said defendant, as provided by law.

(7) And thereupon, came on for hearing, the respective motions of the defendants, Gypsy Oil Company, Gulf Oil Corporation, and the Consolidated, joint and several motions of defendants - Mid-Continent Petroleum Corporation and Cushing Gasoline Company, to strike the intervening complaint of the intervener - United States of America, and to strike certain portions of said complaint, and to require said intervener to make said complaint more definite and certain, upon consideration of which, each of said motions being identical, the Court overrules the 1st, 2nd, and 3rd paragraphs of said motions, to which each of said defendants excepts; and the Court further overrules that part of paragraph (4) four of each of said motions, entitled: (a), (b), (c), and (d), to which each of said defendants excepts, but the Court sustains sub-paragraphs (e), (f), (g), (h), and (i) of paragraph four (4) under conditions hereinafter stated, and overrules sub-paragraph (j), and also overrules sub-paragraphs (k), (l), (m), (n), (o), (p), (q), (r), (s) and (t), of paragraph four (4), in view of counsel for all parties appearing in open court having agreed to obviate the necessity of amendment by entering into a written stipulation, agreeing that all the pleadings, judgments and orders of this Court in Consolidated Cause No. 216 - Equity shall be treated and considered by all appearing parties and the Court as exhibits to plaintiff's complaint and the intervening complaint of the United States.

IT IS ORDERED that the United States, in lieu of an amendment attaching the exhibits called for by sub-paragraphs (e), (f), (g), (h) and (i), of paragraph four (4) of the defendants' respective motions, may file in this cause a stipulation signed by counsel for the defendants herein appearing, and counsel for the United States agreeing that the exhibits called for are attached thereto and shall be made a part of the Government's intervening petition, - such stipulation to be filed within ten (10) days from the date of this order.

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

SPECIAL APRIL 1939 TERM

FRIDAY, APRIL 7, 1939

IT IS FURTHER ORDERED that any stipulation signed by counsel for the plaintiff, the United States, and the defendants heretofore or now appearing by pleadings shall be embodied in a separate order of the Court, so as to make the pleadings, judgments and orders in Equity Causes Nos. 216 and 260, and Consolidated Cause No. 216 - Equity, exhibits to the complaint of James T. Spencer, Administrator, and the intervening petition of the United States of America.

The defendants appearing in this cause are granted twenty days from and after the date on which the plaintiff and intervener - United States, comply with the provisions of this order in regard to exhibits, or signing of stipulation in lieu thereof, to plead.

MADE and enters this 7th day of April, 1939, as of March 29th, 1939.

ALFRED P. MURRAH
JUDGE

ENDORSED: Filed Apr 7 1939
H. P. Warfield, Clerk
U. S. District Court MA

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

THE UNITED STATES OF AMERICA, Complainant,)

versus)

W. M. Smith, otherwise known as Wesley M.)
Smith, Floyd Myers, Cleve Byrd, O. H.)
Harrington, Defendants.)

No. 1283 Equity.

ORDER PERMITTING UNITED STATES FIDELITY AND GUARANTY COMPANY
TO FILE INTERVENING PETITION

Now on this 7th day of April, 1939, at Miami in said Northern District, came on for hearing the motion of the United States Fidelity and Guaranty Company, for leave to file petition in intervention herein, and the Court being fully advised in the premises doth grant said motion, and Movant is given until May 7th, 1939, to file its petition, and any party hereto is given 20 days thereafter to file answer or other plea to said petition.

ALFRED P. MURRAH
Judge of the United States District Court

ENDORSED: Filed In Open Court
Apr 7 1939
H. P. Warfield, Clerk
U. S. District Court

MISCELLANEOUS - ORDER TO DISCHARGE PETIT JURORS.

On this 7th day of April, A. D. 1939, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged, subject to call, for this Special April 1939 Term of Court at Miami, Oklahoma.

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

On this 7th day of April, A. D. 1939, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Special April 1939 Term of Court, their mileage and attendance as shown by the Record of Attendance.

MISCELLANEOUS - ADJOURNMENT.

It is this day ordered in pursuance of Section 12 of the Judicial Code, that the Special April 1939 Term of said Court at Miami, Oklahoma, be adjourned subject to call.

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

UNITED STATES OF AMERICA, Complainant,)
vs.)
GEORGE B. COX, COX MACHINERY COMPANY,) No. 1279 EQUITY
a Corporation, FIRST NATIONAL BANK OF)
MIAMI, OKLAHOMA, a corporation, OKLAHOMA)
BOILER & SHEET METAL WORKS, a Corporation,)
and LANDIS STEEL CONSTRUCTION COMPANY, a)
Corporation, Respondents.)

JOURNAL ENTRY

Now on this 23rd day of January, 1939, the same being a day of the regular January 1939 Term of said Court for the city of Tulsa, Oklahoma in said Judicial District, this cause comes on for trial on the merits in its regular order of setting on the Trial Docket on the Complainant's bill of complaint and the response of the Respondents. The Complainant appears by the United States District Attorney within and for said Judicial District, to-wit, the Honorable Whit Y. Mauzy, and his Assistant, the Honorable Chester A. Brewer, and the Respondents appear by Frank Nesbitt their attorney of record, and both sides announced ready for trial.

Thereupon, the complainant did, through its said counsel, make its opening statement thereupon the Respondents moved the court for a judgment in favor of Respondents on the pleadings and the opening statement of Complainant's counsel, which motion was overruled by the Court and the Respondents were allowed an exception.

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

SATURDAY, APRIL 8, 1939

Thereupon counsel for the Respondents made their opening statement; thereupon the Complainant introduced its evidence and rested; thereupon the Respondents demurred to the Complainant's evidence and moved the Court to dismiss said action, which demurrer and motion was overruled by the court and the Respondents were allowed an exception; thereupon the Respondents introduced their evidence and rested; thereupon the Complainant introduced its rebuttal evidence and both sides closed.

The court having examined the pleadings, heard the evidence, and being well and fully advised of the premises, finds the issues generally in favor of the Respondents and against the Complainant and finds that none of the buildings, machinery, or other property described in paragraph VI of Complainant's Bill of Complaint herein filed, is or ever was a part of the real estate on which it is now located, to-wit: Lots numbered Thirty-five (35), Thirty-six (36, Thirty-seven (37), Thirty-eight (38), and Thirty-nine (39), of the Hoover Addition to the City of Picher, Ottawa County, Oklahoma, but finds that under the evidence said buildings, machinery, and other property so located on said real estate is personal property owned by and in the actual possession of the Respondent, to-wit, Landis Steel Construction Company.

The court finds that said Lots numbered 35, 36, 37, 38 and 39 of the Hoover Addition to the City of Picher, Oklahoma is a part of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 17, Township 29 North, Range 23 East of the Indian Meridian, Ottawa County, Oklahoma, that said land was duly allotted in severalty to Harry Crawfish as a full blood Quapaw Indian and a member of the Quapaw Tribe of Indians, pursuant to the Act of the National Council of the Quapaw Tribe of Indians which was duly ratified by the Act of Congress of the United States of America on March 2, 1895, and that said allottee has, ever since and is now the owner of said lands.

The court further finds that about the year of 1913, the said Harry Crawfish, did, under and by virtue of authority of the Act of Congress of the United States of America of June 7, 1897, lease said lands to one George Beck for a period of ten years for mining purposes; that during the year 1913, said lease was duly assigned to the Eagle-Picher Lead Company for mining purposes and that said company developed large bodies of lead and zinc ores thereon.

That on March 31, 1915, pursuant to authority of the Act of Congress of June 7, 1897 the said Harry Crawfish executed and delivered to W. W. Dobson a business lease on said land for a term of ten years from the date thereof granting the right to use the surface of said lands for the location and occupation by machine shops and other business purposes. That said lease was not assigned but was taken for the benefit of the Eagle Picher Lead Company, and by virtue thereof the Eagle Picher Lead Company had the right to use the surface under said lease.

The court further finds that the Eagle-Picher Lead Company, under its mining lease, gave permission for the erection of a machine shop on said land and to use said land for the operation and maintenance of said machine shop and that, pursuant to said permission, buildings were erected and machinery installed on Lots 35, 36, 37, 38 and 39 of Hoover Addition and that said respondents have used said buildings and machinery on said land since that date.

The Court further finds that it never was the intention of the respondents of any of them that said buildings and machinery should become a part of said real estate; that respondents listed said buildings and machinery for taxation as personal property and have paid the taxes thereon during the time they have occupied said lots; that the respondents did mortgage said buildings and machinery as personal property and that said buildings and machinery are so erected on said lands that they may be removed therefrom without injury to the land and that said buildings and machinery are not applicable to any use or purpose to which the lands on which they are located is appropriated but are trade fixtures.

The court finds that in the year of 1931 the Secretary of the Interior of the United States of America caused said lands to be platted into lots and fixed the rental value of said lots numbered 35, 36, 37, 38 and 39 Hoover Addition, at \$10.00 per month and so advised the

Oklahoma Boiler & Sheet Metal Works, the respondent then occupying said lots; that in Case No. 2171 Law in this court, the United States recovered a judgment against the Oklahoma Boiler & Sheet Metal Works in the sum of \$600.00 for rents for the use and occupation of Lots 35, 36, 37, 38 and 39, Hoover Addition to Picher, Oklahoma and costs, same being rentals for the years 1931, 1932, 1933, 1934 and 1935, and that the respondents First National Bank of Miami, Oklahoma and Cox Machinery Company did, prior to the filing of this suit, tender to complainant the full amount of said judgment and costs with the further sum covering rentals thereafter accruing at the rate of \$10.00 per month, and the tender was and still is refused by complainant. To all of said findings the complainant is allowed an exception.

The court concludes, as a matter of law:

First: That the respondents are not trespassers.

Second: That the buildings and machinery located on the premises involved in this action are personal property and subject to removal.

IT IS, THEREFORE, ADJUDGED AND DECREED that the respondents have judgment against complainant denying the prayer of the Bill of Complaint and that the same be dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that respondents shall forthwith pay to the Clerk of this court the amount of the judgment, interest and costs in Cause No. 2171 Law, United States District Court for the Northern District of Oklahoma; that respondents shall forthwith pay to the Clerk of this Court for the benefit of complainant herein the sum of \$380.00 in payment of rentals for the use and occupation of said lots for the years of 1936, 1937 and 1938 and the months of January and February, 1939; and that upon the payment of said sums, respondents shall remove their buildings, machinery and equipment from said lots within ninety (90) days from the date this judgment shall become final; that the costs of this action shall be paid by respondents, to all of which complainant is allowed an exception.

F. E. KENNAMER
U. S. DISTRICT JUDGE

ENDORSED: Filed Apr 8 1939
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to April 10, 1939

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

MONDAY, APRIL 10, 1939

On this 10th 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:

demand for jury trial as to Tract No. 71 only. The Report of Commissioners filed herein should be confirmed and approved in all respects, except as to the said Tract No. 71.

(9) There is now pending and undisposed of the Demand for Jury trial filed by Stephen Stilley, insofar as the same affects any interest owned by the said Stephen Stilley in the real estate described as follows:

Tract No. 71, being the West Half ($W\frac{1}{2}$) of Lot Four (4), and 1 acre in the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Lot Three (3), (also described as 1 acre in the Southwest Corner of Lot 3), Section Thirty-One (31), Township Twenty-one (21) North, Range Twenty-three (23) East, and the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty-six (36), Township Twenty-One (21) North, Range Twenty-Two (22) East of the Indian Meridian, Delaware County, Oklahoma, containing 60.995 acres of land, more or less.

The Court having fully considered the Petition for Condemnation, and all proceedings had herein, Title II of an Act of Congress approved June 16, 1933 (48 Stat. 200), an Act of Congress approved April 8, 1935, (49 Stat. 115), Executive Order No. 6252 dated August 19, 1933, Executive Order No. 6983 dated March 6, 1935, Executive Order No. 7027 dated April 30, 1935, Executive Order No. 7028 dated April 30, 1935, Executive Order No. 7064 dated June 7, 1935, Executive Order No. 7530 dated December 31, 1936, Executive Order No. 7557 dated February 19, 1937, and Public Resolution No. 47 - 75th Congress (Chapter 401-First Session), approved June 29, 1937, Weeks Law (36 Stat. 961), and the Clarke-McNary Act (43 Stat. 653, and all statutes supplemental or amendatory thereof, and all other statutes in such cases made and provided, and all executive orders and other delegations of authority made pursuant to these statutes, as more particularly set out in the petition filed herein, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it, and that the alleged public purpose and use, as set out in the Petition for Condemnation, is hereby adjudged to be in truth and in fact, a public purpose and use within the meaning and purport of the above designated Acts of Congress and Executive Orders.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein is hereby confirmed and approved in all respects, except as to Tract No. 71, and that upon depositing the amount of One Thousand, Four Hundred Fifty-Nine and 60/100 Dollars (\$1,459.60) with the Clerk of this Court, there will vest in the United States of America title in fee simple in and to the lands hereinafter described, subject to and excepting therefrom all existing public roads, public utility easements and rights-of-way.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon depositing said amount with the registry of this Court, said lands hereinafter described will have been deemed to have been condemned and taken for the uses and purposes of the United States of America, and that the right to compensation in said amount will vest in the persons lawfully entitled thereto.

The Report of Commissioners is final in all respects except as to Tract No. 71, hereinabove described, and the amounts awarded therein as damages, or as the true, fair, cash, market value of said real estate, is just compensation for the lands and estates therein taken.

The correct legal description of the lands upon which this order applies and shall be in full force and effect, together with the fair cash market value as to each particular tract determined by the Report of Commissioners, is as follows, to-wit:

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

SPECIAL MARCH 1939 TERM

MONDAY, APRIL 10, 1939

Tract No. 31a, being the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$), and the North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Fourteen (14), Township Twenty-One (21) North, Range Twenty-two (22) East of the Indian Meridian, Delaware County, state of Oklahoma, containing 100 acres, more or less,
a total fair cash market value of \$200.00;

Tract No. 31b, being the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twenty-three (23), Township Twenty-One (21), North, Range Twenty-Two (22), East of the Indian Meridian, Delaware County, State of Oklahoma, containing 10 acres, more or less,
a total fair cash market value of \$20.00;

Tract No. 42, being the West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Ten (10), Township Twenty-One (21), North, Range Twenty-Two (22) East of the Indian Meridian, Delaware County, State of Oklahoma, containing 20 acres, more or less;
a total fair cash market value of \$50.00;

Tract No. 43, being the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Six (6), Township Twenty-One (21), North, Range Twenty-Three (23) East of the Indian Meridian, Delaware County, Oklahoma, containing 10 acres, more or less, a total fair cash market value of \$80.00;

Tract No. 49, being the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-Two (32), Township Twenty-One (21) North, Range Twenty-three (23) East of the Indian Meridian, Delaware County, Oklahoma, containing 10 acres, more or less;
a total fair cash market value of \$20.00;

Tract No. 3, being the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-Four (24), Township Twenty-One (21) North, Range Twenty-Three (23) East of the Indian Meridian, Delaware County, State of Oklahoma, containing 10 acres of land, more or less;
a total fair cash market value of \$20.00;

Tracts Nos. 32a and 32b, being the North Half ($N\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$), and the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Fifteen (15), Township Twenty-One (21) North, Range Twenty-Two (22) East of the Indian Meridian; and the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twenty-Three (23), Township Twenty-One (21) North, Range Twenty-Two (22), East of the Indian Meridian, Delaware County, State of Oklahoma, containing 130 acres of land, more or less;
a total fair cash market value of \$260.00;

Tract No. 70, being the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (N W $\frac{1}{4}$), and the Northwest Quarter (N W $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-Two (22), Township Twenty-One (21) North, Range Twenty-Two (22) East of the Indian Meridian, Delaware County, State of Oklahoma, containing 80 acres of land, more or less, a total fair cash market value of \$689.60;

Tract No. 84, being the Northwest Quarter (N W $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), and the West Half (W $\frac{1}{2}$) of the Northeast Quarter (N E $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township Twenty-One (21) North, Range Twenty-Three (23) East of the Indian Meridian, Delaware County, Oklahoma, containing 60 acres, more or less; a total fair cash market value of \$120.00;

This cause is held open for the purpose of entering such further orders and decrees as may be necessary in the premises.

Entered this 10th day of April, 1939.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 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

United States of America,	Petitioner.)
)
vs.)
)
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.)

No. 98 - Civil.

ORDER APPOINTING GUARDIAN AD LITEM

On this 10th day of April, 1939, it appears to the Court that on March 4, 1939, the Petition was filed in the above styled and numbered proceedings, in which it was prayed that a guardian ad litem be appointed for Arch Harry, also known as Archie Harry, a minor. And it appears to the Court that it is necessary and proper at this time that a guardian ad litem be appointed for said minors.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Joe Brown be, and he is hereby appointed guardian ad litem for the said Arch Harry, also known as Archie Harry, a minor, to represent the said minor in this proceeding and to do all other things to protect his interest herein as prescribed by law.

ENDORSED: Filed Apr 13 1939
H. P. Warfield, Clerk
U. S. District Court

F. E. KENNAMER
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 10, 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 APPOINTING COMMISSIONERS

On this 10 day of April, 1939, the above cause comes on for hearing upon the Petition of the United States of America for an order appointing commissioners in said cause, and it appearing to the Court that the United States has the power to acquire by eminent domain the lands hereinafter described, in that the acquisition of said lands is necessary for the United States of America in carrying on for public purposes and uses the Delaware County Rehabilitation of Indians, Subsistence Farming Project of the Department of Agriculture, under and by virtue of Section 202, of Title 2 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), and Executive Order No. 7027, issued pursuant thereto, all other Acts of Congress and Executive Orders supplementary and amendatory thereof and made in pursuance of said Acts of Congress and Executive Orders, and all other Acts of Congress and Executive Orders as more particularly set out in the petition filed herein.

Said lands are described as follows, to-wit:

Lots One (1) and Two (2), and the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section One (1), Township Twenty-One (21) North, Range Twenty-two (22) East of the Indian Base and Meridian, containing 119.62 acres, more or less, situate in Delaware County, State of Oklahoma.

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

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

IT IS THEREUPON ORDERED, ADJUDGED AND DECREED that Lester Jordon, Lee Capehart and R. E. Crow, disinterested freeholders of the County of Delaware, State of Oklahoma, and not interested in any like question, be, and they are hereby appointed as commissioners to inspect said real property hereinabove described, and consider the fair cash market value of the estate herein taken, and award such fair cash market value to the respondents in this case as the former owners of said lands.

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

CLIFTON C. VORIS, Plaintiff,)
vs.) No. 2531 Law
THE AETNA LIFE INSURANCE CO., of Hartford,)
Conn., a corporation, defendant.)

ORDER EXTENDING TIME

On this 10th day of April, 1939, it was called to the Court's attention that it was necessary to extend the time for filing the record on appeal and docketing this action and that the time for filing and docketing this action has not expired and for good cause shown,

IT IS ORDERED, CONSIDERED AND ADJUDGED that the appellant's time for filing the record on appeal and docketing the action be and it is hereby extended to ninety (90) days from the date of the first notice of appeal herein, to wit, the 7th day of March, 1939.

DONE IN OPEN COURT.

F. E. KENNAMER
J U D G E

ENDORSED: Filed Apr 10 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, Petitioner,)
vs.) No. 2711 - Law.
Tract No. 78, 20 acres of land, more or less,)
in the County of Delaware, State of Oklahoma; John)
A. Wood, also known as J. A. Wood, et al.,)
Respondents.)

J U D G M E N T

Now on this 10 day of April, 1939, it appears to the Court that in accordance with the Judgment entered herein on the 29th day of March, 1939, there has been deposited by the petitioner herein the sum of Fifty and no/100 Dollars (\$50.00), representing the fair cash market value as determined by the Report of Commissioners filed herein and heretofore adjudged to be final as to the hereinafter described real estate;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that fee simple title, subject to and excepting all existing public roads, public utility easements, and rights of way, in and to the real estate described as follows, to-wit:

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

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA MONDAY, APRIL 10, 1939

did on the depositing of the said sum of Fifty and no/100 Dollars (\$50.00) with the registry of the court vest in the United States of America, and the United States of America is hereby adjudged to have acquired said estate in said real estate exclusive of any and all other claims made or that might be made thereeto.

ENDORSED: Filed Apr 10 1939
H. P. Warfield, Clerk
U. S. District Court EA

F. E. KENNAMER
J U D G E

IN THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE TENTH JUDICIAL CIRCUIT.
SITTING AT OKLAHOMA CITY, OKLAHOMA
FIRST DAY, APRIL TERM, MONDAY, APRIL 10th, A. D. 1939
PRESENT: Honorable Orle L. Phillips, Circuit Judge, Honorable Sam G. Bratton, Circuit Judge, Honorable Robert L. Williams, Circuit Judge, W. Joe Ballard, Esquire, Marshal, Albert Trego, Esquire, Clerk.

Before Honorable Orle L. Phillips, Honorable Sam G. Bratton and Honorable Robert L. Williams, Circuit Judges.

In the Matter of the Assignment of Judges.)

At this day it appearing that the public interest requires the designation and appointment of a district judge of this circuit to assist in holding the Circuit Court of Appeals of the United States for the Tenth Judicial Circuit in aid of the judges of this Circuit; Therefore, the Honorable Franklin E. Kennamer, United States District Judge for the Northern District of Oklahoma, is hereby designated and appointed to assist in holding the Circuit Court of Appeals of the United States for the Tenth Judicial Circuit for the April Term, 1939, at the city of Oklahoma City, Oklahoma, in aid of the judges of said Tenth Judicial Circuit.

A true copy as of record,
(SEAL) TESTE: ALBERT TREGO, Clerk.
ENDORSED: Filed Apr 10 1939
H. P. Warfield, Clerk, U. S. District Court

Court adjourned to April 11, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA TUESDAY, APRIL 11, 1939

On this 11th 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 and Hon. Alfred P. Murrah, Judge, present and presiding.

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

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

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

GAR WOOD INDUSTRIES, INC., Plaintiff,)
vs.) Civil File No. 71
Braden Winch Company, Thomas J. Schuetz, William R.)
Braden, Mrs. William R. Braden, and William H. Emmons.)
Defendants.)

ORDER EXTENDING TIME FOR DEFENDANTS TO FILE ANSWER

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

SPECIAL MARCH 1939 TERM

TULSA, OKLAHOMA

TUESDAY, APRIL 11, 1939

Upon application of the defendants herein and for good cause shown, the defendants are hereby granted 15 days additional time within which to file answer to plaintiff's complaint

Entered April 11, 1939.

F. E. KENNAMER

SERVICE OF COPY ACCEPTED, - CONNER & WINTERS, Attorney for Plaintiff

JUDGE

ENDORSED: Filed April 11 1939

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

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

United States of America,

Plaintiff,)

vs.

) No. 84 Civil

T. N. Cornelius,

Defendant.)

ORDER OF DISMISSAL

Now on this 11th day of April, 1939, this cause coming on before the Court, and it appearing to the Court that the above named defendant has vacated the premises involved in said cause, and the Court costs have been paid, and said cause should be dismissed.

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

O.K. AS TO FORM SERVICE OF COPY ACKNOWLEDGED

ALFRED P. MURRAH

WHIT Y. MAUZY, United States Attorney

JUDGE

CHESTER A. BREWER, Assistant United States Attorney

ENDORSED: Filed Apr 11 1939

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

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

Warren H. Davis and Otto Sieg,

Plaintiffs,)

vs.

) NO. 1228 Equity

H. F. Wilcox Oil & Gas Company, a
Delaware Corporation, et al.,

Defendants.)

O R D E R

There having been presented to the Court a proposal for the compromise and dismissal of this case and of case No. 1269 Equity, Brewer vs. H. F. Wilcox Oil & Gas Company, with a prayer for the approval thereof and for the dismissal of said cases;

IT IS ORDERED by the Court that said proposal be and the same hereby is set for hearing at 9:30 o'clock A.M., on the 27th day of April, 1939, at the Court Room of this Court at Tulsa, Oklahoma, when and where any person interested may appear and show cause, if any he has, why said proposal should not be approved by the Court, carried out by the parties, and said cases dismissed with prejudice at defendants costs.

IT IS FURTHER ORDERED by the Court that notice of said proposal and of said hearing be given by the Clerk of this Court to all of the stockholders of H. F. Wilcox Oil & Gas Company

SPECIAL MARCH 1939 TERM

TUESDAY, APRIL 11, 1939

by mailing each of them, within three (3) days from this date a notice containing the caption of this case, and in substantially the following form, to-wit:

"NOTICE OF PROPOSED COMPROMISE AND DISMISSAL"

Notice is hereby given that at 9:30 A .M., or as soon thereafter as counsel can be heard, on the 27th day of April, 1939, in the Court Room of the above named Court at Tulsa, Oklahoma, there will be presented to the Court, with a request for its approval, a proposal for the compromise and dismissal of the above styled and numbered cause whereby H. F. Wilcox will pay H. F. Wilcox Oil & Gas Company \$15,000.00 and transfer to it 15,000 shares of its common stock; said company will execute to the other defendants a general release covering all claims, whether asserted in the suit or not, and will also grant H. F. Wilcox a five year option on 15,000 shares of treasury stock at \$3.00 per share; and the Court will fix a reasonable fee for plaintiffs' attorneys and the auditor employed by plaintiffs, to be paid by H. F. Wilcox Oil & Gas Company, and will dismiss this case and Case 1269 Equity, by Elizabeth S. Brewer against the same defendants, with prejudice at defendants' costs.

Further particulars concerning said suits and the proposed compromise and dismissal may be obtained by examining the files and records in the office of the Clerk of said Court at Tulsa, Oklahoma.

You may appear at said hearing and show cause, if any you have, why said proposal should not be approved by the Court, carried out by the parties, and the cases dismissed.

DATED at Tulsa, Oklahoma, this 12th day of April, 1939.

H. P. WARFIELD, Court Clerk,

By _____ Deputy[#]

DATED at Tulsa, Oklahoma, this 11th day of April, 1939.

ALFRED P. MURRAH
DISTRICT JUDGE

ENDORSED: Filed Apr 11 1939
H. P. Warfield, Clerk
U. S. District Court EA

Court adjourned to April 12, 1939

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

United States of America, Petitioner,)
vs.)
490.995 acres of land, more or less, in Delaware) No. 13 - Civil
County, State of Oklahoma; Lucy Procotor,)
et al, Respondents.)

ORDER APPOINTING GUARDIAN AD LITEM

On this 10th day of April, 1939, it appears to the Court that on October 14, 1938, the petition was filed in the above styled and numbered proceedings, in which it was prayed that a guardian ad litem be appointed for Sam Hair, Mose Hair, Lucy Hair, and Maggie Raper, minors. And it appears to the Court that it is necessary and proper at this time that a guardian ad litem be appointed for said minors.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Joe Brown be, and he is hereby appointed guardian ad litem for the said Sam Hair, Mose Hair, Lucy Hair, and Maggie Raper, minors to represent the said minors in this proceeding and to do all things to protect their interest herein as prescribed by law.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Apr 13 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.) No. 99 Civil.
TULSA MILK PRODUCERS, INC.,)
et al, Defendants.)

Q R D E R

Now on this 13th day of April, 1939, this matter coming on upon the application of Frank H. Letson, Receiver herein, for authority to sell

105 10-gallon cans
4 5-gallon cans
3 3-gallon cans
3 1-gallon cans

for a total sum of \$137.25, which have heretofore been appraised herein at the total sum of \$115.00, and it appearing that such offer is better than any price that may be subsequently obtained, and because of such emergency, the court finds that such application should be granted.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA
SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA THURSDAY, APRIL 13, 1939

IT IS, THEREFORE, ORDERED AND ADJUDGED, that Frank H. Letson, Receiver herein, be and he is hereby authorized to sell said 115 milk cans at private sale for the total sum of \$137.25, and thereafter file his report in connection therewith.

ALFRED P. MURRAH
JUDGE

ENDORSED: Filed Apr 13 1939
H. P. Warfield, Clerk
U. S. District Court AC

Court adjourned to April 14, 1939

SPECIAL MARCH 1939 TERM TULSA, OKLAHOMA FRIDAY, APRIL 14, 1939

On this 14th 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 UNITED STATES DISTRICT COURT FOR AND WITHIN THE NORTHERN DISTRICT OF OKLAHOMA

City of Pawhuska, Oklahoma, a Municipal Corporation, ex rel R. G. McKay, Plaintiff,)
vs) No. 121 Civil
LST TRACT: R. M. McCreery, et al., Defendants.)

O R D E R

Now on this, the 13th day of April, 1939, this matter came on for hearing on the application of the plaintiff herein for the appointment of some person to serve summons, or other forms of process, as provided by Rule 4 (c) of the rules for civil procedure for the District Courts of the United States. The Court finds that it is advantageous to all the parties to this suit that all process, mesne and final, be made by some person appointed by the Court for the serving of such process, and that Frank McCoy, Jr., of Pawhuska, Oklahoma, is the proper person to be appointed for that purpose.

It is, therefore, considered, ordered, adjudged and decreed, that Frank Mc Coy, Jr., a resident of Pawhuska, Oklahoma, be and is hereby appointed to serve all summons, or other forms of process in this case.

ENDORSED: Filed Apr 14 1939
H. P. Warfield, Clerk
U. S. District Court H

F. E. KENNAMER

Court adjourned to April 19, 1939

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

WEDNESDAY, APRIL 19, 1939

On this 19th 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:

DISTRICT COURT OF THE UNITED STATES NORTHERN DISTRICT OF OKLAHOMA

M. E. Karr, Plaintiff,)
vs) No. 10 Civil
Midland Valley Railway Company,)
a corporation, et al,)
Defendant.)

O R D E R

This cause coming on by regular setting this 29th day of March, 1939 to be heard on Plaintiff's Motion to Remand, the Plaintiff being represented by his council, S. J. Montgomery, and the Defendants Midland Valley Railway Company the petitioner herein represented by its attorneys, O. E. Swan and H. L. Smith. The same argued and the court hearing arguments postponed its ruling until service of process issued in said cause be examined.

Thereafter on the 14th day of April, 1939, having examined the service of process, the court finds that both the non-resident corporate defendant, the petition herein, and G. B. Harrison resident individual defendant have been duly and regularly served and that the case should be therefore remanded to the District Court of Tulsa, County State of Oklahoma, from whence it was removed.

IT IS THEREFORE ORDERED AND DECREED that the said above numbered and styled cause be and the same is hereby remanded to the State Court from whence it was removed.

Done this 19th day of April, 1939.

F. E. KENNAMER
Judge of U. S. D. C., N. D.
of Oklahoma

ENDORSED: Filed Apr 19 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

WEDNESDAY, APRIL 19, 1939

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

IRA N. CARTER,	Plaintiff,)	
)	
vs.		)	No. #80 Civil
)	
TRI-STATE MOTOR TRANSPORT CO.,)	
INC.,	defendant.)	

ORDER

Now on this 29th day of March, 1939, this cause comes on to be heard on the motion of the defendant to dismiss plaintiff's complaint; Plaintiff appearing by B. A. Hamilton, his attorney, and the defendant appearing specially and for purposes of said motion only by its attorneys, Green & Farmer, and the Court having heard argument of counsel and being fully advised and on request of the plaintiff permitted plaintiff in open court to amend his bill of complaint by interlineation to show that the defendant, Tri-State Motor Transport, Inc., is a foreign corporation, organized and existing under and by virtue of the laws of the State of Missouri, and the Court then finds that said motion should be overruled. Be it therefore ordered, adjudged and decreed by the Court that plaintiff permitted to amend his complaint by interlineation as above set out and that motion of the defendant be, and the same is hereby overruled, exception allowed and defendant is granted twenty days from this day in which to answer the complaint of the plaintiff filed herein.

F. E. KENNAMER
JUDGE

OK as to form and copies received.
B. A. HAMILTON
Attorney for plaintiff.

OK AS TO FORM & COPIES RECEIVED
W. E. GREEN & J. C. FARMER
Attorneys for Defendant.

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

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

ANNA HOLT,	Plaintiff)	
)	
vs.		)	No. 81 Civil
)	
TRI-STATE MOTOR TRANSPORT, INC.,)	
a corporation,	Defendant.)	

ORDER

Now on this 29th day of March, 1939, this cause comes on to be heard on the motion of the defendant to dismiss plaintiff's complaint, plaintiff appearing by B. A. Hamilton, his attorney, and the defendant appearing specially and for the purposes of said motion only by its attorneys, Green & Farmer, and the Court having heard argument of counsel and being fully advised

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

SPECIAL MARCH 1939 TERM

WEDNESDAY, APRIL 19, 1939

and on request of the plaintiff permitted plaintiff in open court to amend his bill of complaint by interlineation to show that the defendant, Tri-State Motor Transport, Inc., is a foreign corporation, organized and existing under and by virtue of the laws of the state of Missouri, and the Court then finds that said motion should be overruled. Be it therefore ordered, adjudged and decreed by the Court that plaintiff be permitted to amend his complaint by interlineation as above set out and that motion of the defendant be, and the same is hereby overruled, exception allowed and defendant is granted twenty days from this date in which to answer the complaint of the plaintiff filed herein.

F. E. KENNAMER
JUDGE

OK AS TO FORM & COPIES RECEIVED
B. A. HAMILTON
Attorney for Plaintiff

W. E. GREEN & J. C. FARMER
Attorneys for defendant

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

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

Z. ZELMA REYNOLDS, formerly Z. Zelma DeLacretaz, Plaintiff,)
vs.) No. 82 Civil
TRI-STATE MOTOR TRANSPORT, INC.,)
a corporation, Defendant.)

O R D E R

Now on this 29th day of March, 1939, this cause comes on to be heard on the motion of the defendant to dismiss plaintiff's complaint, plaintiff appearing by B. A. Hamilton, his attorney, and the defendant appearing specially and for the purposes of said motion only by its attorneys, Green & Farmer, and the Court having heard argument of counsel and being fully advised and on request of the plaintiff permitted plaintiff in open court to amend his bill of complaint by interlineation to show that the defendant, Tri-State Motor Transport, Inc., is a foreign corporation, organized and existing under and by virtue of the laws of the State of Missouri and the Court then finds that said Motion should be overruled. Be it therefore ordered, adjudged and decreed by the Court that plaintiff be permitted to amend his complaint by interlineation as above set out and that motion of the defendant be, and the same is hereby overruled, exception allowed and defendant is granted twenty days from this date in which to answer the complaint of the plaintiff filed herein.

F. E. KENNAMER
JUDGE

OK AS TO FORM & COPIES RECEIVED,
B. A. HAMILTON, Attorney for plaintiff.

W. E. GREEN & J. C. WOOLSEY, Attorneys for defendant.

ENDORSED: Filed Apr 19 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 WEDNESDAY, APRIL 19, 1939

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

EARL D. ALFORD, Administrator of the Estate)	
of Mamie M. Weidman, Deceased,)	
Plaintiff,	)	No. 2502 Law.
vs.)	
)	
DAVE McCONNELL and MARYLAND CASUALTY)	
COMPANY, a corporation,)	
Defendant.)	

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, said cause is ordered to trial before a jury in its regular order. 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 Fredrick W. Weidman, deceased, vs. Dave McConnell and Maryland Casualty Company, a corporation, being case No. 2503 Law, is pending, and said parties being represented as stated above, and said causes of action therein alleged growing out of the same accident, the court finds that same should be consolidated with this cause for trial, and it is so ordered, to which order of consolidation, the defendant, Dave McConnell, objects, and which objection is overruled, and exceptions allowed.

Thereupon a jury is ordered called into the jury box, 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 plaintiffs 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. Thereupon the defendants, and each of them, demur to plaintiff's evidence, 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.

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 baliff 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. 2502 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 returns a verdict in said cause No. 2502 Law on Plaintiff's second 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 on his second cause of action for funeral expenses against both defendants and assess his damages at \$378.31 Dollars.

Charles Harned. Foreman."

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

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 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 McConnell, 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 Mamie M. Weidman, deceased, have and recover judgment herein and judgment is hereby rendered against the defendant, Dave McConnell 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 Mamie M. Weidman, deceased, to-wit: May M. Weidman and Margaret D. Weidman, minor children and daughters of said Mamie M. 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 second cause of action herein, in accordance with and upon the verdict of the jury, for the use and benefit of the estate of Mamie M. Weidman, deceased, for the sum of \$378.31, together with plaintiff's cost 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, excepts, 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
GOLDSBERRY & KLEIN
Attorneys for Plaintiff
By JNO. M. GOLDSBERRY

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 McConnell

GREEN & FARMER
By M. E. GREEN
Attorneys for Defendant Maryland Casualty
Company, a corporation.

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